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## Both Left and Right Are Wrong About Drones

*For some terror targets, they really are the 'only game in town.'*

By DAVID RITTGERS

The Obama administration has significantly expanded the use of unmanned aerial drones to kill al Qaeda and Taliban operatives. This decision has been criticized from both the left and the right, but it fits neatly into a broader strategy of countering terrorists world-wide.

Advances in unmanned aerial vehicle technology allow the United States to reach around the globe and target terrorists in areas where our troops cannot go for tactical or diplomatic reasons. Drone attacks have increased significantly in Afghanistan and Pakistan in the past six months while civilian casualties have decreased.

Liberal critics should refrain from erroneously labeling drone strikes as "nonjudicial killings." Even the most controversial drone strikes—those that kill American citizens who have joined al Qaeda affiliates overseas—are permissible under the laws of war.

Neither Congress nor the courts should micromanage tactical decisions such as whether the president can order soldiers to seize a particular hill or employ a certain weapon. Referring to drone strikes as "nonjudicial" implies that the courts should be given the ability to rule out specific drone attacks. Vetting these targets for accuracy of intelligence and minimization of collateral damage is essential, and the record continues to improve on that front.

Criticism from conservatives is largely based on the logic that a live and talking terrorist is worth more than a dead one. While this is true as a general matter, several factors make drone attacks a good alternative to capture.

First, not all terrorists targeted in drone attacks can be feasibly taken alive. This is especially true of those who reside in the many areas dominated by local insurgent groups and therefore out of reach of national governments.

For example, putting troops on the ground in the Pakistani tribal areas, where numerous drone attacks have been carried out, is both tactically and diplomatically problematic. Last May, CIA Director Leon Panetta called drones the "only game in town" when it comes to certain parts of Pakistan, and this will remain the case for the long term.

Second, many terrorist leaders are captured and interrogated, but by their own governments rather than U.S. forces. Cooperation with the governments who capture these terrorists serves numerous purposes, and this should not be viewed as a loss. The recent interrogation of high-level Taliban official Mullah Baradar by Pakistani agents is an example how U.S. personnel need not be—indeed, are often unable to be—involved in every phase of these operations.

Third, many conservatives lament that we no longer use coercive interrogation techniques, such as waterboarding, on detainees. These techniques are not coming back. Contrary to public perception, the Bush administration dismantled the legal architecture that facilitated their use, and there are strong legal and policy arguments against reversing that judgment. The laws of armed conflict are quirky in this regard; soldiers can use all manner of force to kill their enemies, but once a person is in custody, the captor is responsible for their humane treatment. Coercive interrogation runs counter to the legal burden placed on our soldiers.

The fight against al Qaeda is unlike any of our previous conflicts, but in broad strokes the Cold War is the best parallel we have. We face an ideologically motivated enemy that attempts to link localized grievances with global ones, and to destabilize governments in the Third World. The biggest difference is that our current enemy is significantly weaker than the Soviet Union. Al Qaeda has far fewer resources, limited military power, and it is losing credibility with the broader Muslim community because of its nihilist message.

The U.S. will continue to engage in proxy fights against al Qaeda franchises in the Horn of Africa, Yemen and the Philippines for the foreseeable future. Large, long-term troop deployments such as those in Iraq and Afghanistan will be the exception, not the rule, in this fight. Engaging governments to defeat internal terrorist and insurgent groups is the most cost-effective way to fight this war, and supporting those governments with the surgical use of drones is an effective technique.

Drone strikes remain a valuable tool in this struggle, and all signs indicate that they are here to stay.

*Mr. Rittgers, a legal policy analyst at the Cato Institute, served three tours in Afghanistan as a Special Forces officer and continues to serve as a reserve judge advocate. The views expressed in this op-ed are his alone and do not necessarily reflect those of the Defense Department or Army.*

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