

# Harmonizing drones

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## **Abstract**

*What is the sound of a “sound” drone policy? Through a consideration of recent American declaratory policy, this essay traces the U.S. government’s evolving case for the use of unmanned aerial vehicles to conduct surveillance and war-fighting operations. It contends that policy arguments about the necessity and legitimacy of unmanned aerial vehicle deployments, including their role in locating and targeting so-called immanent threats, are predicated on the need to both produce and eliminate a drone, the recurring sound of a (counter) insurgent plot.*

**Keywords:** declaratory policy, drones, law of war, surveillance, targeted strikes, unmanned aerial vehicle

“The exigencies of a strict prosody are the artifice which endows our natural speech with the qualities of a refractory material, foreign to the soul and, as it were, deaf to our desires...We have to pursue words that do not always exist; chimerical coincidences; we must keep on in our impotence trying to unite sound and sense, creating in broad daylight one of those nightmares that exhaust the dreamer as he tries endlessly to align two phantoms whose outlines are as unstable as himself. Today, free of all compulsion and false necessity, the old inflexible laws have no other virtue than that of defining, quite simply, an absolute world of expression.”

Paul Valéry, *With Reference to Adonis*

The sound of the drone holds a question of (dis)harmony. The drone’s first note sounds without beginning. Without a referent needed to establish meaning, the drone sounds the possibility of an indefinite and perhaps infinite duration, a moment that pauses time, or stretches it vertically, in a way that may disclose or foreclose a harmonic center – the possibility of striking a chord. With the sustained (or maniacal) repetition of a single note or a simultaneous (or cacophonous) deployment of every note on the scale (the difference, for instance, between Terry Riley’s *In C* and Tony Conrad’s *Four Violins*), there is no precise way to tell whether the pulse or crash of the drone’s intonation will give way to a fitting order, a “gathering together of several sounds which are agreeable to the ear” (Rameau 1971, xlv). There is no way to tell precisely because there is not yet a telling; there is not an arrangement or constellation in which to discern or gather a grammar of expression. For La Monte Young, a pioneer of the modern drone genre, this absence was a gateway to trance, a “drone state of mind” whose “vertical hearing” refuses “developmental form” in the name of “remaining aloft” (Young 1992). Others hear this lack very differently, not least as alienating, lazy, and a debasement of music into (electronic) functionalism; the drone drones; its relentless noise degrades composition and evacuates the possibility of its meaning; at its worst, the drone’s hum fills and animates the order of the hive’s unthinking expenditure. An opening to an enlightening trance? So much “furniture music”? A

form of subjection? The drone's sound (e)scape holds the question of its (non)relationship to harmony, whether and how it joins the disparate into a pleasing order, a concord in which to move with the possibility of meaning.

The drone is a sound of surveillance, a noise that shifts seamlessly between background and foreground in the name of accumulating and producing counter-intelligence, that which endeavors to resist, negate, and remake given forms of (dis)harmony. Such sound has long echoed from the fold of American "public diplomacy," whether in the carefully calibrated monotony of VOA and Radio Free somewhere or another, or in the biblically-punctuated hymnum of government-sponsored and uniformly-dressed teenage troupes boarding planes that will take them to their "bridge-building" singing engagements in faraway lands (when encircled by these groups, one cannot help but recall Adorno's reflections on jazz and his sense of how the latter's improvisation is anything but improvised). The African (conceived monolithically in most cases, i.e. as country) trip is a popular destination. And its popularity is growing.

Founded in 2007 and based in Stuttgart, Germany, the United States Africa Command (AFRICOM) has championed and adopted the easy listening sound of such public diplomacy, a counter-intelligence mission that it has described as "not being about creating a 'Brand America'" but which "is about harmonizing our actions with our words to generate an alignment among key stakeholders—an alignment of their perceptions with our policy goals and objectives" (quoted in Stein and Weil 2008). As it requires a common tone and the elimination of wrong (false) notes, this harmonic alignment begins with the sound of the drone, not least but not only in the form of the Unmanned Aerial Vehicles (UAVs) that AFRICOM provides to an increasing number of African governments and which it is now deploying over greater and greater stretches of the African terrain, all for the purpose of gathering and making intelligence that by no means excludes the option of "kinetic military action." With the latter, a euphemism for targeted bombing popularized by the George W. Bush administration, there is more than a little evidence to suggest that the American military has internalized philosophy's longstanding claim that the possibility of death is a way of creating intelligence that deters its own insurgency.

The ambient sound-figure of the drone fades in and out, which is to say, as Brian Eno put it, that the drone's expression is "as ignorable as it is interesting". This flux is altogether relevant today, as the question of the drone is increasingly obscured by the sound of "scandal", the din and wail over Edward Snowden's disclosures about the designs and reach of the U.S. National Security Agency. While this shift in attention is understandable, my wager here is that the sound of the drone may be worth a second listen, particularly if the noise generated by American declaratory policy regarding the use and value of the UAV sheds light on the question of its violence. By noise, it should be clear from the outset, I do not mean so much propaganda or so much mere rhetoric from institutions that are frequently assumed to be incapable of making an open case for their actions and hence not able to generate arguments that merit listening. This view is dim, one borne of both misconceptions about the meaning of Wikileaks and too many poor readings of Chomsky's already conspiratorial account of American militarism, all of which proclaim the need for transparency, accountability, and representation at the same time that they foreclose access to the institutional referents for such goods and their critique. Here, working in the other direction, my aim is to move from a brief account of the contemporary controversy over the use of UAVs to an admittedly abbreviated reading of arguments from four U.S. officials that appeared between 2010 and 2013 and which build a public case for the value of drone-based intelligence-gathering and warfare, a declaratory policy that is far less piped Muzak than a drone that seeks to rationalize the elimination of those who would sound the drone of what declaratory policy deems a threatening plot.

A classic "dead drop". Wave upon wave of soldiers landing at Normandy. B-52 bombers flying set circuits every moment of every day of the cold war. Computers programmed to sift emails and phone calls for keywords. The automatic or automaton-like qualities of conflict suggest that the figure and function of the drone may well be an intrinsic element of intelligence

gathering and war-fighting. To limited success, Unmanned Aerial Vehicles were used in World War I. Tens of thousands of radio-controlled target drones were built in World War II, along with assault drones that were used as either guided missiles or as platforms for launching bombs (Zaloga 2008).

Today, the UAV is perhaps the most prominent by-product of the so-called “revolution in military affairs” (RMA), an ongoing attempt to integrate information and computing technologies into the fabric of surveillance, counter-insurgency, and outright war-fighting.<sup>1</sup> Tasked variously to plot terrain, track the movements of troops, machinery, and refugees, and scout targets, the modern UAV is now a staple of “intelligence, surveillance, and reconnaissance” (ISR) operations for the U.S. military (Gregory 2011, 193). With the capacity to gather unprecedented amounts of real-time information in nearly incomprehensible detail, the UAV has provoked more than a few to wonder whether and how this weapons technology has endowed the military with a kind of “hypervisibility”, a “Gorgon stare” that has “abolished distinctions between ‘permission and prohibition, presence and absence’” (Gordon quoted in Gregory, 193). In practical terms, this means that certain UAVs are capable of conducting surveillance for targeted strikes that they themselves are able to carry out. Such units, including the pterodactyl-like Predator and Reaper, are currently being used in Iraq, Afghanistan, Pakistan, Latin and South America, and Africa. While quantitative records are difficult to amass and contested, organizations such as the Bureau of Investigative Journalism maintain that outside of “recognized” war zones (i.e. Iraq and Afghanistan), the United States conducted nearly 400 targeted strikes in Pakistan between 2004-2014 and at least 75 in Yemen between 2002-2014.<sup>2</sup> It is now held that the US uses a number of airfields in Central and Northern Africa to conduct its UAV operations on the continent, including in Yemen, Somalia, Uganda, and Mali (Axe 2012).<sup>3</sup>

Heard before it is seen, the cycling low-pitched hum of the drone is now ubiquitous in some parts of the world, a noise that is described as “zannana” in Gaza and captured in several popular songs in Pakistan. It is a sound that marks and provokes a controversy composed of several basic fault lines.<sup>4</sup> The first is a debate over whether and how UAVs contribute to the growth of surveillance culture, a logic of constant, real-time observation that denigrates privacy rights, encourages “categorical suspicion”, and furthers the reach of a biopolitics predicated on the need to “amass data about risk probabilities and then manage populations” (Wall and Monahan 2011, 240). Following directly, second, both policy-makers and commentators disagree over the relationship between UAV passive surveillance operations and active military engagement. For some, the issue circles around the risk of embracing automated warfare that may prevent American casualties at the cost of oversight, public consent, and diplomacy (Sluka 2011; Ignatius 2012). Others vie over the domestic and international legality of UAV operations (Brunstetter 2012; Vogel 2010; Strawser 2010). Critics contend that the use of drones to conduct “targeted strikes” amounts to a violation of just war doctrine and works to degrade the “humanizing” rules of law that govern warfare, all the more so to the extent that UAV strikes may legitimize pre-emptive war-fighting doctrines and amount to extra-judicial assassinations, including the killing of American citizens, that blur the difference between status and conduct-based targeting (Singer 2009; Friedman 2012). To this, critics add that the significant civilian casualties inflicted by such strikes violate norms of proportional warfare and confound the goals of counter-insurgency operations, a charge that is refuted by advocates, who maintain that the value if not the duty to undertake UAV strikes lies in their ability to lessen military-civilian tensions, reduce troop casualties, and cut through the fog of war, a dense mist which opponents claim is rendered all the denser to the extent that UAV operations are conducted remotely – many from trailers in Nevada – such that soldiers let alone commanders are relieved of accountability insofar as they are removed “geographically and chronologically” from combat operations (Singer 2010, 3; Brooks 2012). This dynamic leads quickly to the question of secrecy and whether the US is in fact conducting “secret wars” against undeclared enemies, a charge that has much to do with the legality of the decision to hand over many UAV operations to the American CIA (Brunstetter). In a recent Congressional hearing, Martha McSalley, a former Chief of Operations

for AFRICOM, countered this charge, citing the possibility that criticism of UAVs, not least with respect to their accuracy and clandestine use, may reflect an attempt by anti-American groups to manipulate public opinion and divert attention from their own human rights violations (Gosztola 2013).

Much of the ongoing debate over the use of American UAVs turns on intertwined questions of secrecy and legality. Precisely when and where are drones being used for surveillance, reconnaissance, and lethal action? Do such actions comport with domestic and international norms regarding the prosecution of armed conflict? While it took some time, persistent interest in these issues forced something of the Obama Administration's hand, particularly as they were set in relation to controversy over the indefinite detention of individuals at Guantanamo Bay and the President's May 2009 address at the National Archive, a speech that took pains to rebuke the previous administration and its policy-making logic in the wake of the 2001 attacks in New York City and Washington DC:

Unfortunately, faced with an uncertain threat, our government made a series of hasty decisions. I believe that many of these decisions were motivated by a sincere desire to protect the American people. But I also believe that all too often our government made decisions based on fear rather than foresight; that all too often our government trimmed facts and evidence to fit ideological predispositions. Instead of strategically applying our power and our principles, too often we set those principles aside as luxuries that we could no longer afford. And during this season of fear, too many of us -- Democrats and Republicans, politicians, journalists, and citizens -- fell silent (Obama 2009).

In this light and faced with growing concern over the civilian casualties caused by UAV strikes, administration officials began to publicly acknowledge the larger debate and to articulate a specific case for the deployment and use of drones. Evolving over time, this position is reflected in three specific statements, the sum of which amounts to a declaratory policy, that is, a public line of argument given to defining the value of UAVs and the conditions of their use. In other words, these statements endeavor to articulate something of a strategy – as opposed to tactics – insofar as they speak to the goals and instruments of military policy *and* the precise relation between such ends and means.<sup>5</sup> Concerned then with the definitions, norms, and warrants for military action, the administration's position marks an explicit attempt to demonstrate the *soundness* of American UAV policy.

The first piece of the puzzle appears in a March 2010 speech by Harold Koh, the legal advisor for the U.S. Department of State (Koh 2010). Addressed to a meeting of the American Society of International Law, Koh's statement both sets the larger stage of the UAV debate and makes a case for the legal grounds that may justify and govern their use. It begins by delineating the terms of the "emerging Obama-Clinton [Hillary] doctrine", an approach to international law rooted in the "notion that *Living Our Values Makes us Stronger and Safer, by Following Rules of Domestic and International Law; and Following Universal Standards, Not Double Standards*" and a sense of "'smart power' – a blend of 'principle and pragmatism' that makes 'intelligent use of all means at our disposal,' including promotion of democracy, development, technology, and human rights and international law to place diplomacy at the vanguard of our foreign policy" (2-3; emphases in original).

Alongside this expansive vision, one that is never given clear form, Koh sets an argument about the current state of international law and the United States' commitment to what he explicitly calls "the law of 9/11." Two lines of argument follow, although it is evident that these lines intersect at an odd angle. First, Koh maintains that justice for crimes of aggression that amount to *casus belli* is threatened by the International Criminal Court's (ICC) attempt to usurp the prerogative of the UN Security Council to "determine when aggression has taken place", a power grab that has upset the stability of international law and which threatens to supplant the "universality" of its justice with a political agenda (5). Next to this, second, Koh declares the "law

of 9/11", a concept that while perhaps intuitive to those familiar with the culture of the Patriot Act is neither explained or grounded in a body of law. Prefaced by a claim about the legitimacy of indefinite detention, the argument is actually less about the nature or terms of a particular "law" than an attempt to codify the basis of a "war of self-defense against an enemy that attacked us on September 11, 2001", a war whose legitimacy can be demonstrated, according to Koh, on the grounds of international law and in terms of the 2001 Authorization for the Use of Military Force (AMUF).

Setting aside, for the moment, the implications of Koh's claim about the implications of the ICC's actions and that the AMUF was passed during an announced state of exception, the case for the legal authority to fight a war against a "difficult-to-identify terrorist enemy" that, in the form of Al-Qaeda, has "not abandoned its intent to attack the United States", presupposes what Koh himself holds to be untrue, that is, that the nature and designs of the "enemy" fall within the ambit of "traditional conflicts among states" (7). If wed to the rule of law, whether domestic or international, the question of what violence is "necessary and appropriate" can be answered, according to Koh, only as "the AMUF requires some 'translation,' or analogizing principles from the law of war governing international conflicts" (7). No such translation occurs. And what follows, as Koh turns to the question of UAV targeting, is an argument that begs the question of the entailments of translation: "U.S. targeting practices, including lethal operations conducted with the use of unmanned aerial vehicles, comply with all applicable law, including the laws of war" (8). Citing principles of distinction and proportionality that have long figured in the ideal of a just war, Koh then elaborates by noting that "whether a particular individual will be targeted in a particular location will depend upon considerations specific to each case, including those related to the imminence of the threat, the sovereignty of the other states involved, and the willingness and ability of those states to suppress the threat the target poses" (8).

Looking across this argument, Koh's justification for the deployment and use of UAVs is rooted entirely in legal terms, a rule of law that governs the ability of sovereign states to employ force and claim a right to self-defense. And yet, the argument presupposes the applicability of this rule – in detailing and defending the principled nature of U.S. actions, it is a speech act that acts as if the rule remains intact (timelessly) – at the same time that it concedes both that the international form of the rule is not stable and that the declared enemy of the United States does not operate within the framework of enmity that international and domestic laws of war seek to regulate. In a sense, the argument thus tacks between three claims: US actions follow from and thus do not threaten the rule of law; targeted UAV strikes counter threats to the rule of law; and politics constitutes a threat to the rule of law. Seen together, these positions defer the question on which the entire situation is admittedly based, that is, whether the norm of asymmetric conflict, a clash between state and non-state actors, creates a need to revise or refashion the rule of recognition on which law's rule rests. The elision of this concern for the relative (in)congruence between the limit of legal violence (that the law itself cannot define) and mechanisms whereby such violence is enacted is altogether evident in Koh's case for how the US recognizes a legitimate target. Moving between "intent", "planning", and the discernment of an "immanent threat", the argument legitimizes perpetual surveillance (which appears in Koh's case to fall outside the concern of the rule of law) in order to discover that which is outside the law but which the law can (en)circle and perhaps negate in the name of "proving" the validity of its rule.

This dynamic, when coupled to the question of what counts as a "legitimate" target, sits at the center of the second important declaratory statement on the use of UAVs, a speech by Attorney General Eric Holder to the Northwestern School of Law in March 2012. Delivered six months after a CIA controlled UAV was used to target and kill Anwar al-Awlaki, an American citizen and suspected Al-Qaeda leader in Yemen, Holder's address devotes significant attention to the nature of the government's authority "to defend the United States through the

appropriate and lawful use of lethal force”, the oversight procedures used by the Department of Justice in “authorizing surveillance to investigate suspected terrorists”, and the norms that govern the kinds and levels of force that are brought to bear against a “a stateless enemy, prone to shifting operations from country to country” (Holder 2012, 2, 5, 7). While a fair bit of this argumentation is an unremarkable extension of Koh’s position, the speech is significant for the way in which it expands the potential reach of targeted UAV strikes – “neither Congress nor our federal courts has limited the geographic scope of our ability to use force to the current conflict in Afghanistan” – and then contends that these operations do not contravene standing prohibitions against “assassinations” insofar as such “unlawful killing” can be readily differentiated from the government’s legitimate “use of legal force in self-defense against a leader of al-Qaeda or an associated force who presents an imminent threat of violent attack...” (5). Without naming al-Awlaki, Holder then turns to the question of the criteria that govern the decision to “use lethal force against a United States citizen”, a choice that Holder deems “the gravest that government leaders can face” and which requires balancing the competing and “extraordinarily weighty” terms of individual and government interest. In this light, Holder contends that: « [A]n operation using lethal force in a foreign country, targeted against a U.S. citizen who is a senior operational leader of al-Qaeda or associated forces, and who is actively engaged in planning to kill Americans, would be lawful at least in the following circumstances: First, the U.S. government has determined, after a thorough and careful review, that the individual poses an imminent threat of violent attack against the United States; second, capture is not feasible; and third, the operation would be conducted in a manner consistent with applicable law of war principles. » (6)

What’s curious about this position is that if the targeting of a U.S. citizen is an extraordinary action that turns on an exceptional government interest, Holder’s underlying and altogether explicit argument is that this exception is now something of the norm. Indeed, the Attorney General’s entire speech is pegged to the claims that “there are people currently plotting to murder Americans” and “our nation today confronts grave national security threats that demand our constant attention and steadfast commitment. It is clear that, once again, we have reached an ‘hour of danger’” (1). As defined by Holder, this hour is a permanent condition. It is a perpetual and endless threat that justifies lethal military action which, as Holder invokes Barack Obama’s speech at the National Archives, is both guided by and dedicated to protecting “the rule of law and our founding ideals” (1). Perhaps such argumentation is familiar. It is, in fact, a drone, a precise and measured repetition of the logic and form of the cold war declaratory policy that appeared in the mid-1960s and early 1970s. To hear Holder is to recall more than a bit of the argumentation that was offered by the likes of Robert McNamara and James Schlesinger as they made their cases for the existence of permanent and yet always evolving threats to the security and integrity of the nation, an always imminent danger that warranted constant surveillance and legitimized the value of pre-emptive military action against a lawless enemy whose defeat requires an indefinite sacrifice that will ultimately serve the ends of law and democracy.

Is the sound of this drone evidence of sound policy? This is the precise question taken up in a third articulation of policy, an April 2012 speech by John Brennan, then Assistant to the President for Homeland Security and Counterterrorism and now Director of the CIA. Far less shrill than Holder’s account of threats to the U.S., Brennan’s widely covered address at the Woodrow Wilson International Center begins with the claim that “the United States is more secure and the American people are safer” one year after U.S. Special Forces shot and killed Usama Bin Laden (Brennan 2012, 1). With this “delivered” justice, Brennan then delineates the rising threat of an “intent to attack the United States, one that follows from the spread of Al-Qaeda’s fragmented but nevertheless “murderous cause” to Northern and Central Africa (1-2). Explicitly citing both Koh’s claim about the importance of gathering the manifold elements of American power and Holder’s legal justification for targeted military action, Brennan thus expands the theater in which the U.S. can claim authority to conduct targeted military operations, including strikes by UAVs.

Against this backdrop, Brennan takes pains to elaborate the purpose of his address. Acknowledging that “the United States Government conducts targeted strikes against specific al-Qa’ida terrorists, sometimes using remotely piloted aircraft, often referred to publicly as drones”, Brennan reports that “President Obama has instructed us to be more open with the American people about these efforts” and then quotes, with approval, the claim of a former assistant Attorney General in the Bush administration: “The government needs a way to credibly convey to the public that its decisions about who is being targeted — especially when the target is a U.S. citizen — are sound...” (3). Pledged to this end, Brennan takes up the respective “legality”, “ethics”, and “wisdom” of targeted strikes. The first two concerns draw largely from the cases made by Koh and Holder, particularly with respect to the ways in which the use of UAVs comport with the terms of just war theory. In the name of the third, however, Brennan goes a bit further, arguing that UAVs may enhance public diplomacy initiatives that are confounded by the presence of American troops at the same time that they “dramatically reduce the danger to U.S. personnel” and civilians to the extent that their technology affords strikes the quality of “surgical precision—the ability, with laser-like focus, to eliminate the cancerous tumor called an al-Qa’ida terrorist...” (4).

At the time of Brennan’s speech, these arguments were familiar and contested (BBC 2012). The more interesting concern, however, is Brennan’s extended explanation of the administration’s targeting criteria, the conditions under which UAV strikes are authorized. First, the individual in question must be a “legitimate target”, which means, in light of the 2001 AMUF, that they must be individuals who belong to “al-Qa’ida, the Taliban, and associated forces”. The qualities of such association are not explained, an ambiguity that allows Brennan to claim that as it cannot and should not pursue all potentially legitimate targets, the administration is set into a position where “we have to be strategic. Even if it is lawful to pursue a specific member of al-Qa’ida, we ask ourselves whether that individual’s activities rise to a certain threshold for action, and whether taking action will, in fact, enhance our security” (4). What is this threshold for action, an action that Brennan deems “exceptional”? While lengthy, it is worth pausing over Brennan’s full reply: “For example, when considering lethal force we ask ourselves whether the individual poses a significant threat to U.S. interests. This is absolutely critical, and it goes to the very essence of why we take this kind of exceptional action. We do not engage in lethal action in order to eliminate every single member of al-Qa’ida in the world. Most times, and as we have done for more than a decade, we rely on cooperation with other countries that are also interested in removing these terrorists with their own capabilities and within their own laws. Nor is lethal action about punishing terrorists for past crimes; we are not seeking vengeance. Rather, we conduct targeted strikes because they are necessary to mitigate an actual ongoing threat – to stop plots, prevent future attacks, and save American lives.

And what do we mean by a significant threat? I am not referring to some hypothetical threat – the mere possibility that a member of al-Qa’ida might try to attack us at some point in the future. A significant threat might be posed by an individual who is an operational leader of al-Qa’ida or one of its associated forces. Or perhaps the individual is himself an operative – in the midst of actually training for or planning to carry out attacks against U.S. interests. Or perhaps the individual possesses unique operational skills that are being leveraged in a planned attack. The purpose of a strike against a particular individual is to stop him before he can carry out his attack and kill innocents. The purpose is to disrupt his plots and plans before they come to fruition. » (4)

Plots and plans. There are number of ways to approach this argument, a number of threads that can be pulled, all a bit too easily and all such that the fabric unravels; consider, for instance, the calculated ambiguity or simply outright confusion of the argument’s modal terms – actuality, necessity, possibility, and potentiality – and how they simultaneously delineate and cover the question of a threshold, the (un)decidability of the decision to kill. While such critique is tempting, it may be more important and more useful to step back and listen.

Looking across the declarations made by Koh, Holder, and Brennan, what is the sound of a sound drone policy? To what sounds is the sound of the drone addressed, directed, and targeted? Initially, it is important to reflect on an evident silence, the silence that surrounds the contemporary UAVs astonishing capacity for surveillance. About this power, declaratory policy recognizes no question. It is simply and wholly taken for granted, which is to say that declaratory policy constitutes a limitless warrant for drone-based surveillance – the claimed existence of a “perpetual threat” is held out as cause for continuous surveillance that needs no legal justification insofar as it is given only to discerning the threats that justify legal violence. The logic is a tidy and self-perpetuating circle. Its cost may be less the interest of privacy, at least as it’s conventionally conceived, than a form of aggression, a violence that does more than “chill” expression. To fill the sky with the sound of the drone, to render its “zannana” ubiquitous is to undertake a form of surveillance whose noise seeks to both drown out the speech of those who are being watched and impede their hearing. More than a form of deterrence, although it is that, such surveillance is a kind of pre-emptive violence. Taking place before (and thus “outside”) the rules of the actual war, it is aggression whereby the watching drone’s sound resonates as an attempt to produce the same; the drone strives to reduce the being of its “object” to the status of a drone, a form of life that lacks the capacity for creative and meaningful expression that would render it more than a functionary. In their unlimited capacity for surveillance, whether they are actually watching or not, the sound of the UAV-drone oversees an attempt to enforce a way of being that lacks a capacity to *plot*, a power for speech-action that constitutes the very definition of a “legitimate” target.

The sound of the drone’s surveillance is an expression of total war against the capacity to plot. And yet, according to Brennan, this capacity remains – the plot is a threat that may (re)emerge at any moment, which means that the surveillance function of the drone only tells a portion of the story. The remainder appears as Brennan relies on the concept of a “plot” to the question of targeting criteria. It’s an odd move, not least as the term is not traditionally found in military declaratory policy.<sup>6</sup> Contrasted with conspiracy, a term that resonates far more with policy’s announced concern for the rule of law, plot is looser, with a speculative if not fictive dimension, an imagining of how one might tell the way in which what happens happens – and why it happens, the necessity of a movement from beginning to middle to end. To condone a targeted strike against an enemy on the grounds that it will, in Brennan’s terms, “disrupt his plot,” is thus to undertake the elimination of those who constitute an “immanent threat” to the degree that they show a potential commitment to a progressive and cumulative action, a path from which there can be no deviation. If such emplotment is enacted by declaratory policy itself, it is also a way to hear the claim that “sound” drone policy is that which targets those who exceed the status of drone and yet remain as much; the figure that embodies an “imminent threat” is the figure that displays the capacity to plot and thus the possibility of refusing to deviate from its “cause.” The sound of the drone is targeted against the human being turned drone, a turn that is deemed to take place through and within the capacity to plot.

The (feedback) loop is obvious: the surveillance function of drones endeavors to create drones which then constitute retroactive proof of a threat – the existence of a capacity to plot – that warrants lethal drone strikes. Reducing strategy to raw tactics, through a kind of *logomachia*, declaratory policy shifts and blurs the difference between two forms of life, both of which amount to being-as-drone. Where one of these forms is an (induced) inability to create a plot such that one only drones (harmlessly), the other is the imminent threat, the drone-being that can undertake emplotment and follow its course. In the space between these forms, declaratory policy sounds the call of Koh’s “smart power”, the voice of public diplomacy and counterinsurgency initiatives which begin from the premise that, “It is essential that the influence campaign is in tune with the strategic narrative, resonates with the relevant audiences, is based on genuine resolve by the affected government and that physical actions match” (Bureau of Political-Military Affairs 2009, 3). There is a remarkable attunement between this claim, as it appears in the *U.S. Government Counterinsurgency Guide* and in public diplomacy campaigns



such as the 2012 effort undertaken by then Secretary of State Hillary Clinton in Africa, and announced UAV policy.<sup>7</sup> The sound of the drone aims at the drone of the plot(less) in a way that prepares the ground for a call to the law's narrative, the story of the priority of its rule, a norm that sings of converting hard hearts and creating like-minded minds. And thus, in several senses, one kind of drone replaces another, which is partly to say that the tune may be yet another cover of that tired pop song so favored by the troupes of public diplomacy, a ditty with a chorus heard far and wide – "oh yes, we are here to make the world safe for our persuasion".

Perhaps the song remains the same. Certainly, the declaratory policy addressed to the use of UAVs draws from a long line of institutional argumentation that relies on appeals to "flexibility" and "balance" to legitimize pre-emptive attacks on perpetual threats. Today, however, the repetition of this logic, as it is embodied in the sound of a drone, echoes with a certain lament, a sense of loss that can be heard in Barack Obama's 2013 claims that "the use of force must be seen as part of a larger discussion we need to have about a comprehensive counterterrorism strategy" and that "in the absence of a strategy that reduces the wellspring of extremism, a perpetual war – through drones or Special Forces or troop deployments – will prove self-defeating, and alter our country in troubling ways" (2013a, 5). Here, Obama performs and speaks to a tremendous and compound ambivalence: the allegedly necessary repetition of the drone does not give way to harmony; the "law of 9/11", as declared by the likes of Koh, codifies a rule whereby an unknown form of war must yet be treated as if it were just, as if it belongs to a known order, one that is now very much missed and which may drive a certain melancholy; the logic of proportionality that justifies targeted strikes against those who would plot cannot fully mask how such kinetic action echoes with a carefully calibrated desire for revenge, one whose form is exemplified by the sound of the drone and enacted by the quality of its flight. Together, these are the ambient questions of declaratory policy, the sounds yet to be heard, the noise to which few care to listen, the (un)settling (of a) score in which the drone of the UAV stands for (un)articulated violence.

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## Notes

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<sup>1</sup> For an early account of the RMA, see Dunigan (1996). For one of the better contemporary accounts, see Singer (2009).

<sup>2</sup> For a full account of the numbers, including suspected civilian casualties, see BIJ's website:

<<http://www.thebureauinvestigates.com/category/projects/drones/drones-graphs/>>.

<sup>3</sup> See < <https://publicintelligence.net/us-drones-in-africa/>>.

<sup>4</sup> For an ongoing analysis of the debate over UAV, see *inter alia* the online project being run by the Solomon Asch Center for the Study of Ethnopolitical Conflict. <<https://aschcenter.blogs.brynmawr.edu/>>.

<sup>5</sup> The defining characteristics of declaratory policy, not least in terms of its strategic functions, are the subject of a substantial literature, much of which I have discussed elsewhere (Doxtader 1997).

<sup>6</sup> The term recurs in Brennan's position and appears again in Barack Obama's 2013 speech on "the future of warfare", an address in which he announced "Presidential Policy Guidance" for targeted strikes (Obama 2013a; 2013b). The "policy guidance" largely codifies the position articulated by Brennan, though it was not issued as an Executive Order.

<sup>7</sup> With respect to the latter, the 2009 *Counterinsurgency Guide* contends, "The influence strategy must cascade down from a set of strategic narratives from which all messages and actions should be derived. The narratives of the affected government and supporting nations will be different but complimentary. Messages and actions must address ideological, social, cultural, political, and religious motivations that influence or engender a sense of common interest and identity among the affected population and international stakeholders. They should also counter insurgents' ideology in order to undermine their motivation and deny them popular support and sanctuary (both physical and virtual). In doing so, counterinsurgents should seek to expose the tensions in motivation (between different ideologies or between ideology and self-interest) that exist across insurgent networks" (20). Some of this bears a striking resemblance to remarks offered in several African countries by then Secretary of State, Hillary Clinton (2012).