When the Government Kills

May 6, 2015

by Shoshana Bryen
Gatestone Institute
http://www.gatestoneinstitute.org/5697/civilian-casualties

*Obama Apologizes After Drone Kills American and Italian Held by Al Qaeda (New York Times 4/23/15)*

*U.S.-Led Forces Killed Syrian Civilians, Rights Groups Say: Airstrikes on village controlled by Islamic State kills more than 60 civilians, say two human-rights groups (Wall Street Journal 5/1/15)*

This is not a "gotcha" column. But before reviewing American drone and airstrike policy, it is not inappropriate to remind the president and company that hubris is an unattractive trait.

Last summer, as Israel was defending itself from Hamas rockets fired at its civilian population often from within the civilian population of Gaza, the White House [was vehement in its criticism of Israel](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fthehill.com%2fpolicy%2finternational%2f213946-white-house-criticizes-israel-for-indefensible-deaths-at-gaza-school). A White House spokesman called Palestinian casualties, "totally unacceptable and totally indefensible." A DoD spokesman said, "The civilian casualties in Gaza have been too high. And it's become clear that the Israelis need to do more to live up to their [very high and public standards](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.gatestoneinstitute.org%2f5697%2fbriefing.%2520http%3a%2fwww.jpost.com%2fOperation-Protective-Edge%2fPentagon-Israel-must-do-more-to-live-up-to-its-high-standards-of-protecting-civilians-369630)." The State Department [piled on](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.timesofisrael.com%2fus-israel-must-do-more-to-protect-gaza-civilians%2f). After one incident in which Hamas and UNRWA claimed only civilian casualties had occurred, the White House said, "All evidence points to Israeli artillery as the cause," and that Israel "can and should do more to protect the lives of innocent civilians." [The exception to the stream of invective was Chairman of the Joint Chiefs of Staff Martin Dempsey, who said Israel went to "[extraordinary lengths](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.reuters.com%2farticle%2f2014%2f11%2f06%2fus-israel-usa-gaza-idUSKBN0IQ2LH20141106)" to avoid civilian casualties, and sent a senior team of American military officers to Israel to study IDF counterterrorism and urban warfare tactics.]

When the UN [admitted](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.jewishpress.com%2fnews%2fbreaking-news%2fun-admits-un-schools-and-building-used-by-hamas-terrorists%2f2015%2f04%2f27%2f) last week that Hamas was using UNRWA schools and centers as weapons depots, the silence from the White House was total.

If the U.S. was wrong about what Israel was doing, what about what the U.S. was doing? And specifically, what it was doing to American citizens?

It emerged this week that in January 2015 Adam Gadahn, sometimes called the "[American Taliban](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.cnn.com%2f2015%2f04%2f23%2fworld%2fadam-gadahn-al-qaeda%2f)," was killed in a CIA-ordered drone strike in Pakistan. In a separate strike around the same time, two Taliban hostages -- American Warren Weinstein and Italian Giovanni Lo Porto, both civilian aid workers -- were killed in Pakistan when the house in which they were being kept was targeted by a CIA drone strike. To be very clear: In each case it was the [house](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.nytimes.com%2f2015%2f04%2f24%2fworld%2fasia%2f2-qaeda-hostages-were-accidentally-killed-in-us-raid-white-house-says.html%3f_r%3d0%2520%2520) that was targeted, not the Americans or even Taliban operatives. The strikes were called "[signature strikes](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.nytimes.com%2f2015%2f04%2f24%2fworld%2fasia%2ffatal-blunder-was-apparent-in-aftermath-of-drone-strike-in-pakistan.html)," which are based on patterns of CIA drone-observed behavior rather than specific intelligence about specific people. Not only was Weinstein not a target, but neither was Gadhan. Oops.

|  |
| --- |
| U.S. citizen Adam Gadahn (aka "The American Taliban") was killed this year in an airstrike from an unmanned drone operated by the CIA. He was not the target. The house he was in was the target, based on patterns of behavior. |

They were not the first Americans killed in drone strikes by the American government. The administration admitted last year that [four Americans](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.politifact.com%2ftexas%2fstatements%2f2014%2fmar%2f19%2fkesha-rogers%2ffour-us-citizens-killed-obama-drone-strikes-3-were%2f) had been killed—three accidentally, one on purpose. The target was Anwar al Awlaki, killed in 2011; Samir Kahn was "collateral damage." Awlaki's 16-year-old son was killed in a separate strike intended to kill someone else, and Jude Kenan Mohammed, later said to be "of interest to American intelligence," was killed in 2011.

Gadhan and Awlaki may not have been model Americans, but there are rules about the government depriving them of life without due process. The younger Awlaki, Kahn and Mohammed were certainly due constitutional protections -- and so, of course, was Weinstein.

At the time of Awlaki's death [the President said](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.jewishpolicycenter.org%2f2752%2fseal-team-6-a-big-secret-unless-obama-wants-to), "This is a targeted, focused effort at people who are on a list of active terrorists, who are trying to go in and harm Americans, hit American facilities, American bases and so on... I think that we have to be judicious in how we use drones... And I want to make sure that people understand that drones have not caused a huge number of civilian casualties. For the most part, they have been very precise, precision strikes against al-Qaeda and their affiliates."

In 2014, the President [acknowledged](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.jewishpolicycenter.org%2f5403%2fevery-war-must-end) that he was heavily involved in the process. He was [personally approving air strikes](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.nationalreview.com%2fcorner%2f388483%2fkrauthammers-take-obamas-decision-personally-approve-air-strikes-scary-stuff-nro-staff), personally making the decision to [conduct individual drone strikes](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.nytimes.com%2f2012%2f05%2f29%2fworld%2fobamas-leadership-in-war-on-al-qaeda.html%3fpagewanted%3dall%26_r%3d2%26), personally vetting the names on the government's "[kill list](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.newyorker.com%2fnews%2fdaily-comment%2fthe-presidents-kill-list)."

Fast forward to last Friday and the deaths of non-American civilians.

An American air strike over Syria is said to have killed nearly 60 [Syrian civilians, including 13 children](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.wsj.com%2farticles%2fu-s-led-forces-killed-syrian-civilians-rights-groups-say-1430525206%3ftesla%3dy). The report was made by the generally authoritative Syrian Observatory for Human Rights (SOHR), and seconded by the Syrian Network. This comes on the heels of last month's report by the SOHR that it had documented 66 civilian deaths in seven months of coalition strikes in Syria. Iraq Body Count, an organization that has been tracking Iraqi civilian deaths since 2003, says [118 Iraqi civilians](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.thedailybeast.com%2farticles%2f2015%2f01%2f24%2fu-s-won-t-admit-to-killing-a-single-civilian-in-the-isis-war.html) have been killed by coalition airstrikes as of January 2015.

The U.S. neither accepts nor rejects these numbers because it is not counting. "I am [tracking no civilian casualties](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.thedailybeast.com%2farticles%2f2015%2f01%2f24%2fu-s-won-t-admit-to-killing-a-single-civilian-in-the-isis-war.html)," Lt. Gen. James L. Terry, commander the U.S. campaign in Iraq and Syria, told reporters last December.

After last weekend's assertion of civilian deaths, the White House did acknowledge civilian victims and President Obama told reporters, "I take full responsibility for all our counterterrorism operations." Sort of. Aides made sure reporters knew that Mr. Obama [did not sign off](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwww.nytimes.com%2f2015%2f04%2f24%2fworld%2fasia%2f2-qaeda-hostages-were-accidentally-killed-in-us-raid-white-house-says.html%3f_r%3d0) on this *specific* strike, having handed the responsibility for [drone attacks](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2ftopics.nytimes.com%2ftop%2freference%2ftimestopics%2fsubjects%2fu%2funmanned_aerial_vehicles%2findex.html%3finline%3dnyt-classifier) to the CIA "if they fit certain criteria." He had handed off the so-called "signature strikes," the ones by definition least likely to be precise and most likely to result in unintended consequences.

"I profoundly regret what happened," the President said. "We will do our utmost to ensure it is not repeated... It is a cruel and bitter truth that in the fog of war generally, and our fight against terrorists specifically, mistakes, sometimes deadly mistakes, can occur."

Yes, they can and they do. Will he offer the same understanding to the army of a democratic ally -- Israel -- whose army, according to General Dempsey, "[went to extraordinary lengths to avoid civilian casualties](https://mail.hrvoices.org/OWA/redir.aspx?C=7D1jW7qBfU6l1nwBrJRkZ4k6cD4DWtIIYJ9BmqSgAUGVkACRHAlPgYiyLr7ObXHEaU8U_YCVC00.&URL=http%3a%2f%2fwhtt.org%2fdempsey-us-sent-team-israel-learn-war-tactics%2f)?