

On Drones and Foreign Correspondence

SCOTT SHANE

Author

Objective Troy: A Terrorist, A President and the Rise of the Drone

An Interview with Tomás Navia and Pénélope Kyritsis

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*Scott Shane is a reporter in the Washington bureau of the New York Times, where he has covered national security for a decade. His new book *Objective Troy: A Terrorist, A President and the Rise of the Drone* (Tim Duggan Books, 2015) tells the story of the U.S.-born radical cleric Anwar al-Awlaki who was killed in a drone strike in Yemen in 2011 at the orders of President Obama. He has written on the debate over torture, WikiLeaks, and the National Security Agency, amongst other topics. A former Moscow correspondent, his first book, *Dismantling Utopia* (I.R. Dee, 1994) is a firsthand account of the Soviet collapse.*

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Brown Journal of World Affairs: When you wrote *Objective Troy* did you have any hopes that it would have an influence on policy or policymakers regarding anti-terror tactics?

Scott Shane: No, not really. There are a lot of different reasons for writing books. One would be to influence policy. In this case, I would say that my goals were actually more personal and a little more complicated than that. Part of it was my own desire to understand things better by digging a little deeper and having more time to spend on a particular slice of this topic. I think that's what really motivated me. In this particular case of Anwar al-Awlaki being killed by a drone,

I hoped that for somebody who thought this was a terrible thing and that Obama was a war criminal, the book would make them think again or have doubts about that view. For people who thought it was a wonderful thing—that Obama did the right thing in killing this man—I hoped that they would have doubts and think harder about that view as well. I think that this question and a lot of other questions in this area are very difficult, and I don't think that there's a wonderful, clear answer out there, like what you commonly hear if you turn on talk radio. I think a decision like that is very difficult from legal, ethical, and pragmatic standpoints, regarding what is going to have the best effect. Not being a policymaker, I didn't have the obligation to cut to the chase and say what I would do. I really wanted to explore these questions rather than offer my answer.

Journal: The Obama administration's decision to kill Anwar al-Awlaki was the first time since the Civil War that the U.S. government killed an American citizen without due process. What do you think are the implications of this decision for justice in the United States, and what precedent might this set?

Shane: Well you have to hedge slightly on that. If you count, say, police shootings, there have been many, many American citizens killed by the government without due process or without judicial due process. Interestingly enough, the police shooting analogy is the one that President Obama and a lot of his aides turn to when trying to explain why they did this and why they thought it was justified.

But your question is about the impact of the precedent. I think it probably will not come up super often because, fortunately, there are not that many Americans running around who could even conceivably be described as posing an imminent threat to American security. I don't think there will be the sort of pressure of events to force the government and especially Congress to really grapple with this type of issue.

If you ask a lot of ordinary Americans who are not specialists in any of these topics how they feel about the fact that the U.S. government killed Anwar al-Awlaki without a trial, and you remind them that al-Awlaki was a member of al-Qaeda and was clearly plotting against the United States, most of them would say that killing him was a good idea. However, if you ask them the follow-up question, "So you believe any American president should be able to designate a citizen, based on secret intelligence, a dangerous threat to the United States and just have him killed?," they usually say, "Are you kidding me? We couldn't allow that." So there's this mismatch between the principle in general and the

action that the Obama administration took in this particular case.

There was a lot of talk when Awlaki was killed about giving a drone court or the FISA court [U.S. Foreign Intelligence Surveillance Court], which is a secret court set up for these kinds of deliberations and the added responsibility of reviewing the evidence and approving, essentially, an execution warrant for people who theoretically cannot be captured. But now you don't hear much talk about a drone court, or much talk of any of this stuff, in any practical sense. There is no discussion of changing the rules or addressing it in some way. So, I suspect it is going to come up rarely enough that it will just be dealt with on an ad hoc basis. But Obama has clearly set a precedent for future presidents if something like this does arise, and I think they'll feel much freer to give the kill order than they would have before.

It's interesting: we've killed eight Americans in drone strikes, but they have been nondeliberate. Sameer Khan was killed along with Awlaki, but he technically had not been approved as a target, so they counted him as an enemy combatant killed in the strike, and no one shed any tears. They basically decided that he did not qualify as a target because he was not known to be participating in active terrorist plots. But it is amazing how many people they have killed without actually going through the legal process that they went through with Awlaki—the classic example being Awlaki's sixteen-year-old son, who was killed by mistake. One of the reasons why Obama was furious about that was that he prided himself—whether that was justified or not—on the elaborate legal review they had done, and then they killed Awlaki's son without any legal review because they did not know he was there. So you can see why that is frustrating.

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Journal: You have made it clear that targeted killings are perhaps not the best strategy for countering terrorism. In light of the drone papers that were released two weeks ago by the *Intercept*, which confirmed what we already knew about civilian deaths resulting from “collateral damage,” what are your thoughts about the human rights implications of drone strikes?

Shane: I don't actually intend, in the book, to argue against drones. The reason Obama was attracted to them as a counter-terrorist weapon I think still remains valid: Especially by comparison to other things, drones may kill fewer civilians. I think that there's been some disillusionment, probably on his part (although I don't think he's ever publicly admitted it), with drones because getting the intelligence you need to tell people apart on the ground and knowing that you are shooting at the person you want to be shooting at turned out to be more difficult

than had been anticipated. And I think the backlash on grounds of sovereignty from other countries is a little bigger than it appeared it would be. I think there's been some disillusionment, but I would not say that it is obvious that you cannot use drones or that you should not use drones against terrorists. I think the question becomes: what are your choices? Sometimes I think you have a bunch of terrible choices, and you have to choose the least terrible choice. One thing Obama often told people when he was deliberating on these things, or in his speech

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talking about civilian casualties in drone strikes, is that he also has to consider civilian casualties in a terrorist attack that is not prevented by a drone strike. And that was his way of throwing it back at the critics and saying: "Hey, you guys don't have the moral high ground here. Would you have carried out a drone strike if it could have prevented 9/11?" In other words, civilians die at the hands of terrorists. That is basically the definition. So, you might decide that we are not going to take a drone strike, and that might cause a lot of civilian deaths. In principle, you know, that can happen. So I think it is very complicated, but I do not think the case against drones has risen to the level where it's obvious to everybody that they are a terrible idea.

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Journal: You say that, in principle, using drones could stop a potential attack that would then kill more civilians, but a lot of the debate surrounding drones has to do with whether or not they are used to kill sufficiently high-level officials who would actually carry out these attacks or if they are just used indiscriminately against members of terrorist groups.

Shane: I should clarify that I'm a reporter, so they don't really pay me to have opinions. So most of my answers are going to be couched in sort of "here's what my reporting shows," as opposed to "here's what I think." And what my reporting shows, among other things, is that there does seem to be a bit of a consensus that drones were overused for a time in Pakistan. The peak in Pakistan was in 2010 and in Yemen was 2012. Sometimes the strikes do not appear to follow the kind of criteria that the U.S. President, among others, has set out. In other words, they often talk about a kind of direct threat to Americans or to the United States homeland, but there have been cases when drone strikes

took out al-Qaeda members with suicide vests on as they approached a Yemeni army base, and no Americans were anywhere around. Unless they were hoping to hitch a ride to America with their suicide vests on, they clearly were not posing a threat to Americans or to the United States, and yet we kill them with drones. I think what's happened in Yemen, and Pakistan at times, is that the United States has become, as some people have said, an air force for Yemen or for Pakistan. We're sort of doing favors for them by taking out people who hate us but who are actually attacking them, and so drone strikes have gone way beyond their original mandate or the one that Obama still articulates. I think the number of drone strikes has come way down in Pakistan and in Yemen, and I think that probably reflects to some degree being a little more selective about when they get used and maybe even moving toward what they actually said they were supposed to do.

Journal: In one of your pieces for the *New York Times Magazine*, you make the point that in killing Awlaki we created a martyr and that he might have been less harmful had he been kept alive. Could you expand on this?

Shane: The advantage—if that is what you call it—of killing him is that he will not be coaching any more underwear bombers to blow up airplanes. He will not be actively participating in plots in that sense. In the view of everybody who has looked at this guy, including government officials, his greatest importance was not as an operational terrorist but as an ideologue, propagandist, and recruiter. I don't think the Obama administration anticipated or fully considered the fact that not only would this guy's huge digital output still be on the Internet when he was dead, but also that it would take on this sort of charged quality as a result of martyrdom in the eyes of his admirers. The vast majority of the stuff from al-Awlaki that is on the Internet is actually mainstream material from early in his career. He did a long CD series on the life of the Prophet Muhammad. No one would listen to that series and join al-Qaeda. But that is now “the life of the prophet Muhammad by Anwar al-Awlaki who the Americans killed.” All of the stuff—including the innocuous and the mainstream—is now in this framework of martyrdom, and I think you could say that probably has a more potent effect in terms of promoting his ideology than it did when he was alive. You know, there are some trade-offs—I have certainly talked to people who say that killing him was a good thing. And in that same piece I raise a question that has been raised by some Muslim commentators in particular, which is: Would it have made more sense to somehow—and this is a pretty complicated somehow—use

the files on his visits to prostitutes to discredit his message rather than kill him? Could you undermine him and his message all at the same time? Would that have been more effective than killing him and making him a martyr? Some people argue that it would have been. I think there is a chance of that. Let us say the government really decided to do that—which would be a pretty radical thing for the government to decide to do. Would they give the material to Al Jazeera to do a documentary? Would they give it to some Islamic institution that would write a white paper on who the real Anwar al-Awlaki was? I don't know what you do with that exactly, but it is kind of strange to me that the FBI basically sat on these files for a couple of years after Awlaki was dead, only making them available when they were forced to under the Freedom of Information Act. Here you have this ideological enemy in an ideological conflict who has exposed himself as a flaming hypocrite—particularly in the eyes of his often young and puritanical followers—and you don't take advantage of that.

Journal: How do you think the media and journalists have shaped the narrative of the Middle East, in the United States specifically?

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Shane: Well, all these places are so complicated. They often have so many divisions that are tribal, that are economic like everywhere else, that are sectarian. And American journalism is usually very U.S.-centric, and so we see everything through the “what does it mean for us?” lens. When I was in Yemen, people often complained—and actually American experts on Yemen will also complain—that the government saw Yemen purely through the lens of counter-terrorism and almost nothing else. They would give lip service to development, and USAID had some programs. But basically what people wanted to talk about was “what is the threat to the United States?” It's all about us. And so I think that does tend to oversimplify things and maybe give people a limited view of the situation. But I am lucky to work for a newspaper that has a lot of people deployed around the world, especially in the Middle East and South Asia. So we do have a lot of people who can write many stories about the region, and there are days when you try to get through the *New York Times*, and it takes forever if you're really reading everything. I have wanted someone to do a study to see whether the contraction of some news organizations and the emergence of web-based organizations means that there are more or fewer people covering countries than there were, say 20 years ago. I suspect fewer. I worked for years at the *Baltimore Sun*. Though a medium-sized paper, for most of the years I was there had eight foreign bureaus and around 15 people in Washington. It now has no foreign

bureaus and part of one reporter in Washington. I think there has been that kind of retrenchment on the part of many news organizations. That's obviously unfortunate. It would be one thing if we were sitting in our sandbox here and we did not need to cover those people because they have nothing to do with us. But when we are sending an invading army over every few years or running drone strikes, then we really need to pay attention.

Journal: Why do you think there has been this retrenchment in international bureaus for different newspapers? Do you think it is because of different security reasons in the Middle East, for example?

Shane: That's certainly a good point. I think it's a combination of things. The real underlying reasons are the economics of the newspaper industry and, to some degree, broadcast journalism as well. But, you know, we in the news industry some years ago—probably going on 20 years ago—came up with the brilliant business strategy of giving away our product for free on the web. We also did not anticipate other things the Internet could do such as classified advertising, which was a huge source of revenue, and all of that disappeared. So, part of it is just the undermining of the traditional sources of revenue for the newspaper industry, so they just couldn't afford to have bureaus anymore—that's certainly true of the *Baltimore Sun*. But I think there are security factors as well, and they are kind of related, because in order to have a bureau in a dangerous place, if you

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want to be halfway sensible about it, it costs a ton of money. The *Times* has spent, for years, a whole lot of money in Iraq and Afghanistan, for example, on private security advisors, among other things. So it is dangerous and expensive to operate

in some of these countries. And then there's always the fickle American public and how much interest they really have. So, the business side of newspapers says, "Do you really need a Baghdad bureau? Look at how much it costs, and no one really cares about that anyway." It is an argument that has won the day in many newsrooms.

Journal: In terms of the role of certain journalists who are operating in less secure countries, who have been detained or killed by ISIS for example, how do you think that shapes the field of international journalism?

Shane: The attacks on journalists and kidnappings are pretty daunting, and I should say that I have not really worked extensively in the Middle East. I went to Yemen for my book, but even there, at that time, there was a very high risk of kidnapping. When I was meeting with a man from the Embassy of Yemen and trying to talk him into getting me a journalist visa—which was hard to get at the time—he mentioned to me that, although it had not been reported much at all at the request of the family, there was no publicity on the kidnapping of a man named Luke Somers who was an American photographer in Yemen. And he was later killed—I guess it was early this year—in a raid. When U.S. commandos were moving in, I think he was shot by his captors. There were at least two foreigners kidnapped while I was there, a German man and a British man. So it is pretty terrifying, and a lot of my colleagues have been kidnapped and held, and most of them again have managed to either escape or get released, but I think that probably plays into this too. It's very difficult to operate in large parts of Syria now, and certainly parts of Iraq and parts of Yemen, so you just don't necessarily get great information about what's going on there.

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Journal: What do you think of the role of social media in disseminating news in these places that are not as well covered?

Shane: I think it's great. Social media is such a weird mixed bag of a phenomenon. In the Arab awakenings in 2011, you can certainly make the case that there was an often-effective role for social media in terms of using Facebook to organize protests, in Tunisia for example. So I think it has been kind of an interesting, empowering tool for people. I follow a lot of Yemeni Twitter feeds, and it is interesting how you can get a regular dose of pretty decent information about a country that's not always being covered actively by the big U.S. media sources. So I think it can play a really useful role. What is also interesting to notice is how the authorities in some repressive countries have begun to use social media, not to communicate as much, but rather to enforce a police state. Because what intelligence agencies, including domestic police agencies, used to do and still do about dissidence is say, "Who is this guy who hates the government, and who are his friends, and who are his relatives, and where do they hang out?" And now they can lay off half their people because they just get the Facebook account of a dissident in some of these countries, and they have the entire social network, probably all the guys who sympathize with him and so on. So you can round up everybody much more efficiently. And I know that in

Iran they did some crowdsourcing of identification of protesters at rallies: if they wanted to go arrest somebody, and they couldn't figure out who he was from the picture, they would put the picture up and say, "Who knows who this guy is?" They would support the government by telling them. So, like any other tool, social media can be used by many different parties for many different purposes. 

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