

**AN ANALYSIS OF THE EFFICACY OF UNITED STATES'
DRONE TARGETTED ATTACKS IN COMBATING
TERRORISM IN THE MIDDLE EAST: THE CASE OF
PAKISTAN.**

BY

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DRONE WARFARE AND TERRORISM IN THE MIDDLE EAST

“As war becomes safer and easier, as soldiers are removed from the horrors of war and see not the enemy as blips on a screen, there is real danger of losing the deterrent that such horrors provide...”

Keith Shurtleff (USA Army Commander)

Dedication

To my family with love

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Abbreviations and Acronyms

CIA	Central Intelligence Agency
AQAP	Al-Qaeda in the Arabian Peninsula
DOD	Department of Defense
FATA	Federally Administered Tribal Areas
NATO	North Atlantic Treaty Organization
IHL	International Humanitarian Law
NSSA	National Social Security Act
TTL	Tribal Trust Lands
WW1	World War 1
WW2	World War 2
UAV	Uninhabited Aerial Vehicles
USA	United States of America

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ABSTRACT

Drones are the latest technology in the development of air warfare .The United States of America today is employing these unmanned aerial vehicles as a strategic tool against militants in their global war on terror. Most of these weapons have been unleashed on the borders of Afghanistan and Pakistan as well as other countries like Yemen, Iraq and Somalia. Terrorism in Pakistan is so rampant that it is posing a threat to both America and International peace and security. Hence America is carrying out targeted drone attacks on suspected terrorists in the country. This has however caused tensions between the local population and the government. This paper seeks to examine the efficacy of these drone strikes in curbing terrorism in Pakistan arguing that their use is counter-productive and only worsens the risk of asymmetric attacks by low level militants due to their indiscriminate targeting of innocent civilians .The paper also analyzed the legitimacy of drones under various legal frameworks that regulate the conduct of war. The research made use of various qualitative and quantitative techniques in data collection and analysis. The available data was interpreted through various frameworks of International Relations like the just war theory and acquired through traditional desk research and interviews. The research concludes that international bodies like the International Court of Justice and the International Criminal Court should adjudicate on such issues and bring the perpetrators of robotic violence to justice.

CHAPTER 1

INTRODUCTION

1.0 Background of the Problem

This research analyzed the efficacy of US drone targeted killings in the Middle East in a bid to combat terrorism. This was made possible by specifically analyzing the United States covert drone operations in Pakistan since the terrorist attacks on America in 2001. Siddique (2013:1) articulates that, "In recent years, terrorists have not emerged on the International platform as powerful non state actors but as a menace to world peace and security. "Terrorism has been blamed by states as one of the most violent international crimes targeting innocent people. In this regard, preceding the 9/11, America has taken the leading role in fighting terrorism globally. This is supported by Cole (2003:1) who asserts that "After the 9/11, the Bush administration adopted a proactive policy that sought to neutralize threats before they became imminent. This saw America shifting its policy from counter-terrorism to pre-emptive self-defense through the targeting of terrorists drones. Siddique (2013:1) defines drones as "unmanned aerial vehicles that are controlled remotely by people on the ground. "There are dozens of types of drones but they are grouped into two main ones. Those that are equipped with hellfire missiles and used to attack targets and those that are equipped with cameras for reconnaissance and surveillance. The use of drones has increased over the past few years. Their manufacturers argue that unlike other manned vehicles, drones are cheap to manufacture and maintain. They can also be flown in areas that are not accessible to human pilots and can stay afloat for many hours. Boyle (2013:1) posited that, "America has Reaper and predator drones flying over Pakistan and controlled from American bases in the Nevada and Greenwhich." Their use as a strategic weapon in the war on terror has raised many concerns which this paper addressed

1.1 Statement of the Problem

There has been dramatic increase in the use of drone targeted attacks against suspected terrorists by America in the Middle East and various parts of the world. Concerns have

been raised about the legitimacy and morality of the attacks by the International Community. Various scholars have debated their legitimacy, legality and morality as a weapon of war. Much of the terrorists have been lethally targeted by drones without being accorded an opportunity to a fair trial. The collateral damage that comes with the use of drones especially their indiscriminate targeting of innocent civilians has led to the criticism by the International Community. This research analyzed the efficacy of these drone targeted attacks on suspected terrorists in the Middle East in combating terrorism with the view that these attacks will only but exacerbate the risk of asymmetric warfare between the belligerents.

1.2 Objectives of the Study

- To critically examine the nature of conflict between the US and insurgent terrorists in the Middle East
- To analyze the effectiveness of the use of drones in targeting terrorists in the Middle East since the 9/11
- To assess the socio-cultural, political and economic problems caused by the US drone attacks on terrorists in Pakistan
- To ascertain the legality of the drones targeted attacks on suspected terrorists in Pakistan
- To provide recommendations for safeguarding the rights of targeted individuals and innocent civilians caught up in the maelstrom of drone warfare.

1.3 Research Questions

1. What is the nature of the conflict between the US and insurgent terrorists in the Middle East.
2. How effective has the use of drones been to the capturing of terrorists combating terrorism
3. What is the correlation of the use of drones and the war on terror?

4. What is the spill over problems being faced by the host states implicated in this drone warfare?
5. Has the use of drone targeted attacks on terrorists been effective
6. Which strategic alternatives can be employed in the middle east to counter terrorism without endangering the lives of innocent civilians

1.4 Hypothesis

Drone Strikes on terrorists are counter-productive and only worsen the risk of asymmetric attacks by low level militants due to their indiscriminate targeting of innocent civilians

1.5 Theoretical Framework

This research is based on the assumption that drone strikes violate the just war theory even though America argues that their drone strikes are appropriate because they are performed in accordance with the laws of war. The Just War Theory was put in place by St Augustine to regulate conflicts when they occur. It requires that parties to a conflict should distinguish at all times between the civilian population and military objectives. It also provides that proportionality and necessity should also be considered when waging war. According to the Just War theorists, war should be of last resort after all other means have failed. The Obama administration claims that the drone are being used in territories that harbour terrorists and are unwilling and unable to control their territory whereas. However one can argue that this excludes countries like France and Germany that harbour terrorists also as elaborated above, the US government runs two drone programs the military version and the CIA version. The military version is not problematic because it has been publicly acknowledged. The controversial one is the covert CIA drone operation in Pakistan and in Yemen. Philip Alston argues that the drones are being run in an environment that violate principles of the just war theory. If Laws of war apply in this war, then the requirements of jus in bello and jus ad bellum should be satisfied. America thus must prove that its decision to go to war was as a result of an armed attack. It should also prove that its force is proportional and to the military objectives gained. If America is in an armed conflict with the combatants, then

the requirements of jus in Bello and jus in Bello should be fulfilled .America must prove that its decision to resort to force was as a result of an armed attack. They should prove that their use of force is proportional. Legal scholars argue that the global war on terror does not meet the requirements of an armed conflict and in as much as the war on terror is deemed legit; the US policy of targeted killings is inconsistent with law.

The Just war theory differentiates between jus ad bellum which is the rest in Jus in Bello which is the law governing war and the treatment of combatants .This research alluded to the just war theory and International Humanitarian Law which determines the rights and duties of belligerents in the conduct of their military operations and their choice of weapons and the Geneva convention that limits the use of weapons .This protocol discourages the use of weapons that cause unnecessary suffering like poisonous gases, chemical weapons and other lethal means. The author asserts that the drone strikes in Pakistan should be carried out in respect to the requirements of the just war theory principles which were cooperated into International Humanitarian Law and International Law

One can argue that since the terrorists take up arms for a limited action and revert back to normal life they cannot be regarded as combatants .Article 51(3) posits that civilians lose their civilian status for such a time as they are taking direct part in the hostilities .This means that terrorists are combatants for such a time only when they are taking part in direct hostilities .this renders the targeted drone attacks on terrorists who are not being directly involved in militant activities as unlawful because at that moment they are deemed civilians .This also renders Israel's targeted assassinations of militants while they were not taking part in militant activities as illegal as the drone warfare. The Israeli Supreme Court ruled that these were extra-judicial killings. The issue also arose with the killing of Osama Bin Laden in a private home by US Navy Seals in May 2011.USA argued that it was an act of self-defence but UN special Rapporteur on extra judicial, Summary and arbitrary executions argued that the norm should be that terrorists are supposed to be dealt with like criminals and go through the legal process of arrest, trial, and judicially decided punishment.

Two fundamental principles of humanitarian Law that were derived from the just war theory govern the question of who may be targeted and what may be targeted .These are the principle of necessity and the principle of distinction .The principle of necessity

requires that armed force may be limited to military objectives and advantage .Only measure indispensable for securing the complete submission of an enemy as soon as possible should be taken. Signature strikes are not compatible with Human Rights Law .The Taliban have beard and the civilians also have beard and in Pakistan, arms are carried by civilians .Hence it is difficult to distinguish between anyone going about their business and militants .In Pakistan, the local citizens have also realized that they don't have to help after a strike in fear of rescuer attacks .On 6 July 2012 in Zowi ,drones deliberately fired missiles at rescuers who came to assist after the initial strike violating both the principle of distinction and proportionality .This shows how the USA keeps on violating International Law under the guise of war on terror .Drone operators must abide by the principle of distinction between combatants and non-combatant .Civilians must be protected from attacks and so as medics ,rescuers and religious personnel.

The principle of proportionality in the conduct of hostilities prohibits attacks against non- military targets .If the incidental harm is expected to be inflicted on protected persons an objectives would be excessive in relation to the direct military advantage expected to result from the attack. Is where the concept high value targets comes in .From 2004 to 2012,aproximatley 2000-3000 unintended deaths arose .The principle is not to kill combatants when they surrender .Austin (2010:237) posits that, "There should also be a distinction between civilian objects and military objectives." This entails that attacks must not be indiscriminate .If an attack is disproportionate, it causes incidental loss to human life or injury to civilian objects. This should not be excessive in relation to the military objective to be achieved .Launching an indiscriminate attack is a war crime .All parties should take precaution in attack and in defence to spare civilian population .All care must be taken to avoid incidental lass of property .Everything feasible must be done to verify the targets that they are military objectives and asses proportionality of the attacks.

According to Shaw (2008:1170) "The principle of humanity prohibits people from using weapons that cause unnecessary suffering it requires parties to a conflict to exercise restraint." Even if the belligerents are at war, everyone remains human.Internatinal Law does not prohibit advanced weapons, the technology must however be in line with humanitarian principles .the good question is, can a drone operator who is so removed from the scene exercise humanity?

Because operators are based thousands of miles away from the battlefield and undertake operations entirely from a screen of a computer and remote audio feed .there is dangers of developing the play station mentality .How can one surrender to a drone? International Law provides that an individual should be accorded an opportunity to surrender .One can give an example of the targeting of Baitullah Mehsud on the top of his houses. It was visible that he was no longer in good health since he had a kidney disease .At the time of the targeting he was having an intravenous transfusion. If it ever conventional forces, he would have surrendered .However, he was not accorded the chance by hot e drone and he was targeted together with twelve unintended targets including his old parents .This shows the violation of life.

The right to life provides that an individual should be allowed due process before their right to life is interfered with .The right to life may only be taken arbitrarily when a state agent wants to preserve the lives of others .Nonetheless, the individual must pose an imminent threat of death or serious injury to others .The threat must also be instant and leaving no choice for deliberation. Hence the targeting of terrorists is s serious breach of the right to life .In the case of Meshed, he did not pose imminent danger so capture was appropriate .to avoid the loss of the lives of twelve innocent civilians.

According to Machiavelli (2001), “When diplomacy fails, war is an extension of politics.” It is also not easy to try and negotiate with a terrorist or even try to deter a terrorist because most of them are willing to die for a cause hence war is the last resort. He argues that the reason why people go to war is to honor, to reward and not to have contempt for poverty. Gardener (1975) argues that, “War is supposed to be brought to a happy conclusion and ended as quickly as possible.”

In conclusion, one can say that the drone warfare in the Middle East does not look like it is going to end anytime soon .Machiavelli rightly pointed out that the human nature is the cause of war .That man is dominated by “selfish interests, passions and desires.” The other causes are ambition of princes like Bush and Obama. Internal security which is the basis of the war on terror and avoidance of risk and sometimes miscalculation as what happened in Iraqi where the US alleged that the Hussein government possessed weapons of mass destruction which posed a threat to Americas security in the wake of the September 11 attacks .The weapons were however not found .Sometimes states go to war just out of necessity. Sloan (2013:3) argues that, “There are two reasons why

states go to war; to subjugate or due to the fear of being subjugated. “This is true as in the case of the war on terror in Pakistan .The US feels threatened by the Taliban and Al-Qaeda in Pakistan and believes it is necessary to fight terrorists in their homeland.

1.6 Justification of the study

The importance of this research lay in its contribution to existing literature evaluating the efficacy of US targeted drone attacks in the Middle East .It also stimulates debate on the international platform on the moral, legal and ethical considerations surrounding the use of drones .Further, it influences the making of policy safeguarding the use of drones on humans under both domestic and international law. Hence this research proves to be useful to the academia, international relations experts and the general populace.

1.7 Literature Review

A vast amount of literature has been produced on the subject .A large number of journal articles have also been produced .O’Connell (2013:1) cites legal scholars like Phillip Alston who have argued that , “The United States and its allies should specify the basis for killing rather than capturing terrorists .”There has been a vast quantity of research produced on the subject. There is also a massive volume of legal articles that have been produced. Many people argue that America should publicize the number of casualties in their drone warfare. Nonetheless, America is not disclosing the number of casualties in their drone warfare. According to Somin (2003:1), “Obama believes that this is a war waged proportionally, in self-defense and as a last resort.” The US thus continues to advance its weapons in the war on terror regardless of the moral, legal or ethical implications that come thereof.

Nonetheless, most scholars argue that these days the nature of warfare has changed .War has become highly sophisticated such that every state endeavors to possess state of art technology .The use of drones can be regulated under the Geneva Convention and Chicago Conventions codified into International Humanitarian Law. Siddique (2013:2) argues that, “the US is in an armed conflict with the terrorists hence the war is legal.”

He argues that the Taliban and the US are in an armed conflict. Other scholars have explored the costs and benefits of the drone warfare on host states and the belligerents and have concluded that there are more consequences than advantages to this drone warfare.

The USA however does not care about the costs .Mamdani (2006:30) argues that the, “US has turned into a brazen empire in its quest for global hegemony.” Mamdani further argues that this war on terror is just being waged on Muslim states because the war on terror is a war against Islamism. To do away with the Islamist culture of radicalism and extremism caused by their fundamental loyalty to the Holy Koran. One can argue that most Muslims have become radicals due to their strict adherence to Sharia Law. This supports Huntington's thesis that it is no longer market capita on terror according to Mamdani is to do away with Islamism. According to Huntington (1996:269), “The iron curtain of ideology has been replaced by the velvet curtain of culture.” Hence to the US, as long as Al- Qaeda remains, the war on terror will not end.

1.8 Methodology

The researcher made use of various qualitative and quantitative techniques in data collection and analysis. Nonetheless, most of the primary data came from desk research.

1.8.1 Research design

The research proceeded in two phases .Traditional research and case studies was carried out .This entails analysis of archived information .the main data collection technique will be analysis of existing documents on drone warfare and terrorism in the Middle East and case studies that have been conducted elsewhere .A few interviews were carried out .According to Barbie (1992:269), “These techniques are important because they guard against confusing items. “Key informants from the academia, military, general populace and international relations experts were interviewed. The research design had several strengths and mainly that interviews yield data with internal validity and reliability. However, its weakness lay in the fact that in most cases, qualitative research methods lack accuracy.

1.8.2 Sampling Procedure

Purposive and judgmental sampling was used .This entailed choosing from among the public those who were interested in the subject or a interested in International Relations .Key informants were chosen and interviewed .The data representing the frequency of drone attacks was coded through basic coding and interpreted through graphs and tables

1.8.3 Data Analysis and Presentation

Close contextual analysis of primary and secondary source material will be carried out. Written texts will be interpreted through theoretical frameworks of International Relations. Because this study is informed by related fields of international relations like peace and security studies and strategic studies .According to Yin, Content analysis is a technique for making inferences by objectively and systematically identifying specific interaction messages. “The major advantage of this technique is that it enables the researcher to sift through large volumes of data .Induction or thematic analysis will be used .Yin (ibid: 14) defines this as the discovering of patterns and themes that emerge out of the data .the data will be coded through basic coding so as to make it easy to retrieve .most of the quantitative data will be presented graphically for easy comprehension on the subject matter.

1.9 Limitations

The research was hindered by the unavailability of literature on the subject. Most books on the subject of drones are yet to be found in public libraries .There was also limited access to in-depth information due to privacy policies within states .This policy respects confidentiality in all undertakings in all undertakings that have to do with state security. In the military, they are called rules of engagement .Thus America will not disclose private information concerning its drones to the public. Much of the information on the use of drones has not yet been published for public consumption .The available information was scholarly information in the form of e-journals and articles on the internet .Another setback that the research faced is information written in another language for example Pakistan documents which were written in Arabic. The other limitation is that the development of drones has taken place in secrecy without media

coverage hence the general people were not well informed on the subject hence the interviews may were not as forthcoming.

1.9 Delimitations

The research focused on America's quest to combat terrorism from 2001 to 2013 .It also studied the contribution made by America's allies in combating terrorism .Britain and Israel as well as the role of NATO and the CIA in this drone warfare was explored. This was made possible by examining America's war on terror policy in order to identify the various measures taken to combat terrorism. The research will consider the situation of people in the Middle East especially in Pakistan with cross reference to Yemen and Afghanistan including the social destruction that follows the use of drones as well as the poverty that comes along with the unending war. The research will analyze the costs and benefits that have been brought about by the use of this new technology as well as the ethical, moral and legal concerns surrounding

CHAPTER 2

EVOLUTION OF DRONE TECHNOLOGY

2.0 History of Air Warfare

According to Boyle (2013:1) “Military technology has advanced at a phenomenal rate in the last century.” It is now possible to attack an enemy on the basis of a perceived threat without fear of being attacked back .Over the past ten years the USA upgraded and updated its air delivery systems .According to Felsted (2013:1) “Drones were used for reconnaissance, then they were armed for bombing and ground missions and now they are air to air combat aircraft.” Shaw (2013:1) further speculates that, “The first recorded attack by drones took place in 1911 when Italy took advantage of the declining Ottoman Empire to expand its territory in North Africa.” On 1 November, the Air Corps (Italian army) bombed a Turkish military camp at Ain Zaira in Libya by hand. The raid against the town of Guernica resulted in 200 deaths .Towards the end of World War; Hitler introduced the reprisal rockets which terrorised London in 1944. These V1’s are prototype drones. After World War 2 ,the US embarked on the development of cruise missiles using Technology of V1 rockets designed in German and tailored to deliver a highly explosive payload to a specific target .In 1950, the first cruise missiles were the MCM -1 Matador (pilotless bomber)These were deployed to reduce casualties in war . Remotely Piloted Vehicle Systems (RPV’S) were also deployed during the Vietnam War to perform risky tasks like low altitude reconnaissance of enemy territory by taking photos.

In 1973, Israel used drones to fire from anti anti-aircraft missiles in the Yom Kippur War .Israel developed drones capable of transmitting video footage on the battlefield. .They were also used for surveillance and intelligence gathering in the first Gulf War in Kosovo in 1999.According to Johnston et al. (2013; 1) “Prior to the 9/11, The USAF experimented with the armed drones.” In 2001, hellfire missiles were fired from a predator drone at a stationary target in the Nevada Dessert .The drone was also used in combat to assassinate Muhammad Atef, Al-Qaeda leader in Afghanistan .Over the past years, the drone was used in combat in Pakistan, Yemen, Iraqi and Afghanistan. Israel has also used drones in Gaza

and the UK has used them in Afghanistan .Around seventy five countries in the world now have them.

2.1 Development of Drone Technology

Cole (2012:1) defines drones as, “Unmanned Aerial Vehicle that does not carry a human pilot but flies autonomously.” Drones can carry a lethal and non -lethal payload .It looks like a normal plane but it is unmanned and the pilot sits kilometres away from the battle zone .According to White (2013:1), “Their origins go into the second world war when a man called Kettering tested a pilotless biplane called the Kettering Bug.” That was the standard of that day and the climax of military technology. It was six feet across and powered by a two cycle ford engine .In 1914 to 1945, Reginald Denny a British pilot developed a radio controlled drone .He served in the British Royal Flying Corps in World War I and migrated to seek his fortunes as an actor .He pursued his interest in radio control .White (2013:1) further articulates that Kettering opened a model plane shop in 1934 which later evolved into the Radio Plane Company. In 1935, he presented a prototype target drone RP-1 to the US army. He went on to do RP-2 to RP-4 .He won a contract with the army and RP-4 became known as the radio plane .OQ-2 and about 15000 were manufactured for the army during WW2.The US Navy began experimenting with drones in in 1930 leading to the Curtis NC-2 drone in 1937 .This was controlled from another airport known as the TG-2 anti-aircraft drones .In 1941,the assault drone project fox was installed .The drones used piston engines as their power plants and pulsejet propulsions were used too.

Cole (2013:1) further explains that the OQ -2 radio plane that was followed by an Aphrodite project which used B-17 and B-24 bombers. These were loaded with bombs .However they were not useful because they were flown by two men .World War Two also saw the first use of cruise missiles .These were V1 which were inaccurate and V02 also known as the buzz bomb, in 1944 the piercing bomb and the armour piercing radio guided (Fritz).This bomb sank the Italian ship and guided another in 1943.Drone development preceded in fits after the World War and during the Vietnam war .According to Shaw(2013:1) , “The first known drone was the reconnaissance plane known as the Fire fly that flew more than 3400

missions and 16% crashed .” In 1946 the B17 were turned into the flying fortresses or drones which collected radioactive data .they were controlled at take off by a radio transmitter on a jeep .During the flight, they were controlled by another B17 aircraft. They were used on Balkans War to gather intelligence .In 1970; the army planned the development of a small propeller driven drone called the Aquila. In 1982, war in Lebanon, the Israeli force used a drone called the Pioneer powered by a 26 horsepower snow mobile engine .In the 1990’s, inspired by the developing forces among them was the Global Positioning System (GPS) technology that uses satellite for a pinpoint navigational accuracy .This was enabled by the increase in computer power. In 1995, an early version of the predator was used in a NATO airstrike in the Balkan War .However; it was not able to fly most of its missions because its wings quickly froze up.

Shaw (2013:1) credits Kareem as the one who invented the Predator, the aerial vehicle that changed drones into useful necessities. He was born in Bagdad as a son of a merchant and his family moved to Israel in 1951. Kareem’s peculiar invention is still being used by U.S. and Italy. It is however causing problems because it is being used by the CIA for targeted assassinations. White (2013:1) articulates that, “The Predator is also being displayed at the Smithsonian Institution’s National Air and Space Museum, though it hardly looks like an aircraft that was destined to change the world.” It was made of elements which are lighter than a car. White (2013:1) posits that it has long, small wings that are 55 feet 9 inches. The Predator does not look like a warplane. It has turrets under them which hold infrared video cameras and synthetic aperture radars and satellite antennas. Its carries laser-guided hellfire missiles added by the US Air Force in 2001.

Scholars have argued that no matter how normal the Predator looks, it has changed military aviation. The Predator fired its initial missile in combat over Afghanistan on October 7 2001; the U.S. military had few of them. Today, the military has nearly 8000 drones which are now needed in combat operations, especially providing information. The drone’s quality performance led the agency in 1985 to engage Kareem’s new company, Leading Systems Inc., to develop a larger endurance UAV the agency named Amber. Navy Secretary John Lehman was pushing the development of UAVs as spotters for the guns on Navy ships.

Largely financed by the Navy, Amber also had champions in U.S. Southern Command, who wanted regular surveillance of drug traffickers in Latin America.

According to Jenkins (2010:2) “The Predator, though nearly twice as large, is a direct descendant of Amber, as their near-identical configurations suggest.” Amber’s thrust came from a two-blade wooden propeller at the rear of the fuselage. Its tricycle landing gear retracts into its body. It has V-shaped stabilizers at its tail which are pointed downward. Karem chose that peculiar feature mainly for aerodynamic stability but also because, in a rough landing, the stabilizers could hit the ground and skid, keeping the propeller blades from shattering on the runway. According to Shaw (2013:1), “Amber was controlled by radio and could be configured to take off and land like conventional aircraft or fold its wings and stabilizers for launch by rocket from a canister.” Most of all, Amber could be recovered by putting it into a “deep stall” which is a feature used in free flight glider models to escape thermal updrafts and stay within flight time limits. The stall would bring Amber to “a near-vertical landing so it could be used from small ships, submarines or trucks or trailers.”

According to Shaw (Ibid: 2), “A few years later, when the Clinton administration was desperately looking for a way to monitor ethnic conflicts in the Balkans the CIA bought two Gnat-750s with video cameras and started flying them over Bosnia.” They were launched from Albania, where their ground control station and operators were located. As that was happening, the Department of Defence held a competition for the right to demonstrate in actual missions a more advanced “medium-altitude endurance” UAV. One requirement was that the aircraft have a satellite antenna so it could be flown by operators who were much farther away than those flying the Gnat, which over Bosnia away. According to White (2013:1), “Karem worked on what is now called the Boeing’s A160 Hummingbird UAV, the first helicopter whose rotor changes its speed.

Jenkins (2010:1) articulates that, “Today drones range from tiny hummingbirds to plane size.” The Gorgon Stare can spy on an entire city. There are also miniature solar powered insects that are capable of staying aloft indefinitely or being steered into buildings to spy or kill. There are also now non-militarised drones delivering packages or spraying pesticides. In February 2001 a hellfire

guided missile was successfully test fired from a predator drone .In the first year of the War on Terror, Its targets were destroyed in Afghanistan .There are three main unmanned aerial vehicles or drones namely the Predator, the Reaper and the Global Hawk .The Predator (MQ-1)drone is a medium high altitude aircraft that shoot two Laser guided Hellfire missiles .It can also take high resolution reconnaissance photos .The Reaper (MQ-9)is a larger version of the Predator and carries four hellfire guided missiles .The Global Hawk is a high altitude and long endure aircraft that gathers information. .It is the Leviathan of the drone fleet. It can also detect moving targets .The Ryan fire bee mode 147 and the Lightning Bug were used to spy on Vietnam, China and Koreas in the 1960'S 70'S and 80's .The rationale for drone technology being to come up with drone technology that penetrates into enemy territory and return with preside military intelligence .This worsened when Israel won the War against Syria with minimal losses and this research analyses the use of this new sophisticated drone technology especially the predator as a tool for the fight against terrorism in Pakistan . The success of drones led to the use in other missions.

2.2 Asymmetric Warfare and Terrorism

According to Sloan (2013:173) “Asymmetric warfare is war that is set on operational practices and aimed at negating the advantages of exploiting the vulnerabilities of the enemy rather than engaging in traditional force on force engagements.” The incentive to engage in asymmetric warfare is greatest for the weaker party like the terrorists against a stronger party like America .Asymmetric concepts seek to use the physical environment and military capabilities in ways that are atypical to and presumably unanticipated by more established militants thus catching them off balance and unprepared . According to Finlay etal (1998:209) “The massive sums devoted to armaments do not increase international or human security.” It however multiplies the risk of human survival on this planet. Once a state decides to use its weapons or military system to achieve its goals, it becomes an inevitable game with other states of the world .A state determines the amount of weapons necessary for use in its military endeavours by assessing its strength in relation to other states .For example if America wants to use its weapons on a particular state ,it assesses the costs and benefits of the means of weapons to be used to the end result to be achieved

.Hence a state resorts to asymmetric warfare when it does not have sufficient strength to prevent one or more states from limiting its power and freedom of action. Terrorists have now emerged as powerful non-state actors on the international arena and have resorted to asymmetric warfare due to these asymmetries in power play.

Terrorism is defined by Zalman (2013:1) as, “the purposeful human activity directed towards the creation of a general climate of fear designed to influence in ways desired by the protagonist or other humans through the same course of events.” Political terrorism is the use of force by an individual or a group whether acting for or against established authority. Such action is designed to create anxiety or fear inducing effects in a target group wider than the immediate victim with the purpose of coercing that group into acceding to the political demands of the perpetrators .In its long history ,terrorism has been viewed as a weapon of the underdog and a weapon of last resort .The reasons why weaker parties resort to terror is because it enables the weaker force to employ their acts while they maximize their outward limited resources against a stronger enemy .Those who have engaged in asymmetric warfare have often succeeded through intimidation and test resolve of the adversary .

Zalman (ibid: 1) further posits that, “To the terrorist, the threat or use of violence is a strategy which places heavy emphasis on purposeful use of violence as a form of psychological warfare.” In asymmetric warfare, psychological operations entail those who have practiced asymmetric warfare in an insurgency directed towards a more powerful enemy as in the case of Al-Qaeda versus America .This has been viewed as an effective way of communication .In this case ,terrorism thus is the central element in a particular type of warfare like the protracted struggle .Those who implement it test the ability of governments to enact policies that associated with counter –terrorism .Hence this research tests the ability of the US and other open societies to persevere against adversaries in a protracted struggle .The challenges on terrorism have been worsened by the transformational conflict environment and impact of technological change .

On September 11, the killing of some 3000 civilians and destruction of buildings in New York by a hijacked aircraft brought an immediate response from the world at

large. According to Heale (2004:307), “The daring strikes on America’s symbol of capitalism and military might suddenly exposed the vulnerability of America.” This brings in the view that all terrorists are motivated by two things as lampooned by Jackson (2003:121) :the social and political injustice in their areas where they stay .People are motivated to use terrorism when they are trying to correct a wrong that they perceive to be social ,political or historic .The other reason is the belief that violence or the threat of it will be effective in ushering a change .Also the belief that violent means justifies the end .Some people argue that people resort to terrorism when they feel they have no choice .Various acts of terrorism have been carried out for various purposes .Like the Zionists who bombed British targets in the 1930s felt that they had to do so in order to create the new state they wanted .The Irish republican Army bombed English targets because they wanted to make a point that they were colonized by the British Imperialists .Osama Bin Laden declared war on American interests in 1990 because he believed that the British troops stationed in Saudi Arabia represented an abomination to the kind of Arab state he wanted in the Peninsula .This paper asserts that the challenges to terrorism have also been worsened by the transformational conflict environment. And the impact of technological change .Also the emergence of new players in the international system has enabled other parties to seize the chance and use terrorism to achieve their goals.

2.3 War on Terror

After the 9/11 attacks President Bush re-iterated that terrorism threatened peace .Jackson (Ibid: 219) lampoons that, “The cold war era ended abruptly with the morning of the 9/11 when jetliners turned into weapons of mass destruction.” The US from that time is in a new war against terrorism and it has made that war is the central organising principle of Americas foreign defence policies. According to Parvel (2013:1), “The notion of War on terror has proven highly contentious” .Francis Fukuyama notes that terrorism is not an enemy but a tactic .The presence of military in Iraqi and Afghanistan and collateral damage .Williams (2004:1) notes that , “There has been an increase in terrorist activities against the West. George W. Bush articulated the goals on war on terror after the September 2001 attacks on America .His Strategy Plan espoused that the war on terror would not end until every terrorist group had been defeated. War on terror also entails

preventative war which was a justification for the invasion of Iraq in 2003 under the guise of preventing other terrorist groups from attacking America. This can be viewed as conventional warfare with the realization that the war on terror is asymmetric in nature. The weapons being used by the belligerents are not equal in terms of capacity, sophistication and results. The Americans are using highly sophisticated weapons and machinery whilst the terrorists are hiding in the mountains and attacking sporadically as in guerrilla warfare whereby the fighters attack when the other party is least expecting. The asymmetry of the weapons also come into play. America is using its newly acquired drone technology to hunt down and kill terrorists while the terrorists have resorted to suicide bombing.

The major criticism levelled against the war on terror is that it does not fulfil the requirements of a "Just War" hence it is said to be an offence tantamount to crime against humanity by legal scholars like McConnell (2013). According to Haas (2013:1) "Iraqi represented a threat to America's security but not an imminent one." The war in Afghanistan began because it was necessary since vital interests were at stake. The war on terror aims at breaking the link between these attacks and objectives thereby discouraging terrorism. Unlike the cold war, deterrence should not be the pillar of American strategy but the government still need to defend homeland security. Parvel(2013:1) argues that, "America is taking the fight to the streets. "It is now hunting terrorists everywhere and spying on even civilians as according to the leaked security documents by Edward Snowden. Since the 9/11 attacks, America has built and maintained a global coalition of about 70 countries to fight terrorism. It has also conducted successful military operations resulting in regime change in Afghanistan. It also has frozen the assets of terrorists and restricted the flow of cash that supports terror. It has also exploited unprecedented capabilities to locate track and apprehend terrorists on the run. This is where drone technology has come in handy. In September 2002 Ramzi Binalshibh was successfully captured and in November 2002, Abu Ali was also killed in America's quest for terrorists.

The federal government committed US\$100billion to respond to terrorism (Global Issues 2003). This includes funding the war against terrorists, homeland security and re-finance efforts in New York. The US took its long steps in building homeland security by hiring thousands of personnel and improving

information sharing, strengthening partnerships with states, localities and the private sector. After the 9/11, 1 billion dollars was received and a National Strategy for Homeland Security which lays out specific objectives for border transportation, security, emergency preparedness and response as well as domestic counter-terrorism. There was the creation of the Department of Homeland Security. All this was done in order to prepare for a future terrorist attack. Now the Predator drone formerly the Hunter is Armed with Hellfire Missiles waiting to smoke anyone suspected as a terrorist.

2.4 Targeted Attacks

According to Chengeta(2011:1), "Military technology has advanced at a phenomenal rate in the last century and it is now possible to attack the enemy without fear of retaliation on the basis of a perceived threat." In the past decade, there has been an increase in the use of Unmanned Aerial Vehicles. The president of the USA, NSA and the CIA asserts that the right to authorize the assassination of individuals perceived as threats to US security. According to Professor Rania (2013 ;1), "The 20th century has seen an increase and evolution of terrorist activities." The transformation came with the bombing of the twin towers and the pentagon symbolized the centre of American economic and military supremacy. The major reason why the American forces also took the fight to Pakistan is because it shares a border with Afghanistan. Musharraf once argued that terrorist outfits were deliberately natured in Pakistan because they wanted to achieve short term goals of doing away with the rebellious militants after the Holy War. Now the targeted militants are the Punjabi, Taliban, Haqqani network and the Al-Qaeda to mention a few of them.

However, scholars argue that identifying the Al-Qaeda leaders is more difficult than identifying enemies in a conventional war because there is no uniform and clear command structure as required by International Humanitarian Law. Targeted killings have also been extended to cover minor figures like radical Islamists with no ties to Al-Qaeda. Chengeta (2011:1) notes that the term "targeted killing" has not been clearly defined by anyone. However it became popular when Israel made that policy against terrorists in all Palestine occupied areas. The term denotes the "use of pre-meditated violence against an enemy."

In wartime, the targeting of an enemy commander is legal and moral hence it was allowed to be done in Israel .During World War One, America targeted Japan Isoroku and Yomamoto and the British Czechs targeted German General Reynard and Eldritch .Which shows that this has been practiced before in conventional warfare. However, the problem is that the targeted people are not all really terrorist's .Innocent civilizations are now caught up in the maelstrom of drone warfare. Somin (2013:1) argues that whether legal or moral, it is not wise to wage asymmetric warfare on terrorists. This is because there are costs to human life and these costs are more than the benefits to the waging states get from it .Human life cannot be replaced whilst drones and buildings can be replaced.

CHAPTER 3

TERRORISM AND DRONE WARFARE IN THE MIDDLE EAST: AN OVERVIEW

3.0 Introduction

Pakistan plays a very key role in the war on terror. Nonetheless, it has been accused of playing double standards of supporting Al-Qaeda and Taliban in its Northern Provinces and supporting America in its hunt for terrorists as well. In 1990, General Pervez Musharraf overthrew the Pakistan government that served as a primary incubator of the Taliban. In 2001, President Musharraf further agreed to join forces with USA as an ally in the global war on terror. This included realigning its domestic policies to serve US interests, granting the US access to use its airfields, covertly and overtly pledging to support US interests. However, the problem is that the Pakistanis do not fully agree what with the US has to offer. Musharraf nonetheless did this even though the people did not agree. Musharraf argued that it was because he condemns terrorism. He promised to reduce the support for the religious schools in the country suspected of inculcating extreme views, outlawing militant groups and turning over captured terrorists. However, it is feared that there are increasing Anti-Western sentiments and terrorist attacks are on the rise due to this unholy alliance between the Pakistan government and the US military. The local populace believes that Pakistan is a free state and should govern its domestic affairs without outside interference whilst the Pakistan government argues that joining the US war on terror would prove that they are not a rogue state as previously alleged by the US and its allies. This was however at the expense of so many innocent lives being lost due to the on-going clinical and surgical drone targeted attacks in the country. Musharraf cooperated with the U.S to achieve their objectives of fighting terrorists in their strongholds until they are defeated. According to Jenkins (2010:1),

“Permitting the US meant two things, the corrosion of social cohesion and local governance and continual interference of Pakistan domestic affairs tantamount to loss of sovereignty by permitting U.S military support operations.”

President Bush linked U.S military support operations with Pakistan goals. In July 2003, he declared that both the US and Pakistan are threatened by terrorism and determined to defeat it.

This chapter seeks to provide a critical analysis of how and why the drone warfare is being conducted in Pakistan. It also will verify why the drone war is so unpopular with the Pakistan locals and to what extent it has affected innocent civilians .It will then analyse the so called targeted attacks on terrorists and their impact upon the terrorists basing on Tiedemann's (2012:5) views that the drone strikes do not seem to be having any impact upon the Taliban or other terrorists since most of the terrorists are still looking for ways to avenge for the lives of their innocent relatives caught up in this maelstrom of drone warfare .All this will be done by first tracing Pakistan's history with terrorism and insurgency as well as the rise of other prominent terror groups operating in Pakistan so as to have an overview of who the targeted terrorists are and where they came from.

3.1 The Battle against Terrorism in the Middle East

Schanzer (2002:1) argues that, "The battle against terrorists in the Middle East is not a battle against Islam because there is no such thing as one Islam." Some people even call it war on militant Islam. According to Schanzer (ibid: 1), "The nineteen terrorists who bombed the World Trade Centre and the Pentagon allegedly adhered to militant Islam which is a minority that has bitter hatred for Western ideas, capitalism, individualism as well as its consumerism. "It rejects the West and what they have to offer with the exceptions of medicines and other useful technologies .These people seek to implement a strict interpretation of the Holy Koran and Sharia Law .To them America is an impediment to the building of the Islamic order .Militant Islam directs its anger towards America and the West as a whole. However one can argue that if militant Islam rejects everything that America has to offer ,it should even reject the drugs and technology to exhibit real hatred .This shows that to a greater extend ,this hatred is just theoretical or mental but in practice ,it is difficult for anyone to shun technology or medication due to its origins .According to Mamdani(2006:26),The Taliban supreme leader Mullah Muhammad Omar was quoted after the 9/11 saying , "The plan to destroy America is going to be implemented but it is a huge task beyond

the comprehension of human beings. If God helps us this will happen and will happen in a short period of time.”

This is an example of a person who was Anti-America to the extent that he could not hide away his delight when the terror omen struck America .This is because he, like the other radicals adhered to a gospel that said America was evil and to be punished .The only problem with this ideology is that ,the people take judgement and execution into their hands and believe that it is upon themselves to punish offenders on behalf of God .Sheikh Ikrama Sabri ,a Palestinian Mufti or Islamic religious authority said in a radio sermon , “Allah ,destroy America and her agents and her allies .Cast them into their own traps and cover the white house in black .”Hence the enormity between the Americans and the Muslims is so deep rooted in religion such that it will take time to try and foster changes to this current state of affairs .The problem highlighted by Schancer is that America says it is fighting Islam. Islam is a religion ,an ideology and a set of beliefs for a certain group of people .Hence there are difficulties in this war from the on start .America is state and a polytheistic state whilst Islam is just an ideology .Hence when America says it is waging war on militant Islam ,it probably means that it wants to eradicate the religion or ideology responsible for in calculating extremist values in people to the extent that they want to wage war with America .At the same time ,the Muslims understand that America is a state and know that it is God who can destroy a state yet they keep on to wanting to destroy America as if they are God themselves .Hence this difficulty from the onset makes it difficult for one to identify who the belligerents are in this conflict. Radical Muslims are well known for backing up their words with deeds .They have a history of violence against America and a history of terrorism hence they are the belligerents in this war on terror.

3.2 The Birth of Islamism

For the sake of this research, it is vital to understand the history of Islamism first before trying to figure out why there is such a tense relationship between America and the so called Islamists. According to Schanzer (2013: 2), “Militant Islam can be traced back to over 610 AD when Muhammad was called by Allah.” Muhammad was a prophet of Allah and his Muslim kingdom included the whole of the Arabian region .The empire grew to encompass most of the Arabian Peninsula .After his death, his empire grew expand up to the 17th century and Muslims became a great military force

(www.washingtoninstitute.org/uploads/documents./pubs/a/-qaeda/armies) Art and science contributed to the literacy levels of the population to the extent that there were teachers, architects and engineers amongst them. This made them self-sufficient in terms of everything such that they had little to do with the West. According to Lewis, "Islam viewed the West with amusement and disdain for its inferior culture and religion." In the 16th century, Turkey was the dominant power under the Ottoman Empire, However in the 17th century as the West achieved military supremacy. Lewis notes that the tone shifted from simple hate to alarmed dislike.

There was every need to be alarmed because they saw that they were about to be overtaken as a powerful civilization. Phillips (1994:2) articulates that, in 1706, the Russians conquered the Turks. The empire soon unravelled. The English strengthened its ties against Egypt. In 1911, Russia captured parts of Persia and Italy annexed Tripoli now Libya as well as France and Morocco. By the end of the World War 1, the Ottoman had lost the whole of the Middle East as it had feared. Hence its hegemony as a civilisation was brought to a premature end. The Muslims could not do anything but look helplessly. This is because there was no coherence amongst the Islamist states to face the major blow that came with the creation of the new Jewish state of Israel in 1948. Some Muslims accepted Western industrialisation and modernisation, some did not and instead they created a rigid ideology embedded in the traditional values of the Koran. This is known as Islamic Fundamentalism.

According to Phillips (ibid: 3), "Islamism came to be seen as a struggle to return to the old glorious ways of Islamic dominance. "The Muslims were ready to use any means to return to their old ways. They had a pure yearning for the pure Islam as practiced by the prophet. Islamists viewed modernity as an enemy and were ready to fight it. The biggest push agenda came in 1928 with the founding of the Muslim brotherhood in Egypt known as (Iwan al -Muslim). They advocated for Islamic beliefs and values as expressed by the common Egyptian. Schanzer (2002:3) posits that it was founded by Hassan al -Banna (1906-1946) and it rejected Western rule of England over Egypt. He articulates that the Muslim brotherhood claimed that politics was and is a part of religion. They based this on the saying "Give unto Caesar what belongs to Cesar." In this case the Cesar is God or Allah the ruler of the Universe hence politics begins with him. Egypt's Muslim brother hood soon developed armed cells that attacked the

government and its supporters .The movement was soon outlawed and the leader was executed in Cairo in 1949.This is because there was no popular support .In the 50th century, Sayyid Qutb (1906-1966) a radical who provided the justification for attacking Arab leaders who did not use Sharia Law rose to carry the torch of the Muslim brotherhood. .He advocated for a Jihad (holy war) to shake off the shackles of progressive regimes .The main purpose of the holy war was to shake off the Jahili (ignorant Leader).In other words, he understood that liberty or freedom came through struggle and in this case armed struggle .He was however executed in 1966 for propagating Islamic violence and political violence .The Muslim brotherhood has since gone global with over 100 branches all over the world. Right now the in Egypt, the government is run by Mossi from the Muslim brotherhood.

3.3 Emergence of Islamist Terrorism in the Middle East

Philips (ibid: 4) further argues that, “Militant Islam gained momentum also in the six day war in June 1967 when Jerusalem was conquered.” In Iran ,it flourished when Ayatollah Ruhollah Khomeini overthrew the regime and established Sharia Law .Other terror incidents include the kidnapping of US embassy staff in Tehran .Fifty two people were held hostage for 444days .This spread to Lebanon in April 1983 the US embassy was bombed .There was also an attack on marine barracks that killed 241 us navy soldiers .These were Americas first encounters with terror .It was believed that the group was sanctioned by Hezbollah (Party of God).The group was guided by Muhammad Hussein Fadlallah .He said after these instances ,the oppressed nations who do not have advanced and sophisticated weapons like America .Therefore should use special weapons and special tactics that America has not .In this case ,he was advocating for asymmetric warfare and tactics against America. This goes in line with Machiavelli’s assertion that asymmetry is the weapon of the underdog .When one realises that the situation requires special techniques due to his incapacity ,he will turn to terrorism as the only way of inflicting great damage on the adversary.

Laub (2013:1) lampooned that in 1984 20 September ,terrorists hijacked a plane in Tehran and murdered two Americans .This came along with the abduction of more than a dozen Americans .In 1988,Pan American flight exploded over Lockerbie in Scotland and killing all 259 on board .and 11 residents who were hit by the fuselages on the ground .The flight was en route to New York from Germany via London .In 1993 ,a

large bomb exploded in New York .exploded in New killed 6 and injured a thousand .It is believed that the strikes were carried out by Sheik Omar Abdel Rahman also known as the blind Sheik of New York .The act was also pinned on Al- Gama al Islamiyya , a radical Islamic group in the county that time .Rahman had previously been quoted saying , “We must terrorize America ,disturb America and frighten them.” Hence the history of terrorism in the Middle East dates to long back and the Muslims have always wanted to unleash terror on America for its evils .America should have learnt from the hijackings and kidnappings that the Muslims had a score to settle with them. Laub (ibid:2) further examines the 1993, the Black Hawk Down incident that gave the Americans a wakeup call .Two American Black Hawk Helicopter s were shot and a third crash landed on a mission to capture a war lord in Somalia .18 died and 17 were injured. However ,one can argue that this is a wakeup call that came too late because the Muslims were already executing their plans and unleashing terror on them .In 1995 ,a suicide car bomber targeted US military training school in Riyadh killing 5 American instructors .In Dhahran ,a complex used by the American Air Force personnel ad 19 Americans were killed That’s when America new that the situation no longer required them to sit and watch and they started taking action .In 1995 ,Taliban claimed that it had captured Afghanistan after the conflict and a new Islamist government came into power .The group provided a safe haven for Al –Qaeda terrorists and other Islamic Fundamentalists until after the terrorist attacks in 2001 necessitated the war on terror starting with Afghanistan.

3.4 The Rise of Al-Qaeda

Gershowitz and Michael (2011:1) articulate that, “Al-Qaeda is the umbrella group that facilitates and orchestrates the operations of Islamic militants around the globe.” It’s an internet for terrorists whereby people, information and resources are channelled through a hub. The roots of Al-Qaeda are in the CIA sponsored war against the Soviets in 1980 and 1989.During that time, with the help of US weapons and funding, radical Muslims came to Afghanistan to fight the Soviets occupation. Osama Bin Laden was there also .He was the son of a Saudi millionaire .He studied engineering in Saudi and trained as a Summi militant even though he was raised as a Wahhabi Muslim .This shows that most of these terrorists are not just people from the blues .Most of them are well educated and well trained .Osama Bin Laden believed that the US had destroyed

the Middle East and advocated for the restoration of Sharia Law .He also called for the destruction of Israel which to him was as an impediment to Islamic affairs and a creation of America which helped America to further its foreign policy objectives .

He won the hearts of his fellow mujahedeen because he also financed military operations. He and a Palestinian militant named Abdullah Azzam opened a(Maktabal-Khidamat) services office for easy administration .Bin Laden paid to bring new recruits to Afghanistan and paid new camps for them .He was well known as the Prince .He also imported experts to train the recruits in guerrilla tactics and terror warfare .In 1988, the war ended, Bin Laden began to forge an official network for these extremists .He called them Al-Qaeda .Many returned to their home countries but the network was kept alive. One can argue that America and its allies made a mistake of involving the Islamist militants in this proxy war .This is because they acquired the training that they did not have thereby making them even better .The double standards of America are also demonstrated in this war .America supported the recruitment and training of Islamist fighters because they were anti –Russia. So America was prepared to engage the terrorists to achieve their objectives. Soon after the war, the grave mistake that was made is that there was no follow up of what the militants were up to .Osama Bin Laden took advantage of this situation and kept the network alive by sponsoring them and engaging them often.

According to Philips (1994:6), “At first Bin Laden’s name was loosely linked to terror .In 1992, he was linked to the December 1992 attacks of a hotel in Yemen which injured terrorists, 1993 attacks on the World Trade Centre, Somalia and the attempt to kill Mubarak in 1995 as well as the Riyadh and Dhahran attacks.” In 1998, Bin Laden created an organisation called the Islamic Front for the Struggle against the Jews. And crusaders .He called upon Muslim leaders, youth and people to kill Americans and their allies civilian or military as according to God’s words .The signatories to this front were radical Egyptian Al –Gaamal Islamiyya, al Jihad and Pakistanis Jamialul –Ulema –e-Pakistan as well as the Jihad movement in Bangladesh .In August 1998, An AL-Qaeda operative was captured in Pakistani by the FBI and he provided vital Intel on the activities of Bin Laden. Bin Laden was put on the FBI’s most wanted list .However ,one can argue that it was too late because he had already established a network of loyal followers who were ready to fight with him in his cause .It is alleged that he claimed

responsibility for the 9/11 attacks .He was quoted saying , “God knows it did not cross our minds to attack America but after witnessing the American Israeli alliance against Palestine and Lebanon, we thought of destroying the American towers as those in Lebanon...” Phillips (ibid: 7).

In other words ,Osama allegedly bombed the twin towers because he wanted to punish America for its aggression towards Muslims and its unholy alliance with Israel ,for the mass killings in Gaza and hostility in Lebanon .America was to asleep to smell the coffee of enormity that was brewing amongst the Muslims .Even though the signs were there and had already been there ,they underestimated the capabilities of the terrorists since they also depended on their nuclear arsenals in case of any armed attack .They did not expect anything of that kind to happen to them .This study also seeks to address that now that Osama is gone the war on terror is continuing this means that it is not really about terrorism .

3.5 Pakistani’s Role in the War on Terror

The Middle East region is infested with terrorists who have wide ideologies from Marxism to Secular Arabic and Islamic Fundamentalism. According to Rajabbi (2003:5)

“The Middle East is a hotbed for state sponsored terrorism .Namely Iraqi, Afghanistan, Iraqi, Libya, Sudan, Syria, and Yemen. North Korea and Cuba have also been problematic.”



Source: *Amnesty International Documents: Available at*
<http://www.amnestyusa.org/.../will-i-be-next>

Nonetheless, this paper has identified that most of these terrorists in the 1970s were indigenous dissidents pursuing their own agendas. Until they were contracted by America in its proxy war against Russia, they became very active in militant activities. Sikinder (2011:1) argues that “Numerous Pashtun tribes retained control of the Northern border territory.” Matters in these regions have been regulated under a Pashtun code and the Pakistan government did not have a problem with this. The militancy alongside with the lack of sustainable development has caused civilian regression and the perpetuation of high religious and political intolerance and military rule in the region. Historical contingencies are also to blame for the tribal radicalization. The Soviet invasion of Afghanistan and the proxy Soviet–American war that allowed weapons to flow into the country without any real accountability as well. Soon after the Soviet departure, there was unrest followed by turmoil and continual political instability and disorder. The problem that caused this is that soon after the war, the US withdrew all its funding and the country was on its feet. There was no rebuilding. When Afghanistan was engulfed by a civil war, the Taliban took control and was welcomed by most of the population because they were able to provide a level of stability and security that the people wanted. However, as time went on, the regime became

repressive and fascist and violated human rights .The international community did not do anything about this situation .

It was only after a series of terrorist attacks that America realised that it was actually in a conflict with the terrorists and the 9/11 gave them the final wake up call. Another wakeup call that came too late .They should always have found ways to contain these militants before they became a menace .Heale (2004:308) argues that, “Now America is going after terrorist organisations in their host states and overthrowing these undemocratic regimes and replacing them with the ones that are democratic. “The war on terror has ended the regime but the American instituted government only covers Kabul .Thousands of terrorists from Central Asia and the Middle East have seen the two countries as a religious battlefield .The question that however stands is that is there no other effective and less costly way to combat terrorism .The other question is that should this war be really considered war on terror or something else especially now that most of the terrorists are gone .America, however quotes Clausewitz definition of war as an act of compelling an enemy to do your will. Hence the objectives of the war on terror were to defeat Bin Laden and to identify and compel other terrorists and their organisations to surrender .Now with the drone technology; the role is not just to compel the enemy but to eradicate them completely.

According to Philips (1994:8) “Terrorism is a cancer that has plagued the Middle East for years.” It is now growing into more grave forms that pose a challenge to the US, the West and Europe especially. Middle East terrorists are now skirting outside their region and boldly attacking high profile targets and killing in an indiscriminate manner .Hezbollah terrorist are best known for their ability to mount sustained and well-coordinated campaigns over the globe .They are believed to be the ones responsible for the 1993 bombings. Some argue that it could have been another secular group because Hezbollah does not use women in their operations since the bomb was said to have been delivered by a woman .The bombings were well planned such that the terrorists were able to construct and deliver a truck bomb without suspicion .Evidence pointed to Iraqi and Iran since the Sheik who claimed responsibility was on the Iranian payroll for private business. It is also believed those days before the attack, large sums of money were transferred into his account .The pro Iraqis argue that Hussein wanted to punish America for Dessert Storm .It is also argued that RamziYoussef who set the plan in

option entered U.S in 1992 on an Iraq passport. Hence America is surrounded by terrorists in every direction such that it not easy to predict where the next attack can come from. Most Islamist states are anti-America and will do anything to see America falling down .Hence the global war on terror directed toward the rogue states to eliminate all possibilities of another attack.

According to Zelman (2006:1), “Radical Islamic groups have mushroomed in the Islamic world and even in the West.” The World Trade Centre bombers of 1993 were either illegal immigrants or they may have been drawn into America by Economic opportunities and political freedoms .Now they resist American values and what they consider to be its degenerate culture of materialism, and secularism .They also reject assimilation .Many of the terrorists were outlawed at home like Bin Laden and they find sanctuaries where they cannot be arrested. Bin Laden when he was outlawed in Saudi Arabia fled to Sudan and there he was also involved in terrorist recruitment and training until he was chased away from Sudan and went to Afghanistan where he was given refuge by the Islamist Taliban regime that was in power .They travel freely and raise funds and recruit new members as well as direct terrorist activities .According McGee ,the US is a safe haven for Hezbollah and other terrorist networks .These networks actually use the US for recruitment and propaganda .

They have now even blended into Western societies and formed sleeper cells which are difficult to penetrate and detect .The decentralised structure of the many radicals makes it difficult to defend and apprehend terrorists .The organisations are loosely linked into informal webs, most of them are Islamic militants who reject democracy and secular law .The also reject separation of the state and the church. They view the US as the successor to the of the EU colonial empires .To them, Terrorism is an acceptable instrument in the holy war for carrying out the will of God. This paper asserts that the fight between state and non-state actors has caused more radicalization, civilian deaths and suffering .Pakistan has always been beset with various problems that range from economic meltdown, religious fanaticism, sectarian violence and secessionist movement hence the USA faces the problem of combating small numbers of fanatical terrorists in possession of weapons of mass destruction in the future.

3.6 Insurgency and Home Bred Terrorism in Pakistan

An insurgency is used to describe a movement or armed rebellion against a constituted authority. Insurgency and its tactics are as old as warfare itself. Usually it is an organised movement to overthrow a government through the use of subversion and armed conflict. Robert Tomes (2004:1) enunciated elements that encompass an insurgency. He talked of call networks that maintain secrecy, terrorism used to foster insecurity among the population and drive them to the insurgents' protection. These have been active in Pakistan since time back.

They also had multi-faceted attempts to cultivate support from the general population like attacks against the government. Tomes further defines an insurgency as an interlocking system of political, economic, psychological and military actions directed at overthrowing the established authority of a country. Pakistan plays a very important role in the war on terror. In 1990, General Pervez Musharraf overthrew the government and installed a military government in Pakistan. Pakistan then served as the incubator of the Taliban and the Afghanistan Mujahedeen who took refuge in Pakistan during Soviet Afghanistan war. Pakistani is one of the countries that maintained contact with the Taliban in 1996 to 2001 besides Saudi Arabia. In 2001, President Musharraf agreed to join the war on terror. This included realigning its policies to serve U.S interests by granting them access to their airfields. Musharraf cooperated with the US to achieve the objectives of the war on terror. In July 2003, President Bush Jr articulated that the US and Pakistan goals on war on terror are directly linked. Since both the US and Pakistani are threatened by the War on terror, Pakistan has proved that it is determined to win the war on terror since from 2001 it has handed over more than 500 terrorists from Al Qaeda and Taliban.

Rajabi (2003:3) posits that, "Pakistan in the past created terrorist groups for its geo strategic agenda." Pakistan's border is believed to be a haven for terrorists. The Pakistan government is believed to be aiding these organisations in eradicating perceived enemies. These include Russia, China, Israel and USA. Satellite imagery from the FBI suggested the presence of terrorist camps in Pakistan. Hence it is believed that Pakistan is aiding the enemy whilst claiming to be eradicating the enemy. In as much as it has helped capture Al-Qaida members they are still sponsoring terrorists in the disputed lands of Kashmir. Terror groups like Al-Qaeda, Haqqani network, Lashkar-e-Omar,

Lasker e Toiba, Jaish Muhammad and Spah –e-sehaba are said to be thriving in Pakistan .Taliban also claimed that Pakistan solicits for its funding, bankrolling, operations and shipment of fuel and ammunition .It is believed that the next terror attack on America may emanate from Pakistan.

Pakistani denies involvement in militant activities. It argued that it only provides support to the secessionist groups. Anti-Americanism is increasing and any coercion on Pakistan by USA may disturb the already volatile landscape. The relationship between America and Pakistan has been Luke warm and America has criticised that Pakistan is not playing its part in the war. There is increasing resentment form the population and they are unappreciative of the heavy losses incurred by Pakistan in the hands of militants inflamed by the US and NATO presence.

3.7 Targeted Drone Attacks in Pakistan

Siddique (2011:5) articulates that, “Up to now, the US has made hundreds of drone attacks in Pakistan.” Surveys have shown that the strikes are totally unpopular with the local population .They have even contributed to a negative perception on the US .There is a debate regarding the number of civilian casualties

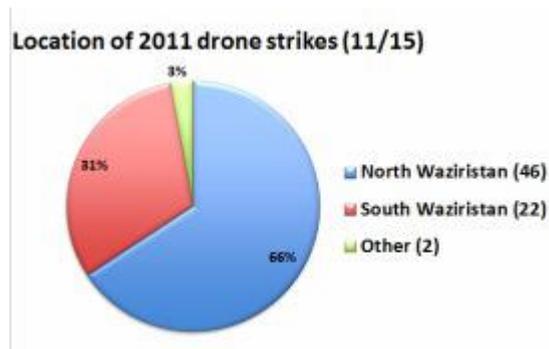
.Amnesty international has claimed that a lot of civilians have been killed in the war, most of which are innocent children and women .The Bureau of investigative journalism notes that women and children are in-appropriately affected by this war since they have nowhere to go. Man can run away and sublimate their anger by becoming fighters and most women cannot .It also claims that the amount of civilian casualties could also amount to war crimes .Pakistan’s Prime minister has argued that the strikes should come to an end and are a continual violation of integrity .He further blames these attacks for having detrimental their plans on ending terrorism in the country .The Peshawar high court has ruled that the attacks violate International Law and are inhuman ,illegal and violate the UN charter on Human rights .The Pakistan government allowed the US to operate in the Shansi Airfield until April 24 2011 when the drone strikes accidentally killed Pakistan forces .According the Wiki Leaks cables .Pakistan Army chief Ashraf Parvez Kayani did not tacitly agree to drone strikes but in 2008 requested that they be increased .Pakistanis interior minister argues that the strikes cause collateral damage and a few militant are killed but the majority are

children and women .It was found out that the strikes have led to Anti-American sentiments in Pakistani and radicalization of the militants .Somin (2013:8) argues that as much as the drone targets eliminate terrorist ,it also usually harden militants determination to fight till the end.

America however sorely depends on its ability to retaliate against states that actively reject its authority and challenge the political order it produces as articulated by Lake (2009:98). George Bush accelerated these strikes in his final term of presidency .A list of high ranking victims to the drones was given to Pakistan in 2009.however ,some argue that the list is not reliable since the American government has always not wanted Obama has broadened these attacks to include targets groups seeking to destabilize Pakistan civilian government .Examples include the attacks on 27 February which were against camps run by Bitullah Mehsud ,On 25 February, they targeted Mehsud and on 25 March the US government argued that the strikes were legal because the US had a right to pre-emptive self-defence under International Law . This shows the relative application of International Law whereby a state applies international Law where it protects their interests or benefits them the most .The US claims that it is in an armed conflict against the Taliban, AL-Qaeda and all their affiliates .Former CIA officials argue that they use a careful screening process on making decisions on which one to kill .They argue that they have over ten lawyers at the counter terrorist centre .Their task is to justify the targeting of specific individuals .If the briefs are weak ,the targets denied .However ,the CIA has relied heavily on their instincts on targeting individuals .They have relied on target signature behaviours .This change of criterion has resulted in the fewer deaths of high profile targets and death of low profile targets .Signature targeting has been the source of controversy. This is because a regular citizen may be mistaken as a militant. The CIA has continued to carry out drone strikes on Pakistan tribal areas. This shows that in this 20th century, states in the International society are classified in the relationship of peaceful and non-peaceful. States are now coexisting in the world where conflict is expected and at best temporarily pursued as lampooned by Boyle (2013:5)

According to Johnston and Sarbahi (2013:3), Pashtun tribes man were seated in a hut on a hot day in when one of the spotted what looked like a bird hovering over them .24 hours later ,they were smoked and two boys aged 16 and 10 were killed . These

murderous assaults have sharpened the effects of this drone war the locals to the extent that they viewed this drone warfare as an infringement of their peace .Also the collateral civilian deaths caused more havoc. Drones are the centrepiece of Obamas war on terror in Pakistan. Most of the drone strikes have taken place in the Federally Administered Tribal Areas(FATA).The Taliban consists of ethnic Pashtun tribes along the border areas of Afghanistan.



Source: Bureau for Investigative Journalism: Available at www.thebureauinvestigates.com

That is the other problem of federalism The government does not have full control of the other areas in its territory .These so called independent tribal provinces are the problem areas whereby all criminal and militant activities are carried out .For example since ,Pakistan did not have control over its border provinces with Afghanistan. These include its Northern provinces and North Eastern provinces .These provinces have housed militants and terrorists from both Pakistan and Afghanistan until America discovered that most of the militants in Afghanistan had fled to these cities .Hence America decided to take the war to Pakistan as well. This proves Holsti’s (1988:125) analysis of the international system. That it is anarchic and characterised by an absence of effective institutionalised constraints on the use of force by member countries .The United Nations has also failed to ensure peace and security in the world .Security now is a scarce value .Scholars argue that any nation which wants to become secure will leave others insecure .A good example is the nuclear rush .Any country that acquires nuclear weapons in a bid to be secure leaves other states feeling insecure. When North Korea declared their possession of nuclear weapons, South Korea was left rushing to America for protection .The nuclear ambition of Iran have left many countries

wondering in the Arab Maghreb region .Hence to America, the drones are a great instrument of their foreign policy.

The primary strategic goal of US drone attacks in Pakistan is to incapacitate the Al-Qaeda which is the umbrella group for all the networks operating in those areas .Each group has a commander and these groups have been responsible for the sporadic attacks in Pakistan. The Haqqaan, Taliban as well as other terrorist networks existing in Pakistan are other targets that operate especially in the borders. However one can argue that there is no problem with incapacitating an enemy but innocent civilians should be spared, there has to be no civilian damages in due process. The drone warfare is unpopular due to the civilian casualties that come with it .The only question that stands is whether the drone attacks have increased or decreased due to drone deterrence .

According to Laub (2013:4) in 2001, “Pakistan support for these groups ended because it had been convinced by the US to join the war on terror.” Pakistan in this case did not make an independent decision to fight the terrorists or rather militants .It was convinced by America to do so .This is the reason why Pakistan is failing to keep up with the war because it was not really interested in it .In 2004,the first drone strike was reported .Between 2004 and 2005,Pakistan and the US were involved with the militants but they suffered heavy casualties due to their asymmetric tactics .This led to the September 2006 Peace accord to end fighting with the Taliban .One can argue that the Pakistan government could have suffered defeat because they were unwilling to destroy the networks that they formed which were influential in the Kashmir conflict ,Also Pakistan still believes that one day these militants may be useful in assisting it ward off its enemies ,since it does not have good relations with India and there are still problems in Kashmir .The peace accord came to an end in July 2007 when Pakistan did not stick to its part of the deal and invaded the Red Mosque in Islamabad .It was believed to have been housing many Islamic militants who had fled the Northern Provinces .Since then ,there has been an increase in the number of terrorist attacks in Pakistan ,most of which are targeted towards the government.

One can argue that the terrorist attacks are justified since it was a betrayal on their part .This is the same reason that caused the bad blood between Osama Bin Laden and the government on Saudi Arabia .When the Saudi government faced threats of invasion,

they engaged the US other than engaging other Muslim brothers .Osama Bin Laden argued that Mecca and are holy Islamic cities and should be defended by the Muslims .However ,the government did not take heed of his call ant he became anti-government .What Osama was saying was reasonable because wherever America gets involved ,it causes problems .Hence the terrorists in Pakistan were angered by the government's decision to engage America in this hunt for terrorists .There was another pike accord known as the Malaccan accord. This went on until the killing of Mehsud. Hence the drone warfare is not just a temporary incident that erase the traces of the enemy bit is thee to stay. The terrorists will resort to challenging the government through terrorism.

The relationship between America and Pakistan has been Luke warm .America has criticised that Pakistan is not adhering to part or its deal .On the other hand, there is increasing resentment in the war because the local populace is unappreciative of the war especially heavy losses incurred by the civilians in the hands of US and NATO forces. According to Cole (20012:1) “As of 2010, the drone war has claimed up to 40000 lives in Pakistan .as compared to the 14 Americans who lost their lives. “The escalated number of reported drone strikes in in the tribal areas together with the involvement of Pakistan has fed all the Anti US sentiments. The use of heavy air strikes has severely damaged Americas legitimacy in the local populace who are increasingly viewing the western forces as occupiers. The interesting thing is that the Americans mourn over the fourteen dead but do not care about the thousands of innocent civilians dying in this drone warfare .Pakistan government feels justified in its support against the Taliban because the US supported the warlords in Afghanistan and paved way for the Indians to control Afghanistan .The US said that we reserve the right to take unilateral action when others are not willing ‘The US government has been using armed and unarmed drones to carry out hundreds of covert missile strikes in Pakistan since June 2004 .These were inaugurated by the Bush administration and in increased under Obama .

At any given time, multiple CIA run drones can be seen hovering over Pakistan in search of terrorists .Drones appear to have become the centrepiece of Obamas war on terror. Morehouse (2011:1) lampoons that, “the US has also not provided much information on how the drone works and the process of the choosing of targets even though various civil society groups have requested for the information.”

On 21 June 2001, a Pakistan American Faisal told the judge in Manhattan that he placed a bomb at a busy intersection in Times square as payback for the occupations in Afghanistan, Iraqi and Pakistan .When the judge asked him how he felt about comfortably killing women and children whom are innocent he answered that drones do not see women or children. This is true in the sense that the Americans were so concerned about their women and children and forgetting that in Pakistan ,Afghanistan and Iraqi where their country is waging unending war on terrorists there are also innocent women and children being disproportionately killed by their drones .This portrays the Americans as selfish ,thinking only of themselves and not regarding other humans as people who deserve to live .One can also say that the increasing internationalism of America in other countries is causing more radicalization amongst the terrorists as explained by Faisal Shahzad that he bombed the times square because he wanted to seek vengeance for the innocent people who are being killed in Americas drone warfare . Hence if only one person can have such courage to want to seek retaliation, how about the other families who have lost their loved ones .There is danger that they may be somewhere secretly planning to avenge for the lives of their lost ones .Therefore, this drone warfare indeed corrodes local government and creates deep anti-Americanism sentiments among the local population .These will in turn create new recruits for Islamist networks aiming to overthrow these governments.

According to Boyle (2013:1),In Pakistan, the ranks of Al-Qaeda have been weakened ,yes, but the members have hardly given up .Many have fled to Yemen to join the battle ,others have fled to Somalia ,Iraqi and Syria .The disadvantage is that they will come back home with skills and experience and weapons to make this war fiercer .Drones have thus fuelled militant movements and reordered the alliances of terrorists .Terrorist from Pakistan will be readily accepted in Syria ,Yemen or Mali regardless of the faction ,whether Al Qaeda ,Al Nussra or Hezbollah .They will unite to wage a holy war against America, regardless of the stakes.

Drone strikes have escalated in Pakistan to an extend of averaging to one in every few days. This portrays them more than just temporary incidents that are there to stay in Pakistan. However drones have lasting effects that can weaken existing governments, undermine their legitimacy and add to the ranks of the enemy .The Pakistan government knows this and that is why it is not 100% supporting this intervention. The Pakistan

government is aware of the fact that the government will be viewed as perpetrating violence against its own people .Thus the weakened terrorists will challenge the government .They will do this through terrorism since the drones have given them a recruitment boost as the carnage has encouraged many to join the Tribeca Terrorist Parties .Their wrath is directed towards their government for failing to protect its citizens and failing to control its domestic affairs.

The UAV program is being run by the pentagon ,however in Pakistan ,the programmes being run by the CIA, on 22 March 2013,the Whitehouse announced that the drone program will be transferred to the Pentagon .There are two possibilities for this lack of decision .It is argued that the CIA are not military personnel but rather civilian agents who are carrying out targeted attacks on militants in Pakistan .Scholars have questioned the legality of such attacks since USA claims that it is in an armed conflict with the terrorists .The CIA agents are therefore committing war crimes on behalf of America and should face justice .The second reason maybe because of the so called clinical and surgical or signature strikes resulting n collateral death of innocent people. That is why the US is returning the operation to the Pentagon for more precision and accuracy.

According to Somin (2013:1) On 14 September 2001, there was an authorisation of the use of force .Bush said,

“Use all necessary measures against those nations, organisations and persons aiding, determining or planning terrorist attack or harboured such organisations .This of course is in order to prevent future organisations from carrying out attacks against the USA.”

The USA was declaring war on Al-Qaeda .According the leading counter terrorism expert Peter Bergen ,the Obama administration conducted 283 drone strikes between 2009 and late 2013.This is six times more than the Bush Administration .This also means that the strikes are beyond just targeting terrorists but involve innocent civilians as well. Even Low level militants are now being targeted .This is not fair especially to the local population because they risk losing their young men and fathers to this drone warfare .It also shows that the US has extended the strikes to cover radical Islamist groups with no link to Al-Qaida or Taliban .However, this heightens the risk of error or

abuse since Islam is but a religion in the middle east and the men risk being identified as militants..

Moorehouse (2011:4) argues that the US has classified almost all the information on drone strikes .This is because the information is confidential in nature and may cause uproars especially if the international community discovers that the biggest number of the deceased is not that of militants but civilians .Boyle defines signature strikes as targeting whereby the target is not of the combat status but rather an individual whose behaviour suits that of a militant .Hence a signature strike is based on assumption that a certain type of behaviour corresponds to that of militant behaviour or pattern. In war, accuracy and precision of targets is vital so as not to target innocent people .This shows that America is not respecting the rules of war in this drone warfare hence it ceases to be just .The strikes are authorised without the knowledge of the right officials and are being carried out sporadically without right intention as required by International Law.

Targeting is now based on behaviour .Even loading what appears to be bomb making materials may result in a signature strike. This may lead the targeted lower rank operatives to seek revenge thus swelling the ranks of Al quad and other groups .Boyle quotes Kilcullen and Exum (2013:9) that, “Every one of the dead combatants represents an alienated family, a new desire for revenge, and more recruits that grow exponentially as the drone strikes are increased.”

A similar dynamic has occurred in Yemen, where the US drone strikes have driven more civilians in the ranks of Al Qaeda and strengthened local insurgent forces challenging the Yemen government. This will also happen in Pakistan, the local insurgent terrorists will challenge the government because it is the government that they are mad at. Even though the ranks of Al-Qaida in Pakistan have been weakened, the members have hardly given up. Many have fled to Somalia, Iraq and Syria and they will bring back skills and weapons to refuel the conflict. According to Jaeger and Siddique, (2013:11), Drones in Iraq, Pakistan and Afghanistan are being used as a strategic tool of the CIA.

3.8 Terrorism and Asymmetric Warfare

Jenkins(1971:26) identifies the war between the Afghan Mujahedeen and the Red Army (1979-1980) as an example of asymmetric warfare .Here ,the weaker adversary prevailed because the stronger could not sustain the attrition ,casualty and economic costs of the war .This is what is going to happen to America and its drone war in the Middle East .Mao tse Tung's dictum that a guerrilla swims like a fish in a sea of people can be applied to this war .The militants will rely on popular support to outwit the Americans .In the latest asymmetric war against afghan ,the Taliban were defeated because they neither had the support of the masses or could they master outside support .Ethnic, religious and sectarian terror has affected Pakistan .Foreign funded saboteurs .ethnic and religious extremists have indulged in terrorism. Kidnappings ,killing of motorists and bomb blasts in market places .Private armies were made and controlled for Jihad .,Kashmir and Afghanistan .They could not be controlled until they became a menace .The asymmetric war is now targeted towards the US and its allies for its support for Israel .led aggression and occupation of Arab Lands .In the September 11 Attacks ,Al-Qaeda in total secrecy attacked America and inflicted damage on the heart of USA .The material ,psychological damage inflicted on the USA was so much that it made the whole world unsafe .The now American led War on terror has eliminated the Taliban regime ,destroyed the A- Qaeda and turned Afghanistan into rubble but there is fear that the dispersed terrorists are likely to launch other surprise and deadly attacks .

Just like how a few pilots with Stanley cutter knives launched an attack on a superpower with an arsenal full of nuclear weapons, cruise missiles and equipped sate of are t weapons and self-defence technologies .By unusual tactics, the enemy destroyed the Americans financial and military power to an extent that George w Bush Jnr vowed to destroy international terrorism bit the terrorists are not likely to learn a lesson because fear, hate and revenge are their driving force. Having suffered many injustices ,the frustrated militants are likely to become suicidal and avenge the slaughter of their Kith and Kin .The terrorists will sacrifice their lives for their cause .Asymmetric warfare has been the methodology of last resort even for liberation movements .Nowadays ,the line between struggle for liberation and terrorism is becoming blurred ever y day .Asymmetric wars are waged for political ,religious and ethnic reasons .Terrorism as asymmetric war threatens global security today as well as Americas security .The

terrorists in Pakistani are likely to engage I suicide bombing which is an extremely dangerous dimension of asymmetric warfare that threatens global security .

Jenkins(ibid:27) explains Mao Tse Tung's small wars whereby the tactical modes are selected because their practitioners are unable to compete in regular combat .The Taliban, Al-Qaeda and other militants in Pakistan artery realizing that they cannot compete with the drone tactics being employed by America hence they will resort to any means available to seek retaliation for their innocent relative being killed in this indiscriminate drone warfare .They will achieve this by relying on mobility and speed as well as surprise attacks to the US army and taking refuge in the local population. Mao articulated that revolutionary cadres usually follow three main phases when they are employing guerrilla warfare .The first phase is to establish bases where they survive .As discussed above ,the terrorists usually establish small cells that there loosely formed and uneasy to detect or penetrate .They are now avoiding large gatherings which can be easily detected by the drones hovering over them and registered as signature behaviour .In Afghanistan ,the militants established bases in mountains and other inaccessible terrains .That is why it took the Americans a long time to defeat the Taliban .The key aspect is to gain the support of the masses .With the drone strikes killing more civilians ,there are more anti –American sentiments in the middle east especially in Pakistan and Afghanistan .

The second phase is to disperse agents into the population who make to contact with the population which is very key to their operations since they rely more in the aspect of disguise. They create sympathisers from within the population .This process according to Mao should be carried out clandestinely, methodically and progressively. This is because it is in this stage that they are vulnerable from sell-outs. Acts of sabotage take place and terrorism multiplies .Groups of reactionary elements are liquidated .Attacks are made on vulnerable .The third stage is that if that become strong the transform into regular units and regular forces .The Taliban, Al- Qaeda and Tehrik- el Taliban have not yet reached this final stage that is the main reason why the US wants to try and destroy these networks before they transform into a regular force ready to wage conventional warfare on the US and its Allies. There is also a possibility that with the funding from various sources ,they are likely to acquire state of Art weapons and unleash terror on America .Recently in Syria ,the rebels linked to Al –Nusra were

accused of using chemical and biological weapons .This shows that due to desperation ,the terrorists are likely to use any weapons available to achieve their goals .In the case of Pakistani ,there are a lot of rig –tag guerrillas consisting of Tribal ,foreign ,military ,foreign and criminality no ordered line of responses .They also work in a decentralized manoeuvre .These people are willing to carry on their fight .They are not easy to detect because they work in cells .

3.9 Conclusion

In conclusion, one can say that the use of drones is a non-conventional response to asymmetric war not fought between states but at a sub cutaneous level through the targeting of individuals or groups. The US and UK are known to have used the drones on states in the Middle East .This has caused problems in the relationship between America and Pakistan since Pakistan is accused of publicly condemning the attacks and privately supporting them .FATA residents are more aggravated by the strikes such that other states argue that USA is not in a war with a country but a group of people most of whom are innocent. Hence one can argue that the massive sums devoted to armaments especially drones does not increase international or human security .Thant (1971) articulated that they serve to increase insecurity and to multiply the risks of human survival. Thus when states are faced with terrorist actors, victory is not certain because the terrorists may engage in asymmetric warfare. This is when Hans Morgenthau's classical realism comes into play that states face hazy contours when faced with terrorism since the terrorists are now transnational actors who have proliferated in number and grown because of the changing face of global politics

CHAPTER 4

IMPACT OF DRONE STRIKES ON MILITANTS IN PAKISTAN: A CASE STUDY

4.0 Introduction

Many scholars have discussed drones in detail. Many have dwelt on the legality of drones and drone attacks under both domestic and International Law as well as their ethical and moral use as a weapon of war. A majority of analysts and observers have declared the use of this weapon as illegal and inhumane due to their indiscriminate approach to warfare. The just war theory proponents are at the forefront of levelling such allegations to the western powers who have repeatedly employed this weapon with immense destruction on both combat and civilian targets. This chapter seeks to investigate and evaluate the effectiveness drones and drone attacks in their mission to curb terrorism and insurgency in the Middle East. The long term effects of drone attacks on the host states' local population and militants as often been down played. This section of the research paper challenges the general wisdom that drones are effective and morally acceptable under International Law. The overall argument is that even though there are technological advantages, the disadvantages and costs outweigh the advantages. The observation has been that instead of diminishing the war of attrition that characterises the Middle East political landscape and alleged terrorism drone attacks increase the rate of asymmetric warfare.

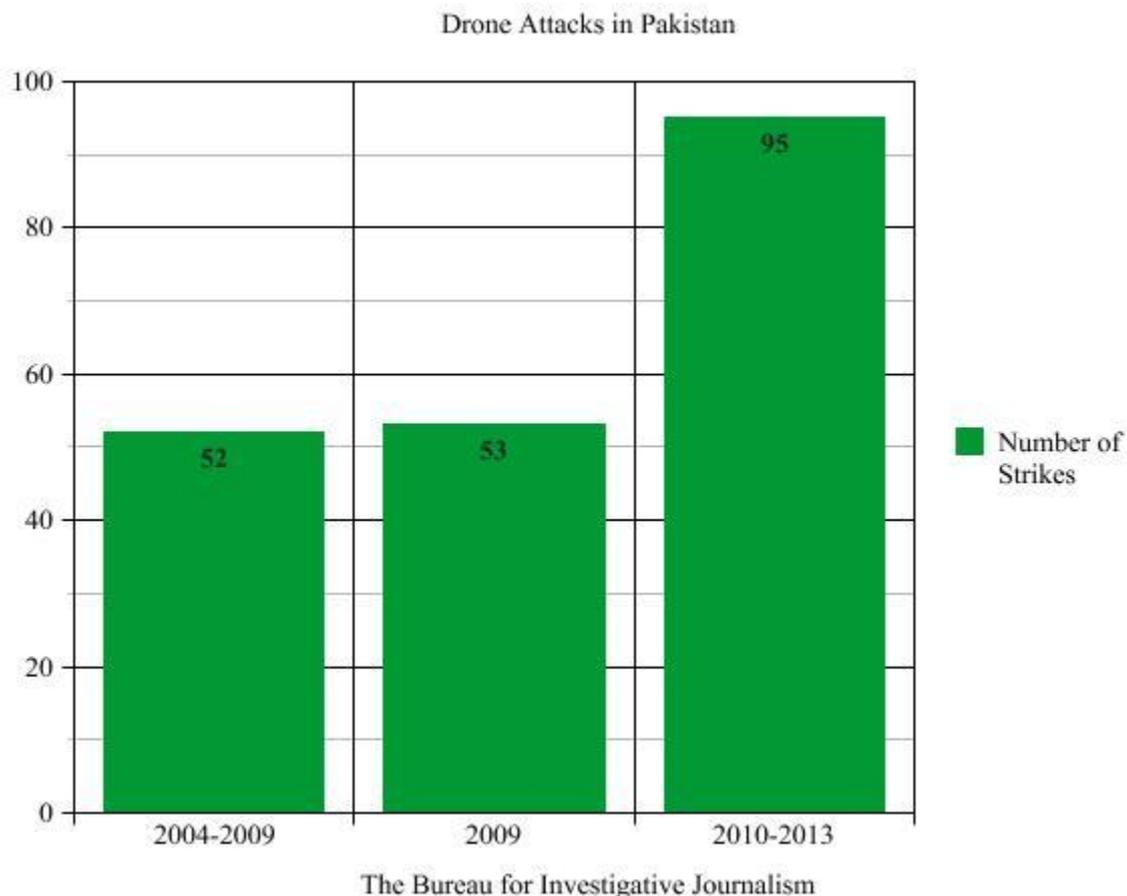
4.1 Americas Drone Campaign in Pakistan

According to Shaw (2011:16) "The deployment of US troops in Pakistan has been quite controversial." Despite the rhetoric of clinical and surgical strikes, civilian casualties are striking. According to the New American Foundation, "Since 2004, there have been 205 attacks in Pakistan which claimed between 129 to 1989 of which 983 to 1453 were described as militants. "The region of FATA has been subject to these drone attacks" (<http://counterrorismnewamrica.net.drones>). Bergen and Tiedemann (2012: 22) further posited that the CIA drone program began quietly with George W Bush with one strike in Yemen in 2002 and many in Pakistan. In his term of office, Bush authorised 48 strikes in Pakistani 2009, Barak Obama authorised 307 strikes. According to the New

American foundation, 2010 marked the year with the highest record and was the intense period of the Obama drone campaign in Pakistan .Meanwhile in Yemen after the first attack in 2003, there was no other attack till 2009.Obama exacerbated the drone attacks especially in 2011 and 2012.In 2012.At least 42 strikes took place and in 2013,467 to 674 were killed .The highest record was in 2011 which marked Obamas intense period and combined with the raid on Osama’s compound in Abbottabad killing 24 Pakistan soldiers in an airstrike .

This strained the already strenuous relationship between the two countries. It also resulted in the eviction of the drones from the Shamsi Airfield in Baluchistan. Some combination of US department of state pushback and increased congressional Oversight to the closure of the CIA drone base in Pakistan and a great desire to heed the Pakistan call to sensitiveness led to the sharp fall in 2011 as illustrated in the graph below,

Source: *Bureau of Investigative Journalism*: www.thebureauinvestigates.com



The graph represents the number of US drone strikes from the year 2004 to 2012. In 2009 the drone campaign claimed 55 militants. The strikes levelled off and increased in 2010 under the Obama administration. In 2004 to 2013 there was a total of about 200 strikes most of which were carried out under the Obama administration signifying Obama's obsession with the drone technology in the war on terror.

This was a hard blow to the militant's command structure even though they constitute just 2% of the drone related fatalities in Pakistan. Comparatively, thirty four leaders were killed in Yemen signifying 6% of the casualties. Now, given the fact that the main objectives of the CIA drone program is to eliminate hard core Al -Qaeda or Taliban leaders, these results are very shocking. They indicate that the drone program has turned into a counter -insurgency air platform and most of the victims are lower ranking members of the Al -Qaeda rather than the intended high value targets. Thus, it seems like they wish to kill everyone and not just the leaders. In 2012, Obama articulated that, "The strikes were only used in situations whereby real capture is not possible"

However, the research seeks to prove that even if real capture was possible, they preferred the drone strikes to the capturing since they argue that the capture of terrorists was no longer an option probably due to the outcries at Guantanamo Bay and Abu Ghraib which were also causing human rights controversies. Hence drones are the only game in town. Under Bush -1/3 of the strikes killed a militant while Bush sought to decapitate the leadership and has taken it upon himself to be the chief decision maker. The year 2010, with a record 122 strikes in Pakistan, marked the most intense period of the Obama drone campaign in Pakistan. This, combined with the May 2011 raid on Osama bin Laden's compound in Abbottabad and the killing of 24 Pakistani soldiers in a NATO air strike in November 2011, severely damaged the relationship between the United States and Pakistan and resulted in the eviction of CIA-controlled drones from Shams Air Base in Baluchistan. At the same time, Cameron Munter, the then-U.S. Ambassador to Pakistan, was urging that there be more judicious targeting of the drone strikes as well as increased consultation with the Pakistanis about them.

Many human rights activists argue that quite a substantial number of innocent civilians have been killed in the drone strikes. The New American Foundation places the rate at 100%. This is because the Obama administration counts every military age male as a

militant. One can argue that this is not quite realistic to count every militant aged male as a possible target. It makes everyone a target then .This becomes a controversial issue because it is not everyone who is a militant in Pakistan and the USA has to rightly differentiate between a militant and an innocent civilian .If it doesn't ,then it means that everyone in Pakistan is at the risk of being killed anytime .This is a gross violation of human rights .To remove this blurring ,the researchers added a category known as the unknown .This implies the targets who are not known combatants nor civilians .The Bureau of investigative journalism has recorded 2660 unknown deaths. This is a striking number because it shows that the USA is indiscriminately targeting the Pakistan civilians in the name of War on terror .There can never be such a big number of high value targets .In fact, this number mostly consists of innocent civilians targeted in the drone warfare.

4.2 Impact of Drone Strikes on Militants

Osama Bin Laden himself realized the impact of the strikes on his group and he wrote a lengthy memo which advised his son to flee to Qatar and move away from the tribal regions where the drone strikes were more concentrated. (pg. 81) He also mentioned that drones were a terrifying presence in Northern Waziristan such that leaders had to sleep under trees to avoid being targeted .The drone strikes have hindered the Taliban's operations and killed a number of their leaders.

According to Bergen (2013:9) "Conversely, the drone strikes have fuelled terrorism." This is indicated by Faisal Shahasad an American citizen who tried to blow a bomb at the Times square on May 1 2012 .This is because every time an innocent civilian is targeted ,it is felt by the whole country. These strikes have caused deep anger amongst the militants to such an extent that they now view the US not just as an enemy of Pakistan but also as an enemy of Islam. According to A-I Muslimi (2013:1), even in Yemen, the killing of civilians has helped to destabilize Yemen. He argues that it created a new environment under which Al Qaeda benefits despite its losses .This has also been worsened by the fact that the Yemen population does not have a good relationship with the government just like in Pakistan.

Muslimi (ibid: 16) further articulates that, "Yemen's transitional president agreed to the drones publicly because he wanted to discredit all other groups operating in Yemen." This was however to no avail because of the drone attacks .Foreign backed groups like

the Houthis are gaining credibility in Yemen. What the terrorists require is heaven and martyrdom. In their minds, when they are targeted by drones, they become true martyrs who die from the true cause of Islam and will receive heaven. He further argues that to the Yemenis, drones are the face of America. They have not known America through good things like development assistance in infrastructure nor education support like other countries. They just know America as a capitalist and an imperialist trying to invade their country and ban Islam. This has given them the idea that America is at war with Yemen and has also given AQAP the impetus to convince more people that America is responsible for their suffering. Hence giving them the leeway to recruit more and more volunteers. In this regard one can argue that with the drone warfare, America has made more mistakes than the Qaeda.

They have made the terrorists look like role models. Ibid (2013:18). A good example is Saaed Al-Shahri and Nader Al Shadadi who were said to have been targeted by a drone and proven to be alive later. Bryman argues that these individuals are better off captured because they are civilians entitled to persecution as unlawful combatants. The killing of militants and civilians in Yemen has helped to destabilize Yemen and create an environment in which Al-Qaeda benefits more. Every time a civilian is killed, it is felt by the Yemenis across the country and create a backlash on USA. Compiling the drone strikes in this case has proven to be unfruitful because the Yemen government sometimes protects the USA by claiming responsibility for the attacks. Nonetheless, it is argued that up to now in Yemen 34 Al-Qaeda militants have been killed in Yemen including the cleric Anwar al-Waki and Faisal AL Qusso suspected of the 2000 US Cole bombing and also the death of Al-Qaeda leader Said al-shiri from the wounds sustained in a drone strike.

Oloney (2013:31) argues that the people join the militants because the USA is not there to mitigate any blowbacks. For example, after the strike on Tiannaman, the owner of the house 38000 Saudi riyals as compensation for the damages incurred but America did not even acknowledge the damages. It is said that the man's son joined the AQAP to avenge his father's death and the son has 28 brothers waiting to do the same as well. Hence the drone program is said to be killing militants yet such losses are quickly being replaced. This has served as a recruiting tool for extremist groups. Hence home-grown terrorism can thus be linked to armed drone strikes.

Drone strikes have become a rallying cry for the Taliban militants, feeding the flow of volunteers into the loose, small networks harder to trace than the shadowy Al-Qaeda. This is because the USA does not carry out assessments after the attack for any unintended damages caused. This only creates more radicalized militants not willing to negotiate any cease fire. In military affairs, the most obvious measures may not be right at all. In the Vietnam War, the Americans learnt that not every adversary is susceptible to coercion by air power. Coercion based on military vulnerabilities will not work if the adversary's strategy is based on something else like guerrilla warfare.

4.3 Drawing Similarities and Parallels: The Case of Yemen

According to Oloney (2011:30), "Yemen like Pakistan has suffered from inadequate governance and limited resources because of Islamist terrorism." These factors have negatively affected the security situation in the country. Since the 1970's, the Yemen was divided between two large tribal confederations namely the Hashid and Bakil. The Bakil tribal confederation lost many of its positions after the civil war (1962-1970). During the 1980's, Yemen volunteers travelled to Afghanistan to fight the Soviet occupation. This battle, like the Pakistan's, hardened many Yemen Islamists who returned and assimilated into various tribal networks that received funding from Al-Qaeda.

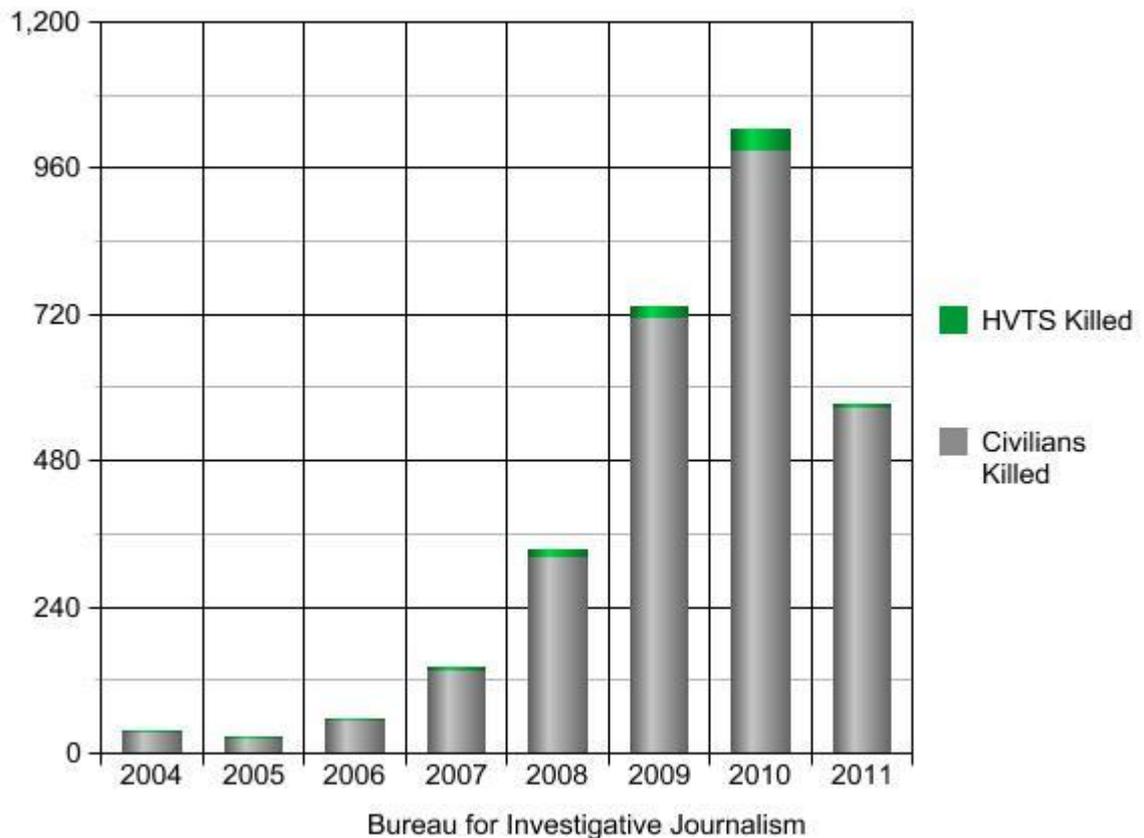
The known terrorist attacks from Yemen are the attempt to sink the Sullivan's, US Cole that resulted in the death of 17 American sailors and the attack of a French oil tanker in the Gulf of Aden. The masterminds were Abu al Harinti. He was targeted by a predator in Djibouti in November 2002. However, following the strike, militants conducted strikes against the government of Yemen and terrorism from Yemen increased since then. Loose networks were formed like Al-Qaeda in the Arabian Peninsula (AQAP). From 2003-2007, the strikes remained fully stable. However, on Feb 3 006, 23 Al-Qaeda members escaped from a prison in Sana. They were mostly Saudi and Yemen. It was believed that the Yemen forces facilitated the prison break. The escapees reinvigorated the Al-Qaeda which up to now is a threat to US security.

In 2008, attacks increased. On December 17 2009, The USA fired missiles on AQAP and injured 34 militants and 60 civilians. Soon, retaliatory attacks against the government of Yemen were made in Abyan and all over. Hence from this, one can argue that there is a correlation between the attacks by the USA and the militant attacks. These findings

indicate that the US drone strikes in Yemen had mixed results .In 2002,they were effective .However in 2006,because the decentralization of Al–Qaeda had been enabled ,In 2010,75 attacks were recorded .Hence the drone strikes in 2009 increased militant violence in Yemen .AQAP from there conducted transnational terrorism and domestic attacks .In November 2010,aqap ,claimed responsibility for a parcel bomb plot that uncovered on October 29 2010 and the crash of a cargo plane United Parcel Service Inc. in Dubai .They also claimed responsibility for the assassination of Colonel Mohamed al Ezzy a regional director for political security in February 2009.

The government cannot provide governance outside Sana that's why insurgent's activity is high there .Similar to Pakistan, the government does not govern Waziristan and militant activities are rampant there. Yemen is argued to be on top 20 of the Worlds most failed states since 2005, according to the failed states index of 2010. These finding suggest that the drone strikes caused increase in militant operations from previous levels. In 2009, the highest recorded attacks were made .In 2010,drone attacks had doubled .Therefore isolated drone strikes caused an increase in militant strikes .Pakistan is also in the top 10 of the failed states .The Pakistanis also view the US as an enemy because they believe that the US is at war with Islam .Most of the drone strikes are concentrated in FATA. According to the statistics collected by Bergen and Tiedemann, the strikes carried out in Waziristan constitute 27% in the North and 73% in the south .The reason also being that the region is not considered Pakistan proper and they are outside the Law of Pakistan .In 2007,it is argued that there were 9 attacks only and in 2008,33 drone attacks whilst in 2009 there were 53 strikes and in 2010 there were 118 and 70 in 2011.The strikes caused protests in Parliament and after the incidental killing of 24 Pakistan servicemen ,the issue became very charged such that the strikes stopped for a while as illustrated below:

High Value Target Deaths to Civilian Deaths in Pakistan Since 2004



Source: Bureau of Investigative Journalism: Available at www.thebureauinvestigates.com

The graph shows the number of civilian casualties as compared to the high value targets which are mainly Al-Qaeda senior operative's .The graph shows that despite the rhetoric of signature strikes, the civilian casualties are too high. It also shows that until 2009, the figures were consistent and rose with the swearing of Obama who made the strikes a cornerstone of US war on terror policy. Peter Bergen and Mergan Barun of CNN reported that in 2012,the number of high level targets killed in Pakistan is just 2% of the total strikes .Hence the strikes are argued to be counter –productive and facilitate recruitment i not the ranks of Al-Qaeda Scholars argue that they are damaging roads, houses and stores. They inflict huge amounts of suffering that goes beyond infrastructure damage leaving civilians anxious,scared and psychologically damaged .Their presence terrorises everyone that any moment they may be targeted.

4.4 Findings

One can conclude that the above data suggests that there is a causal link that exists between the drone strikes and the increase on domestic terrorist activities .Drone strikes may be a successful way to disrupt insurgent groups ,but they produce second order effects that lessen or negate the long term strategic goal of eliminating terrorists .The above data suggests that drone strikes lead to increased attacks on weak governments partnered in overseas contingency operations .Such strikes cause retaliatory attacks on local governance and contribute to revenge and frustration .This is because they are limited hence they conduct attacks on the government not on the US .These findings prove Kilcullen's (2009) assertion that drone strikes have adverse effects on local governments .They may be the impetus for increased radicalisation of enemy networks as demonstrate by the Taliban and AQAP.in Pakistan, they have been sustained for a long time hence they are levelling off in terms of frequency

4.5 The Efficacy of Drones

A variety of arguments for and against the use of drones have been put forward .Technological, moral and ethical as well as legal. This research will dwell much on the moral and legal arguments. Some scholars argue that drones create a particularly asymmetrical form of warfare that is not acceptable under Jus in Bello and jus ad bellum principles. Others argue that the use of drones leads to automated warfare that removes the pilot from the theatre of combat and if that happens, then some degree of asymmetrical warfare is attained

War is argued to be a last resort of diplomacy. Everything else should have been exhausted before going to war .With drones however ,there is no fear of possible loss from your side hence states are quick to go to war .Petit(2010:10) calls it “ utilitarianism” which is a school of thought based on the idea that the goodness of a thing, an idea or a law is based on the assumption that it creates the best amount of value .regardless of the effects .Penman (2012:5) further supports this view saying that, “An act is good if it results in much good as any available alternative .” Hence what matters to the drone operators is the result to be achieved rather than the action. To them ,there is nothing wrong with using technology if it reduces harm amongst friendly states and .cause harm to an enemy even if it makes a great amount of people suffer to death. This assumption however his deadly results if it is adopted by the terrorists themselves and deadlier if they acquire the drone technology

Petit (2010:11) argues that, “drones are not as precise as they are said to be and cause collateral damage to innocent civilians and property.” In this regard, they should use other weapons if they want to target the terrorists. He further argues that the removal of the human element makes them unethical by nature. No one is exposed to danger when they use them and this makes war far too easy and cheap. The personnel that operate drones are not armed forces but employees of a private defence contractor ‘XE’ now known as Blackwater. These people are civilians and are not subject to the Geneva Convention on Armed Conflict. Hence this is privatisation of war. Traditionally according to the Just War theory, soldiers agree to certain conduct. This is because they have permission to kill on behalf of the state.

Drones minimise the psychological impact of the action. The killing of humans becomes less traumatising. James (1991:376) articulates that, “the soldier should feel the moral intensity of proximity to the battlefield or the victim; “They create the Nintendo effect whereby the operator ceases to see the enemy as a human Being but as a blip on a screen. The great distance between the two belligerents impairs their moral judgements such that they are too unaffected by killing.

However, others argue that pilots do have close up views. They reject that they are playing video games. They also argue that they are more ethical because they fire with precision since they are not in the theatre operations. Decreased levels of stress, absence of personal stress and reduced susceptibility to strong emotions that cloud judgement may make operators more rational. They also argue that strikes may easily be monitored and recorded thereby increasing accountability and. Due to their ability to fly close to the targets they can distinguish between civilian and military targets. They can loiter for hours and strike when collateral damage is least likely. All these are arguments presented in defence of drones.

Zurich (2010; 1) argues that, “drones have assumed a leading role in counter terrorism and counter insurgency and they are projected to be of growing importance to military operations.” He alludes to their low cost that makes them expendable and suitable for highly sensitive missions. Except for the Predator and Reaper drone most of them are used in information gathering and this role has been a major force in this has led some to argue that drones symbolize a transformation similar to that of

gunpowder to the revolution of war .The main question is .do they introduce a revolution or an evolution.

Zurich (2010: 10) lampoons that, “they played a major role in the Vietnam despite being shot down by Chinese air defence systems. “Over the next two years Israel used drones to spy over Syria. The intelligence assisted Israel to shoot down 86 Syrian fighter jets in air to air combat, with loss of just one of its own as articulated earlier in the discussion. It is in this bid that proponents of UAVS in asymmetric warfare hail its advantages over other military means presently available .Technologically ,they are argued to be smart bomb technology with high endurances and precision and purportedly cost effective .they can carry out dull and dirty work and are designed to carry out manoeuvres where pilots cannot .the disadvantage unmanned aerial systems are costly and increasingly sophisticated Recently America wanted to replace its fleet of U2 high altitude surveillance aircraft with Global Hawk but has been reversed due highly likely to bare costs .

Nadin (2012:1) posits that “Drones however are not to be sent in highly contested air spaces hence limiting their use to asymmetric crises or conflicts or situations where air defence has been neutralised. “This is because they cannot react, do not have situational awareness because they don’t have a pilot on board, they cannot react to certain situations in the event of possible less of communication between the drone and the operator .This explains why they are restricted heavily in civilian airspaces.

Notwithstanding their usefulness in military surveillance, intelligence and reconnaissance or light attack functions .Johnston and Sarbahi (2010) argue that, “The perceived utility of drones in asymmetric warfare is providing intelligence .By performing such tasks as signal detection, precision mine detection ,chemical biological, radiation and nuclear reconnaissance ,unmanned systems have made key contributions to the global war on terror.” They also carry out other tasks like fighting improvised electronic devices and Marine surveillance .Their major disadvantage is that they can be used by repressive regimes to further their goals .The Syrian government for instance has employed built drones that they acquired from Iran against rebels

Drones are considered to be the most accurate technology present They improve situational awareness and reduce emotional hazards linked to ground combat However,

the precision status has been disputed by companies that developed the targeting software .They argue that there is delay between the movement on the ground and the transition of the video image to the drone pilot .Hence actions may be miscalculated.

They also argue that damage is not confined to a specific individual or structure .The hellfire missiles kill a broader radius hence causing too much collateral damage .However ,America claims that the drones have yielded fruitful results in Pakistan and it is to Pakistan's benefit that the terrorists are dealt with once and for all.

Hence Boyle(2013:30) argues that the possession of advanced combat reduces a potential threat of force .However some argue that in situations between potential adversaries of similar military capability the impact of drones is likely to be small because they will only play a small part in such stand offs. The impact is larger in asymmetric situations .The aim of the drone strikes on al-Qaeda is to reduce their capability to plot new attacks However ,religiously motivated terrorists can never be detruede .The terrorists might not logged great plots but they are likely to focus on overthrowing regimes and causing instability in other states .

4.6 Drones and International Humanitarian Law

The use of drones like any other weapon should be subject to long standing rules of International Law including International Humanitarian Law. Every human has a right to life and should not be arbitrarily deprived of it .This right is a peremptory norm of International Law and can never be suspended or derogated from in times of peace and war. The UN declaration of Human Rights of 1948 forbids states to engage activities that violate Human Rights especially the right to life .It is the duty of sates to abstain from arbitrary deprivation of Life.

The most important treaties providing protection to persons affected in times of conflict emanate from International Humanitarian Law. The two applicable treaties are the Geneva Conventions of 1949 and the Chicago Convention. Under the Conventions, Firstly, one has to determine whether the conflict is an armed conflict or not. Secondly, the class under which this drone war on terrorists falls under between the two types of conflict that exist has to be also established these are the International Armed Conflict and the Non-International Armed Conflict

According to the Geneva Convention of 1949 Common Article 3, “an armed conflict can appear in the territory of a state.” It is waged either between governmental authorities and organised armed conflict between such groups .The hostilities have to be conducted by force of arms and exhibit such intensity such that the government is compelled to employ its armed forces against the insurgents instead of mere police forces .Once determined that the throes of international humanitarian law applies.

International armed conflict exists whenever there is resort to armed force between two or more states .Common article 3 to the Geneva Convention of 1949 states that, “The present convention shall apply to all cases of declared war or any other armed conflict which may arise between two or more of the high contracting parties even if the state is not recognised by them.” The convention also applies in the case of total occupation or partial occupation.” In this case the Bush administration argues that it is in a war with Al-Qaeda However the global war on terror is not easy to classify The Red Cross argues that a non-international armed conflict is a protracted armed confrontation occurring between armed forces of two or more armed groups .Al-Qaeda is not a state party .The conflict is not also an internal conflict because it exceeds the territory of one state. It is also argued that the drone strikes being carried out in Pakistan by the CIA are targeting groups that are fighting NATO forces in Afghanistan and they are part of an International conflict. Hence America claims that the president has the authority to respond to imminent threats posed by groups since right to self-defence under International Law.

Strawser (2012:1) argues that, “The act of targeting is a lawful act of self-defence.” Kohl argues that the targeted killings are justified because they are performed in accordance to the laws of war which include proportionality and self-defence .The leaders of Al-Qaeda are enemy leaders and belligerent’s members of an enemy group in war. Etziona (2010:10) posits that, “Terrorists have abused their civilian status to their advantage to enhance their operations and mobiles public opinion.” They have used ambulances to transport their men and their weapons. They store their weapons and ammunition in mosques and mount air attacks on top of schools and hospitals .Their command centres are in hospitals and private homes .Hence he argues that the terrorists are the ones who defy morality first hence their fighters have to defy morality as well.

A person is not allowed to wear two caps, that of a combatant and that of a civilian, a person who engages in military raids at night while purporting to be an innocent civilian by day is labelled an unlawful combatant. Lawful combatants are members of armed forces who report to a chain of command and distinguish themselves by wearing uniforms. Individuals who do not qualify should not be targeted.

4.7 Invalidating Americas Use of Force Strategy

According to Dugard (2011: 495) “the use of force (jus ad bellum)-the right to wage war is also regulated by International Law.” The UN requires member states to settle their disputes by peaceful means and to refrain from the threat of the use of force among their International relations. International Law aims to regulate the use of force amongst states. Before 1945, there was the just war tradition which called for the legitimate use of force. (Dugard: 495) articulates that St Augustine propounded that the just war was founded on a theoretical doctrine but with the church's authority. The right to use force was considered to be very states right but had to exercise restraint on the use of force. However the UN Charter outlines conditions under which the use of force is permissible. These are under self-defence, collective measures taken under the UN or if authorised by competent UN organ

According to Wallace (2009:285), “the use of force only remains legitimate under International Law under self-defence but the extent of that right was ill defined.” There is need for the threat to be instant and overwhelming and leaving no moment for deliberation as judged in the Caroline case. Use of force is justified under self-defence necessity and self-preservation. Self-defence is permissible if an armed attack has taken place. However, the main question is, does the war on terror constitute an armed attack? What constitutes an armed attack? Does it encompass acts by armed bands and assistance rebels in the form of weapons or logistical support?

Austin (2010:242) argues that, “The International Court of Justice highlighted that what constitutes an armed attack varies with the facts based on each case. “In the Nicaragua case, the court highlighted that there are grave forms of armed attack and less grave forms of armed attack. The USA has taken into cognisance the Nicaragua case whereby it gave active support to rebels and it was ruled that any state which does that makes itself a party to an unlawful use of force. Hence Pakistan like America in the Nicaragua case has violated the prohibition on the use of force by allowing the terrorists to us their

soil as recruiting and training grounds .The USA also used this as a justification for its invasion of Afghanistan in 2001.

Dugard (2011:501) articulates that, “The right of self-defence provides that states can employ force in anticipation of an armed attack.” However this can only be justified if a state is a target of the hostile activities of another hostile state .Hence America realised that after the 9/11, it was vulnerable to other terrorist attacks that could emanate from anywhere in the world especially from a number of states that it labelled as rogue states hence anticipatory self-defence was necessary. It is also argued that the threatened state should have exhausted all alternative means of protection. The danger also has to be imminent. Lastly the defensive measures are proportional to the pending danger.

Self defence against terrorism is a new field added since the 9/11attacks. The UN Security Council adopted Resolutions 1368 and 1373 which recognised the inherent right t of states to act under self -defence. On 7 September 2001, the US began bombing the Afghanistan on the ground that the Taliban Movement in that country allowed the Al-Qaeda to operate in their territory hence making them state parties to the unlawful use of force against the USA .This also applies to Pakistan, the government allowed the Al-Qaeda and other terrorist organisations to train on its territory and operate from its territory ,therefore if the terrorists do any unlawful acts ,they will be attributed to the government so the government decided to take action by allowing USA to hunt down terrorists since Pakistan as a poor record of bringing the perpetrators of violence.

However, scholars have argued that self-defence under terrorism involves punitive action against terrorists in their bases or states that harbour them .this clearly goes beyond self- defence which is limited to response to an imminent threat of attack which cannot be deflected by other means. The United Nations provides that self defence against terrorism should be permissible only with the permission of the UN Security Council. Other scholars argue that the USA wanted to punish the terrorists for the offence that had been committed by their counterpart’s .Reprisals however are not permissible under International Law. These are acts of self-help by the injured state, acts of retaliation for acts contrary to International Law on the part of the offending State similar to retorting, they are also illegal. Hence one can argue that terrorism is a serious threat to International Peace and security but must be contained under unilateral action under the auspices of the UN Security Council. Not by the guise of self-defence.

4.7 Conclusion

In conclusion, one can argue that indeed armed drones have changed the way in which war is waged and especially with the rise of terrorist as non-state actors. Today, the USA is involved with Al-Qaeda and associated groups in various countries especially in the Middle East in a bid to deter terrorists where their precision plays a major role in eliminating the so wanted terrorists. However, various scholars argue that drones are inhumane weapons which are contradictory to International Law especially due to their indiscriminate nature. Even though they have been authorised in Pakistan, the above research proves that they are but counterproductive in their host states since their effects outweigh the benefits. The research has also shown that there is too much collateral damage that comes with the use of drones such that this has influenced various people to join the militants in order to avenge for the loss of their loved ones and property .The research has also proved that the drone strikes exacerbate the risk of asymmetric warfare n Host states as illustrated by the case of Pakistan and Yemen examined above .Hence the US government should consider de-escalating the drone strikes significantly to reduce tensions with host states and further radicalizing the local populations as explained above .

CHAPTER 5

CONCLUSION AND RECOMMENDATIONS

5.1 Conclusion

The research has proven that the US is carrying out drone strikes all over the Middle East because that is where most of its enemies are concentrated. The countries include Pakistan, Iraq, Afghanistan, Yemen and Somalia. It has been argued that the attacks are in order to reduce the risk of the spread of terrorism in these areas by permanently incapacitating the terrorist groups. It is true that terrorism poses a major threat to world peace and security and that the danger posed by Al-Qaeda is real as witnessed in the September 11 bombings of the World Trade Centre and Pentagon. However, the research has argued that there should be some other way of combating these terrorists than indiscriminate drone attacks on both civilians and innocent population. Drone strikes rather worsen terrorism and increase the risk of transfer of militants into the ranks of Al-Qaeda due to the collateral damage inflicted upon innocent men, women and children. Hence tackling terrorism requires a collective approach not unilateral one that is being carried out by America. Rather, a multi-lateral approach is better because everyone in the world is threatened by the presence of terrorism hence resources will be pooled in collectively for the fight against terrorism not for individual countries to strain their budgets trying to eliminate terrorists.

The research also tried to address the utility, legitimacy and legality of drones over as a weapon of war. Considering the strikes that have been carried out in Iraq, Afghanistan, Pakistan, and Yemen and Somalia, the data shows that the USA is not going back in its drone policy. Nonetheless, this paper calls for a systematic engagement that avoids unnecessary loss of lives and unnecessary confrontation with the terrorists. There is fear that if drones keep on proliferating, there is a risk of them mushrooming into rogue states that can deliver them into the hands of the terrorists again. It is in this regard that this research seeks to disregard the use of drones as inconsistent with the core values of International Law. The drone operation in Pakistan has also proven to be counter-productive because Pakistan is now left with a failed economy characterised by rampant inflation, unemployment and hopelessness about the future. Many people living under drone are traumatised by the deaths of their loved one every day. Thus these strikes

have to come to an end especially given the impression that it is being waged on Muslims around the world.

5.2 Recommendations

The research has come up with the recommendations below as a way of attempting to curb violence in that has engulfed the international community. International Bodies like the International Court of Justice and the International Criminal Court should adjudicate on such issues and bring the perpetrators of robotic violence to justice. Negotiations should be carried out with the terrorists so that they will try and solve their grievances amicably than the lethal targeting and killing of suspected terrorists. This is much better in the sense that since the New America Foundation argues that only 2% of the targeted are militants, this will eliminate the risk of killing innocent civilians in this drone war. The international community especially the UN should discourage the manner in which the war on terror is being waged by the US and its allies and bring to justice all the countries that are violating International Law. The UN and international civil society should advocate for more transparency and accountability from the US on the number of victims claimed by this drone war. America should engage the UN in its endeavours to ward off its enemies so that it is restrained and advised before it carries out any action

The terrorists and America should revise their policies and take measures to embark on peace building that pursue war which is unproductive .Nation building in Pakistan should be fostered through dialogue and diplomacy to promote friendly relations between America and Pakistan. America should be responsible and make reparations for the violations of International Law and assist the states that it has destabilised to be on their feet again because most of them have become failed states. Civilians affected should be compensated and America should claim responsibility for all the damages it has caused. Legal standards guiding the use unmanned aerial vehicles and their proliferation should be put in place to promote transparency and accountability in their use. Governments should try and address their internal problems by themselves or engage impartial bodies to assist them before inviting other countries to interfere with their sovereignty. Most importantly, all parties should desist from terror and violence to achieve international peace and security.

5.3 Implications for Further Study

The use of unmanned aerial vehicles has been quite problematic and according to the available information compiled by researchers, a lot strikes have been made in Pakistan and other countries in the Middle East and have killed lot of innocent civilians in the name of war on terror. However, there has been little research on the number of civilian casualties due to the inaccessibility of information. Hence, the researcher recommends that other researchers should focus on the unintended civilian deaths caused by the drone warfare. Other researchers should focus on the efficacy of drones as a weapon of war .This paper has argued that the use of drones is counter-productive in combating terrorism. There is also little information on the legality of drones under various frameworks of international law. Hence researchers should delve much into the legal and moral aspects of the use of drones. The international community should unite and dig deeper into the use of robotic weapons on human beings so as to come up with tangible results that can put an end to this inhuman operation being carried out by America in its quest for global supremacy.

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