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Predator Empire: The Geopolitics of U.S. Drone Warfare

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Abstract

This paper critically assesses the CIA's drone program and proposes that the use of unmanned aerial vehicles is driving an increasingly paramilitarized U.S. national security strategy. The paper suggests that large-scale ground wars are being eclipsed by fleets of weaponized drones capable of targeted killings across the planet. Evidence for this shift is found in key security documents that mobilize an amorphous war against vaguely defined al-Qa'ida "affiliates". This is further legitimized by the White House's presentation of drone warfare as a bureaucratic task managed by a "disposition matrix". Such abstract narratives are challenged through the voices of people living in the tribal areas of Pakistan. What I call the Predator Empire names the biopolitical power that catalogues and eliminates threatening "patterns of life". This permanent war is enabled by a topological spatial power that folds the environments of the "affiliate" into the surveillance machinery of the Homeland.

Key Words: drones, biopower, geopolitics, war, geography, politics, U.S.

Welcome to the Disposition Matrix

Since 2010, Obama administration officials have busily constructed a database for administering life and death. The "disposition matrix"¹ as it's called, contains a list of suspects targeted for elimination across the planet. These spreadsheets are now a permanent feature of U.S. national security. Once upon a time, targeted killings were antithetical to the American way of war. During the Clinton cabinet, officials debated fiercely about the legality of eliminating Osama bin Laden. Even by July 2001, the U.S. ambassador to Israel said "The United States government is very clearly on record as against targeted assassinations... They are extrajudicial killings and we do not support that"². Now, targeted killings have become so normalized that the Obama administration is seeking ways to streamline the process. The disposition matrix was developed by Michael Leiter of the National Counterterrorism Center to centralize the kill lists across multiple state agencies, including the CIA and the Pentagon. The result is a single, evolving database in which "biographies, locations, known associates, and affiliated organizations are all catalogued. So are strategies for taking targets down, including extradition requests, capture operations and drone patrols"³. This deadly "bureaucratic present"⁴ suggests the changing method of state violence: the decentralization of targeted killings across the globe and the simultaneous *centralization* of state power in the executive branch of government. From soldier, to special op, to lethal bureaucrat, this complicated and evolving geopolitical picture, one underwritten by lawfare, drones, and Orwellian 'accounting speak', is very much the new face of Empire.

Of course, the "Global War on Terror" began its life as a geographically and legally amorphous war, encompassing battlefields and "black sites" that marked a new phase of American exceptionalism. The hunt for Osama bin Laden in Afghanistan and the counterinsurgency in Iraq mobilized billion-dollar budgets and legions of troops. But as the clock ticked, and cracks in the Project for the New American Century emerged, the borders of the "Global War on Terror" did not contract, they expanded. In secret and shadow, Pakistan, Yemen, and Somalia became targets in a low-level war that Obama's White House officially brands an 'Overseas

Contingency Operation⁵. Referring to a gradual expansion of state violence in spaces far removed from declared theaters of war, Derek Gregory describes an “everywhere war”⁶ that is defined by asymmetrical and paramilitary battles in the borderlands of the planet. In this paper, I want to suggest that such an “everywhere war” not only includes drone warfare, it is increasingly *defined* by it: a permanent drone war. At the start of 2012, amid controversy stirred by hawkish Congressmen, President Barack Obama and his Secretary of Defense, Leon Panetta, unveiled a new national strategy built around the unmanned aerial vehicle and special operations forces. Troop numbers are to be cut by as much as 100,000⁷ as part of a restructuring to create a “smaller, leaner” military that will no longer engage in large-scale counterinsurgency. In addition to presenting the kind of technological visions that Rumsfeld touted only a decade earlier, Panetta discussed a “floating base”⁸ that would serve special operations forces as well as drone units. Taking stock of these developments, the aim of this paper is to grasp the contours and consequences of this paramilitarization of U.S. national security under a label I name the “Predator Empire”.

Figure 1: MQ-1 Predator. Source: <http://www.af.mil/shared/media/photodb/photos/081131-F-7734Q-001.jpg>



The MQ-1 Predator is perhaps the most well-known of all military drones used today. It has a wingspan of 55 feet, a length of 27 feet, and can be remotely piloted from thousands of miles away via satellite communications. According to the U.S. Air Force⁹, “The Predator system was designed in response to a Department of Defense requirement to provide persistent intelligence, surveillance and reconnaissance information combined with a kill capability to the warfighter”. Its deathly name conjures images of a science-fiction dystopia, a “Terminator Planet”¹⁰ where robots hover in the sky and exterminate humans on the ground. Of course, this is no longer science-fiction fantasy. Drone operators sat in a Nevada desert now control a fleet of robots that can loiter above the landscape with advanced sensing capabilities and weapon systems—giving rise to the claim that drone warfare is like a “video game”. And yet, as Steven Graham reminds us, “The instinct to technologise and distanciate their killing power—to deploy their technoscientific dominance to destroy and kill safely from a distance in a virtualised ‘joystick war’—has been the dominant ethos of US military culture and politics for a century or more”¹¹.

The modern Predator drone dates back to the GNAT-750 (and “Amber” before it) flown in Bosnia in 1994 by the CIA under codename “LOFTY VIEW”. Six years later in 2000, the CIA first started flying Predators in Eastern and Southern Afghanistan in the hunt for Osama bin Laden. The agency’s first targeted killing took place on

February 2002; the Counterterrorist Center unleashed a “Hellfire” missile at a “tall man” believed to be none other than the al-Qa’ida leader and his lieutenants. But the analysts had wrongly identified civilians gathering up scrap metal¹². All were killed. And in a mark of irony that often defines the drone wars—the site of the strike was Zhawar Kili, a mujahideen complex built by Jalaluddin Haqqani in the 1980s with CIA and Saudi support¹³. This model of extrajudicial killings, one developed almost exclusively in-house¹⁴, would soon be rolled out across the Durand Line to become *the* model of drone strikes in Pakistan. Since 2004, the Federally Administered Tribal Areas (FATA) has been the primary target for the agency’s clandestine attacks. Hundreds of civilians and thousands of militants have died¹⁵ in an undeclared war (see **Table 2**) that generates international controversy for its seeming violation of national sovereignty and international law¹⁶. While the number of drones carried by the CIA is classified, the agency’s Director David Patreaus recently requested that the number of Predators and Reapers increase by 10, from the current fleet of “30 to 35”¹⁷.

The CIA’s drone program in Pakistan emerges from a history of targeted killings and counterinsurgencies, especially in Latin America¹⁸. Ever since The National Security Act established the CIA in 1947, clandestine operations have defined a “black world”¹⁹ of intelligence, surveillance, and extrajudicial activity that continues to swell and spread, blurring the division between military and civilian violence²⁰. Targeted killings are a central U.S. counterterrorism tactic that came to prominence after Israel used them against suspected Palestinian terrorists in 2000²¹. Although there is no agreed definition under international law, targeted killings are defined by the UN as “the intentional, premeditated and deliberate use of lethal force”²². The details of the CIA’s drone program remain shrouded in secrecy, despite Obama’s admission on a “web chat” that he was keeping the strikes on “a tight leash”²³. On September 9, 2011, U.S. District Judge Rosemary Collyer ruled that the CIA is not legally required to inform the public about the use of drones in the killing of suspected terrorists²⁴. Even if the exact details are classified, the White House and anonymous “officials” implicitly justify the drone campaign under broader legal arguments such as the “inherent right to self defense” under Article 51 of the U.N. Charter²⁵. But perhaps any appeal to a legal argument is limited: law has never been a guaranteed check on sovereign power, whether declared or not—often enabling and exacerbating it²⁶. And 2011 will be remembered as the year when extrajudicial state violence reached an unprecedented milestone. On the 30th of September, a senior member of al-Qa’ida was killed in Yemen by a covert U.S. drone strike. His name was Anwar al-Awlaki, born inside the U.S. in 1971. As the American Civil Liberties Union (ACLU) responded, “this is a program under which American citizens far from any battlefield can be executed by their own government without judicial process, and on the basis of standards and evidence that are kept secret not just from the public but from the courts”²⁷.

As I will soon argue, drones were already cementing their position as a favored option for U.S. security in 2010. The 2010 National Security Strategy²⁸ and the 2011 National Strategy for Counterterrorism²⁹ state that the American way of life is threatened by geographically and legally amorphous al-Qa’ida ‘affiliates’ in regions that stretch from North and East Africa to the Arabian Peninsula. These documents are important because they set in motion a set of specific responses “such that different referents of security give rise to different kinds of governmental technologies and political rationalities”³⁰. The drone emerges as one governmental technology able to hunt down affiliates “everywhere”. The next section of the paper will examine these strategic discourses in more depth, especially in light of the 2012 Defense Strategic Guidance³¹ that spelled the probable end of large-scale ground wars. My analysis then extends to a set of *delegitimizing* discourses that challenge the abstract White House security and bureaucratic narratives, by reviewing interview materials from a 2010 report by Civilians in Armed Conflict (CIVIC)³² and a 2012 report by Stanford Law School and the New York School of Law³³. From these empirical materials I then make a number of theoretical points concerning the changing face of U.S. national security or the “Washington Rules”³⁴.

Figure 2: MQ-1 Predator Control Station. Source: <http://www.af.mil/shared/media/photodb/photos/070807-F-9602H-101.jpg>



I employ the provocative concept “Predator Empire” as a way of bringing together the strategies, practices and technologies arranged around the deployment of drones for targeted killings. The Predator Empire is underwritten by a regime of biopolitical power that according to Foucault³⁵ has “life” as its target. What, or rather who counts as life is understood in two distinct ways. First, there are the various known personalities that make up the kill lists on the White House’s disposition matrix. Second, there are the ontological “patterns of life” that are coded and targeted by analysts and operators. Since 2008, the CIA has rolled out “signature strikes” in Pakistan that target individuals or groups that display “dangerous” or “suspicious” patterns of life. What makes these forms of targeted killing so controversial is that the person eliminated is not identified by staff in the CIA’s headquarters in Langley, Virginia. Instead, they exist as a digital profile through a series of screens, algorithmic calculations, and spreadsheets. The ability to strike distant targets in the far reaches of the planet is enabled by the evolution of a topographic spatial power to a *topological* spatial power. While by no means denying the vast material infrastructure or ‘Droneworld’³⁶ that houses unmanned aerial vehicles across the globe; the extensive capturing, coding, and cataloguing of life in “real time” is what marks the Predator Empire as distinctive.

Affiliates Everywhere

The White House periodically publishes a National Security Strategy (NSS) outlining the key objectives for U.S. national security. In this section I mirror the work of political geographers who define strategies and discourses as *social acts* that mobilize real and imaginative geographies to perform and produce the effects they name³⁷. For example, Bialasiewicz et al.’s analysis of the 2002 U.S. NSS reveals an entrenched logic of integration that divides the world between those states allied with neoliberal ideals and those that have failed the world community³⁸. The most recent NSS was released in May 2010 under President Obama and contained numerous policies that seemed to break away from Bush’s integrationist strategies, and even expunged the terms “Islamic extremism” and “Muslim fundamentalism” with a renewed focus on rebuilding the U.S. economy. But the old bogeymen remained at large in the “strategic environment” or “world as it is”. Al-Qa’ida was still a “far-reaching network of violence and hatred” that threatened the American way of life. The 2010 NSS defined the “frontline of the fight” as Afghanistan and Pakistan—“the epicenter of the violent extremism”. One of the major security goals of the NSS was to “disrupt, dismantle, and defeat al-Qa’ida and its affiliates through a comprehensive strategy that denies them safe haven”, and to “continue to rebalance our military capabilities

to excel at counterterrorism, counterinsurgency, [and] stability operations”³⁹. While the NSS views al-Qa’ida partners in Yemen, Somalia, the Maghreb, and the Sahel as global risks, al-Qa’ida in Pakistan was “the most dangerous component of the larger network”. The centrality of Pakistan is ironic given the favored method used to ‘defeat violent extremists’ in this area has almost exclusively been clandestine CIA drone strikes. In many ways then, despite a new Commander-in-Chief, the strategies of the 2010 NSS represented business as usual: counterinsurgency across two wars, with al-Qa’ida the fulcrum of security.

The 2011 National Strategy for Counterterrorism (NSC) was released just 13 months later and changes some of the thinking in the 2010 NSS. It states that the “paramount terrorist” threat has “continued to evolve” and due to the “successes of the United States” in Afghanistan and Pakistan, al-Qa’ida’s leadership and organization has been significantly weakened. The terrorist threat is now located “beyond its core safehaven in South Asia”, “to groups affiliated with but separate from the core of the group in Pakistan and Afghanistan”. The focus of the NSC is not just al-Qa’ida the organization, but the collection of groups and individuals who comprise its affiliates and adherents—who accept al-Qa’ida’s “agenda” through “formal alliance, loose affiliation, or mere inspiration”. Adherents are “individuals who have formed collaborative relationships with, act on behalf of, or are otherwise inspired to take action in furtherance of the goals of al-Qa’ida”⁴⁰. Affiliates are groups that have aligned with al-Qa’ida, and are similar the “Associated Forces” used in the 2001 AUMF to refer to cobelligerents of al-Qa’ida and the Taliban. However, affiliates is not an authorized legal term, and is instead “a broader category of entities against whom the United States must bring various elements of national power, as appropriate and consistent with the law, to counter the threat they pose”⁴¹.

Such a discursive expansion primes an escalation of military force in “areas of focus” that are far removed from those traditionally related to the “Global War on Terror”. These peripheral and “ungoverned spaces” marked by “persistent insecurity and chaos” include the Yemen-based al-Qa’ida in the Arabian Peninsula (AQAP); al-Qa’ida in East Africa—particularly al-Shabab in Somalia; al-Qa’ida in Iraq (AQI); and finally al-Qa’ida in the Lands of the Islamic Maghreb (AQIM)—which is based in Algeria.

There is not a single mention of the term drone or unmanned aerial vehicle in either document, despite these technologies clearly forming a central pillar in Obama’s counterterrorist strategy (and oftentimes the *only* strategy used in countries such as Pakistan). But what matters is that the NSS and NSC set in motion powerful national strategies that legitimize the geopolitical *conditions* for the current drone wars. The “everywhere” nature of al-Qa’ida affiliates sets in motion an “everywhere war”⁴² met by technologies that can respond “anytime”. Consider the Pentagon’s release of a shorter but no less controversial Defense Strategic Guidance (DSG) at the start of 2012 entitled “Sustaining U.S. Global Leadership: Priorities for 21st Century Defense”⁴³. The document, which aims to further the objectives of the 2010 NSS, attracted criticism because it called for the end of America’s ability to fight two wars at once (which was still a strategy enshrined in the 2010 NSS). Effectively the DSG spells the death knell of large ground wars and counterinsurgency, which were trumpeted only years earlier by Gen. David Petraeus and the widely celebrated Field Manual FM 3-24. As the DSG states, “U.S. forces will no longer be sized to conduct large-scale, prolonged stability operations”⁴⁴. Taking its place is a Joint Force that Obama calls “agile, flexible, ready and technologically advanced”⁴⁵ capable of hunting affiliates and “non-state threats” in “anti-access environments” and “ungoverned territories”. Speaking about the DSG, Secretary of State Leon Panetta stated: “As we reduce the overall defence budget, we will protect and in some cases increase our investments in special operations forces, new technologies like *unmanned systems*, space and in particular cyberspace capabilities and in the capacity to quickly mobilize”⁴⁶. Panetta’s words are telling: future American national strategy will be performed by special operations forces and drones, and while the enormous U.S. ground presence around the world will be reduced (but by no means eliminated), U.S. aerial presence is set to expand. And if the trends in Pakistan, Somalia, and Yemen continue, such an aerial presence will be spearheaded by the CIA and the White House’s bureaucratic “playbook”⁴⁷.

The CIA attracts controversy because its targeted killings have led to civilian casualties. The year 2010 was the deadliest year in the program's history. Yet John Brennan, President Obama's chief counterterrorism adviser, claimed at the time that "One of the things President Obama has insisted on is that we're exceptionally precise and surgical in terms of addressing the terrorist threat...we do not take such action that might put those innocent men, women and children in danger", adding "that nearly for the past year [August 2010 to July 2011] there hasn't been a single collateral death because of the exceptional proficiency, precision of the capabilities that we've been able to develop"⁴⁸. And yet, *The Bureau of Investigative Journalism* found that there were 116 secret CIA strikes in Pakistan over the period Brennan mentions, with at least 45 civilians killed, ten of which were children⁴⁹. Of course, the divide between "militant" and "civilian" is itself problematic given the absence of due process for the people killed, and the legal ambiguity of what a militant actually is. In 2012 it came to light that Obama *himself* defines who counts as a "militant". Amongst a media maelstrom, the *New York Times* reported that "Mr. Obama embraced a disputed method for counting civilian casualties that did little to box him in. It in effect counts all military-age males in a strike zone as combatants, according to several administration officials, unless there is explicit intelligence posthumously proving them innocent"⁵⁰. Quite how (and if) analysts collect posthumous evidence is unknown. In sum, while the White House goes to great lengths to connect drone warfare to a clean, crisp, battlespace, where the "conduct of war comes to be ever more calculative than corporeal"⁵¹, the reality for those subject to a Hellfire missile is similar to the drone program itself: messy⁵² and all-too-human.

The Double Tap

The debate over whether or not drone strikes are a "success" is usually focused on their ability to target and eliminate "militants". This technological enframement fails to consider what everyday life is like for the broader populations that live under the drones⁵³. Two recent publications are noteworthy in this respect: a 2010 report headed by Christopher Rogers of CIVIC⁵⁴, which interviewed over 160 Pakistani Civilians suffering direct losses from the U.S. strikes, and an extensive 2012 report released by The Stanford International Human Rights and Conflict Resolution Clinic and the Global Justice Clinic at the New York University School of Law⁵⁵, which interviewed 130 people, including victims, witnesses, and other experts. Both reports provide firsthand testimony by those civilian populations living on the fleshy side of the disposition matrix.

Stanford and NYU's report has four main findings. First, civilians are routinely killed, often in so-called "double tap" strikes that kill anyone that tends to the dead and wounded in the wake of an attack. *The Bureau of Investigative Journalism* reported that at least 50 civilians and "first responders" had been killed after they rushed to help victims of drone strikes⁵⁶. One interviewee, Hayatullah Ayoub Khan, recounted a particularly harrowing experience⁵⁷. A drone missile was fired at a car around 300 meters in front of him while driving. Hayatullah exited his vehicle and slowly approached the wreckage, cautious that he might be a victim of a follow-up strike. He walked close enough to the car to see a flailing arm inside. The injured occupant "yelled that he should leave immediately because another missile would likely strike". Hayatullah did as instructed, returning to his car just as a second missile struck the survivor. The second finding from Stanford and NYU is that beyond direct physical and monetary damage, the constant hovering of drones has led to a deeply entrenched psychological malaise amongst civilians. Many community members now shy away from social gatherings, including important tribal meetings and funerals, with some parents even electing to keep their children away from school. Third, there is scant evidence that the strikes have made the U.S. "safer". The "evidence suggests that US strikes have facilitated recruitment to violent non-state armed groups, and motivated further violent attacks"⁵⁸. Finally, the CIA's program of targeted killings undermines respect for, and adherence to, international law and sets a dangerous precedent.

The death of innocent people is a common theme among interviewees in both reports. CIVIC interviewed Guy Nawaz, a resident of North Waziristan who was watering his fields when he heard the screech and boom of a Hellfire: “I rushed to my house when I heard the blast. When I arrived I saw my house and my brother’s house completely destroyed and all at home were dead”⁵⁹. Eleven of his family were killed, including his wife, two sons and two daughters, as well as his older brother, his wife and four children. He continued, “We were living a happy life and I didn’t have any links with the Taliban. My family members were innocent... I wonder, why was I victimized?”⁶⁰ Safia lost her 30 year-old husband and 7 year-old son when a militant vehicle was struck by a drone as it passed her house. She said that “I hope the Taliban are all killed. But I hope the drone attacks are stopped immediately. They are not effective against the Taliban hideouts. USA and Pakistan should realize the fact that for the last 5-6 years the drone attacks have been taking place but no Taliban has left extremism or terrorism”⁶¹. Stories of emotional and psychological trauma were frequently recounted in both reports, with medical professionals diagnosing the “anticipatory anxiety” and “Post-Traumatic Stress Disorder” (PTSD) many civilians now suffer with. As Safdar Dawar, President of the Tribal Union of Journalists explains⁶²:

If I am walking in the market, I have this fear that maybe the person walking next to me is going to be a target of the drone. If I’m shopping, I’m really careful and scared. If I’m standing on the road and there is a car parked next to me, I never know if that is going to be the target. Maybe they will target the car in front of me or behind me. Even in mosques, if we’re praying, we’re worried that maybe one person who is standing with us praying is wanted. So, wherever we are, we have this fear of drones.

Both reports are an important challenge to the legitimization of drone warfare, especially in light of recent figures by a Washington Post-ABC News poll that found 83 percent of those Americans surveyed “approve” of the use of drones against suspected terrorists overseas⁶³. The near-impossibility of travel to FATA by journalists and researchers outside or inside of Pakistan means that these reports give a rare glimpse of life on the ground. These shared stories of the women, children, and men of FATA “disturbs and disrupts the hegemonic foreign policy gaze”⁶⁴, and refocuses the lens of the White House’s geographical imagination. Drone warfare in Pakistan, just like the “war on terror” more generally, is not a universal experience⁶⁵: it is differentially distributed and violently *uneven*, split between suburban pilots that sit in air-conditioned trailers and scan video screens, adjusting their “soda straw” digital view of the world with a joystick, and the everyday experiences told by the people of FATA. While not wanting to overstate the case, these stories are important for rehumanising the abstract discourses of security strategy and the bureaucratic spaces of the disposition matrix.

The Predator Empire

The Biopolitics of the Predator Empire

In this section I explore how “life” is the target for the Predator Empire. Although I do not want to downplay the role the American military plays in coordinating and performing violence across the globe, my focus is on the CIA’s drone wars because the evidence from the NSC and DSG suggests a diffuse (if by no means singular) drift towards the paramilitarization of national security. So too does the National Counterterrorism Center’s disposition matrix and John Brennan’s “playbook”⁶⁶ establish a permanent precedent for extrajudicial strikes that exist outside of Title 10 authorities⁶⁷. This means that the CIA will in all likelihood remain heavily invested in targeted killings for decades to come, despite 9/11 Commission recommendations that paramilitary activities are transferred to the Department of Defense⁶⁸. The agency’s 2,000-strong Counterterrorist Center has transformed itself from an intelligence gathering machine to a major player in “kinetic operations”⁶⁹. But who counts as a “target” is at times (intentionally) ambiguous. As I previously explored in the above NSS and NSC, there is a deliberate widening of the net surrounding who counts as an affiliate. If, as Dillon and Reid suggest,

“The history of security is a history of the changing problematisation of what it is to be a political subject and politically subject”⁷⁰, then the discursive baptism of the affiliate marks a new, if not unprecedented political subject. This is further complicated because the affiliate is not always an identifiable person such as an al-Qa’ida leader in North Waziristan. Instead, and as I will argue in the remainder of this section, the affiliate can be a threatening *pattern of life* that is coded, catalogued, and eliminated.

As the name directly implies, targeted killings usually involve a known target. In February 2011, John Rizzo, the 63-year-old former General Counsel of the CIA, discussed the agency’s practice of targeted killings⁷¹. Analysts and ‘targeters’ located in the CIA’s Counterterrorist Center select individuals for “neutralization” based on intelligence reports. This report must then clear a team of lawyers before it signed off by the Counsel. But this isn’t always the normal bureaucratic practice. In the summer of 2008, former CIA Director Michael Hayden successfully lobbied President Bush to dispense with drone targeting constraints that are restricted to known individuals⁷²: “For the first time the CIA no longer had to identify its target by name; now the ‘signature’ of a typical al Qaeda motorcade, or of a group entering a known al Qaeda safe house, was enough to authorize a strike”⁷³. The devil here is in the detail. Unlike “personality strikes”, where the person’s identity is located on one of the CIA’s classified kill lists or the disposition matrix, a signature is constructed from observing and cataloguing a pattern of life—coding the behavior and geography of individuals; targeting their very lifeworld. This new targeting regime may have led to a rapid escalation of drone strikes and an increase of the number of people that were killed in Pakistan. Between 2004 and 2007 there were 9 drone attacks, but between the pivot year of 2008 and 2011, this figure leapt to 284⁷⁴. In **Table 1**, I have calculated the percentages of militant “leaders” killed in drone strikes in order to illustrate the decreasing number of high-level “commanders” that are subject to the CIA’s strikes. While this in itself does not prove that personality strikes have given way to signature killings, it does at least suggest the widening net of those subject to drone attacks in Pakistan.

To illustrate how easily innocent civilians can get caught up in a signature strike, recall the 2010 CIVIC report once again. In one story, the Taliban visited the residence of a man named Daud Khan and demanded lunch. The father reluctantly consented, fearing reprisal if he refused the fighters: “The very next day our house was hit... My only son Khaliq was killed. I saw his body, completely burned”. In this case, it seems that Khan’s son had unwittingly become “affiliated” with the Taliban. Due to the unavoidable intermingling of such militants with the lives of ordinary people, it is likely that signature strikes could have killed many innocent people. According to the 2012 Stanford and NYU report, a signature strike probably place on March 17, 2011. The CIA fired at least two missiles into a large gathering—a *jirga* led by a decorated public servant—near a bus depot in the town of Datta Khel, North Waziristan. The U.S. insists that all were militants. And yet, the overwhelming evidence suggests that most of the 42 people killed were civilians⁷⁵. Of the four suspected Taliban militants identified by the *Associated Press* in this strike, only one has ever been identified by name. As a 2011 *Washington Post* report notes, “Independent information about who the CIA kills in signature strikes in Pakistan is scarce”⁷⁶. Other officials in the U.S. State Department have complained that the classified criteria used by the CIA to construct a “signature” are too lax: “The joke was that when the CIA sees ‘three guys doing jumping jacks,’ the agency thinks it’s a terrorist training camp”⁷⁷.

Table 1: Percentage of Known Drone Strikes that Killed Militant Leaders

	2004	2005	2006	2007	2008	2009	2010	2011	2012*	Total
Number of strikes	1	2	2	4	36	54	122	72	36	329
Militant leaders killed	1	2	Unknown	Unknown	14	10	8	10	6	51
Percentage of strikes that killed militant leaders	100	100	Unknown	Unknown	38.9	18.5	6.6	13.9	16.7	15.5

* As of October 24, 2012

Source: *New America Foundation*, 2012, <http://counterterrorism.newamerica.net/drones>

Of course, drones continue to target known individuals on kill lists, performing a well-rehearsed “reduction of places and people to an abstract space”⁷⁸, but at least since 2008 the Predator Empire has enforced a distinctive twist on a *biopolitical* logic based on targeting patterns of life. While there is much variation on what counts as biopolitics⁷⁹, it was a term first coined by Michel Foucault in *Society Must Be Defended: Lectures at the Collège de France*⁸⁰; a series that Chris Philo describes as the “decisive hinge” in Foucault’s “switch from being a critical historian of the body to being the critical historian of population”⁸¹. In classical theories of sovereignty, the sovereign can “either have people put to death or let them live”⁸², and its power over life “is exercised only when the sovereign can kill”⁸³. This sovereign power became supplemented by a new “right to make live and let die”⁸⁴ in the nineteenth-century. This transformation involved a shift from disciplinary technologies that targeted “man-as-body” (what Foucault calls an “anatomy-politics”) to regulatory mechanisms at the level of “man-as-species” (what Foucault calls a “biopolitics”). Biological processes such as fertility rates became political problems and sites of intervention, where the aim is was to “establish a sort of homeostasis”⁸⁵ within the population which “consists in making live and letting die” and “achieving an overall equilibrium that protects the security of the whole from internal dangers”⁸⁶. All of might be termed “State control of the biological”⁸⁷.

Table 2: Minimum Percentage of Known Strikes that Killed Civilians

	2004	2005	2006	2007	2008	2009	2010	2011	2012*	Total
Minimum Reported Casualties	6	15	103	37	268	559	904	473	230	2327
Minimum Reported Civilian Casualties	2	6	96	4	74	119	100	68	6	475
Min. Percentage of Civilians Killed	33.3	40.0	93.2	10.8	27.6	21.3	11.1	14.4	2.6	20.4

* As of October 24, 2012

Source: TBIJ, 2012, <http://www.thebureauinvestigates.com/2012/07/02/resources-and-graphs/>

Dillon and Reid⁸⁸ extend Foucault’s biopolitics of the population to a biopolitics of the molecular. They argue that as the life sciences changed over the last century, so too did the “bios” of biopolitics, becoming ever more processual, spontaneous, and based on codes (such as DNA). This “recombinant biopolitics” fed directly into the visions of Rumsfeld’s “Revolution in Military Affairs” to create a new organizing principle “concerned with surveillance and the accumulation and analysis of data concerning behaviour, the patterns which behaviour displays and the profiling of individuals within the population”⁸⁹. Under this new metaphysics of power, in which “power/knowledge is very much more concerned to establish profiles, patterns and probabilities”⁹⁰, information is a weapon and securing territory is no longer viewed with the same importance as securing patterns of life. For Foucault, this means that dangerousness, what is to be secured, is no longer an actualized danger, but is located within behavioral potentialities. Or as Bruce Braun suggests, “Today, security’s principal answer to the problem of ‘unknown unknowns’ is the speculative act of *pre-emption*, which takes as its target potential rather than actual risks”⁹¹. Consequently, dangerous signatures or patterns of life are assessed on their very potential to *become* dangerous.

In the tribal areas of Pakistan, for example, most people killed by U.S. drones have not been al-Qa’ida fighters. In fact, the number of al-Qa’ida militants eliminated has been just 8% under the Obama administration⁹². This means that a far greater number of people who played no part in the attacks of September 11, 2001 have been vaporized by Hellfire missiles. The current UN Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns, went so far as to question whether “killings carried out in 2012 can be justified as in response to [events] in 2001”⁹³. The presumptive “guilt” of many of those killed in Pakistan today is thus constructed around the so-called “immanent” threat they pose to the U.S. Homeland: a pre-emptive, future-

oriented biopolitics that exists in an exceptional space outside of centuries of international humanitarian law. These Pakistani “affiliates”—which include Taliban, Pakistan Taliban, and Haqqani Network members, are part of a much wider expansion of who counts as an affiliate in a globalizing drone war.

The very condition that makes a biopolitics possible in the first place then—life—has become a force to be coded and secured. As Dillon describes it, “The biopolitics of security today is precisely this political emergency of emergence instituting a regime of exception grounded in the endless calibration of the infinite number of ways in which the very circulation of life threatens life rather than some existential friend/enemy distinction”⁹⁴. The appearance of the affiliate in the NSS and NSC marks the emergence of a far more process-based, even epidemiological understanding of danger, where the “threat” is located in what individuals *could* become in the future, and security is defined as anticipating and eliminating the emergence of such danger. For Dillon, this erasure of the concept of “man” by targeting “life” means that “it is no longer adequate to judge lifelike bodies in terms of the essence of that existential otherness definite of the enemy alone, for every-body is a continuously emergent body-in-formation comprised of contingently adaptive rather than fixed properties”⁹⁵. The “evental”⁹⁶ nature of this “emergent emergency” helps explain the conditions surrounding the CIA’s shift in targeting practices from personality strikes to signature strikes and the changing object of national security from al-Qa’ida the organization to al-Qa’ida affiliates. In both cases the targets for the Predator Empire are not simply actualized forms of danger, but virtualized forms of emergence that may become threats in the future⁹⁷.

The Spatial Topology of the Predator Empire

According to research by Nick Turse, the U.S. military operates 1,100 bases across the planet⁹⁸. Many of these sites exist in shadow because they are used for paramilitary operations by Special Forces and the CIA. These bases range in size and location, but a recent and favored strategy of the U.S. military has been to construct skeletal “lily pads” that are scattered in remote outposts across the globe. Chalmers Johnson, author of the book *Blowback*, wrote back in 2004 that “[t]his vast network of American bases on every continent except Antarctica actually constitutes a new form of empire – an empire of bases with its own geography not likely to be taught in any high school geography class”⁹⁹. While this “new form of empire” has been growing for decades, the proliferation of remotely piloted aircraft certainly marks a new phase in its evolution—the *Predator Empire*. Everywhere and nowhere, drones have become sovereign tools of life and death; with “the lives and deaths of subjects become rights only as a result of the will of the sovereign”¹⁰⁰.

The Predator Empire is underpinned by an expanding geography of drone bases in and around the “areas of concern” mentioned in the NSS and NSC. There are now at least 60 bases used for U.S. military and CIA drones—from medium sized Predators and Reapers to experimental systems such as the “Sentinel” that was captured by Iran. As part of their surveillance of Iraq, Afghanistan, Pakistan, Somalia, Yemen, and Libya, U.S. drones are now flown out of Ethiopia, Djibouti, and the Seychelles (as well as an unnamed country in the Arabian Peninsula, probably Saudi Arabia)¹⁰¹. These geographic locations are intended to develop overlapping circles of surveillance. The jewel in the crown in this new form of empire is Camp Lemonnier in Djibouti, which is sandwiched between Somalia and Yemen. This secretive 500-acre base is the first ever camp dedicated *solely* to tracking and eliminating al-Qa’ida and its “affiliates”¹⁰². Around 16 drones either take off or land every day at the base, which has its origins as an outpost in the French Foreign Legion. Activities at Camp Lemonnier increased in 2010 after 8 Predators were delivered, turning the camp into a fully-fledged drone base. The CIA first shipped its Predators to the camp in 2002¹⁰³, and it now acts in collaboration with the secretive Joint Special Operations Command. A total of 3,200 U.S. troops, civilians, and contractors are assigned to the camp where they “train foreign militaries, gather intelligence and dole out humanitarian aid across East Africa as part of a campaign to prevent extremists from taking root”¹⁰⁴. In short, Camp Lemonnier is the concrete symbol of a Predator Empire no longer bound to Pakistan or Afghanistan.

But despite this concrete presence, the CIA's fleet of secret drones has little interest in securing "territory" in the traditional sense, seeking instead to secure and eliminate patterns of life that threaten. In *Security, Territory, Population*¹⁰⁵ Foucault details how biopower is not exercised across territory per se¹⁰⁶, but through *spaces of circulation* or a "milieu" of human and nonhuman multiplicities that constitute life-in-the-making. Similarly he wrote that the last domain of biopolitics is "control over relations between the human race, or human beings insofar as they are a species, insofar as they are living beings, and their environment, the milieu in which they live"¹⁰⁷. Here, Foucault refers to both natural and manmade environments, where mastery of the environment is translated into mastery of the population. Sloterdijk goes so far as to state that "The 20th century will be remembered as the period whose decisive idea consisted in targeting not the body of the enemy, but his environment"¹⁰⁸. Indeed, securing the atmosphere has continually transformed understandings of space, power, and sovereignty¹⁰⁹. The question is therefore *how* is the environment a biopolitical target for the Predator Empire? How is the environment understood and controlled? Unlike forms of environmental intervention that leave a gigantic "footprint" in the soil of the earth, such as the counterinsurgency pursued in Iraq, the Predator Empire pursues a different kind of spatial biopolitics; a virtual intervention where what is captured is not "hearts and minds" but endless streams of information that are broadcast back to the Homeland. This suggests that the direction of power is not just an outward *projection*—as with the geographic expansionism that traditionally defines "American power projection" across the globe. Rather, it also suggests an inward power *collection*: defined here as the power to incorporate, to bring closer.

The drone continues to transform U.S. biopower by bringing distant "areas of concern" such as the tribal areas of Pakistan into the gaze of pilots, targeters, and analysts in Creech Air Force Base in Nevada. This power to make the faraway intimate is "a non-symmetrical power topology which sometimes coincides with a geographically materialized power topology and sometimes does not"¹¹⁰. Predators "crumple" space with an unparalleled level of aeromobility, reducing the importance that geographic distance and obstacles have in separating "there" from "here". This power topology is not strictly exercised *across* space then, but rather, it is the capacity to crumple and environment by *digitizing* it. As Allen states, "The use of real-time technologies to create a simultaneous presence in a diversity of settings is, for instance, just one way in which relations of presence and absence may be reconfigured so that the gap between 'here and there' is bridged relationally, and distance itself is no longer understood simply as a metric"¹¹¹. The 2012 DSG makes it clear that physical boots on the ground are *not* part of the strategic environment of the future. The Predator Empire therefore marks the continuing evolution from a reliance on a topographic, ground-intensive empire to a topological, aerial empire. Airpower and aeromobilities has always been a central tenet of U.S. military strategy of course. As Adey summarizes, "From the air raids of the Blitz to the newest unmanned reconnaissance aircraft, aeromobilities provide both promise and possibility, as well as dread, terror, destruction and death"¹¹². And while it is undeniable that the CIA's ghost war requires an expanding network of drone bases, such a Droneworld is not the end point of power—it is the architecture for the coding, cataloging, and eliminating of life in "real time", on a scale that is historically unprecedented. It is within the unique topological spatiality of the Predator Empire that targeting killings become ever more decentralized across the planet, even as the power to take life is centralized in the hands of the executive branch of government.

When Obama stated that "We will not apologize for our way of life, nor will we waver in its defense" in his inaugural address, he appealed to a biopolitics that is the hallmark of our geopolitical condition. The distinctiveness and coherence of "friend" and "enemy" has seemingly melted away into more amorphous patterns of life that are located across Pakistan, Yemen, Somalia, and North Africa. Although Foucault goes to great lengths detailing how biological life is included in politics, and how technologies exist "to control the series of random events that can occur in a living mass"¹¹³, he also asks how 'is it possible for a political power to kill, to call for deaths, to demand deaths, to *give the order to kill*...?'¹¹⁴ He answers quite specifically with

racism as “the precondition for exercising the right to kill”¹¹⁵. Certainly, the Pashtun residents in the tribal areas of Pakistan are caught in a net of violent colonial language¹¹⁶ and laws¹¹⁷ inherited from the British Raj. But such violence must constantly be performed and is thus reliant on the technologies and spatialities of state power¹¹⁸. The civilians living and dying in Pakistan, whose families and friends were interviewed in the 2010 CIVIC report and the 2012 Stanford and New York University report, are exposed to an unaccountable surveillance apparatus that scrutinizes their patterns of life from thousands of miles away. Their vulnerability is inseparable from the topological spatial power of the Predator Empire.

Conclusions

By introducing the term Predator Empire I do not want to suggest that U.S. extrajudicial killings are in any way “new”. Rather, I want to show how U.S. national security strategy is transforming alongside the rise of the drone; creating the geopolitical conditions for a permanent war waged in the heart of Washington D.C. The Predator, manufactured by *General Atomics*, was the first drone used by the U.S. for a targeted killing in Afghanistan in 2002. Since then, the CIA’s model of extrajudicial assassination has moved from the periphery to the center of a paramilitarized national security strategy. This is a battle that is spearheaded by bureaucrats and White House officials that wear suits rather than uniforms, and wage war with spreadsheets rather than rifles. It is a different kind of empire, one in which U.S. bases resemble outposts like Camp Lemonnier in Djibouti. This shift is encapsulated in the 2011 National Counterterrorism Strategy and the 2012 Defense Strategic Guidance. These documents mobilize an amorphous “everywhere war”¹¹⁹ against vaguely defined “affiliates”. Of course, the “war on terror” has always been a type of governmentality¹²⁰ that inserts itself into the population, whether at airports, borders¹²¹, or other security checkpoints, where biometric scanning segregates “legitimate mobilities” from “illegitimate mobilities”¹²². The CIA’s signature strikes extend and rework this form of algorithmic calculation to target threatening patterns of life. And this is realized by a topological power that folds the spaces of the affiliate into the surveillance machinery of the Homeland.

The Predator Empire marks the continuation of biopolitics by other means—namely an aerial ghost war that is central to U.S. national security. These targeted killings represent the crystallization of what could be called America’s “one percent war”¹²³: a war that only affects around one percent of the U.S. population: those profiting in the military-industrial complex and those pilots sitting in cubicles staring at “Death TV”. The other 99 percent remain alienated from a nebulous and permanent war waged by robots in the borderlands of the planet. This has the effect of creating two geographic and imaginary distances: between drone pilots and their targets, and between the Predator Empire and the public. And with so much of the violence performed by the CIA’s paramilitary wing, an official silence drowns out any murmurings that surface in an otherwise subdued Congress. So too does the replacement of human troops with robotic warriors reduce the threshold of going to war. Beginning on April 23rd, 2011, American drones began six months of strikes against Qaddafi’s faltering regime in Libya. Crucially they were not authorized by the so-called Congressional “War Powers Resolution” designed to curb executive power. Peter Singer¹²⁴ writes that “Choosing to make the operation *unmanned* proved critical to initiating it without Congressional authorization”, adding “Like it or not, the new standard we’ve established ... is that presidents need to seek approval only for operations that send *people* into harm’s way — not for those that involve waging war by other means”¹²⁵.

Looking forward, the consequences of the roboticization of state violence are only coming into focus, although I think three outcomes are almost certain. First of all, consider “drone creep”: the use of drones in everyday settings by the police and other civilian agencies. One of the biggest trends in recent years has been the adoption of drone technology for law enforcement, particularly within the U.S. where Predator drones are used by Customs and Border Patrol along the borders with Mexico and Canada. And at the end of 2011, U.S. police in North Dakota made their first arrest with the aid of a Predator drone. This type of police surveillance

is set to increase after the recent passage of The Federal Aviation Administration Reauthorization Act in 2012. The FAA estimates that there could be some 30,000 drones in U.S. skies by 2020¹²⁶. This expansion feeds into a wider drone “arms race” across the globe. In 2012 the Government Accountability Office revealed that over 75 countries have now acquired some form of drone, with the U.S. and Israel the global export leaders. Perhaps the emergence of drone-on-drone warfare is just around the corner; after all, there is no shortage of political will, nor is there a shortage of non-state actors that will redefine the rules of the game.

Second, in the hunt for affiliates in FATA, the CIA’s drone strikes continue to alienate the larger Pakistani population¹²⁷. Tom Engelhardt describes drones as “blowback weapons” with Nick Turse adding: “Over the last decade, a more-is-better mentality has led to increased numbers of drones, drone bases, drone pilots, and drone victims, but not much else. Drones may be effective in terms of generating body counts, but they appear to be even more successful in generating animosity and creating enemies”¹²⁸. Even if al-Qa’ida and its affiliates have indeed “metastasized” across East and North Africa, moving from the tribal areas of Pakistan to new fronts in Somalia, Yemen, and the Sahel, this geographic shift must be seen as the inevitable *outcome* of an expanding Predator Empire. Bruce Riedel, a former CIA analyst and Obama counterterrorism adviser was blunt in his diagnosis of the shortcomings of targeted killings: “The problem with the drone is it’s like your lawn mower. You’ve got to mow the lawn all the time. The minute you stop mowing, the grass is going to grow back”¹²⁹. But perhaps this is the very point: blowback sustains a permanent war.

Third, the Predator Empire will continue to violate national sovereignty on a number of fronts, as the technology challenges the very sanctity of territory¹³⁰. U.S. strikes in Pakistan, Yemen, Somalia, and Libya have all taken place in the shadow of law, and set a dangerous precedent that will no doubt be emulated across the globe by a range of state and non-state actors. The drone war waged inside of Pakistan’s tribal areas for eight years appears to be in direct contravention of international humanitarian law on numerous fronts¹³¹. Indeed, the legal violations of the Predator Empire are mirrored in its territorial violations; both are locked together in a legal-lethal space¹³². Perhaps the significance held by ground bases, such as Camp Lemonnier, will begin to erode as aircraft carriers enjoy a renewed importance as the Predator Empire migrates along the Pacific Ocean towards China¹³³. Drones are under development by the U.S. Navy that can take off and land autonomously from a carrier. This, combined with increasing developments in “swarm” technology, as well as an escalation of Special Operations forces, sets the stage for a world in which a highly mobile force, answerable only to the executive branch, can drop down from the sky at a minute’s notice—sometimes with a kick at the door, sometimes with a Hellfire.

While the Predator Empire may be assembled with dozens rather than hundreds of flight orbits, it is essential that the wholesale psychological damage that is being wrought upon thousands of people is never eclipsed by a technological enframing that so often shields the unbearable humanity of it all. This is why the civilian voices from FATA need to be heard, and why the reports explored earlier in this paper are so vital. Targeted killings are too quickly becoming a “post-political” background issue; a noise that few listen to. Indeed, Washington’s permanent war is not even an ethical or moral issue for most of the public. It is simply “common sense”. An intervention is therefore needed to render this normalization anything but.

¹ G. Miller, *The Washington Post*, ‘Plan for Hunting Terrorists Signals U.S. Intends to Keep Adding Names to Kill Lists’, (2012) available at <http://www.washingtonpost.com/world/national-security/plan-for-hunting-terrorists-signals-us-intends-to-keep-adding-names-to-kill-lists/2012/10/23/4789b2ae-18b3-11e2-a55c-39408f6e6a4b_story.html> accessed 31 October 2012.

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- ² M. Indyk, quoted in J. Meyer, *The New Yorker*, 'The Predator War', (2009) available at <http://www.newyorker.com/reporting/2009/10/26/091026fa_fact_mayer> accessed 31 October 2012.
- ³ Miller (note 1).
- ⁴ I. G. R. Shaw, 'From Baseworld to Droneworld', *Antipode* (2012) available at <<http://antipodefoundation.org/2012/08/14/intervention-from-baseworld-to-droneworld/>> accessed 31 October 2012.
- ⁵ O. Burkeman, *The Guardian*, 'Obama Administration Says Goodbye to 'War on Terror'', (2009) available at <<http://www.guardian.co.uk/world/2009/mar/25/obama-war-terror-overseas-contingency-operations>> accessed 31 October 2012.
- ⁶ D. Gregory, 'The Everywhere War', *The Geographical Journal* 177/3 (2011) pp. 238-250.
- ⁷ BBC News, 'US to cut almost 100,000 troops', (2012) available at <<http://www.bbc.co.uk/news/world-us-canada-16751973>> accessed 26 January 2012.
- ⁸ Ibid.
- ⁹ U.S. Air Force, 'MQ-1B Predator', (2012) available at <<http://www.af.mil/information/factsheets/factsheet.asp?id=122>> accessed 31 October 2012.
- ¹⁰ N. Turse and T. Engelhardt, *Terminator Planet: The First History of Drone Warfare, 2001–2050*, (New York: Dispatch Books 2012).
- ¹¹ S. Graham, 'Vertical Geopolitics: Baghdad and After', *Antipode* 36/1 (2004) p. 18.
- ¹² J. Sifton, *The Nation*, 'A Brief History of Drones', (2012) available at <<http://www.thenation.com/article/166124/brief-history-drones>> accessed 31 October 2012.
- ¹³ For more on the history of U.S. drones, and the CIA's development of the Predator drone in particular, see I. G. R. Shaw, 'The Rise of the Predator Drone', (2012) available at <<http://understandingempire.wordpress.com/2012/10/28/essay-the-historical-rise-of-the-predator-drone-2/>> accessed 31 October 2012.
- ¹⁴ S. Coll, *Ghost wars: The secret history of the CIA, Afghanistan and Bin Laden, from the Soviet invasion to September 10, 2001*, (London: Penguin Books 2004).
- ¹⁵ Death counts, even in declared wars, are impossible to verify accurately. In undeclared ones such as the CIA's drone campaign, accurate death counts are even more difficult. The most reliable website for tracking drone strikes and deaths is *The Barea of Investigative Journalism* at <<http://www.thebureauinvestigates.com/category/projects/drones/>>.
- ¹⁶ The debate surrounding whether or not the CIA's program of targeted killings is legal is enormous, and one that I do not pursue in great detail in this paper. See note 32, chapter 5.
- ¹⁷ G. Miller, *The Washington Post*, 'CIA Seeks to Expand Drone fleet, Officials Say', (2012) available at <http://www.washingtonpost.com/world/national-security/cia-seeks-to-expand-drone-fleet-officials-say/2012/10/18/01149a8c-1949-11e2-bd10-5ff056538b7c_story.html?tid=pm_pop> accessed 31 October 2012.
- ¹⁸ G. Grandin, *Empire's Workshop: Latin America, the United States, and the Rise of the New Imperialism* (New York: Metropolitan Books 2006).
- ¹⁹ See T. Paglen, 'Goatsucker: Toward a Spatial Theory of State Secrecy' *Environment and Planning D: Society and Space* 28/5 (2010) pp. 759-771.
- ²⁰ There are many instances of this. For example the coordination between the CIA and the military's Joint Special Operations Command (JSOC) in Yemen. Symbolically, consider also the appointment of Gen. David Patreaus as head of the CIA.
- ²¹ Council on Foreign Relations, 'Targeted Killings', (2012) <<http://www.cfr.org/intelligence/targeted-killings/p9627>> accessed 20 July 2012.
- ²² P. Alston, 'Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions', UN General Assembly, Human Rights Council (2010), available at <<http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.24.Add6.pdf>> accessed 9 February 2012.
- ²³ Associated Foreign Press, 'Obama confirms US drone strikes in Pakistan' (2012), available at <<http://www.dawn.com/2012/01/31/obama-confirms-us-drone-strikes-in-pakistan.html>> accessed 9 February 2012.
- ²⁴ P. Yost, Associated Press, 'Judge Dumps Suit for Info on Use of Drones to Kill' (2011), available at <<http://news.yahoo.com/judge-dumps-suit-drones-kill-223226133.html>> accessed January 20 2012.
- ²⁵ I. G. R. Shaw, 'Legal Issues', (2012) available <<http://understandingempire.wordpress.com/4-0-legal-issues/>> accessed 1 November 2012.
- ²⁶ I refer here to D. Kennedy, *Of Law and War* (Princeton: Princeton University Press 2006). See also J. Morrissey, 'Liberal Lawfare and biopolitics: US juridical warfare in the war on terror', *Geopolitics* 16/2 (2010) pp. 280-305.

²⁷ American Civil Liberties Union, 'ACLU Lens: American Citizen Anwar Al-Aulaqi Killed Without Judicial Process', (2011) available at <<http://www.aclu.org/blog/national-security/aclu-lens-american-citizen-anwar-al-aulaqui-killed-without-judicial-process>> accessed 20 January 2012.

²⁸ *National Security Strategy 2010*. Released by The White House on May 27, 2010. Available at <http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf> accessed 9 February 2012.

²⁹ *National Strategy for Counterterrorism, 2011*. Released by The White House on June 28, 2011. Available at <http://www.whitehouse.gov/sites/default/files/counterterrorism_strategy.pdf> accessed 9 February 2012.

³⁰ M. Dillon, 'Governing Terror: The State of Emergency of Biopolitical Emergence', *International Political Sociology* 1/1 (2007), p. 10.

³¹ *Sustaining U.S. Global Leadership: Priorities for 21st Century Defense*. Released by the White House on January 3, 2012. Available at <http://www.defense.gov/news/Defense_Strategic_Guidance.pdf> accessed 9 February 2012.

³² C. Rogers, *Civilian Harm and Conflict in Northwest Pakistan* (Washington DC, CIVIC 2010) p.22. Available at <<http://www.civicworldwide.org/storage/civicdev/documents/civic%20pakistan%202010%20final.pdf>> accessed 27 July 2011.

³³ International Human Rights and Conflict Resolution Clinic (Stanford Law School) and Global Justice Clinic (NYU School of Law), 'Living Under Drones: Death, Injury, and Trauma to Civilians from US Drone Practices in Pakistan', (2012) available at <http://livingunderdrones.org/wp-content/uploads/2012/09/Stanford_NYU_LIVING_UNDER_DRONES.pdf> accessed 31 October 2012.

³⁴ A. J. Bacevich, *Washington Rules* (Metropolitan Books, New York, 2010)

³⁵ M. Foucault, '*Society Must Be Defended*': *Lectures at the College de France, 1975–1976*, (Picador: New York 2003)

³⁶ Shaw (note 4).

³⁷ M. Müller, 'Reconsidering the Concept of Discourse for the Field of Critical Geopolitics: Towards Discourse as Language and Practice', *Political Geography* 27/3 (2008) pp. 322-338.

³⁸ L. Bialasiewicz, D. Campbell, S. Elden, S. Graham, and A. J. Williams, 'Performing Security: The Imaginative Geographies of Current US Strategy', *Political Geography*, 26/4 (2007) pp. 405-422. See also S. Roberts, A. Secor, and M. Sparke, 'Neoliberal Geopolitics' *Antipode* 35/5 (2003) pp. 886-897.

³⁹ *National Security Strategy* (note 22) p.14.

⁴⁰ *National Strategy for Counterterrorism* (note 23) p.3.

⁴¹ *Ibid*, p.3

⁴² Gregory (note 6).

⁴³ *Sustaining U.S. Global Leadership: Priorities for 21st Century Defense*, Released by the White House on 5 January 2012

⁴⁴ *Ibid*, p.6. Italics in original.

⁴⁵ *Ibid*, foreword by President Barack Obama

⁴⁶ Quoted in E. Pilkington, *The Guardian*, 'Barack Obama sets out plans for leaner military in historic strategy shift', (2012) available at <<http://www.guardian.co.uk/world/2012/jan/05/barack-obama-plans-leaner-military>> accessed 20 January 2012.

⁴⁷ K. DeYoung, 'A CIA Veteran Transforms U.S. Counterterrorism Policy', (2012) available at <http://www.washingtonpost.com/world/national-security/cia-veteran-john-brennan-has-transformed-us-counterterrorism-policy/2012/10/24/318b8eec-1c7c-11e2-ad90-ba5920e56eb3_story.html> accessed 31 October 2012.

⁴⁸ The video of John Brennan's speech can be found online at <<http://www.c-spanvideo.org/program/AdministrationCo>> accessed 26 July 2008.

⁴⁹ The Bureau of Investigative Journalism, 'US Claims of 'No Civilian Deaths' are Untrue', available at <<http://thebureauinvestigates.com/2011/07/18/washingtons-untrue-claims-no-civilian-deaths-in-pakistan-drone-strikes/>> accessed 27 July 2011.

⁵⁰ J. Becker and S. Shane, 'Secret 'Kill List' Proves a Test of Obama's Principles and Will', (2012), available at <<http://www.nytimes.com/2012/05/29/world/obamas-leadership-in-war-on-al-qaeda.html?pagewanted=1&r=0>> accessed 31 October 2012.

⁵¹ D. Gregory, 'War and Peace', *Transactions of the Institute of British Geographers*, 35 (2010) p.174

⁵² I am here referring to the Predator's frequent crashes. See N. Turse, 'The Crash and Burn Future of Robot Warfare', *TomDispatch*, (2012) available at <http://www.tomdispatch.com/post/175489/tomgram%3A_nick_turse%2C_drone_disasters_/#more> accessed 9 February 2012,

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- ⁵³ It is important to consider the U.S. drone strikes along with the damage regional militant groups and even the Pakistani state has caused to civilians in FATA.
- ⁵⁴ Rogers / CIVIC (note 32).
- ⁵⁵ Stanford Law School and NYU School of Law (note 33).
- ⁵⁶ C. Woods and C. Lamb, 'Obama Terror Drones: CIA Tactics in Pakistan Include Targeting Rescuers and Funerals', (2012) available at <<http://www.thebureauinvestigates.com/2012/02/04/obama-terror-drones-cia-tactics-in-pakistan-include-targeting-rescuers-and-funerals/>> accessed 1 November 2012.
- ⁵⁷ Stanford Law School and NYU School of Law (note 33) pp. 75 – 76.
- ⁵⁸ Ibid p. vii
- ⁵⁹ CIVIC, (note 30) p.60.
- ⁶⁰ Ibid, p.61.
- ⁶¹ Ibid, p.61.
- ⁶² Stanford Law School and NYU School of Law, (note 33) p.98.
- ⁶³ Washington Post-ABC News Poll, (2012) available at <http://www.washingtonpost.com/wp-srv/politics/polls/postabcpoll_020412.html> accessed 16 February 2012.
- ⁶⁴ G. O'Tuathail, 'An Anti-Geopolitical Eye: Maggie O'Kane in Bosnia, 1992-93', *Gender, Place and Culture: A Journal of Feminist Geography* 3/2 (1996) p. 173.
- ⁶⁵ J. Sharp, 'A Subaltern Critical Geopolitics of the War on Terror: Postcolonial Security in Tanzania', *Geoforum* 42/3 (2011) pp. 297–305.
- ⁶⁶ DeYoung (note 47).
- ⁶⁷ 'Title 10' of the United States Code establishes the role of the armed forces in the United States Code.
- ⁶⁸ Congressional Research Service, *Special Operations Forces (SOF) and CIA Paramilitary Operations: Issues for Congress* (2006).
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