

THE WHITE HOUSE DECIDES MAYBE THEY'RE NOT "TARGETED KILLINGS" AFTER ALL

In the 15 paragraphs that make up the core of John Brennan's so-called transparency on drone killings, he used the word "target" in one or another form 24 times.

... the United States Government conducts targeted strikes against specific al-Qaida terrorists ... the debate over strikes targeted at individual members of al-Qaida has centered on their legality, their ethics, the wisdom of using them, and the standards by which they are approved. ... First, these targeted strikes are legal. ... Second, targeted strikes are ethical. Without question, the ability to target a specific individual, from hundreds or thousands of miles away, raises profound questions. ...

Targeted strikes conform to the principle of necessity, the requirement that the target have definite military value. In this armed conflict, individuals who are part of al-Qaida or its associated forces are legitimate military targets. We have the authority to target them with lethal force just as we target enemy leaders in past conflicts, such as Germans and Japanese commanders during World War II.

Targeted strikes conform to the principles of distinction, the idea that only military objectives may be intentionally targeted and that civilians are protected from being

intentionally targeted. With the unprecedented ability of remotely piloted aircraft to precisely target a military objective while minimizing collateral damage, one could argue that never before has there been a weapon that allows us to distinguish more effectively between an al-Qaida terrorist and innocent civilians.

Targeted strikes conform to the principle of proportionality, ... By targeting an individual terrorist or small numbers of terrorists with ordnance that can be adapted to avoid harming others in the immediate vicinity, ... targeted strikes conform to the principle of humanity which requires us to use weapons that will not inflict unnecessary suffering. For all these reasons, I suggest to you that these targeted strikes against al-Qaida terrorists are indeed ethical and just. ... Targeted strikes are wise. Remotely piloted aircraft ... strike their targets with astonishing precision, ... Yet they are also a wise choice because they dramatically reduce the danger to innocent civilians, especially considered against massive ordnance that can cause injury and death far beyond their intended target. ... a pilot operating this aircraft remotely ... might actually have a clearer picture of the target and its surroundings, ... There's another reason that targeted strikes can be a wise choice, the strategic consequences that inevitably come with the use of force. As we've seen, deploying large armies abroad won't always be our best offense. ... In comparison, there is the precision of targeted strikes.

In an 11-paragraph statement given to McClatchy in response to its reports that we've been

“targeting” people who are not our enemies last Friday (but not, as far as I can tell, released more broadly), National Security Council spokesperson (and Tommy Vietor replacement) Caitlin Hayden uses a form of “target” just three times, in these bullets:

Scrupulous adherence to the rule of law. These speeches have all emphasized the Administration’s commitment to conducting these actions in accordance with all applicable law, including the laws of war. In particular, we have repeatedly emphasized the extraordinary care we take to ensure that these operations conform to the law of war principles of (1) necessity – the requirement that the target have definite military value; (2) distinction – the idea that only military objectives may be intentionally targeted and that civilians are protected from being intentionally targeted; (3) proportionality – the notion that the anticipated collateral damage of an action cannot be excessive in relation to the anticipated concrete and direct military advantage; and (4) humanity – a principle that requires us to use weapons that will not inflict unnecessary suffering.

A recognition that we are establishing standards other nations may follow, such that we have established robust commitments to, among other things, determining whether the individual poses a significant threat to U.S. interests; determining that capture is not feasible; having a high degree of confidence, both in the identity of the target and that innocent civilians will not be harmed.

I guess giving up on the fiction that these are “targeted” strikes is what Hayden uses to justify repeating the claim that the Obama

Administration has offered “unprecedented level of transparency” on its counterterrorism operations.

Mind you, her statement is still full of laughable fiction, such as when she claims providing OLC memos authorizing the killing of an American to the intelligence committees at least 31 months after they were written and 17 months after they were relied on constitutes “consult[ing] with Congress on national security matters.”

Still, I’m glad the Administration has finally tacitly admitted that their drone strikes are not targeted killings.

Let’s hope Scott Shane adjusts his language accordingly.

Update: I originally missed one additional use of “target” in Hayden’s statement. I’ve corrected the post accordingly.