

# The Bodies of Others: United States Drone Strikes and Biopolitical Racism

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In a speech on drone ethics, John O. Brennan, former White House Counter-Terrorism advisor, stated that “targeted strikes against al-Qaida terrorists are indeed ethical and just” (2012). For Brennan, drone strikes were ethical because they could “strike their targets with astonishing precision” while minimizing “the risk to civilians” (2012). The United States (U.S.) implemented its first drone strike outside a war zone in Yemen in 2002 (Gholiagha 2015, 131). This type of counter-terrorism strike expanded significantly under the Obama administration. Former President Barack Obama implemented 563 strikes in total, most of which were drone strikes, in Pakistan, Somalia, and Yemen—almost ten times the number implemented by his predecessor George W. Bush in these regions (Purkiss and Serle 2017).

How could the U. S. exert its biopower on the bodies of others – namely, those living in foreign territories and under the gaze of drones? To answer the question, this essay adopts a postcolonial perspective to examine the discourse on the use of drone strikes outside declared war zones for counter-terrorism operations under the Obama administration. Given the secrecy of U.S. drone operations (Enemark 2013, 37), it aims to deconstruct the governmental discourse on its drone strikes. Drawing on the concepts of biopolitics, necropolitics, and orientalism, this essay argues that the discourse on U.S. drone programs is embedded in biopolitical racism. Analyzing the rationale for drone strikes and their target selection reveals that biopolitical and colonial assumptions embedded in the discourse on U.S. drone strikes enabled the Obama administration to construct a right to exert its biopower on the bodies of others.

### Drone Strikes

As drone strikes overlapped with other counter-terrorism efforts implemented by the Obama administration, the terminology needs clarification. Targeted killing and drone strikes are often used interchangeably due to Obama’s reliance on drone strikes to carry out targeted killing (Miller 2014, 317). *Targeted killing*—the essence of Obama’s counter-terrorism tactic—generally refers to “the killing of terrorists by members of the security agencies” (317). In terms of the subjects of targeted killing, there are narrow and broad definitions. Targeted killing can be against “preselected individuals” (Senn and Troy 2017, 186) or any individual not in custody (Gholiagha 2015, 129). *Drone strikes* are led by the Joint Special Operations Command (JSOC) as military operations or the Central Intelligence Agency (CIA) as clandestine programs (130). This essay focuses on drone strikes outside declared war zones, specifically, CIA-led drone strikes in Pakistan, Somalia, and Yemen.

Furthermore, this essay focuses on drone strikes against “preselected” individual(s) and unknown individual(s) associated with suspicious behaviors. The Obama administration implemented two types of counter-terrorism operations that relied on the use of drones. The first was “surgical strikes on high-value targets” (HVT) based on previously identified profiles of people (Miller 2014, 332). The second was signature strikes “on individuals who have not been uniquely identified in our sense but who exhibit a pattern of suspicious behavior” (332). Signature strikes are unique in their potentially unbounded nature of target selection because of the method.

The literature on “the use of drones for targeted killing” focuses on “targeted killing to the detriment of other uses of

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drones” or confuses “criticisms of the targeted killings programmes for criticisms of drones themselves” (Boyle 2016, 210). Although the nature and capability of drone technology can shape how targeted killings operate, discussion and criticism of the use of drones themselves and targeted killing go beyond the scope of this essay. Instead, this essay aims to deconstruct the discourse on *how* drones should be used in counter-terrorism. The formulation of this question implies that the use of drones is not inherently a manifestation of biopolitical racism; instead, biases and political will shape how drones are used.

## Precisely, Ethical Strikes?

In his first year in office, Obama greatly expanded CIA operations, particularly in Pakistan, including “drone strikes in the country’s ungoverned tribal areas” (Rohde, 2012). The Obama administration legally and ethically justified its expansion of drone strikes outside official war zones as a part of its counter-terrorism efforts. In defense of drone strikes, Brennan (2012) highlighted the drone’s “surgical precision – the ability with laser-like focus to eliminate the cancerous tumor called an al-Qaida terrorist, while limiting damage to the tissue around.” A drone’s supposedly precise target capability justified its use as legal and ethical. Whether the “surgical” precision of drones reduces civilian casualties, which is the basis of legal and ethical arguments for such strikes, is a question that needs to be answered.

The assumption that drone strikes are “surgical” due to their technical precision overshadows “the process Obama set for drone strikes,” which was codified in 2013 (Ackerman and Wintour, 2016). The Presidential Policy Guidance (PPG) assumes that surgical precision and “near certainty” is possible (as cited by Ackerman and Wintour, 2016). According to the PPG, targeted killing against “an identified high-value terrorist” shall be “as discriminating and precise as reasonably possible” (2016). “[N]ear certainty that the action can be taken without injuring or killing” innocent civilians is required (2016). What is more controversial about PPG is the fact that it allows targeted killing against the unidentified and instructs that “when using lethal action, employ all reasonably available resources to ascertain the identity of the target” (2016). Those instructions are based on the belief that drone technology allows users to target enemies surgically.

The language of “surgical” precision is echoed in the PPG. However, drone strikes require a human decision on whom to kill, and this human decision is not immune to assumptions and biases. Ultimately, the drone operators and policy-makers decide who is targeted and killed, regardless of the drone’s technical capability. Did biases shape the discourse on drone strikes outside war zones implemented by the Obama administration? Based on the assumption that the country has a right to exert its biopower on the bodies of others, Obama’s drone strikes exerted U.S. biopower, as seen through racial and colonial lenses.

## The Logic of Self-Defense: Sovereignty, Biopolitics, and Necropolitics

Based on technical precision, the distinction between terrorists and innocent civilians justified drone strikes as ethical strikes under the Obama administration. However, what made drone strikes outside war zones possible in the first place? This section first examines how the Obama administration constructed a right to exert its biopower on the bodies of others based on the logic of self-defense and then addresses the question of how drone operators and policy-makers constructed the legitimate subject of the violence.

The U.S. has argued that signature strikes outside of armed conflict “do not need to be justified under IHL [international human rights law] as long as they represent legitimate acts of self-defense under Article 51 of the UN Charter” (Heller 2003, 90). The United Nations Charter is against “international uses of force by member states” in principle (Davis, McNerney, and Greenberg 2016, 3). Article 2 (4) of the Charter states that “All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations” (3). However, Article 51 of the Charter grants a state of exception in the situation of self-defense: “Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security” (3).

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The Obama administration utilized the logic of self-defense to justify the use of force outside war zones, as Brennan later admitted (2012):

As a matter of international law, the United States is in an armed conflict with al-Qaida, the Taliban and associated forces, in response to the 9/11 attacks, and we may also use force consistent with our inherent right of national self-defense. There is nothing in international law that bans the use of remotely piloted aircraft for this purpose, or that prohibits us from using lethal force against our enemies outside of an active battlefield, at least when the country involved consents or is unable or unwilling to take action against the threat.

A lawyer in the U.S Department of State observed in 2010 that “the United States is in an armed conflict with al-Qaeda, as well as the Taliban and associated forces, in response to the horrific 9/11 attacks, and may use force consistent with its inherent right to self-defense under international law” (Enemark 2013, 24). Similarly, the drone memo, which documented the targeted killing of U.S. citizen Anwar al-Awlaki by a CIA operation, reveals how the U.S. Department of Justice’s assessment of him as a target led to the killing decision. The memo implied that the killing of al-Awlaki could be legitimized because “the killing takes place as part of an ongoing armed conflict and it constitutes an act of self-defence” (Gholiagha 2015, 136).

According to its logic, the U.S. has a right to strike in regions where al-Qaida terrorists are based because the U.S. is “in an armed conflict with al-Qaida.” This logic of self-defense created a state of exception that allowed drone strikes outside of war zones. Modern states in the international system are sovereign states. Sovereign states have “exclusive authority within its own geographic boundaries” (Krasner 1995, 115). What is inherent in the idea of sovereignty is its assumption of the state of exception. A sovereign state not only uses its force but also governs the system of the use of force. Hence, a state is inside and outside the system. The sovereign governs the spheres of violence, and modern states run police and military. In contrast, the individual use of force and killing is limited to a few exceptions, such as self-defense. War, a justified police shooting, and capital punishment are examples of the sovereign’s “power and the capacity to dictate who may live and who must die,” which is “the ultimate expression of sovereignty” (Mbembe 2003, 11).

Powerful states in the international system can expand their right to create a state of exception in the international system. The U.S.-led NATO bombing of Yugoslavia, carried without the authorization of the United Nations in 1999, is one such example. Although the logic of self-defense in principle is not controversial, self-defense for preemptive attacks in the case of drone strikes outside war zones is a different story. However, the U.S., with its material power and political influence, attempted to expand its state of exception beyond its territory based on the logic of self-defense. By expanding its state of exception in the international system, the Obama administration constructed its right to exert its biopower on the bodies of others through drone strikes outside war zones.

The concepts of sovereignty, the state of exception, and biopolitics all relate to each other in the context of U.S. drone strikes. For Agamben (as cited by Coleman 2007, 187), biopolitics signifies “a condition of radical exposure produced by sovereign power in which the law is suspended and bodies are surrendered to a zone of indistinction between sacrifice and homicide, where they can literally be put to death with impunity.” Similarly, Mbembe (2003) states that “the ultimate expression of sovereignty resides, to a large degree, in the power and the capacity to dictate who may live and who must die” (11). For him, “the normative basis of the right to kill” is “the state of exception and the relation of enmity” (16).

Foucault’s (1976) historical analyses of biopolitics and biopower further connect biopolitics with racism. First, a sovereign seized “power over the body”—biopower—at the end of the seventeenth century (240). Foucault elaborates his argument based on the classical theory of sovereignty, which assigns “the right of life and death” as one of sovereignty’s essential elements (240). Foucault saw “the right to kill” as “the very essence of the right of life and death,” which transformed into “the right to make live and to let die” in the nineteenth century (240–41). Second, Foucault traces the establishment of biopolitics, which are “techniques of power that were essentially centered on the body” that underwent three stages (1976, 240). In the first stage of a “seizure of power over the body,” men became “individual bodies that can be kept under surveillance, trained, used, and, if need be, punished” (242). Second, individualized bodies were massified for a “biopolitics of the human race,” which made the birth rate and mortality

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rate of the population a sovereign matter (243). Third, seizure of power over the body was tantamount to “control over relations between the human race” (246). In this biopolitical context, Foucault defines racism as “a way of introducing a break into the domain of life that is under power’s control: the break between what must live and what must die” (254).

Obama’s defense of drone strikes is based on the understanding that drones lead to a distinction between those who need to be protected and those who need to be killed in order to protect. Mbembe (2003) views biopower’s function as drawing a line between “those who must live and those who must die” (17). To highlight the destructive nature of contemporary weapon and warfare, he presents *necropolitics* as “contemporary forms of subjugation of life to the power of death” (39). Mbembe argues that weapons are contemporarily “deployed in the interest of maximum destruction of persons and the creation of *death-worlds*” (40). Under this condition, people “are subjected to conditions of life conferring upon them the status of *living dead*” (40). In this way, the state of exception normatively defends “the right to kill” (16).

The Obama administration constructed a right to exert its biopower on the bodies of others based on the logic of self-defense. The right of U.S. biopower, which is also necropolitical, exists in a state of exception in the international system. This manifestation of U.S. biopower is biopolitical racism because it divides the population of the regions under the U.S. drone strikes into who must live and who must die. This biopolitical, racial gaze also has a colonial angle because a sovereign state under U.S. drone operations is constructed as a sovereign state not subject to international law, just as the colony “[wa]s not subject to legal and institutional rules” (Mbembe 2003, 25). Under drone surveillance, people are seen as potential targets. Just as slaves in the plantation existed as “a mere tool and instrument of production,” (22), people in areas where U.S. drone programs are implemented are mere subjects to be watched and potentially attacked. Just as Mbembe saw the slave plantation as “a manifestation of the state of exception,” the areas under drone programs are zones of the state of exception (22). The argument that drone strikes outside war zones are not subject to IHRL evokes the history of the colony, “the site where sovereignty consists fundamentally in the exercise of a power outside the law” (23).

## U.S. Biopower on the Bodies of Others: Biopolitical Racism

U.S. biopower beyond its territory was based on the logic of self-defense evident in the discourse on drone strikes by the Obama administration. This section deconstructs the discourse on *how this biopower should be exerted*. First, the discourse on how “to define who matters and who does not, who is disposable and who is not” (Mbembe 2003, 27) shows the biopolitical and colonial assumptions of drone operators and policy-makers. Drone strikes are a manifestation of biopolitical racism. Allinson (2015) states that “the drone is precisely a technology of the management of populations: of the drawing of a ‘caesura’ between worthy and unworthy life” (119).

Most conventional weapons serve a singular purpose: attack enemies *or* surveil them. In contrast, drone strikes serve two purposes: surveillance *and* attack. During surveillance, all of the people under the gaze of drone operators are divided into those who are “fostered and managed” and those who are “subject to the sovereign right of death” (Allinson 2015, 114). The dual nature of drones—their capability to surveil and attack—exposes those who are observed to the constant risk of being targeted and shapes their lived experiences. Drone strikes—surveillance and attack—expose the population under drone operations to constant anxiety and violence. This evokes the history of the colonial world (Fanon 1961, 40):

The violence which has ruled over the ordering of the colonial world, which has ceaselessly drummed the rhythm for the destruction of native social forms and broken up without reserve the systems of reference of the economy, the customs of dress and external life, that same violence will be claimed and taken over by the native at the moment when, deciding to embody history in his own person, he surges into the forbidden quarters.

The concept of necropolitics refers to “the arrogation of the sovereign’s right both to command death and to assign grievable meaning to the dead” (Allinson 2015, 113). In his thesis of “necropolitics as an apparatus of racial distinction,” Allinson reveals how drone operations are based on “an algorithm of racial distinction,” which is the term Foucault used (114). Signature strikes against unidentified individuals, who exhibit a suspicious pattern of behavior,

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are open to human biases.

How were “individuals of unknown identity” constructed as legitimate targets, and what are the “behavior patterns” that “supposedly linked them to terrorist and insurgent organisations” (Jordan 2014, 5)? For drone operators, what is suspicious is “two ‘military-age men’ struggling with something,” which can be seen as “a ‘human shield’” (Wilcox 2017, 19). A “large group of people traveling together in cars” is associated with a pattern of suspicious behavior (Hall 2014, 68). Signature strikes demand “packages of information that become icons for killable bodies on the basis of behavior analysis and a logic of preemption” (Wilcox 2017, 16).

In this context, Espinoza (2018, 381) argues that the colonial gaze and orientalism are inherent in targeting and surveillance, which dehumanizes Muslims and Arabs and fuels enemy creation. The discourse on drone strikes “reproduces gendered and racialized bodies that enable a necropolitics of massacre” (Wilcox 2017, 11). Drones flying in the sky with the anticipation of terrorist acts surveil people on the ground. Zulaika (2012) argues that counter-terrorism is based on a self-fulfilling prophecy, and the drone attacks fit the same pattern (52). A C.I.A. officer points out that video footages are open to different interpretations by stating that “no tall man with a beard is safe anywhere in Southwest Asia” (Mayer 2009). By distinguishing between risk and catastrophe, Beck (2006) points out how risk is constructed: “Risk means the *anticipation* of catastrophe” (332). This anticipation is nothing “without techniques of visualization, without symbolic forms, without mass media, etc.” (332).

Beck’s thesis on risk society captures the nature of counter-terrorism and drone surveillance. Counter-terrorism is on the basis of “it is not if, but when” mentality. In contrast, hypotheticals are based on “the conditional ‘if’: ‘if A, then B.’” In this sense, Zulaika (2012) characterizes “counterterrorist knowledge about the next impending attack as the knowledge that “it will happen” (59). The anticipation is filled with biases. Based on “the Orientalist bias of colonial knowledge,” the anticipation that “Muslims and Arabs are potential terrorists” fuels its self-fulfilling prophecy, represented as civilian deaths caused by drone strikes due to the misinterpretation of suspicious behaviors (Espinoza 2018, 381).

The biopolitical colonial assumptions influence how the bodies of others are treated and how they live their daily lives. Targets are selected because they exhibit certain behaviors and “individual human beings” are socially constructed as “dehumanized target bodies” (Gholiagha 2015, 128). Gholiagha (2015) offers three themes in the discourse on targeted killing via drones, which also explores the lived experience of the bodies of others under drone strikes. The known bodies live as the target and the unknown bodies are just “a carrier of certain signature” (143). The dead bodies are not personal as much as living bodies are subject to be governed: a person is used “first as a target, and then, after being killing, as ‘bait’” (140).

## Conclusion

This essay examines how the U.S. was able to assert its right to exert its biopower on the bodies of others from racial and colonial perspectives. The discourse on drone strikes under the Obama administration was the manifestation of “racial distinction and colonial encounter” (Allison 2015, 113). Drone strikes beyond war zones for counter-terrorism operations were justified in the discourse on drone strikes, allowing the U.S. to exert its biopower beyond its territory. The U.S. implemented its first drone strike outside a war zone in Yemen in 2002 (Gholiagha 2015), and drone strikes outside a war zone were increasingly expanded under the Obama administration. The Obama administration significantly utilized signature strikes, which had been authorized by the Bush administration in 2008 (Rohde 2012).

The concepts of sovereignty, the state of exception, and biopolitics all relate to each other in the context of U.S. drone strikes. The right of U.S. biopower, which is also necropolitical, exists in a state of exception in the international system. The discourse on how “to define who matters and who does not, who is disposable and who is not” (Mbembe 2003, 27) shows biopolitical and colonial assumptions of drone operators and policy-makers. The biopolitical colonial assumptions influence how the bodies of others are treated and how they live their daily lives. The use of drones is not inherently a manifestation of biopolitical racism. There are different possibilities of how drones can be used. In other words, biases and political will shape how drones are used. Drone strikes require a human decision on whom has to be killed, and this human decision is not immune to assumptions and biases. Ultimately, the

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minds of drone operators and policy-makers decide who is targeted and killed, regardless of the drone's technical capability.

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