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**Unmanned Warfare:
How Liberal Democracy Legitimizes
Drone Attacks and Killings Abroad**

Diplomová práce

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Abstrakt

Diplomová práce „Unmanned Warfare: How Liberal Democracy Legitimizes Drone Attacks and Killings Abroad“ se věnuje pozitivnímu zobrazení využívání ozbrojených bezpilotních letounů tzv. dronů v diskurzu představitelů administrativy amerického prezidenta Baracka Obamy. Práce se opírá o konstruktivistické pojetí světa, v němž praktické společenské konání hraje významnou úlohu při vytváření konkrétní reality a faktů. Jazyk v tomto případě neslouží jako prostředek pro objektivní deskripci skutečností, ale naopak pomáhá vytvořit takové skutečnosti, které daný aktér považuje za výhodné nebo žádoucí. Na tomto teoretickém základě staví následný výzkum, jenž identifikuje pětici legitimačních prostředků, které představitelé Obamovy administrativy využívali k ospravedlnění zabíjení nepřátel pomocí bezpilotních letounů. Legitimizace využití této nejmodernější a v mnohých případech kontroverzní technologie k likvidaci vybraných nepřátel se opírá o klasickou dichotomii „my“ a „oni“, která se v tomto případě ukázala jako velmi flexibilní. Další prostředky se o tuto dichotomii opírají a dále přispívají k pozitivnímu vyobrazení dronů jakožto pokročilému, efektivnímu a chirurgicky přesnému nástroji k boji s al-Káidou a jejími přívrženci. Práce je zakončena interpretací výsledků ve formě diskuze několika podnětů, které vedly Obamovu administrativu k potřebě legitimizovat útoky drony mimo válečné zóny.

Abstract

Diploma thesis „Unmanned Warfare: How Liberal Democracy Legitimizes Drone Attacks and Killings Abroad“ is dedicated to depiction of employment of armed unmanned aerial vehicles or remotely piloted aircrafts i.e. drones in discourse of

President Barack Obama administration's officials. The thesis is based on constructivist conception of world affairs where social practices function as important aspect of reality and fact creation. Here, language isn't employed in order to describe objective reality but rather to help with creation of such reality that serves interests of particular agent. This theoretical foundation serves as baseline for research which identifies five legitimization techniques that had been widely used by Obama administration's officials to justify killings of enemies by armed drones. Dichotomy "us" and "them", that has proved to be very flexible in this study, underpins legitimization of employment of state-of-the-art and in many cases highly controversial technology designated for elimination of chosen enemies. Other legitimization techniques build on this dichotomy when further manufacturing positive portrayal of drones as advanced, effective and surgical tool of fight against al-Qaeda and its affiliates. Final part interprets findings of research in form of discussion that provides several suggestions that led Obama administration to seek legitimization of drone strikes outside areas of active hostilities.

Klíčová slova

Obamova administrativa, drony, al-Káida, legitimizace, konstruktivismus, diskurz

Keywords

Obama administration, drones, al-Qaeda, legitimization, constructivism, discourse

Rozsah práce: 143 538 znaků

Prohlášení

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V Praze dne 18. května 2017

Tomáš Kocourek

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Introduction

It was in January 2012 when then President of the United States of America Barack Obama for the very first time decided to publicly comment on his administration's controversial policy of targeted killings by unmanned aerial vehicles (UAVs) that fast became familiarly known as drones. It was during Goggle + public online forum on Youtube when President Obama responded to a question on reports of high civilian casualties caused by drones and on worthiness of this newest tool of military engagement.

To the surprise of many, president reacted with rather straightforward comment in which he emphasized accuracy and high precision of drone strikes directed against al-Qaeda members and its affiliates, pointed out that this effort is highly targeted and focused on individuals who are actively engaged in planning harmful acts against the U.S., assured that this policy is kept on a very tight leash and that it's not just "bunch of folks" sitting in a room and firing at whatever they consider to be a proper target. Also, he underlined that his administration has to be careful in how they proceed in regards of not breaching sovereignty of other states but at the same time cited his administration's obligation to make sure that they are using all available and necessary capacities in their fight against al-Qaeda and its associates.¹

Up until Obama's public remarks, there had been mostly non-official comments on armed drones and their function in places with U.S. active armed engagement. Obama got in charge of the U.S. after George W. Bush whose administration was much less transparent on drone strikes and under him the issue was kept away from public view as much as possible. Therefore, this moment was crucial since the Commander in Chief Obama himself responded to an issue that was carefully being kept under the table. Since this moment, Obama administration has been very consistent in handling question of drones publicly.

Three months later, as kind of a follow up to Obama's comments, at the time his advisor for Homeland Security and Counterterrorism John O. Brennan gave a speech in order to elaborate on Obama's words and to give some clues to broader public on how the administration views role of state of the art technology of drones in efforts to defeat

¹Obama's reaction has been uploaded by The Daily Conversation on Youtube and titled Obama Addresses Drone Strikes During "Hangout" – (Part 10)

terrorists responsible for 9/11 attacks and their affiliates.² Building on previous statement of President Obama, Brennan further developed U.S. government's legality-and-legitimacy narrative of using drone as a means of execution of targeted killings. At the same time Brennan emphasized role of drones in success of American efforts in fighting al-Qaeda, deemed targeted strikes as ethical, assured protection of civilians from intentional targeting, highlighted reduction of possibility that innocent people will be killed when using drone technology and more. „It's this **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 it, that makes this counterterrorism tool so essential“, stated Brennan leaving no one in doubts about virtuosity of drones despite dubiousness of the statement.

Here it suffices to mention that advisor Brennan revealed position of the administration on targeted killings when at the same time objecting to some earlier reports made by NGOs and various journalists regarding decision making processes behind targeted killings, their proportionality and effectiveness and choosing targeted killings by drones as a means of last resort after all other means available are found unsatisfactory to secure the success of operation for reasons ranging from geography to endangering local population.

Early 2010s witnessed important turning point in what Obama administration called transparency. More than a year later after his online reaction, president Obama delivered a speech on U.S. drone and counterterrorism policy at the U.S. National Defense University in which he further elaborated on his previous standings. As time went on, more people who had their part in internal same as public debate on drones made their voices heard and public started to be more informed (and often more confused) in this regard.

The growing attention to drone program in media was apparent even before Obama's comments on Youtube as a research from Harvard University found.³ The report finds that already growing, this trend was greatly impacted by John O. Brennan on moral ground in U.S. counterterrorism efforts and the death of American cleric Anwar al-Aulaqi from drone strike.

² Full speech and transcript of speech by John O. Brennan, Assistant to the President for Homeland Security and counterterrorism: The Ethics and Efficacy of the President's Counterterrorism Strategy. *Wilson Center* [online]. April 30, 2012

³ McKELVEY, Tara. Media Coverage of the Drone Program. *Joan Shorenstein Center on the Press, Politics and Public Policy* [online]. February 2013, p. 21

In the course of time, interested public could hear and read more and more on this issue and now can find considerable amount of information about when, where and usually why drone attacks took place. Statistics on civilian casualties as direct consequence of drone strikes is often delicate type of information as well. Questions of who and how (meaning here the intelligence leading towards strikes same as authorization chain) are usually answered to much lesser degree as these are kept in greater secrecy for reasons of national security, protection of HUMINT sources etc.

However, the more sources pop up on the scene the more complicated and complex the issue is proving to be. New and new sources often claim against U.S. government's official data statistics same as the official narrative of just employment and surgical precision. These claims happened to be hot issue not only inside the U.S. but likely even more importantly within affected states where local sources enter the scene as well. As a result, Pakistan got under pressure after information on consent of Pakistani officials with U.S. drone killings in Pakistani territory made it to public – just to name one example. Over time, the issue of drones has been increasingly monitored by people, organizations and international institutions outside Obama administration who have been questioning U.S. drone policy on various occasions when for example pointing to official statistics of the government as inaccurate – especially numbers of civilian casualties as direct consequence of drone strikes.

Meanwhile, public approval of drone strikes remained consistently high during 2012 – 2016 period reaching 60 percent on average⁴ often confirming not only that American citizens don't want to see massive U.S. military engagement abroad and don't want to put US aircrew in dangerous situations. The approval rate also indicates that U.S. public is generally in line with current social momentum of the so called Third Offset's⁵ procurement strategies centred on advanced military technologies.

Obama administration also clearly expressed that they had been well aware that they are setting up precedents on using unmanned aerial vehicles as part of armed struggle against enemies and thus has felt the need to reach out to domestic same as international public and assure people all around the world that they are being

⁴ The thesis draws on statistical data from various polling research entities such as Pew Research Center, Gallup or Center for a New American Security.

⁵ The Third U.S. Offset Strategy i.e. Defense Innovation Initiative was announced by then U.S. Secretary of Defense Chuck Hagel on November 15, 2014 and its aim is to sustain and advance U.S. military superiority for the 21st Century and improve business operations throughout the U.S. DoD. For more see Chuck Hagel's Keynote from Reagan National Defense Forum at U.S. DoD website

responsible and focused in that matter and they always stick to the highest standards possible.

As president Obama noted on various occasions – including his Nobel Prize acceptance speech – the U.S. has „moral and strategic interest in binding... to certain rules of conduct. Even as we confront a vicious adversary that abides by no rules, I believe the United States of America must remain a standard bearer in the conduct of war. That is what makes us different from those whom we fight... We lose ourselves when we compromise the very ideals that we fight to defend. And we honor – we honor those ideals by upholding them not when it's easy, but when it is hard.“⁶

Therefore, the U.S. has been – according to American officials – for the most part executing drone strikes only when other ways have been unfeasible and only in compliance with domestic and international legal principles including the principle of sovereignty. These standards has been reportedly upheld by Obama administration also because – as president himself pointed out – it is necessary to engage with U.S. adversaries in such a way that will not create more enemies than remove.

Official statements, however, stand in stark discrepancy with findings of various actors whose efforts have been to check on the American engagement in wars in Afghanistan and Iraq same as in other countries – often referred to as locations outside areas of active hostilities⁷ – where drones have been used such as in Pakistan, Somalia, Yemen and more recently Syria and Libya. These organizations and individuals function as inspectors that keep the administration under close scrutiny and uncover possible shortcomings and loopholes of U.S. air campaign against so called terrorists.

⁶ Nobel lecture delivered by then President Barack H. Obama in Oslo (December 10, 2009)

⁷ For purpose of this thesis the author also uses shortcut “AoAH”

1. Outline of the thesis

What follows is basic structure of the thesis including its main points of reference.

1.1 Research question

As outlined above, this paper aims to track official position of the U.S. administration on drone killings and thereby provide characteristics of discourse that is often in clash with critical voices of drone strikes. Preliminary research of secondary literature suggests that “pro-drone-use group” and “drone-opposing group” data collections, that seems to be basic tool of drone-use assessment, very often differ in their findings. The author suggests that this is direct consequence of different discourses that have been constructed as a basic position of different actors (agents). Also, this discrepancy seems to be based on different data collection & evaluation methods that are being employed by different actors (agents).

Based on the constructivist framework that is further elaborated on below, the author puts forward following research questions:

Does the administration of the United States of America – well aware of its authority and access to information – legitimates killings by armed unmanned aerial vehicles in foreign countries (primarily outside areas of active hostilities) by deliberate employment of specific linguistic features in social practices and thereby constructs specific “regime of truth” in order to create purpose-built discourse?

If the answer proves to be yes, then another question suggests itself:

Why the administration uses such techniques and what is the thought-out primary goal of such practice?

1.2 Literature and sources preview

Primary materials for this thesis are drawn from numerous sources. First category covers key documents of different genres that were made by officials of Obama administration regarding drone program with President Obama as Commander in Chief in the first place. These include platforms such as official fact sheet, speech, summary, remarks, executive order, presidential policy guidance etc. The documents are taken under greatest scrutiny here as they are official voice of administration’s drone

discourse. Complete list of these utterances is located at the end of the thesis – Appendix I.

Second category consists of more or less critical evaluations made by various agents outside the official discourse. Valuable source of data supporting criticism of official U.S. position and data is *The Bureau of Investigative Journalism* and its Drone Warfare project⁸ just to name one example. Media reports serve as sources of critical voices and reflections on official proclamations and critically evaluate the official narrative. Also, this type of texts helps to further clarify contextual difficulty of the issue during Obama presidential terms. These pervade both third and fourth section of the thesis.

As a convenient contribution to this category of sources comes several articles. *Targeted Killing and Accountability* written by Gregory S. McNeal that focuses on details of drone architecture and its legal underpinnings thereby providing information on authorization processes and chain of practices that lead to drone strikes.⁹ Different example of valuable research on this topic is embodied in article *The Unblinking Stare: The drone war in Pakistan* by Steve Coll. For a change, Coll's research focuses on evolution of drone warfare in Pakistan and makes huge contribution for understanding positions of previous U.S. governments and Pakistani side.

For make no mistake, although the aim of this thesis is to provide narrative of legitimacy and it doesn't elaborate on moral or legal aspects of the issue, it can't avoid referencing to several basic legal provisions that help the U.S. government to justify its policies and solutions of lethal nature. Documents that cover legal position related to drone strikes outside AoAH include international same as U.S. legal backing – the Authorization for Use of Military Force or AUMF¹⁰ is one example of such regulation.

Finally, the thesis is underpinned by various theoretical works that concerns constructivist framework that provides fitting platform for subsequent discourse analysis. On the grounds of this, works by Michael Foucault, Nicholas G. Onuf, Norman Fairclough or Fridrich Kratochwil are all part of the theoretical background that provides discourse analysis pursued in this paper with necessary platform. The legitimization practices and techniques are then naturally installed in such framework. These can be found in various studies with primary focus on discourse. However, this

⁸ Drone Warfare. In: *The Bureau of Investigative Journalism* [online]

⁹ MCNEAL, Gregory S. Targeted Killing and Accountability. In: *The Georgetown Law Journal* [online]. 2014, vol. 102, pp. 681-794

¹⁰ AUMF is commonly used shortcut.

thesis draws on three of them. First of them is *Legitimizing immigration control: a discourse-historical analysis* by Theo Van Leeuwen and Ruth Wodak who focused on the issue of reunification of immigrant works with their families in Austria.¹¹ Second, *Strategies of legitimization in political discourse: From words to actions* by Antonio Reyes¹² and third being Theo Van Leeuwen's *Legitimation in discourse and communication* in which he focused on legitimization and de-legitimization in educational texts.¹³

1.3 Layout

The thesis begins with brief introduction of the issue covered and discussion of some key issues regarding drone debate including several important official statements. Second chapter covers theoretical framework of the paper. It discusses constructivist world-view that sets conceptual foundation for subsequent research. Final part of the second chapter focuses on foundations employed for example by Van Leeuwen and Wodak who argue that there is „a dialectical relationship between particular discursive events and the situations, institutions and social structures in which they are embedded.“ These further „shape and affect discourse“, which at the same time contributes to constitution of social practices.¹⁴ Dialectical facet here is the primary sphere of interest. Strategies of Van Leeuwen, Wodak and Reyes provide a framework that makes it possible to analyze official comments regarding drone killing program. After presenting constructivist theoretical background with special emphasis on distribution of knowledge in the society and context-making processes, third part proceeds with focus on legitimization techniques widely used in discourse-making strategies.

Third chapter takes form of discourse analysis as understood for example by Hedges et al.¹⁵ Therefore, language employed during various social practices of relevant U.S. officials is taken under close scrutiny in order to find how these pursue legitimization of drone killings. These are in some passages confronted with voices of independent institutions and organisations, media, journalists and others who often

¹¹ VAN LEEUWEN, Theo a Ruth WODAK. Legitimizing Immigration Control: A Discourse-Historical Analysis. In: *Discourse Studies* [online]. February 1999, vol. 1, pp. 83-118

¹² REYES, Antonio. Strategies of legitimization in political discourse: From words to actions. In: *Discourse & Society* [online]. November 2011, vol. 22, issue 6, pp. 781-807

¹³ VAN LEEUWEN, Theo. Legitimation in discourse and communication. In: *Discourse & Communication* [online]. February 2007, vol. 1, pp. 91-112

¹⁴ Van Leeuwen & Wodak (1999), p. 83-118

¹⁵ HODGES, Brian David, KUPER Ayelet and Scott REEVES. Qualitative Research: Discourse Analysis. In: *British Medical Journal* [online]. September 2008, vol. 337, no. 7669, pp. 570-572

question or challenge official (governmental) discourse by offering alternative interpretations of their own.

Findings of research on specific facets of official drone discourse are further elaborated on in the fourth part with discussion of possible reasons that led the Obama administration to use such techniques. Interpretation of analysis's results is the final chapter before jumping into conclusion. Finding the strategies goes hand in hand with the interpretation of their employment as two major goals of the thesis. Also, what should be noticed, fourth part concerns further context that had inevitably influenced

Importantly, through the thesis, author uses term "U.S. administration" very often. For the purpose of this text the term keeps its broad meaning thus representing "whole structure of executive power leading from different branches of executive power through different agencies (such as Central Intelligence Agency or National Security Agency) up to the top level represented by the President of the United States of America" as the author takes it that the executive branch represents itself as one major agent (term explained further below).

Finally, the author acknowledges the evident reality that discourse analysis stands or falls by the researcher and his world-view. Hence, the aim of this thesis is to show that the Obama administration was presenting drone warfare in certain way instead of endorsing its moves as legitimate or to vindicate position of its critics from the ranks of investigative journalists and others.

2. Contextual manufacturing of reality and discourse

When thinking about the world we are living in, our understanding of it is limited to the point of our knowledge. This knowledge is never objective as it is formed by discourses and regimes of truth that are characteristic for the segment of society, or rather for part of the global community that every single one of us was born and raised in. Also, our perception of reality is not only based on these, but also on the opinions outside these discourses that we are able and – more importantly – willing to let in and that subsequently speak to us in a way that can alter our original stance and redirect it to the new one.

In any case, we always have to keep in mind that our individual perspective is original, based on our experience and that it is never final but always prone to future modifications. As a result, we are susceptible to different interpretations of realities and various actors or agents – if we are to use constructivist term¹⁶ – are well aware of this phenomenon and can adjust their behaviour accordingly.

The U.S. administration (same as all other state bureaucracies) has to keep its eye on public opinion reflecting its policies. This factor is further elevated if the matter of concern is surmounting American national border and is reaching out to other continents and countries – some of them of special interest for reasons varying greatly in their substance. It is thus inevitable for American representatives to participate in information-provision. Palette of possible ways of delivering the information is present at their disposal. This gives them enormous power as they are given sui generis chance to be the one who make the reality, who manufacture the context of events. Realizing that the administration is very often primary source of sensitive information, they can serve it to general public as required. Nevertheless, it doesn't mean, that what they say is all lie – factor that applies to all agents regardless of their intentions and/or objectives.

2.1 Foucault's multiplicity of truths

What should be stated at the very beginning of this debate, can be found at Michel Foucault's structural attitude towards power and knowledge. The truth – as a tool of power and bearer of knowledge – according to Foucault, is not something

¹⁶ For instance see: Nicholas Greenwood Onuf. *Making sense, making Works: Constructivism in social theory and international relations*. Abingdon on Thames: Routledge, 2003, p. 4. ISBN 978-0-415-62416-9

exogenous, something that is objective in its substance and which is incontestable. As Foucault points out „truth isn't the reward of free spirits, the child of protracted solitude, nor the privilege of those who have succeeded in liberating themselves.“ But rather it's the very opposite of something universal and transcendental. „Truth is a thing of this world: it is produced only by virtue of multiple forms of constraint.“ Based on this statement, we can expect that there is a lot of truths. And these are not just reflecting different issues, but also there are multiple truths that are responding to same issues. Agents (head of states, governments, speakers of ministries, NGOs, state-owned media, independent media companies, investigative journalists etc.) thus provide truths to other agents (other governments, people in general etc.) who can choose from the fabricated spectrum of truths.

Accordingly, Foucault's debate goes on. „Each society has its regime of truth, its 'general politics' of truth: that is the types of discourses it harbours and causes to function as true: the mechanisms and instances which enable one to distinguish true from false statements, the way in which each is sanctioned; the techniques and procedures which are valorized for obtaining truth: the status of those who are charged with saying what counts as true.“¹⁷

If one decides to focus on one specific truth, according to Foucault's hypothesis, there is five important characteristics of truth that has to be remembered. As this thesis focuses on discourse manufactured by American government officials, military personnel and others on one side and more or less critical voices on the other, these can be defined as follows. First, truth is founded by institutions that give it the form and substance. Second, truth „is subject to constant economic and political incitement (the demand for truth, as much for economic production as for political power)“. Third, it is „object... of immense diffusion and consumption“ penetrating the society from different angles. Fourth, as said above, its content is under control of „a few great political and economic apparatuses. And finally it's „issue of... 'ideological' struggles“.¹⁸

Based on this hypothesis, various truths are formed by various agents who can keep building aura of the truth if necessary same as they can make adjustments according to what is believed that will fit best to any particular situation. No truth is

¹⁷ FOUCAULT, Michel. *Power/knowledge: Selected Interviews and Other Writings 1972-1977*. Edited by GORDON, Colin. New York: Pantheon Books, 1980. p. 131. ISBN 0-394-51357-6.

¹⁸ Foucault (1980), p. 131-2

thus all-encompassing and it always has to be understood in concrete circumstances, in specific society with particular historical experience, knowledge, culture, that is in concrete discourse that it was made from and for. Friedrich Kratochwil provides similar argumentation regarding objectivity when he finds „the status of an “objective” fact is not the thing described but rather the intersubjective *validity* of a characterization upon which reasonable persons can agree“.¹⁹

If we take the U.S. administration as one example of an agent (and in this case very powerful one), we have to understand what kind of truth it has been providing. We have to understand the context of the truth. That is what processes and procedures (political, legal, military) are behind it same as in what direction the agent – U.S. administration – is going towards.

2.2 World making

Implications of what was stated above are various. One of the most important is that truth – or rather perception of truth – is always “man-made”. It is socially constructed by every single one of us – humans. Every one of us can be considered as an agent who can act as proponent of truth by himself. Any group in our society based on a range of imaginable foundations fits into category of agency as well. Therefore, agency is a thing of individual same as of groups of people that can be more or less institutionalized. These agents make use of the means available to them in order to achieve various goals.

As Onuf noted when dealing with basics of constructivism, „agents do the best they can to achieve their goals with them means the nature and society... make available to them“.²⁰ Institutions make agents²¹ who they are and provide patterns of conduct that agents follow in their endeavour. These patterns and practices further constitute structures or (as Onuf proposes) social arrangements that provide full (although rather simple version of) picture of constructivist world.²² This structure provides agents with rules of the game, with limits to their efforts. But these rules are

¹⁹ KRATOCHWIL, Friedrich V. *RULES, NORMS AND DECISIONS: On the conditions of practical and legal reasoning in international relations and domestic affairs*. Cambridge: Cambridge University Press, 1989, p. 229, ISBN: 978-0-521—35398-4

²⁰ Onuf (2003), p. 5

²¹ Same as agents make institutions. Constructivism treats this relationship as two-way constituent meaning that one can't operate without the other.

²² Onuf(2003), p. 6-7

never rigid and can be adjusted correspondingly with general change in efforts of agents.

Also, not all the agents have the same capabilities and resources that can extend the truth that we strive to fight for. Therefore, it plays into hands of big players/agents who can make use of this advantage in order to provide an information – and hence a discourse as well – in the “right” direction in the intended form. Indisputably, the U.S. administration is a great example of an agent that has enough resources helping to manage this “content-making” process. Report of U.S. Government Accountability Office suggests that between 2006 and 2015 the Bush and his successor’s administration „federal obligations for advertising and public relations contracts“ amounted to between \$800 million (fiscal year 2012) and \$1,3 billion (fiscal year 2009). Furthermore, in a peak year of 2014, Obama administration spent well over \$500 million for wages of public relations professionals. Annual number of these „Federal Public Relations Employees“ was growing steadily from 4422 in 2006 up to 5238 in 2011 followed with smooth decline down to 5086 in 2014.²³ The report also demonstrates that there have been 10 government agencies responsible for about 95 percent of these spending with Department of Defense leading the chart unmatched with 63 % of overall spending.

However, at the same time, the administration can situate itself on a high wire in the eyes of media when delivering information about high-profile events with unsatisfactory degree of details. As president Obama pointed out clearly on January 18, 2017 during his very last (that is 165th) Presidential News Conference of his 8 year long mandate, „you [journalists]’re not supposed to be complimentary, but you’re supposed to cast a critical eye on folks who hold enormous power and make sure that we are accountable to the people who sent us here, and you have done that. And you have done it for the most part in ways that I could appreciate for fairness, even if I didn’t always agree with your conclusions. And having you in this building has made this place work better. It keeps us honest, it makes us work harder.“²⁴

Nevertheless, an article by veteran journalist and commentator Susan Milligan suggests that the Obama didn’t like to give too much space for Q&A’s when delivering

²³ Public Relations Spending: Reported Data on Related Federal Activities. *U.S. Government Accountability Office* [online]. September 30, 2016, pp. 5-8

²⁴ REILLY, Katie. Read What President Obama Said at His Final White House Press Conference. In: *TIME* [online], January 18, 2017

speeches and comments to press community in the White House.²⁵ Citing comprehensive research of Obama press activities in the course of 2014, the article addresses great distance between president and media correspondents in the White House when compared to his predecessors. As White House correspondent for The New York Times Peter Baker said „the people who cover the president [Obama] know him the least“²⁶. At the same time, the article suggests, the U.S. administration makes use of new available alternatives for releasing and delivering “truthful” news to the broad audience – thus following only their own “schedule and terms”. Citing one Washington Post columnist reveals the frustration: „They’re trying to get their message out all by themselves and they don’t feel... that they need to rely on the White House press corps anymore“²⁷. Therefore, the White House is capable of reproducing not only content of the news but also its meanings. The capability of doing that is crucial for any government and has also been part of constructivist debates.

2.3 Conventional Constructivism

Putting material – that is undoubtedly important in world politics – *hard power* of (neo)realists and *soft power* of (neo)liberals aside, the power of discourse (discourse-making) is equally crucial for understanding of international politics. Constructivism (both conventional and critical) is grounded in several theoretical foundations. It suggests that the societal world around us is socially constructed, is „product of human agency”. Second, „inter-subjective reality and meanings” make it possible to understand the world. Third, there is need to always think in contexts. Fourth, it considers firm link between power and knowledge. Fifth, it treats human beings as bearers of agency. And finally, constructivism stresses the „mutual constitution of actor and structure“.²⁸

Typical example of constructivist treatment of classical realist/liberal subject is its position towards anarchy. Classical theories accept anarchy as something natural to the world and therefore something they have to be able to operate in. Constructivism, on the other hand, offers different and one would say more comprehensive picture of anarchy – picture where neorealist anarchy among states seeking security from others is

²⁵ MILLIGAN, Susan. The presidency and the press. (cover story). In: *Columbia Journalism Review* [online]. March 2015, vol. 53, no. 6, p. 22-27

²⁶ Milligan (2015), p. 24

²⁷ Milligan (2015), p. 25

²⁸ HOPF, Ted. The Promise of Constructivism in International Relations Theory. In: *International Security* [online]. 1998, vol. 23, no. 1, p. 178

just one of a kind. The constructivism suggests that there are various understandings of anarchy „for different actors based on their own communities of intersubjective understandings and practices“.²⁹ In other words, these variable understandings stem from different identities and as such are based on different cultural, historical, societal etc. experiences.

2.3.1 Identity

As for identities, there is comprehensive literature covering the question of identity formation. Kant, Hegel, Foucault, Schmitt – just to provide some examples – they all have their stake in perception of identity by humankind. Even though the concept of identity had been taken to the forefront of interest for so many times, it remained very broad in its understandings.

Brubaker and Frederick have accused constructivism of “softening” the term and as such making the concept of identity very difficult to grasp. Hence, the identity had been understood as very vague making its value much less significant. As the authors claim, „Soft” constructivism allows putative “identities” to proliferate. But as they proliferate, the term loses its analytical purchase. If identity is everywhere, it is nowhere.³⁰ As a result, the authors put their effort into narrowing the concept down as much as possible. Also, they found several key uses that make the concept of identity easier to understand. One of them is that identity is both the cause and consequence of common action. It means that „development of the kind of collective self-understanding, solidarity, or “groupness””³¹ makes it possible for particular group or society to act collectively and at the same time these actions go back to the identity of the group and support the notion of self-understanding.

When writing about identity and international relations, Ned Lebow suggests something very close to Brubaker and Frederick’s findings. Lebow in his article on *Identity and International Relations* discusses and compares different views of identity by thinkers and philosophers through history. Before getting more deeply into investigating Homer’s *Illiad*, he reminds that many thinkers links understanding of one’s identity to making stereotypes about the “others”. This process is often being understood as natural, as if the very existence of the “other” or “outgroup” was

²⁹ Hopf (1998), p. 174

³⁰ BRUBAKER, Rogers and Frederick COOPER. Beyond “Identity”. *Theory and Society* [online]. February 2000, vol. 29, no. 1, pp. 1

³¹ Brubaker (2000), p. 8

necessary precondition after which one can only come to understanding his or her position within “ingroup” or “us”. However, Lebow also suggests that the knowledge of the other is not necessary – therefore it’s not inevitable precondition – for ingroup solidarity and ingroup self-identification. „[T]here is little empirical or laboratory evidence to support the claim that identity or national solidarity requires “others”, let alone their violent exclusion from domestic, regional or international communities,” concludes Lebow.³² He also suggests that there are multiple identities within every single one of us that can be overlapping or even conflicting sometimes.³³ But on the other hand, even if there isn’t a need for “other” to understand identity of ourselves, it doesn’t mean that the existence of the “other” doesn’t help to confirm identity of “us”.

Furthermore, Ted Hopf points out „[t]he power of social practices lies in their capacity to reproduce the intersubjective meanings that constitute social structures and actors alike“.³⁴ Building on an example provided by Hopf, the use of armed drones by U.S. military and CIA in countries such as Pakistan or Yemen and reporting on them after strikes is only a part of it. The subsequent reports from all over the world of U.S. executing targeted drone strikes in distant and often hard-to-reach areas of these countries, official recognition from Yemeni officials and unofficial leaks from Pakistani representatives on tacit approval of these strikes within their sovereign territory against terrorists (or as U.S. would say against al-Qaeda and its affiliates), and even civilian casualties dying in these attacks help, willingly or not, the U.S. administration to make sense of it and giving these attacks a meaning within certain discourse – discourse, that is bolstered by these news. And not only that, these actions and the news covering them help to strengthen the notion of American identity that is also crucial for the Commander in Chief and his staff to be able to exist and act in a certain way. Without the identity it could be more difficult to take legitimize the action. That well-known “us” and “them” differentiation were used on so many occasions by both Presidents G. W. Bush and Barack Obama when speaking about drone strikes. When listening to Obama speeches one will always notice some reference of them (terrorists) who pursue attacks against American citizens, facilities or interests – “us”.

³² LEBOW, Richard Ned. Identity and International Relations. In: *International Relations*. December 2008, vol. 22, no. 4, pp. 474-479

³³ LEBOW, Richard Ned. "National Identities and International Relations" | Public lecture. In: *Diplomatische Akademie Wien / Vienna School of International Studies* [online]. 2015

³⁴ Hopf (1998), p. 182

Moreover, in the realm of international relations, identities of states (national identities) provide other states (and other agents such as various non-state actors) a window into their day-to-day endeavour. As a result, it is easier for agents to make up a picture about other agent's preferences and interests (both of them products of identity)³⁵ which further makes the world less chaotic and more predictable. „A state understands others according to the identity it attributes to them, while“ at the same time „reproducing its own identity through daily social practice agents it helps to construct its own identity thorough social practice.“³⁶ These practices of reproducing national identity generally known as foreign policy – even though as mentioned above it isn't necessarily giving birth to identity in the first place – helps to *reassure* it „and to *contain* challenges to the identity which results“. ³⁷ Therefore, relationship between foreign policy and identity is seen as non-causal in its essence.

As a result of these social practices, the uncertainty is lessened and concerns stemming from anarchy are given a valuable framework. Consequently, the state of anarchy is not unconstrained. At the same time, these make it nearly certain that international anarchy won't descent into the state of chaos. For Ted Hoff „[s]tate actions in the foreign policy realm are constrained and empowered by prevailing social practices at home and abroad“. ³⁸ As mentioned above, social practice is crucial for constant re-validating of “self” or “us” same as “others”. It is irreplaceable means of identity reproduction. In this context, social practices also function as transmitter of knowledge.

2.4 Language and power of discourse

As for alpha and omega of critical discourse analysis, look into characteristics of discourse as a concept is an obligation. The author of this thesis regards Michel Foucault's *The Archaeology of knowledge* as basis for definition of discourse. Foucault suggests that discourse is varying „group of statements“ that reflect issues of same „discursive formation“. ³⁹ In other words, it's a way of representation i.e. production of

³⁵ WENDT, Alexander. Anarchy is what states make of it: the social construction of power politics. In: *International Organization*. Spring 1992, vol. 46, no. 2, p. 398

³⁶ Hopf (1998), p. 175

³⁷ CAMPBELL, David. *Writing Security: United States Foreign Policy and the Politics of Identity*. Minneapolis: University of Minnesota Press, 1992, p. 76, ISBN: 0-8166-2221-3

³⁸ Hopf (1998), p. 179

³⁹ FOUCAULT, Michel. *The Archaeology of knowledge & the discourse on language*. New York: Pantheon Books. 1972, p. 117, ISBN: 0-394-71106-8

knowledge about certain situations, issues, people, topics etc.⁴⁰ perfectly in line with constructivist theory representation and meaning. This group of statements isn't timeless and it has to be understood in particular historical circumstances.

There are different discourses reflecting various but also similar issues thereby representing different visions of "truth" or "facts" or "reality". It follows that „different discourses are different ways of representing... different positions“.⁴¹ Specific discourse is set up by political leaders and state officials as their actions (dispensing "facts" and "knowledge" about particular issues included) are based on their rights to exercise power.⁴² Within discourse they can claim which issues deserve priority over other issues and by providing general public with "facts" and "knowledge" – results of social practice – they help to reassure existence of specific discourse. Because it would be incorrect to label these as truth, Foucault prefers to stick with term *regime of truth*.⁴³

Theory of social practice is notably valuable in both theoretical and methodological sense. As Norman Fairclough indicates in his *Discourse, Social Theory, and Social Research: The Discourse of Welfare Reform*, the concept is capable of bringing analysis of social structures and social (inter)action into connection.⁴⁴ Theory of social practice is in line with constructivist framework as it states that all social practices (including discourse making) are „practices of production“⁴⁵ and given their characteristic possess power to construct. This power is dependent on means of articulation and such means are broadly agreed among scholars to be language in its different forms. The articulation through language is crucial for practical part of this thesis because processes of political legitimization are from their very nature „substantively linguistic processes“.⁴⁶

This paper is based on assumption, that this is even more elevated by the reality, that the government, its agencies and in our case also military has great monopoly over information on drone attacks. Based on these findings, the great magic of articulation through language plays big role as the government can release information in such a

⁴⁰ HALL, Stuart. Foucault: Power, Knowledge and Discourse. In: WETHERELL, Margaret, Stephanie TAYLOR a Simeon J. YATES. *Discourse Theory and Practice: A reader*. London: SAGE, 2001, pp. 72. ISBN 0-7619-7155-6.

⁴¹ FAIRCLOUGH, Norman. Discourse, social theory, and social research: The discourse of welfare reform. In: *Journal of Sociolinguistics*, May 2000, vol 4, issue 2, p. 170

⁴² HANSEN, Lene. *Security as Practice: Discourse Analysis and the Bosnian War*. Oxon: Routledge, 2006, p. 49, ISBN: 978-0-415-32653-7

⁴³ Foucault (1980), p. 131

⁴⁴ Fairclough (2000), p. 167

⁴⁵ Fairclough (2000), 168

⁴⁶ Fairclough (2000), 167

fashion (form, frequency, genre etc.) that plays into its hands and that reflects official narrative. This assumption is in line with findings of Teun van Dijk who suggests that power of groups lies in their ability to „control the acts and minds of (members of) other groups“.⁴⁷ In our case, the power is in exclusive access to resources in form of information/knowledge. However, other resources – such as money or status in society – are in possession of similar potential.

As stated earlier, the U.S. administration delivers official information and its position through different platforms such as live-video sessions from White House, newspapers and other mass-media or official statements by the President and his administration published online. This claim is but supported by Milligan’s article that finds face-to-face procedures of gaining information on long-term accountability issues missing from encounter between President and press ensemble. According to Milligan’s article, Obama only sometimes gets into Q&A section and if that happens „the White House tries to control the pressers... Obama calls on reporters from a prepared list and is the first president... to stick to that list religiously“.⁴⁸ Reserved attitude towards press correspondents in combination with tweet and quote-like nature of modern journalism has resulted in reaction-oriented coverage of administration activities. Instead of focusing on excavating profound positions and background clarifying information of U.S. administration steps and policies, press representatives are haunting President’s mere reactions.⁴⁹

It follows that all these platforms are inevitably based on “one-sidedness” as understood by Fairclough in another sociolinguistic work of his.⁵⁰ Consequently, receivers of the information are often stripped of the possibility to respond and react on “facts” delivered by the agents. As a result, media have been put into kind of sarcastic situation well-known to their recipients. They became interpreters of information rather than producers. There is indication, that hidden power present in media discourse⁵¹ therefore had been usurped by the administration to certain degree because substantial amount of information on drone strikes (consequence of reasons resulting from their novelty same as secrecy) is delivered by the official circles of U.S. administration.

⁴⁷ VAN DIJK, Teun A. *Critical Discourse Analysis*. In: SCHIFFRIN, Deborah, Deborah TANNEN and Heidi E. HAMILTON. *The Handbook of Discourse Analysis*. Malden/Oxford: Blackwell, 2001, 354-5. ISBN 0–631–20595–0

⁴⁸ Milligan (2015), p. 25

⁴⁹ Milligan (2015), p. 24

⁵⁰ FAIRCLOUGH, Norman. *Language and Power*. New York: Longman, 1989, p. 49, ISBN: 0-582-03133-8

⁵¹ Fairclough (1989), p. 49

Power hidden in media discourse (that in any case remained in media hands) is also characterized by unequal position of producers (here media) and their day-to-day target audience. It follows, that „ordinary people are more or less passive targets of text or talk“⁵² of the administration officials. In addition to that, the recipients actually tends to listen to accept discourse provided by agent regarded as authoritative as they are in position where they may not have choice to do otherwise. This can be even more supported by realities in which the recipients don't „have the knowledge and beliefs needed to challenge the discourses or information they are exposed to“.⁵³

Discourses classify events, actions, actors etc. covered by them.⁵⁴ The power of media here is in perspective⁵⁵ of whom the media will take on in particular reports. They can choose from wide scale of uncritical representing official data through mid-ground position of somehow balancing official position and non-governmental sources all the way to critical challenging of U.S. administration position.

Finally, it is necessary to see the effect of addressing the issue by U.S. administration same as reporting on it by various other agents in wider time-frame as the effect doesn't come that easy. The cumulateness and repetition of particular positions is the key here.

2.5 Practical reasoning in IR

Constructed portion of facts with help of identity and other tools of meaning-making within particular discourse is used in international relations sphere on daily basis. Friedrich V. Kratochwil provides comprehensive insight into processes of international conduct within framework of rules and norms.⁵⁶ There are several points important for this thesis that stems from his writings and that is necessary to bear in mind before jumping into analysis of drone-related discourses and question of legitimacy. What follows in this section is based on presumption that practical reasoning differs from scientific one and also that – in Kratochwil's words – norms and rules are rather persuasive reasons than logical terms. As a direct consequence, strict logic is rather put aside in the process of „finding the law“⁵⁷. And the same can be said

⁵² Van Dijk (2001), p. 356

⁵³ Van Dijk (2001), p. 357

⁵⁴ Fairclough (2000), p. 179

⁵⁵ Fairclough (1989), p. 51

⁵⁶ Kratochwil (1989), p. 21-44

⁵⁷ Kratochwil (1989), p. 37-42

of defending legitimacy of actions that is however – compared to legality – „fluid and changing“ and can support the (il)legality of actions same as it can undermine it.⁵⁸ Therefore, it is only confirmed that art of communication is of crucial importance as it is basic tool of making someone belief that our preferences are of higher relevance and value than others.

For legitimacy, context always matters. Therefore, legitimacy of drone strikes has to be seen in particular situations, under unique circumstances and within specific historical contexts i.e. within broad picture. There is unique story behind every single case of employing armed drone for attack. The situation always differs to certain degree and the reasoning – even if based on similar strategy – behind employment of armed drones has been diverse too. It follows that every agent who strives to legitimize (or delegitimize) the targeted attack has to reflect these specifics in his reaction or justification.

To reflect that in real world, one can say, that even though employing of armed drones is part of very broad strategy, a lot of agents can happen to refer only to direct consequences of such attacks missing the broader picture. It is important to point out here, that this concerns both sides i.e. targeted killing perpetrators on one side and critics of targeted drone killings program on the other. As a result, if valuable target suffers significantly from drone attack, proponent of the attack will highlight operational gains against the enemy forces and gaining strategic leverage despite injuring or even killing non-combatants. On the other hand, challenger of such an attack will point to civilian casualties and will suggest that such an action is not only illegal but over a long term period for various reasons strategically unfeasible and against interests of U.S. citizens. Obviously, the context in such reflections of “reality” is always key and various agents can perceive pros and cons differently based on different goals, different degree of familiarity with the situation and so on. Also, one has to keep in mind situation-unspecific nature of rules⁵⁹ that are applicable to certain situation only under agreed package of circumstances.

Another argument is directly intertwined with the one above. Agents seek practical judgments and arguments that hardly ever correspond with theoretical prescriptions of rules (this applies even to judges and courts). Therefore, Kratochwil

⁵⁸ *Policy Brief: Legality and Legitimacy in International Order* [online] Japan: United Nations University, 2008, no. 5, p. 3

⁵⁹ Kratochwil (1989), p. 72

suggests relevance of *commonplaces* or *topoi*⁶⁰ that result in „displacing other considerations which could provide grounds for competing evaluations,“ thereby providing „starting-points for practical argument[ation]“⁶¹. These are positioned in contrast to legal standardised argumentation.

In a situation of confronting practical argumentation different “special techniques“ are brought in. And these have important impact on the final authoritative decision of the case. These, however, are much more easily made in intra-state level cases and it is much more difficult to reach them on the international or inter-state level. Therefore, practical reasoning gains importance not only in legal terms but also in terms of legitimacy as it has the ability to support or undermine legal deliberations. Moreover, in line with claims of social constructivists, practices of legitimization of actions same as these actions themselves help to constitute certain normative framework of conduct. Therefore, using armed drones for targeted killings same as subsequent process of their legitimization altogether help to create such a framework which only contributes to normalization of these practices. This was nothing but supported by former deputy director of the CIA’s Counterterrorism Center Paul Pillar when he commented on practice of creating and updating kill lists: „[W]hen we institutionalize certain things, including targeted killings, it does cross a threshold that makes it harder to cross back“.⁶²

Turning attention to rights, Kratochwil reminds us that these are based on reasons and hence „they can be defeated by certain other reasons“⁶³. Right of self-defence is just a needle in a haystack but it poses useful illustration. As the U.S. often claims that drone program is effective mean of guaranteeing self-defence it appears to be compelling argument. However, this can be easily challenged by other agents who can object that this practice is violating other people’s right to life just to give one example. And therefore, suddenly there appears to be crash between two relevant reasoning positions.

In order to touch legal sphere of drone issue there is one important observation made by Kratochwil. It reflects the position of international law. Kratochwil agrees with notion that international law „cannot qualify... as true law and has to be downgraded to

⁶⁰ Term borrowed from Ancient Greek that stands for “line of argumentation”

⁶¹ Kratochwil (1989), p. 38

⁶² MILLER, Greg. Plan for Hunting Terrorists Signals U.S. Intends to Keep Adding Names to Kill Lists. In: *The Washington Post* [online]. October 23, 2012

⁶³ Kratochwil (1989), p. 155

a status of international comity, morality, or convenience“.⁶⁴ However, this downgraded form of law doesn't mean that the law doesn't play eminent part in international relations. He finds that international law can function as “style of reasoning” and as such remains in prominent position in the process of legitimization. This suggests that compelling arguments in international relations arena are not independent of legal framework but rather that mere existence of international law is providing certain limitations and constraints on actors.

On the other hand, downgrading the international law into sphere of morality makes it more difficult to maintain its sanctity. Moreover, Kratochwil's arguments match with those of authors who regard linguistic semantics and discourse-making strategies as critical. This is truth in his reference to rhetorical argumentation of John Wisdom. „[T]he process of argument is not a chain a demonstrative reasoning. It is a presenting and representing of those features of the case which severally cooperate in favour of the conclusion,“ therefore characterizing rhetoric as deliberate choice with „cumulative effect of severally inconclusive premises“ instead of discussion solely based on detached „proofs“.⁶⁵ Such a procedure intentionally draws on specific premises when at the same time leaving out other alternative “voices” thereby distributing reasons for people to accept and share certain analogies.⁶⁶ Such a process is always based on certain evaluation criteria that depend on specific agent's aim.

Such a “discrediting” view that Kratochwil employs makes the international law look insufficient to contain and effectively address various issues (drone killings included) in a way that would set clear boundaries between legal and illegal. If this is considered to be a common understanding, the role of international law in this matter is downgraded as stated above. At the very same time, the framework is not completely absent and derives „from the communicative situation of the practical discourse,“ such as function of rules and norms that are inevitably taken by authoritative decision-maker into account. Nevertheless, it is important to keep on mind the “fact” that power of international structures is limited and the final arbiter of drone usage has proved to be national states and nowadays even non-state actors.

⁶⁴ Kratochwil (1989), p. 187

⁶⁵ Kratochwil (1989), p. 205-210

⁶⁶ Kratochwil (1989), p. 223

2.6 Legitimization

Constructivist world-view and utilization of constructivist platform mentioned in sections above (particularly the strength to manufacture reality) has a great potential of leading to legitimization of certain policies. The argument of this thesis is that the Obama administration – well aware of these phenomena – is in deliberate process of creation and sustaining of such a discourse that accepts drone strikes against suspected terrorists unconditionally legitimate. This part of the thesis replaces classical component of research theses – operationalization – and provides gateway to discourse analysis that follows.

In line with constructivist concepts and within constructivist framework, Antonio Reyes, Theo van Leeuwen and Ruth Wodak offer valuable findings regarding discourse studies. Building on constructivist presumptions, these authors identify various types of legitimization practices that provide the agent with power to deliver his own narrative and thereby shape the discourse on selected topic. As Reyes reminds us, legitimization nowadays „entails the semantics of ‘justification’“.⁶⁷ It implies that claims of legitimacy will by nature differ from those of (il)legality as it is not restricted and proof-dependent to such a degree. Legitimization can be based on various techniques and contrary to legal issues, the “proofs” used in legitimization process are often difficult to appraise.

What follows is a typology of several legitimization techniques that form a baseline for consequent research on official discourse of drone program as manufactured by U.S. administration’s officials.

2.6.1 Typology of legitimization techniques

First method proposed by van Leeuwen and Wodak is among their four types of macro-strategies.⁶⁸ Strategy of *construction* is characterized by familiar “us” vs. “them” dichotomy. Furthermore, dichotomization of social actors and consequent assigning them with specific qualities can be found in work of Reyes. Correspondingly he finds that certain actors are coupled with negative qualities (them) and the author of the social practice and his audience is coupled with positive qualities (us category). As a result Reyes suggests that this kind of legitimization is made through emotions. Certain characteristics can be connected to specific nuances „emotionally linked to previous

⁶⁷ Reyes (2011), p. 782

⁶⁸ Van Leeuwen & Wodak (1999), p. 92-3

experiences“ and therefore, emotions linked to such characteristics become predictable and as such can be easily employed when necessary.⁶⁹

As for drone program legitimacy, it would be setting up a general differentiation between universal “us” meaning the good guys, those who stick to moral standards etc. on one hand and “al-Qaeda”, its “affiliate forces” and other similar actors for on the other. Setting up clear-cut differences between “us” and the enemy provides fundamental basis for other legitimization techniques that implicitly builds on the established topic-specific identities. Therefore, locating of particular groups within society is the clue here.

Second method of legitimization, also utilized in Van Leeuwen & Wodak, is ***perpetuation and justification*** that „maintain, support and reproduce identities“. This can be supported by emphasizing controversial or morally sensitive events. In drone discourse it would be for example never-ending emphasizing of the danger continually posed by terrorists to American citizens and reminding of the past horrific events that this group of people perpetrated.

Method that is overlapping to great degree with the one stated above is proposed by Reyes and characterized as legitimization through ***hypothetical future***.⁷⁰ Such legitimization bridges past, present and future with urgent warning to do something now. It looks back onto events that already happened and by referencing to them it speaks up for taking certain actions. At the same time, it offers two alternatives. First of them, not taking action, means that the future will be filled with dark developments (such as insecurity resulting from growing capabilities of enemies). By making reference to such hypothetical scenario, this technique makes the listeners to accept the second alternative that is perceived by the administration as the best for “us”. This second alternative is presented as the best way of achieving brighter future and avoidance of fearful consequences of potential inaction or arrogant indifference. If employed carefully, this legitimization technique provides the user with powerful arguments for its cause.

Third method that is profoundly used in official drone discourse is the one of ***authorization***. Reference to authority can differ depending on who is the authority-holder. Usually, the chosen solution, that is being debated, is legitimized because

⁶⁹ Reyes (2011), p. 788

⁷⁰ Reyes (2011), p. 793-797

“someone/something says so”. According to Van Leeuwen⁷¹ there are six possible authority-bearers: personal authority, expert authority, role model authority, impersonal authority, the authority of tradition, the authority of conformity. These are employed by U.S. administration’s officials to lesser or greater degree as explained in the third chapter of the thesis.

Fourth powerful method of legitimization that is worth noticing in this thesis is one that the author calls legitimization through *claims of transparency* as transparency had been mentioned by President Obama plentifully when addressing U.S. counterterrorism strategy and he often claimed that „this is the **most transparent administration in history**“.⁷² Also, it is based on observation made for example by Trevor McCrisken in his *Obama’s Drone War* article. „By announcing processes for choosing targets and carrying out attacks, the Obama administration contributes to the normalisation of targeted killing“, reads his comment.⁷³

Such legitimization technique lies in uncovering of certain information that provide the audience with impression that after getting to know this new piece of puzzles they understand the issue more, the window into administration’s policies is bigger and the agent’s obligation to release certain amount of up until then undisclosed information have been met.

At the same time, the one who claims to be transparent has to understand the ambiguity of transparency because in certain situations transparency isn’t necessarily the best option.⁷⁴ Drone discourse could be useful example as the administration’s information on counterterrorism has been kept under great secrecy and lack of this knowledge in open space can result in incorrect conclusion in minds of U.S. citizens same as internationally. But at the same time there are logical reasons for restrictions on openness as well. As a result, the administration was unable/unwilling (depending on various reasons) to be fully transparent and therefore the formulation of this technique is claims of transparency instead of simple transparency.

In certain cases, mere sense of uncovering or assertion of transparency itself could fulfil the same role if the administration doesn’t uncover the story when for

⁷¹ Van Leeuwen (2007), p. 94-97

⁷² Watch: President Obama Answers Your Questions in a Google+ Hangout (February 14, 2013)

⁷³ McCrisken (2013), p. 102

⁷⁴ DE FINE LICHT, Jenny. *How Increased Transparency in Decision-making Affects Perceptions of Legitimacy – the case of priority setting in public health care*. Delivered at ECPR General Conference in Reykjavik, August 2011, p. 5-6

example citing reasons of national security nature. In such a case, there is a notion that the leader is being honest with us and he really wants to bring to light as much as possible but he is constrained by his duties and from his position of President and Commander in chief he has to consider aspects of such “wrongdoing” that can have far-reaching consequences. As a result, the Obama administration representatives sometimes found themselves trapped in doublespeak between transparency and secrecy.

Finally, *fifth* legitimization technique proposed by this paper is one that makes the targeted audience believe in legitimacy of one’s actions through *altruism*. “We are doing this for every single one of you” could be fitting example. Raising community-level reasons for taking certain actions resonates well in society because it gives the notion that the one responsible for these actions is doing it not only for himself and his own well-being (or well-being of chosen top structures of society) but for whole population (nation, liberal-democratic world, free world or differently defined group of society – even global one).

3. Legitimization of drone strikes in official U.S. discourse

As stated earlier, the author acknowledges the reality that discourse analysis stands or falls by the researcher and his world-view. Therefore, the aim of this section is to show that the U.S. administration is presenting reality in certain way instead of defending or blaming it for its policies.

Since semantics is the proposed gateway to discourse understanding, this part focuses on particular expressions given by President or other members of his administration. Complete list of all texts covered by the thesis is presented at the end of the thesis – Appendix I. These expressions are carefully chosen to fit into category of one of above suggested legitimization techniques that are widely used by U.S. representatives when reflecting on drone warfare. Such method is aimed at provision of specific expressions that help to build positive narrative for drone employment in U.S. military endeavour outside the U.S. and AoAH.

This section focuses on several proposed methods of legitimization that are used in official drone discourse. First covers legitimization through construction with focus on “us” & “them” division and its emotional facet. Second considers perpetuation and justification methods same as technique of legitimization through hypothetical future that are employed to remind the audience state of affairs and offer window for action. Third method is one of authorization that provides several types of authority that help with legitimization. Legitimization through claims of transparency constitutes fourth part and finally the fifth part takes into account legitimization through altruism i.e. “unselfish” reasons for taking action.

3.1 Construction

Designation of enemy targets admissible for drone strikes was pretty consistent during Obama presidency – even though it evolved in particular way as following examples suggest. „For the most part [drones] have been very precise... against **al-Qaeda and their affiliates**“, for example read president Obama words from January 2012 Google+ hangout video.⁷⁵ „For make no mistake: **Evil does exist** in the world. A **non-violent movement** could not have halted **Hitler's armies**. **Negotiations** cannot convince **al Qaeda's leaders** to lay down their arms“, reads part of Obama’s Nobel

⁷⁵ Obama Addresses Drone Strikes During “Hangout” – (Part 10) (2012)

Prize speech when putting Hitler and al-Qaeda into same basket in contrast to non-violence and negotiations.

It is important to note here that the dichotomy of us and them in drone discourse has to be understood in complex context of post 9/11 attacks on American cities and subsequent hunt for terrorists responsible for them on one hand but also in context of Obama's arrival to White House on the wave of *lets-close-Guantanamo* and *lets-bring-our-soldiers-from-Iraq-home-and-finish-our-combat-missions-in-Afghanistan* on the other.

As president Obama reminded in his December 2009 speech⁷⁶, „**[w]e did not ask for this fight**. On September 11, 2001, nineteen **men hijacked** four airplanes and used them to **murder** nearly **3,000 people**... As we know, these men **belonged to al Qaeda** – a group of **extremists** who have **distorted** and **defiled Islam**, one of the world's great religions, **to justify the slaughter of innocents**“ assuring once again who is the victim and who is the enemy and giving both groups unmistakable qualities. Similarly, John Brennan distinguished ruthless al-Qaeda from rest of the Muslim world when saying: „[A] Qaeda's killing of **innocents**, mostly **Muslim men, women and children**, has badly tarnished its image and appeal in the eyes of Muslims around the world.“⁷⁷ Third example is taken from Obama's drone speech: „Most... of the **terrorism** we faced is fuelled by a **common ideology** – a belief by some extremists that Islam is in conflict with the United States and the West, and that **violence against Western targets, including civilians**, is **justified in pursuit of a larger cause**. Of course, this ideology is based on a **lie**, for the **United States is not at war with Islam**. And **this ideology is rejected by** the vast majority of **Muslims, who are the most frequent victims of terroris[m]**.“⁷⁸ The U.S. administration clearly distinguished between Islamist extremists and majority Muslims on various times to make sure that it will indeed deliver anti-terrorist instead of anti-Muslim image.

Back to Obama December 2009 speech, there is also interesting remark that makes the case for additional component of “us” side. „**We** are in Afghanistan to prevent a **cancer** from once again spreading... But this **same cancer** has also taken root in the **border region of Pakistan**... And there is no doubt that the **United States and Pakistan share a common enemy**... we are committed to a **partnership with Pakistan**

⁷⁶ Remarks by the President in Address to the Nation on the Way Forward in Afghanistan and Pakistan (2009)

⁷⁷ The Ethics and Efficacy of the President's Counterterrorism Strategy (2012)

⁷⁸ Obama's Speech on Drone Policy. In: *The New York Times* [online]. May 23, 2013

we will strengthen Pakistan's capacity to **target those groups that threaten our countries.**“ With this statement, Obama is arguing that the “us” in struggle against al-Qaeda doesn't concern only U.S. but it's wider than that concerning other countries as well. „**Beyond the Afghan theater**, we only target al Qaeda and its associated forces. And even then, the **use of drones is heavily constrained. America does not take strikes when** we have the **ability to capture** individual terrorists; our **preference is always to detain**, interrogate, and prosecute. **America cannot take strikes wherever we choose**; our actions are **bound by consultations with partners, and respect for state sovereignty**“, also reads his remark from 2013⁷⁹ that is implicitly informing, that the consent of other countries for drone strikes in their territory is necessary.

In this light, it doesn't seem too surprising that, according to leaked cables, Pakistan gave U.S. drone strikes tacit approval (in addition to deployment of U.S. special operations elements for direct support of Pakistani military operations) even though it criticized these strikes publicly in order not to lose its face in front of Pakistani citizens. „*Should these developments and/or related matters receive any coverage in the Pakistani or US media, the Pakistani military will likely stop making requests for such assistance*“,⁸⁰ reads for example part of cable written by then U.S. ambassador to Pakistan Anne Patterson and obtained by media. The same leak includes comment that Pakistan changed its mind over time and allowed U.S. Special Operations Forces' actions „*almost certainly with the personal consent of Chief of Army Staff General Kayani*“. According to another leaked memo from 2008, then Pakistani Prime Minister Syed Yousaf Raza Gilani in discussion with Ambassador Patterson stated: „*I don't care if they do it as long as they get the right people. We'll protest in the National Assembly and then ignore it.*“⁸¹

Yemeni officials have been more open about their approval of U.S. drone strikes within their territory. Yemeni president Abed Rabbo Mansour Hadi didn't hesitate to confirm such policy during his interview with The Washington Post. „*He personally approves every U.S. drone strike* in his country and described the remotely piloted aircraft as a technical marvel that has helped reverse al-Qaeda's gains“⁸² reads paper's

⁷⁹ Obama's Speech on Drone Policy (May 23, 2013)

⁸⁰ US embassy cables: Pakistan approves secret US special forces deployment. In: *The Guardian* [online]. November 30, 2010.

⁸¹ Wikileaks: Pakistan privately approved drone strikes. In: *The Telegraph* [online]. December 01, 2010

⁸² Yemeni president acknowledges approving U.S. drone strikes In: *The Washington Post* [online]. September 29, 2019.

interview summary. Whether it means that Yemeni president approves every strike separately or that the U.S. have free hand in its counterterrorism endeavour in general is not as important as the reality that Yemeni leadership is openly on the side of drones.

Moreover, it's not that partnerships are made just with Pakistan and Yemen. „[W]e worked with **European allies** to disrupt plots from Denmark to Germany to the United Kingdom. That's how **intelligence collected with Saudi Arabia** helped us stop a cargo plane from being blown up over the Atlantic. **These partnerships work.**“⁸³ Here “we” component is evidently reaching beyond U.S. borders and states with presence of terrorists with hostile anti-American intentions.

On April 30, 2012 then Assistant to the President for Homeland Security and Counterterrorism John Brennan gave a speech “The Ethics and Efficacy of the President’s Counterterrorism Strategy” in which he officially hailed targeted killings conducted by drones and defended their legality, ethics, wisdom and standards.⁸⁴ In his remarks, he made several references to the qualities of “us” and “them”. „It is an unfortunate fact that **to save many innocent lives we are sometimes obliged to take lives, the lives of terrorists who seek to murder our fellow citizens**“, differentiated between innocents and terrorists-murderers. Also, he proclaimed al-Qaeda’s target/potential victims (United States and American people) as „**more secure**“, and „**safer**“. But even though „the core **al Qaeda** leadership [was] a shadow of its former self... it continues to **look to affiliates and adherents** to carry on its **murderous cause... AQAP** continues to be **al-Qaida’s most active affiliate**“. This statements suggests that the struggle against these murderers (very clear attribute) is far from the final stage because the “them” is not just al-Qaeda itself but it reaches to other groups such as AQAP and AQIM⁸⁵, Boko Haram and al Shabaab as well. December 2016 Report on the legal and policy frameworks guiding the United States’ use of military force and related national security operations identifies groups that come under 2001 AUMF in similar manner: „[A]l-Qa’ida; the **Taliban**; certain other terrorist or insurgent **groups affiliated** with alQa’ida or the Taliban in Afghanistan; **AQAP**; al-

⁸³ Obama’s Speech on Drone Policy (May 23, 2013)

⁸⁴ The Ethics and Efficacy of the President’s Counterterrorism Strategy (2012)

⁸⁵ AQAP stands for al Qaeda in the Arabian Peninsula & AQIM for al Qaeda in the Islamic Maghreb

Shabaab; individuals who are part of **al-Qa'ida in Libya**; **al-Qa'ida in Syria**; and **[Islamic State]**“.⁸⁶

Broadening of enemy (that once used to be core al-Qaeda) is very important aspect of the dichotomy because, over time, the immediate threat from al-Qaeda decreased. „[A] Qaeda in Afghanistan and Pakistan is on the path to defeat... [i]nstead, what we've seen is the emergence of **various al Qaeda affiliates**. From **Yemen** to **Iraq**, from **Somalia** to **North Africa**, the **threat today is more diffuse**“, stated President Obama in his delivery on drone policy.⁸⁷ Similarly, John Brennan also made himself clear about this and argued that the administration has to maintain pressure on al-Qaeda „whether be in **Pakistan, Afghanistan** as well as in **Yemen**. **[AQAP]** presents a serious **threat** to us. We are **working very closely with the Yemeni partners** on the daily basis because **[AQAP]** has **demonstrated an intent** as well as **ability** to try to at least **carry out attacks against our nation, our homeland**.“⁸⁸

Thereby, the administration gradually made the case for broader employment of drones outside AoAH. In line with this broader conception of the enemy, Brennan also made clear that „[t]here are, after all, **literally thousands of individuals who are part of al-Qaida, the Taliban, or associated forces**, thousands upon thousands“⁸⁹ same as he informed elsewhere that „[the U.S.] does not view our **authority to use military force against al-Qa'ida** as being **restricted solely to “hot” battlefields** like Afghanistan“.⁹⁰ The discussion got enriched also by remarks of then General Counsel at Department of Defense Jeh Johnson who characterized al-Qaeda's associated forces at Yale Law School discussion as „... (1) an organized, armed group that has entered the **fight alongside al Qaeda**, and (2) is a **co-belligerent with al Qaeda in hostilities against the United States or its coalition partners**“.⁹¹ The difficulty (or genius) of this definition consists in very broad interpretation that one can use when pointing to other “affiliates”.

⁸⁶ REPORT ON THE LEGAL AND POLICY FRAMEWORKS GUIDING THE UNITED STATES' USE OF MILITARY FORCE AND RELATED NATIONAL SECURITY OPERATIONS. *Federation of American Scientists* [online]. December 5, 2016, p. 5

⁸⁷ Obama's Speech on Drone Policy (May 23, 2013)

⁸⁸ John Brennan talks War on Terror. In: *Fox News* [online]. April 29, 2012

⁸⁹ The Ethics and Efficacy of the President's Counterterrorism Strategy (2012)

⁹⁰ Remarks of John O. Brennan: "Strengthening our Security by Adhering to our Values and Laws". [online] September 16, 2011

⁹¹ Jeh Johnson's Speech on "National Security Law, Lawyers and Lawyering in the Obama Administration". [online] February 22, 2012

Lisa O. Monaco – successor of John Brennan in position of Assistant to the President for Homeland Security and Counterterrorism – made another interesting link between al-Qaeda (former target of focus) and other actors: „Originally an **outgrowth of al-Qaida in Iraq**, in the past two years **ISIL has eclipsed core al-Qaida** as the **principal terrorist threat we face**. The world has been shocked by the butchery and the depravity of these **twisted fanatics**... They **crucify their victims** and **burn alive others**. They **enslave** women and children and **teach that rape is an expression of God’s will**.“⁹² This link is very important as it suggests that the focus of U.S. counterterrorism efforts found another fertile ground in fight against self-declared Islamic state. Moreover, Monaco pointed out that the U.S. is also engaged in disrupting plots from „al-Qaida’s largest affiliate, the **Nusra Front**, operating in Syria“. The scale of “them” was thereby broadened once again – this time by Nusra Front “affiliate” and Islamic state that is labelled as its descendant. So, the area of focus reached territory of Iraq and Syria.

Interestingly, there were cases in which the administration attributed “them” also with positive qualities to support its cause. „These **terrorists** are **skilled** at seeking **remote, inhospitable terrain**, places where the **United States and our partners** simply **do not have the ability to arrest or capture** them,“ reads one of Brennan’s comments. Matching terrorists with smart strategy that makes it difficult for “us” to get “them” makes the case for different than traditional approach paving the way for targeted killings and drones.

Overall, the Obama administration showed consistency in dichotomization tactic as the enemy was contextually obvious. At the same time, the administration proved flexibility in who is part of “us” and “them” according to the desired effect of the social practice. As a result, “us” part varied from U.S. citizens only up to broader meaning of U.S. and their partners. Similarly, “them” witnessed evolution from core al-Qaeda up to very broad description of al-Qaeda and its affiliates – change that came over time with dynamics in the MENA region.

3.2 Perpetuation, justification and hypothetical future

Sample example of this kind can be again taken from Obama 2009 speech at military academy in West Point where he explained his administration’s next moves in

⁹² Lisa O. Monaco on Homeland Security and Counterterrorism In: *Council on Foreign Relations* [online]. March 7, 2016

fight against enemies in Afghanistan and Pakistan. „[B]ecause **we know** that **al Qaeda** and other extremists **seek nuclear weapons**, and we have every reason to believe that **they would use them**“ reads a short part of his speech and continues in the very same spirit: „These facts compel us to act along with our friends and allies. Our overarching goal remains the same: [T]o **disrupt, dismantle, and defeat al Qaeda** in Afghanistan and Pakistan, and to **prevent its capacity to threaten America** and our allies in the future.“⁹³ Here the past event is implicit. Nevertheless, actions of al-Qaeda are clearly highlighted earlier in the speech. The ongoing action is characterized as disrupt, dismantle and defeat and the hypothetical future in the case of inaction is the use of nuclear weapons against U.S. or its allies in the case that al-Qaeda was given time and space to gain such capability. Therefore, we have to make sure now that actions taken by them in the past will not be repeated in the future in same or even worse scale.

John Brennan made clear in 2012 that the administration is taking drone-executed lethal action against individuals who meet the standards „such as **senior al-Qaida leaders** who are **directing and planning attacks** against the United States“⁹⁴ thereby suggesting, that such individuals are plotting against U.S. at the moment and the threat is ongoing. Also, he concluded: „**We are at war against** a terrorist organization called **al-Qaida** that has **brutally murdered thousands** of Americans, men, women and children, as well as thousands of other innocent **people around the world**... They are **on the road to destruction**. **Until** that finally happens, however, **there are still terrorists** in hard-to-reach places who are actively **planning attacks against us**. **If given the chance**, they will gladly **strike again and kill more** of our citizens.“ This comment briefly and accurately reminds of horrible past, ongoing activities and warns what could happened if we will let it by our inaction. „**AQAP... continues to seek the opportunity to strike our homeland**,“ reads another Brennan’s remark.

Similarly, Attorney General Eric Holder explained how al-Aulaqi became „a lawful target“. „[I]t was not al-Aulaqi’s words that led the [U.S.] to act against him... it was al-Aulaqi’s actions – and, in particular, his **direct personal involvement in the continued planning and execution of terrorist attacks** against the U.S. homeland.“⁹⁵

⁹³ OBAMA, Barack. *Remarks by the President in Address to the Nation on the Way Forward in Afghanistan and Pakistan* (December 01, 2009)

⁹⁴ The Ethics and Efficacy of the President’s Counterterrorism Strategy (2012)

⁹⁵ Letter from Attorney General Eric H. Holder to members of the Senate Judiciary Committee (May 22, 2013)

„**We lost Americans to terrorism...** These attacks were all brutal; they were all deadly; and we learned that **left unchecked, these threats can grow**. But **if dealt with smartly and proportionally**, these threats **need not rise to the level** that we saw on the eve of 9/11,“ argued Barack Obama in his drone speech when assuring that „what we must do – is dismantle networks that **pose a direct danger to us**, and make it less likely for new groups to gain foothold“. ⁹⁶ Also, when addressing effectiveness of drone strikes, he proclaimed (based on intelligence obtained from bin Laden’s hideout): „**Dozens** of highly skilled al Qaeda commanders, trainers, bomb makers and operatives **have been taken off the battlefield**. Plots have been **disrupted** that would have **targeted international aviation, U.S. transit systems, European cities and our troops in Afghanistan**. Simply put, **these strikes have saved lives**.“ In the same manner Obama addressed another hypothetical future scenario in the case of doing nothing: The **results would be more U.S. deaths, more Black Hawks down, more confrontations** with local populations...“. Reminding such previous experience makes the audience feel that they don’t want to see another 9/11 in their homeland or dying American soldiers in foreign battlefields. Armed drones seems as pleasant alternative to these.

President Obama also addressed issue of civilian casualties in his speech through offering alternative scenario. „To **do nothing** in the face of terrorist networks **would invite far more civilian casualties** – not just in our cities at home and our facilities abroad, but also in the very places like Sana’s and Kabul and Mogadishu where terrorists seek a foothold. Remember that **terrorists we are after target civilians**, and the **death toll** from their acts of **terrorism against Muslims dwarfs any estimate of civilian casualties from drone strikes**.“

Lisa Monaco also made her stake in expressing perpetuation of threats. „**We continue to disrupt plots also from al-Qaida’s largest affiliate, the Nusra Front**, operating in Syria. And we’re **paying very close attention to** groups like **al-Shabaab** and **al-Qaida in the Islamic Maghreb**, which has **recently shown through brutal attacks** in Mali and Burkina Faso that it **too remains dangerous**.“⁹⁷

⁹⁶ Obama’s Speech on Drone Policy (May 23, 2013)

⁹⁷ Lisa O. Monaco (March 7, 2016)

3.3 Authorization

Authorization method, as described above, consists of six independent types of authorities. First of them is personal authority typically represented by the Commander in Chief/POTUS Obama in drone discourse. „By the **authority vested in me as President** by the Constitution and the laws...“, reads for example beginning of Obama’s executive order.⁹⁸ Elsewhere, Obama mentioned his military responsibility for American citizens citing his rank: „But **as Commnader-in-Chief**, I must weigh... against the alternatives... So **doing nothing is not an option**.“⁹⁹ In the same speech, Obama addressed pointed to his position regarding al Aulqi’s death as well: „[A]s **President, I would have been derelict in my duty had I not authorized the strike** that took him out“. This strike is well-known to been carried out by drone.

Personality of President Obama provided authorization instrument to his administration representatives as well: „**President Obama has demanded** that we hold ourselves to the highest possible standards and processes.“¹⁰⁰

Second is authority granted by level of expertise. In such a case, experts’ recommendations either names don’t even have to be revealed as the label “expert” itself contains semantics of knowledgeable and well-informed individuals who knows how to manoeuvre in particular situation.. As Van Leeuwen points out „experts’ utterances themselves will carry some kind of recommendation, some kind of assertion that a particular course of action is ‘best’ or ‘a good idea’. No reasons need to be provided, no other answer to the question of ‘why should I do this?’“ is given a space to materialize. „Voices of expertise“ is one of the tools employed by Reyes as well.¹⁰¹ This technique is used for strengthening of one’s claim. As a result, the answer is not solely ‘because I say so’ but because ‘I and other well-informed experts’ share the same opinion about this issue.

„[W]e have to make **decisions based not on fear, but on hard-earned wisdom**“, proclaimed President Obama in his drone speech, thereby arguing that the use of lethal force including drones is not a matter of emotions but of rationality.

A lot of comments were made on guarantees from civilian casualties. What follows is an extract of John Brennan’s speech from 2012: „[W]e **only authorize** a

⁹⁸ Executive Order (July 01, 2016)

⁹⁹ Obama’s Speech on Drone Policy (May 23, 2013)

¹⁰⁰ The Ethics and Efficacy of the President’s Counterterrorism Strategy (2012)

¹⁰¹ Reyes (2011), p. 800-801

particular operation... if we have a high of **confidence** that the **individual being targeted** is indeed the **terrorist we are pursuing**“, stated John Brennan citing intelligence sources and methods as the basis for such decisions.¹⁰²

His argument further elaborated on civilian victims: „[W]e only authorize a strike if we have a **high degree of confidence that innocent civilians will not be injured or killed**...“. This claim can be supported by anonymous source who read secret memorandum on strike against al Aulqi. „Although he had been located a month earlier, the attack was only finally authorised after he left a heavily populated village and was travelling by car in a remote location“, reads McCrisken’s comment on this issue¹⁰³ suggesting that there were constraints in place before the target was cleared for strike.

Later, the White house issued fact sheet that offered criteria that „must be met before lethal action may be taken“. These include „**[n]ear certainty that the terrorist target is present... that non-combatants will not be injured or killed**;... assessment that capture is not feasible;... that no other reasonable alternatives exist“.¹⁰⁴ Hereby, the White house is making the case for unintentional or unexpected civilian victims as it uses “near certainty” wording. Also, it doesn’t mention (non)presence of civilians but rather the effects of potential strike on them. Same can be seen from argumentation of Harold Koh, the State Department legal adviser, who claimed: „**In U.S. operations against al-Qaeda** and its associated forces - including lethal operations conducted with the **use of unmanned aerial vehicles** - great care is taken to... ensure that only **legitimate objectives are targeted** and that **collateral damage is kept to a minimum**.“¹⁰⁵ It is worth noticing that these pre-strike measures correspond with Presidential Policy Guidance from 2013 that was released for public eyes in summer 2016 and was designated to be guiding document when conducting counterterrorism operations outside AoAH.

Brennan also focused on technological facet. „The unprecedented advances... in technology provide us **greater proximity** to target for a longer period of time, and as a result allow us to **better understand what is happening in real time** on the ground in

¹⁰² The Ethics and Efficacy of the President’s Counterterrorism Strategy (2012)

¹⁰³ MCCRISKEN, Trevor. Obama’s Drone War. In: *Survival: Global Politics and Strategy* [online]. April-May 2013, vol. 55, issue 2, p. 100

¹⁰⁴ Fact Sheet: U.S. Policy Standards and Procedures for the Use of Force in Counterterrorism Operations Outside the United States and Areas of Active Hostilities. In: *The White House* [online]. May 23, 2013

¹⁰⁵ Koh's Speech on the Obama Administration and International Law. In: *Council on Foreign Relations* [online]. March 25, 2010

ways that were **previously impossible**. **We can be much more discriminating** and we can make **more informed judgments** about factors that might contribute to collateral damage.¹⁰⁶ Assigning technological advanced systems (such as armed drones) with such a positive qualities (better understand, in real time, previously impossible, much more discriminating, more informed etc.) once again paves the way for employment of drones as something that is making it easier to “get the right target” and “avoid collateral damage same as civilian casualties”. In this line, Brennan’s argumentation went on: „[T]here have indeed been occasions when **we decided against conducting a strike** in order to avoid the injury or death of innocent civilians. This reflects our **commitment to doing everything in our power to avoid civilian casualties**, even if it means having to come back another day to take out that terrorist, as we have done previously.“ Power of this argument once again lies in the expertise that is said to be reflected by the state-of-the-art technology that Brennan didn’t hesitate to label „**surgically precise**“ and „**laser-like**“ when at the same time calling al-Qaeda cancerous tumour using metaphors from high-tech industry and medicine.

Similarly, Jeh Johnson cited advanced technology in his remarks: „[W]hat is new is that, with **advances in technology**, we are able to **target military objectives with much more precision**, to the point where **we can identify, target and strike a single military objective from great distances**... there is no prohibition under the law of war on the **use of technologically advanced weapons systems** in armed conflict, so long as they are employed in conformity with the law of war. **Advanced technology can ensure** both that the **best intelligence** is available for planning operations, and that **civilian casualties are minimized** in carrying out such operations.“¹⁰⁷

Reference to intelligence sources had also been made very often to assure about precision of the information leading to drone strikes. „We review the most **up-to-date intelligence**, drawing on the **full range of our intelligence capabilities**. And we do what sound intelligence demands, **we challenge it**, we **question it**... If we want to know more, we may **ask the intelligence community to go back and collect additional intelligence** or refine its analysis so that a more informed decision can be made,“ stated for example John Brennan.¹⁰⁸ Elsewhere, he also expressed his strong appreciation for intelligence: „**Intelligence disrupts terrorist plots** and thwarts attacks. Intelligence

¹⁰⁶ The Ethics and Efficacy of the President’s Counterterrorism Strategy (2012)

¹⁰⁷ National Security Law, Lawyers and Lawyering in the Obama Administration (February 22, 2012)

¹⁰⁸ The Ethics and Efficacy of the President’s Counterterrorism Strategy (2012)

saves lives.¹⁰⁹ Also, reference to documents gathered from Bin Laden's compound was made to support the case for drones. „We could lose the reserves to enemy's air strikes. We cannot fight air strikes with explosives,¹¹⁰ reads part of Obama's speech that selectively chose this part. Nevertheless, it fails to provide the broader picture as al-Qaeda was well aware of this fact, it was also well aware that it has to adjust its tactics accordingly as is obvious from the rest of the English version of the document.¹¹¹

In summer of Obama's last year as President his administration released Summary of Information Regarding U.S. Counterterrorism Strikes Outside Areas of Active Hostilities¹¹². The document acknowledges that death-count of civilians (or non-combatants as the U.S. administration chose to call collateral victims from drone strikes) differs agent from agent with the U.S. administration offering the lowest number. Here, what is related to the expertise is that the administration also offered „general reasons for discrepancies between post-strike assessments” from the U.S. government and NGOs. Three reasons are mentioned in particular. First of them claims that the U.S. government „uses post-strike methodologies... that use **information that is generally unavailable to non-governmental organizations.**“ Second argues that „post-strike reviews involve the **collection and analysis of multiple sources** of intelligence **before, during, and after** a strike including **video observations, human sources...**, **signals intelligence, geospatial intelligence**, accounts from **local officials** on the ground, and **open source** reporting.¹¹³ Finally, the third suggests that U.S. related death-count of NGOs „may be further complicated by the **deliberate spread of misinformation** by some actors, **including terrorist organizations, in local media reports on which some non-governmental estimates rely.**“ Hereby, the U.S. administration makes it sound that the range of its intelligence sources makes it possible to instantly know “where the bad guys are” and what is best to be done in particular time and place in order to be sure, that there is minimal or any civilian suffering. At the same time, this revelation is discrediting against other agents who are reporting on civilian casualties as it awards them with unsatisfactory information basis and even

¹⁰⁹ Strengthening our Security by Adhering to our Values and Laws (September 16, 2011)

¹¹⁰ Obama's Speech on Drone Policy (May 23, 2013)

¹¹¹ LETTERS FROM ABBOTTABAD: BIN LADIN SIDELINED? In: *Combating Terrorism Center* [online]. May 03, 2012

¹¹² At time of the release, “Outside Areas of Active Hostilities“ excluded (besides American soil) Afghanistan, Iraq and Syria

¹¹³ Summary of Information Regarding U.S. Counterterrorism Strikes Outside Areas of Active Hostilities (July 01, 2016)

granting them with reliance on unidentifiable sources who may easily come from the enemy's side.

Interestingly, argumentation regarding “lack of expertise” provided U.S. Mission in Geneva 2 years before. When explaining its opposition to resolution regarding use of armed drones in counterterrorism operations, the U.S. Mission argued that „**this Council** is not an arms control forum, and **does not have the expertise** to venture into areas that should be addressed in those settings“.¹¹⁴

Authorization through expertise seems to have been very important and powerful part of Obama administration tool-box for setting up acceptable drone discourse. With regards to semantics, it often sounded that no one else knows as much as the administration does and its agencies and therefore it was easier to pave the way for drone strikes.

Third authority-bearer of this sort is one of the role model authority. Here we suppose that if role model „adopts a certain kind of behaviour, or believe certain thing, is enough to legitimize the actions of their followers“.¹¹⁵ Obama reference during his West Point 2009 speech can serve as clear example calling in voice of UN Security Council when reflecting his (and his predecessor's) administration efforts in Afghanistan and Pakistan: „And the **United Nations Security Council endorsed the use of all necessary steps** to respond to the 9/11 attacks.“¹¹⁶ However, this tool was not used by the Obama administration that often compared to some other techniques in this study.

Fourth version of authorization is made through impersonal authority. Declaration in the spirit of “international law allows us to defend ourselves” is just one example – even though very important. The law factor had been hardly missing in U.S. official statements regarding drones and „adherence to rule of law” same as to “state sovereignty” paradigm was made on many occasions. For example, Harold Koh assured that „it is the considered view of this Administration... that **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“.¹¹⁷ Furthermore, he

¹¹⁴ Explanation of Vote by the Delegation of the United States of America on Resolution on the use of Remotely Piloted Aircraft or Armed Drones in Counter-Terrorism and Military Operations. [online] March 27, 2014.

¹¹⁵ Van Leeuwen (2007), p. 95

¹¹⁶ Obama (December 01, 2009)

¹¹⁷ Koh's Speech on the Obama Administration and International Law (March 25, 2010)

elaborated that „the [U.S.] has the **authority under international law**... to use force, including lethal force, **to defend itself, including by targeting persons such as high-level al-Qaeda leaders** who are planning attacks“.

Two years later, Jeh Jonson claimed similarly: „[I]n the conflict against an unconventional enemy such as al Qaeda, **we must consistently apply conventional legal principles**... we have applied the **law of armed conflict**, including applicable **provisions of the Geneva Conventions** and **customary international law**, core principles of distinction and proportionality“.¹¹⁸

Another four years on, Lisa Monaco used similar wording: „[C]onduct our counterterrorism efforts as transparently as possible, with **clear guidelines, strong oversight and accountability**, and in full **accordance with the rule of law**.“¹¹⁹ In this line, John Brennan also cited „**respect** for a state’s **sovereignty** and the **laws of war**“,¹²⁰ as factors that impose constraints on the administration.

Another example can be taken from Presidential Policy Guidance.¹²¹ The PPG of 2013 uses phrasing “**lawful target**” for any legal target including designated “high-value terrorists“ but not only them. Thereby it makes the suggestion that any terrorist (after going through chain of decision-making process of U.S. administration and as such be designated as lawful target) can be legally targeted.

Overall, claims of legality were appearing regularly in U.S. administration’s drone discourse. Similarly, respect for state sovereignty was mentioned on regular basis suggesting consent or even collaboration of other states as suggested above.

Fifth legitimating technique refers to authority of tradition. “This policy has been employed for years now” being another example. However, given the controversy of drone strikes in international arena, appealing to tradition was almost non-existent in Obama administration’s proclamations on drones. The same applies to the sixth technique proposed by Van Leeuwen – one that refers to practices of others. Accordingly, our practices are said to be in conformity with actions of others and as such they are something like common practice. The author would argue here, that this tool is more or less irrelevant for drone discourse as even the U.S. administration was

¹¹⁸ National Security Law, Lawyers and Lawyering in the Obama Administration (February 22, 2012)

¹¹⁹ Lisa O. Monaco (March 7, 2016)

¹²⁰ The Ethics and Efficacy of the President’s Counterterrorism Strategy (2012)

¹²¹ PROCEDURES FOR APPROVING DIRECT ACTION AGAINST TERRORIST TARGETS LOCATED OUTSIDE THE U.S. AND AoAH (May 22, 2013)

well aware that they are setting up the precedent as mentioned earlier. Therefore, it was up to the U.S. administration to set up a regime for employment of lethal drone strikes.

It is worth noticing, that third, fifth and sixth authority (or role model, authority of tradition and practices of others) is applicable for situations, in which we can refer to previous experiences of same kind. This is also why these variants are mostly non-existent in drone discourse. This is, the author argues, given by the novelty of drone technology and its actual employment for targeting and attacking enemies. Therefore, neither the role models nor traditions or practices of others coherently developed until now with regards to use of armed drones.

3.4 Claims of transparency

Fourth category proposed in typology of legitimization techniques is one that is based on claims of transparency. In his April 2012 speech, John Brennan declared: „Yes, in full accordance with the law, and in order to prevent terrorist attacks on the United States and to save American lives, **the United States Government conducts targeted strikes** against specific al-Qaida terrorists, sometimes **using remotely piloted aircraft**... [a]nd I'm here today because **President Obama** has **instructed** us to be **more open** with the American people about these efforts.“¹²² Significance of Mr. Brennan's confirmation of this “public secret” was mentioned above, but this section of his statement is very powerful as it acknowledges what has been hidden from public eyes same as it basically sends the message that “President wants you to know; is willing to inform you”.

Without any restraints, President Obama openly confirmed this on different occasions. „**When we have actionable intelligence, [we take direct action] through capture operations or drone strikes** like those we've carried out in Yemen and Somalia“, for example reads one of his statements at U.S. Military Academy in West Point.¹²³

Obama's Google+ hangout in February 2013 also provides useful example of transparency claiming employment.¹²⁴ „When it comes to things like how we conduct counterterrorism there are **legitimate questions** there... **but some of these programs**

¹²² The Ethics and Efficacy of the President's Counterterrorism Strategy (2012)

¹²³ Remarks by the President at the United States Military Academy Commencement Ceremony. [online] May 28, 2014

¹²⁴ De Fine Licht (2011)

are still classified which meant that we might have **shared** them **with** the **Congressional intelligence office** but they are **not on the front page** of the papers on the web“ reads part of Obama’s response on his transparency policy. Here the secrecy of counterinsurgency programs is justified by the links of these issues to national security domain. At the same time the President clearly informs that his administration doesn’t keep those information from legislative’s sight and as such he is actually being transparent. Obama then goes on with answer on question directed specifically on drones: „[We] tried to **work with Congress** on oversight issues but what I’m going have to work with Congress on... [is] also to **make sure** that the **public understands** what’s going on, what the constraints are, what the legal parameters are.“ Here Obama discloses his intention to be transparent and act in explanatory way towards general public as well. Moreover, the interview also contains understanding of need for transparency and Obama kind of calls for it when he comments that „It is **not sufficient** for citizens **to just take my word** for that we are doing the right thing,“

Couple months after Google+ hangout, in May 2013, President Obama delivered his famous speech on U.S. drone and counterterror policy. That platform gave him space to address plenty of questions that had been raised with gradual increase of information on drones in public space. During the speech Obama stated: „After I took office, **my administration began briefing** all strikes outside of Iraq and Afghanistan to the **appropriate committees of Congress**... Not only did **Congress authorize the use of force**, it is **briefed on every strike** that America takes. **Every strike**.“¹²⁵ Here Obama repeated openness of his drone warfare policies to relevant bodies of Congress. In the speech President Obama also addressed secrecy surrounding death of American cleric Anwar al-Aulaqi when he informed that he „**authorized declassification** of this action, and the deaths of three other Americans in drone strikes, **to facilitate transparency** and... to **dismiss** some of the more **outlandish claims**“ about this event.

Death of al-Aulaqi was deeply reflected by American media and commentators as he was first American citizen who was intentionally killed in drone strike and therefore Obama devoted several sentences in his drone speech to explain who he was, what he did and why the administration decided to take him out as legitimate target. The promise of uncovering more details about it and delivery of certain information that made al-Aulaqi drone target made Obama’s case for transparency as well.

¹²⁵ Obama’s Speech on Drone Policy (May 23, 2013)

Information on legitimacy is also mentioned in disclosed Attorney General Eric Holder's letter to members of the Senate Judiciary Committee¹²⁶ that declassifies some information on number of U.S. citizens killed up to date in counterterrorism operations: „**[I]nformation that remains classified** to protect sensitive sources and methods **evidences al-Aulaqi's involvement in the planning of numerous other plots against U.S. and Western interests** and makes clear he was continuing to plot attacks when he was killed.“ Here Attorney General basically says it is classified but I'll tell you this small portion that has to be sufficient at this moment.

Lastly, in his drone speech Obama called for interest in his administration's endeavour in similar way as he did in Google+ hangout couple months earlier when he stated that „**I'm troubled** by the possibility that leak investigations **may chill the investigative journalism** that holds government accountable“, therefore challenging general public not to turn a blind eye but to critically question his policies.

Policy standards when countering terrorism implemented during Obama presidency states that „[s]ince his first day in office [he] **has been clear** that the [US] will **use all available tools** of national power to protect the American[s] from the terrorist threat posed by al-Qa'ida and its associated forces... and also made clear that... [we] **will share as much information as possible** with the American people and the Congress“. ¹²⁷ The text is thus suggesting that President was opened about use of military force from the very beginning and was willing to uncover as much as possible. The reasoning goes on as follows: „**Additionally, the President has decided to share...** certain **key elements** of these standards and procedures with the American[s] so that they **can make informed judgments**.“ Semantics of the beginning of this sentence indicates that by making this document, President is doing something new, something extra, something he doesn't have to, and is doing so from his own will and persuasion. The rest suggests that this extra information will fill the gap that citizens need to connect the dots. Similarly argued Attorney General Eric Holder in his letter: „[T]he **President has directed me to disclose** certain **information** that **until now** has been properly **classified**.“ ¹²⁸

Interestingly, in March 2014 United Nations Human Rights Council adopted Pakistan-sponsored resolution that called „upon States to ensure transparency in their

¹²⁶ Letter from Attorney General Eric H. Holder (2013)

¹²⁷ Fact Sheet (May 23, 2013)

¹²⁸ Letter from Attorney General Eric H. Holder (2013)

records on the use of remotely piloted aircraft or armed drones and to conduct prompt, independent and impartial investigations whenever there are indications of a violation to international law caused by their use¹²⁹ and the U.S. mission voted against it when claiming it is transparent through other international platforms and this resolution is „**little more than duplicat[ion]**“¹³⁰. Also, it argued that Washington hosted UN Special Rapporteur Ben Emmerson on this issue and therefore was compliant to its promises for transparency. On the eve before, the U.S. provided its reasons for this move that are elaborated on in part of this paper which addresses legitimization through expertise.

Nevertheless, to live up to his promises, President Obama decided to go public with numbers. On 1st of July 2016 his administration released 3-pages long summary that provides official number of strikes against terrorist targets outside AoAH same as number of combatant and non-combatant deaths. According to document, there were 473 counterterrorism strikes in areas such as Yemen, Libya, Pakistan or Somalia between January 20, 2009 (beginning of Obama presidency) and December 31, 2015. During these strikes, according to official account, 2372 – 2581 combatants and 64-116 non-combatants died.¹³¹

These long-awaited numbers have met great criticism from independent media. The Bureau of Investigative Journalism data, for example, suggest that the number „was six times higher“, reaching estimated 380-801 in total with Pakistan being unmistakably on top.¹³²

To support the validity of numbers, the summary states that it „reflects consideration of **credible reports** of non-combatant deaths drawn **from all-source** information, **including reports from the media and non-governmental organisations**“, whereby granting general credibility to critical voices that usually report more deaths of non-combatants. The text also provides reasoning behind these discrepancies that is also further elaborated on in expertise-section above. However, as some commentators of drone program transparency expected already before these revelations, the administration failed to provide „a detailed breakdown of casualties by

¹²⁹ UN Human Rights Council resolution A/HRC/25/L.32: Ensuring use of remotely piloted aircraft or armed drones in counter-terrorism and military operations in accordance with international law, including international human rights and humanitarian law from 24th March, 2014

¹³⁰ Explanation of Vote by the Delegation of the United States of America on Resolution (March 27, 2014)

¹³¹ Summary of Information Regarding U.S. Counterterrorism Strikes Outside Areas of Active Hostilities (July 01, 2016)

¹³² PURKISS, Jessica and Jack SERLE. Obama's covert drone war in numbers: ten times more strikes than Bush. In: *The Bureau of Investigative Journalism* [online] January 17, 2017.

strike or geographic area, which would reveal where the gravest errors have been committed“.¹³³

On the very same day President Obama further issued executive order linked to the summary and pre- and post-strike measures to address civilian casualties.¹³⁴ The order provides another narrow insight into the drone warfare conduct. It once again gives the impression of future transparency when asserting that the U.S. government „**shall... publicly release** an unclassified summary of... **number of strikes** undertaken... against terrorist targets outside areas of active hostilities... [and] **assessments of combatant and non-combatant deaths** resulting from those strikes“ for year 2016. But it also states that „relevant agencies **shall... acknowledge** U.S. [g]overnment **responsibility** for **civilian casualties** and offer condolences... [and] payments“ thereby repeatedly recognizing its role in civilian casualties. Interestingly enough, despite this advancement, neither the summary nor the executive order specifically mentions drones or UAVs.

August 2016 witnessed disclosure of until then secret presidential policy guidance for approving direct action against terrorist targets outside the U.S. and AoAH. This document provides insight into decision-making chain and procedures that are applied against terrorists in designated locations. The document uncovers processes not only for lethal actions against high-value terrorists and others but procedures leading to target’s capture and post-action reporting as well. For example, it states that the U.S. „**prioritizes**, as a matter of policy, the **capture of terrorist suspects** as a preferred option **over lethal action** and will therefore require a feasibility assessment of capture options as a component of any proposal for lethal action“.¹³⁵ This information supports previous claims of president Obama that the U.S. administration is in favour of captures when feasible.

Claims for need of lack of transparency had also been present in certain cases of Obama’s comments on drones. These do not fit into legitimization through claims of transparency but rather to legitimization through authorization. Example provides Obama’s drone speech from May 2013 which includes following: „As **Commander in Chief, I believe we must keep information secret** that protects our operations and our

¹³³ Transparency in the Drone Wars. In: *The New York Times* [online]. March 19, 2016

¹³⁴ Executive Order -- United States Policy on Pre- and Post-Strike Measures to Address Civilian Casualties in U.S. Operations Involving the Use of Force. In: *The White House* [online]. July 1, 2016

¹³⁵ PROCEDURES FOR APPROVING DIRECT ACTION AGAINST TERRORIST TARGETS LOCATED OUTSIDE THE UNITED STATES AND AREAS OF ACTIVE HOSTILITIES. May 22, 2013. Made public in August 2016.

people in the field.¹³⁶ Credibility to this reasoning of Obama administration supported also for example joint statement issued by Republican and Democratic leaders of the House and Senate intelligence committees. In statement of these legislative bodies, authors agreed on need for cautiousness and deplored leaks: „Each **disclosure puts American lives at risk**, makes it more **difficult to recruit** assets, **strains the trust of our partners**, and threatens imminent and irreparable damage to our national security in the face of urgent and rapidly adapting threats worldwide.“¹³⁷ Lack of transparency might constitute single part of this thesis. Nevertheless, regarding its rather supporting role within claims of transparency, it isn't classed as such.

As for the drone discourse, even though claims of transparency sometimes look onto some future action (such as announcement about events that can't be elaborated further on at the moment) public statements only rarely react on actions and events that are in the process (and if they do, they stay unspecific for various reasons such as protection of intelligence sources, soldier's lives, strategies and tactics employed etc.). Therefore, transparency regarding drone killings can be described as transparency in rationale that is rather simplified version that provides decision-makers with chance to deliver information on actions retroactively.¹³⁸ For counterterrorism issues, that drone program is part of, this appears to be very useful characteristics that is frequently applied.

3.5 Altruism

Last proposed technique that concerns official U.S. drone discourse to some degree is one of altruism i.e. performing in the name of general well-being. „And the **president has a Constitutional and solemn obligation to do everything** in his power to **protect the safety and security of the American people**“, reads one of Brennan's comments uttered at the end of his 2012 counterterrorism speech.¹³⁹ Reference to welfare of all American people was consistent component of official proclamations on drones.

Small modifications can be tracked here. President Obama on several occasions pointed to bright future of “our children”. „[W]e have a real stake, an abiding self-

¹³⁶ Obama's Speech on Drone Policy (May 23, 2013)

¹³⁷ Feinstein, Chambliss, Rogers, Ruppertsberger Deplore Leaks of Classified National Security Information. [online] June 6, 2012

¹³⁸ De Fine Licht (2011), p. 3

¹³⁹ The Ethics and Efficacy of the President's Counterterrorism Strategy (2012)

interest, in **making sure our children and our grandchildren grow up in a world where schoolgirls are not kidnapped and where individuals are not slaughtered...**“ for example stated the President in West Point.¹⁴⁰ Even more specifically Obama argued already in his drone speech: „From our **use of drones** to the **detention** of terrorist suspects, the **decisions that we are making now** will **define** the type of nation – and **world** – that we leave to our children.“¹⁴¹

Legitimization through altruism was not used to such a degree in official social practices reflecting on drones when compared to some other. However, it is nice example of how spoken addresses for general public differ from written executive orders or presidential policy guidance. Similarly, to instances of dichotomization, altruistic legitimization practice aims on human emotions. Safety and security of American people constituted favourite part of remarks on several occasions. As seen above, non-violent future for our children’s generation was also mentioned by Obama when reflecting counterterrorism policies.

3.6 Positive portrayal

Legitimization techniques studied in this thesis provide various evidences of Obama administration’s efforts to construct drone discourse with positive image of drone strikes. Dichotomization was observed to great degree with interesting flexibility in defining who is “us” and who is “them”. Moreover, qualities attributed to both groups helped with their differentiation as well. Similarly, claims of perpetuation of threats and their possible future effects were also tracked in official U.S. social practices. Third, legitimization techniques that make use of personal authority, impersonal authority and authority granted by expertise were also found in speeches and statements proving that authority was also powerful point of reference in advocacy of drone strikes. Interestingly, authorization tools that were in fact non-present usually point to some other actors or events that are comparable to the cause that we are justifying. This is, the author suggests, mostly because of novelty of the topic, its secrecy and therefore poor basis of known similar events. Disclosing some information about drone warfare as part of promised transparency also made credible part of drone-related social practices. Similarly, reasons for withholding certain information from

¹⁴⁰ Remarks by the President at the United States Military Academy Commencement Ceremony. [online] May 28, 2014

¹⁴¹ Obama’s Speech on Drone Policy (May 23, 2013)

public view were provided in order to explain why such balance between secret and disclosed information have to be maintained. Interestingly, Obama even called upon public to check on his administration's practices thereby demonstrating that he believed in his administration's rigorous steps. Finally, there were cases of justification through altruism that assured about impersonal reasons behind pursued policies. Some of the citations offered can even fit into more than just one category thereby legitimizing through different techniques at the same time. President acting on the basis of his personal authority acting in the name of altruism in order to protect his fellow citizens being just one example of this sort.

Findings drawn from third section suggest that deliberate employment of specific linguistic features in social practices in order to create positive perception of drone killings was found to be present in official drone discourse. For make no mistake, the drone discourse is richer in such techniques than what is covered by this thesis and the examples offered here is not exhaustive enumeration of all of them. However, their presence already suggests that they are employed for a reason. As a result, next section provides argumentation of why the Obama administration decided to use these techniques in its social practices on drone-delivered targeted killings.

4. Debating motives for legitimization

Employment of legitimization techniques in official U.S. social practices ends up creating certain image of drone warfare. Based on findings of previous section, the author of this thesis argues that such a positive image had been carefully modelled during presidency of Barack Obama in order to present drone-executed targeted killings in acceptable form for home audience, international actors but also for general public in countries directly affected by drone strikes. As one of New York Times articles aptly observed, drones „are positioned as an exercise in global hygiene“.¹⁴² Because the answer on first research question was found to be yes, this section tries to explain why the U.S. administration employed such techniques by focusing on possible reasons of the administration and its officials.

As already stated on previous pages, it is utmost necessary to look on use of drones for purpose of targeted killing in broader context. Obama administration inherited conflicts abroad including the one that is hard to locate – with al-Qaeda and its affiliates. By the time of Obama’s arrival to the White House the „rate of drone strikes was already increasing exponentially“ with five drone strikes occurring in the first half of 2008 and 31 drone strikes in the last six months of Bush presidency.¹⁴³

As the time went, number of drones available to American forces increased. The U.S. renewed focus on border region between Afghanistan and Pakistan and Federally Administered Tribal Areas that was well known for sheltering al-Qaeda and Taliban militants and from where Taliban fighters were „pouring into Afghanistan... without much interference from Pakistan“ and subsequent change in perception of Pakistani military and intelligence as no more reliable partners in protecting „U.S. soldiers and American cities“.¹⁴⁴ „Fundamental change in Pakistan“¹⁴⁵, that witnessed growing number of terrorism-related incidents in 2009.¹⁴⁶ AQAP’s increasing relevancy and resulting growing concerns of U.S. security apparatus. Endurance of other groups such as al-Shabaab and Boko Haram and emergence of so called Islamic State. Aversion of

¹⁴² CARR, David. Debating Drones, in the Open. In: *The New York Times* [online]. February 10, 2013

¹⁴³ BRAUN, Meg. The Obama doctrine: Drones and just wars In: *Foreign Policy* [online]. September 25, 2012

¹⁴⁴ COLL, Steve. The Unblinking Stare: The drone war in Pakistan. In: *The New Yorker* [online]. November 24, 2014

¹⁴⁵ Braun (September 25, 2012)

¹⁴⁶ According to Pakistan Security Report of 2009 published by Pakistan Institute for Peace, the country witnessed sharp increase in such attacks – many of them took place in FATA regions in the border with Afghanistan.

American public and officials to carry on with large-scale war adventures together with Obama's pledge to end war in Afghanistan. All of these factors (and more) influenced decisions regarding war with al-Qaeda and counterterrorism-operations abroad. In such an atmosphere, use of drones could have been seen as the easiest way, as effective tool, as necessary evil that could have been used in ongoing hunt for terrorists.

Also, over time Obama administration might have found it important to inject its stake on drones and targeted killings in public space that proved rising attention to the topic. In fact, as it came under public scrutiny different critical voices made its way to various media, journals and online sources. As Harvard University found, the interest of media in the topic almost doubled between 2009 and 2012.¹⁴⁷ In line with this, articles such as *Wikileaks: Pakistan privately approved drone strikes*¹⁴⁸ published by The Telegraph, *The Obama Doctrine: How the president's drone war is backfiring*¹⁴⁹ published in Foreign Policy magazine or *Why Drones Fail: When Tactics Drive Strategy*¹⁵⁰ released by Foreign Affairs popped up and besides other things blamed drone strikes for deteriorating ties between the U.S. and Pakistan or angering the local populations and inciting anti-U.S. movements are just a few examples of these. Putting attention to another facet of drone warfare, The Bureau of Investigative Journalism accused the administration of telling lies in the article *US claims of 'no civilian deaths' are untrue*¹⁵¹ when identifying ten cases of drone strikes with civilian casualties and therefore challenging official claims of the administration in this regard. Another example represents The Intercept's comprehensive research collection of nine papers and couple of supporting documents published as *The Drone Papers* that concentrates on „inner workings of the U.S. military's kill/capture operations... between 2011 and 2013“¹⁵² and strives to uncover on shortcomings of the drone program. And there were much more.

The coverage focused on broad spectrum of “strings attached” to the drone strikes. Questions regarding imminence of threat at the time of strike, so called

¹⁴⁷ Study focused on five major U.S. media outlets (The Christian Science Monitor, The New York Times, The Wall Street Journal, The Washington Post and Time magazine).

¹⁴⁸ Wikileaks: Pakistan privately approved drone strikes (December 01, 2010)

¹⁴⁹ ROHDE, David. The Obama Doctrine: How the president's drone war is backfiring. In: *Foreign Policy* [online]. February 27, 2012

¹⁵⁰ CRONIN, Audrey Kurth. Why Drones Fail: When Tactics Drive Strategy. In: *Foreign Affairs* [online]. July/August 2013, vol. 92, issue 4, pp. 44-54

¹⁵¹ WOODS, Chris. US claims of 'no civilian deaths' are untrue. In: The Bureau of Investigative Journalism [online]. July 18, 2011

¹⁵² The Drone Papers. In: *The Intercept* [online]. October 2015. Edited by Betsy REED

signature strikes that are based on behaviour patterns rather than on certainty of who the target is and as such contradicting to international humanitarian legal prescriptions, long-term consequences regarding local population and recruiting chances for terrorists, death-count and related civilian victims from strikes and much more suddenly gained momentum, unclear accountability of U.S. leaders due to blurred chain of command. Also the interested public was expecting official answers that didn't come from leaked documents or anonymous sources. As a result, as the research suggests, the administration found it necessary to address these voices with its own narrative.

What follows is suggestion of possible reasons that could embody foundations for argumentation of U.S. officials under Obama administration when addressing issues linked to use of drones for targeted killings.

First, the author of this thesis suggests, that the official argumentation was based on actual belief that targeted killings executed by drones are in accordance with legal provisions. This argument draws on various cases of referencing to impersonal authority as follows from examples given in third part of the thesis. Here, inherent right of self-defense anchored in Article 51 of the United Nations Charter is first point of reference of this kind. Moreover, if the U.S. administration was acting with full consent of Yemeni, Pakistan etc. governments as their remarks suggest, their claim of non-breaching of state sovereignty – one of basic legal provisions of international law – is also strongly supportive. If this wasn't the case, any of drone-affected countries could make use of their inherent right to challenge such policies. As Gregory McNeal argued „Pakistan has not exercised its rights under international law to prevent strikes by asking the United States to stop, nor has it intercepted American aircraft, targeted U.S. operators on the ground, or lodged a formal protest with the United Nations Security Council.“¹⁵³ The Pakistani government, however, failed to do that – move that can easily be interpreted as actual consent. Right of self-defense against non-state actors same as use of force with the consent of particular state both had been considered as international legal basis for military engagement. These can be further applied to different situations such as the one with imminent threat to U.S. citizens or interests same as one of state that is unable or unwilling to engage in action against threat with potential to reach U.S. territory, citizens or interests that are considered to be part of national security paradigm.

¹⁵³ McNeal (2014), p. 698

Domestically, the U.S. administration continued to refer to AUMF as legal source of its actions as late as 2016. „The 2001 AUMF continues to provide the domestic legal authority for the United States to use military force against terrorist threats...“, states the White House report from December 2016.¹⁵⁴ Furthermore, President Obama also relied on his constitutional authority as Commander in Chief to direct U.S. military strikes against targets outside American soil same as outside AoAH.

It should be noted, that drone strikes have been executed by military – usually Joint Special Operations Command or JSOC – but also by CIA – on the platform of covert actions. The genius/hook here is simple – both of these actors act under different legal frameworks and stick to differing prescriptions. This reality provides the administration with flexibility when conducting strikes against various targets and also makes it more difficult to challenge such decisions as details of strikes are rarely made public. As a result, every single targeted individual can fit into slightly different category and because both the CIA and U.S. military operated drones in various theatres simultaneously, the distinction is blurred for outsiders.

According to McNeal, the category of targets is three-fold. Targets that fall under AUMF, targets that fall into “covert action” category and then there is also third category – one that considers individuals who „pose a threat to an American ally and supporting that ally is within the national security... interests of the U.S.“.¹⁵⁵ This third category concerns individuals whose targeting is not initiated by U.S. administration but rather their partner countries. However, blurred distinction provides authorities with different variables depending on the knowledge about the target and efforts ascribed to him.

Mentioned contextual setting and actual pledges of U.S. official representatives, argument for employment of examined legitimization techniques is that strikes taken by drones are unquestionably underpinned by legal provisions. As such, they do not breach domestic nor international law and hence are considered to be just another military tool that is employed with respect to these legal principles.

As citations in research shows, another motive that might have led Obama administration’s representatives and President himself to rely on legitimization methods was that the drone warfare is easier to digest politically – both, in domestic environment and abroad. Here, short contextual excursion is worthy too. One of Obama’s promises

¹⁵⁴ REPORT ON THE LEGAL AND POLICY FRAMEWORKS (December 5, 2016), p. 3

¹⁵⁵ McNeal (2014), p. 699

during his presidential campaigns was to end wars in Iraq and Afghanistan. Also as various polls found during his presidency, American public opinion gradually got in favour of withdrawal of American soldiers from Afghanistan – some ¼ of respondents even expressed for speeding up the process. At the same time, polls showed that support for other military adventures in places like Syria or Libya was even smaller.¹⁵⁶

In this atmosphere, drone technology – easily operable thousands miles away from battlefield with no risk to life of American soldiers, with noticeably lesser requirements on budgeting and apparently effective results – together with special operations units was perceived as very convenient alternative to “boots on the ground” solutions. Supported by findings that suggested public approval for employment of drones abroad being over 60 percent, drones were seen as politically viable and inexpensive alternative to large-scale military deployment. Dichotomization helped to create a picture of U.S. as actor that adheres to moral standards in opposite to cold-hearted terrorists who don’t stop to strive for harming the U.S. – reality that speaks for effective drone strikes that remove these individuals who “deserve it”. Moreover, claims based on expertise made the feeling of precision of drones when striking against particular targets that we know who exactly is, made the case as well.

As the targets were located thousands miles away from American soil, it was necessary to make the case internationally as well – but there is always a hook with sending troops to foreign lands. Deployment of foreign soldiers in a country is usually politically sensitive topic for ruling government. From the outset of drones, they were seen as tool that is mostly hidden from public eyes – when compared to large scale direct military engagement – and as such was perceived as politically feasible alternative. Dichotomization helped to make it clear that there are partner countries that are with “us” or even “part of us” in some regards – such as fighting terrorism. And at least some of these states, to all appearances, cleared the way to American drone strikes – even though in the case of Pakistan this reality changed over time as the Pakistani officials started to publicly denounce drone strikes from early 2010s and the U.S. stopped informing them on drone strikes in advance.

¹⁵⁶ See for example poll carried out by *Pew Research Center*: Little Support for U.S. Intervention in Syrian Conflict (March 15, 2012) available from <http://www.people-press.org/2012/03/15/little-support-for-u-s-intervention-in-syrian-conflict/> or research made by *Gallup/USA Today*: In U.S., Half Say U.S. Should Speed Up Afghanistan Withdrawal (March 15, 2012) available from: <http://www.gallup.com/poll/153260/Half-Say-Speed-Afghanistan-Withdrawal.aspx>

Same accounts for references to impersonal authority. Here, citing international legal framework suggested that there is a lawful way how to conduct such operations in foreign countries that does not violate international humanitarian law. Also, pointing to perpetuation and imminence of the threat located in countries such as Yemen and Pakistan where it is difficult to be eliminated also made the case for U.S. hunt in remote territories.

Willingness to go public with at least limited information and deliver on promises of transparency, the research shows that the administration put quite enough effort into challenging the controversy surrounding the drone program. Claims of being the most transparent administration in history that provides as much information on program as national security concerns allow only support this conclusion. At the same time, there had been apparent limits to that. One can only argue if it was solely for reasons of national security nature or if it was also due to various imperfections of the program which would go against official position on the topic. In any case, the administration had to find a balance – balance between too much secrecy that might have defeat public frankness and accountability on one side and going too far with publicity which might have only invite more displeasing questions on the other.

Great example could be decision to release number of civilians killed in drone strikes. By doing that, the administration made efforts to challenge critical voices that according to U.S. officials exacerbated real numbers by providing up to ten times higher estimates. At the same time, claims of the administration that „nongovernmental counts... have been influenced, if inadvertently, by Pakistani government and Taliban propaganda“¹⁵⁷ not only gave the official U.S. figures more weight but also provided reasons of why these numbers are inaccurate. However, at the same time, the administration failed to provide more specific details that would make it easier to track its mistakes and, possibly, lies. Therefore, decision not to release details on individual strikes (such as the date, location, number of targeted individuals, official count of civilian deaths etc.) provided doubters with ammunition because without these it was impossible to objectively compare official figures on particular strikes with other sources that might argue for different numbers and conclusions.

Also, limited access to official information on drone strikes made it possible to limit questions on signature strikes. As signature strikes are made on behavioural

¹⁵⁷ Coll (November 24, 2014)

pattern, they contradict to what had been said to be so great about drones – the hailed prelude before strike leading to assurance that only lawful target is present in impact zone. Therefore, as former U.N. Special Rapporteur on extrajudicial killings noted, signature strikes’ „targeting without sufficient information to make the necessary determination... is clearly unlawful“ and incompatible with international humanitarian law.¹⁵⁸ Going public and claiming transparency, however, had the potential to lessen possible negative impacts of drone strikes. To just stay quiet, the administration might have faced to ever growing resentment both at home and abroad.

As stated earlier in the paper, purpose of dichotomization method and to certain degree also perpetuation, helped to consolidate potential strength that resided in minds of all those who witnessed al-Qaeda attacks before. Employment of these techniques not only helped to make the case for further chase of al-Qaeda and like-minded terrorists by once again reminding who they are, what they are capable of and that their efforts aren’t easing up but it also served another purpose. It effectively distinguished between the parties as it implicitly suggested the consent of partner countries in their counterterrorism efforts that the drone strikes are part of. Even though the Obama administration never said out loud that Pakistanis agree with their tactic – move that might proved politically suicidal – claims of not breaching sovereignty and flexible utilization of dichotomy ensured that the interested public understood how things are.

Finally, claims of altruism same as of authority helped to evolve the line of responsibility and obligation of U.S. administration to do whatever is necessary to protect its people, American citizens and U.S. interests. Based on knowledge of intelligence and other pursuance of U.S. administration, the President and his folks were absolutely legitimate to refer to their position and their goals in order to make the case for any policy including tactical use of drone strikes.

Overall, need for countering critical voices and lessening high profile of drone strikes, explaining its position on the policy and making the case for drones led the administration to utilize legitimization techniques in drone discourse. For make no mistake, this thesis doesn’t offer exhaustive listing of possible reasons for employment of legitimization techniques. For example, another reason that, however, doesn’t follow directly from proposed legitimization techniques is that the U.S. might be trying to somehow set a framework for the age of drones that now seems to be inevitable.

¹⁵⁸ Report by Christof Heyns – United Nations’ Special Rapporteur on extrajudicial, summary or arbitrary executions. In: *Just Security* [online]. September 13, 2013, p. 15

Employment of legitimization techniques might have been perceived as logical step to explain the world that the U.S. is not using them in “willy-nilly” manner as aptly mentioned by President Obama. Other reasons such as inevitable technological development and many other might be behind legitimization of drone strikes as well. Nevertheless, these don’t stem from the research of this thesis directly and therefore would require further research.

Conclusion

Building on foundations of constructivist framework, the thesis suggested that, if studied closely, the U.S. administration evinced signs of legitimization techniques when addressing issue of drone strikes. In presented case, language was taken as tool of reality construction instead of its objective description. Such a language favours its agent's purpose that in the case of this thesis concerns providing official U.S. narrative regarding issue of drone strikes.

Practical reasoning in international relations combined with identity creation and reality manufacturing provided fundamental platform for further concepts. When put onto shoulders of this platform, works of Reyes, Wodak and van Leeuwen provide research with useful categories that makes exploration of legitimization techniques in greater details possible.

Research finds that the administration of President Barack Obama gradually embarked on wave of modest openness about the issue. In the course of different social practices, the U.S. officials made use of various legitimization techniques. These served for promotion of official position of U.S. administration on drone killings abroad. Also, developing of the official position in open space helped to legitimize drone strikes when dealing with terrorists from al-Qaeda and its affiliates. The previous lines suggested that consistency of such proclamations and their continuity was based on awareness of the U.S. administration that reality can be constructed in its favour. As a result, Obama officials reached to public with their comments regarding drone strikes and besides others, delivered on Obama promises on transparency.

Employment of legitimization techniques provided Obama administration with powerful tools to shape the public perception of drones in times when controversy on drone strikes started to gain more and more attention by various NGOs, media and investigative journalists. All of these contributed to greater attention paid to the topic same as they promptly started questioning the practice in terms of legality, morality and so on. At the same time, Obama administration faced dynamic evolution of al-Qaeda and its affiliates in the first place. Here, comparing negative qualities of enemies with those of "ours", their never-ending effort to attack "us", the authority and expertise of the U.S. officials, efforts to be as transparent as possible in order to provide American and international public with relevant information and pointing to goals that are overarching generations, served as points of reference in social practices of Obama

administration. All of these were made use of in times when public support for drone strikes remained high on one side and willingness of U.S. public to invest into large-scale conflicts in form of “boots on the ground” was decreasing significantly on the other. The context – as seen in the line above – proved to be useful additional variable as it helps to clarify U.S. administration policies and proclamations regarding employment of armed drones for lethal counterterrorist actions abroad despite certain deficiency that was after years acknowledged even by the Obama administration.

Resumé

Tato diplomová práce si určila dva cíle. Nejprve se zaměřit na identifikaci několika legitimizačních prostředků, jež obě administrativy amerického prezidenta Baracka Obamy využívaly při vysvětlování svého postoje k útokům dronů v teritoriích, kde Spojené státy nejsou oficiálně angažovány v ozbrojeném konfliktu. V závislosti na výsledcích zkoumání těchto fenoménů pak práce měla diskutovat důvody jejich ne/přítomnosti v oficiálním diskurzu americké vlády. Odpovědi na tyto otázky se opírají o konstruktivistické pojetí světa, které nebere realitu jako něco daného a objektivně poznatelného, nýbrž jako společenský konstrukt. Jazyk v takovém případě slouží ke komunikaci světonázoru daného agenta, který v rámci svého konání ve společnosti interpretuje svůj pohled na skutečnosti. Tím zároveň tento aktér přispívá k vytváření pro něj žádoucí reality.

K odpovědi na první výzkumnou otázku slouží diskurzivní analýza. Tu autor aplikuje na veřejná prohlášení čelních představitelů administrativy amerického prezidenta Baracka Obamy stejně jako dalších oficiálních dokumentů. Detailní rozbor více než dvaceti textů poskytuje důkazy o využívání pěti legitimizačních technik, jejichž typologie je zahrnuta ve druhé části práce.

Zprvce se jedná o legitimizaci skrze konstrukci. Zde oficiální prohlášení poukazují na dichotomii mezi USA a jejími partnery na straně jedné a al-Káidou a jejími následovníky na straně druhé. Dichotomizace je doplněna o pozitivní a negativní charakteristiky obou skupin, přičemž tyto jsou flexibilně rozšiřovány a zužovány dle momentální potřeby. Druhý prostředek slouží k legitimizaci skrze připomínání neustávajícího úsilí teroristů o útok na americké občany a strategické zájmy. Tento je doplněn o hypotetické scénáře, které vybízejí k neodkladnému řešení daného problému, abychom se v budoucnu vyhnuli dalším útokům ze strany nepřítele. Legitimizace skrze autoritu je v pořadí třetí využívanou technikou. Touto se představitelé USA v čele s Barackem Obamou odvolávají na osobní autoritu a zodpovědnost prezidenta, na neosobní autoritu danou mezinárodními právními předpisy a dohodami a konečně na autoritu danou expertní znalostí dané problematiky. Z této pozice americká vláda vystupovala v případě dronů velmi často a zároveň tímto způsobem ubírala důvěryhodnost hlasů v opozici. Legitimizace pomocí prohlašování o transparentnosti je čtvrtým prostředkem hojně využívaným v diskurzu útoků bezpilotních útoků. V tomto případě však Obamova administrativa často balancovala mezi snahou být otevřena a

úsilím o zachování co možná nejvíce detailů o útocích dronů v tajnosti. Posledním legitimizačním prostředkem je odvolávání se na využívání dronů k zabíjení teroristů ve jménu veřejného dobra a ve jménu příštích generací.

Tato prohlášení měla za cíl pozitivně vykreslit problematiku, která se časem stala více a více diskutovanou ve veřejném prostoru a v médiích, ve světlých barvách. Argumentem této práce je, že Obamova administrativa využila těchto legitimizačních prostředků také proto, že drony považovala za efektivní nástroj, který šetří životy amerických vojáků, dělá válku levnější, lépe politicky stravitelnou doma i v zemích jako je Jemen či Pákistán apod. Současně Obamova administrativa podpírala využívání dronů k protiteroristickým operacím vyjádřeními o jejich souladu s domácími a mezinárodními právními úmluvami. I na základě toho prohlašovala, že v žádném případě při použití dronů neporušuje princip státní svrchovanosti žádné ze zemí, v níž americké drony útočí. Možným důvodům, které přiměly americkou administrativu k využívání zkoumaných typů legitimizace, se věnuje čtvrtá část práce. Ta současně uvádí některé skutečnosti do širšího kontextu, který je v případě politického diskurzu neopomenutelným faktorem.

Summary

Diploma thesis *Unmanned Warfare: How Liberal Democracy Legitimizes Drone Attacks and Killings Abroad* aims to address two questions. First, it identifies several legitimization techniques broadly used by both administrations of U.S. President Barack Obama in the course of explanation of its position on drone strikes in territories outside areas of active hostilities. Second, drawing on research results of these phenomena, the thesis discusses reasons for their (non)existence in official discourse of U.S. government. Constructivist world-view, that doesn't accept the reality as it is but rather it takes it as socially constructed by various agents, provides foundation for answers on the two questions. Here, language serves as communication medium of agent's position on different realities that is delivered through various social practices. At the same time, the agent contributes to creation of narrative that is in favour of his intentions.

To answer first research question, discourse analysis is applied on public statements of U.S. officials and other social practices of Obama administration representatives. Detailed analysis of more than twenty such texts provides us with proofs of utilization of five legitimization techniques. Their typology is introduced at the final part of second chapter of the thesis.

First method is legitimization through construction. Here, official texts point to dichotomy between U.S. and its partners on one side and al-Qaeda and its affiliates on the other. Dichotomization is complemented with positive and negative qualities of both groups. These groups also proved to be flexible in terms of broadening and narrowing depending on current need of the agent. Second technique is based on continuous reminding of terrorists' efforts to attack American citizens, homeland and interests. Moreover, hypothetical scenarios urge to take action immediately in order to avoid possible future enemy attacks. Third method is legitimization through authority. This is used by U.S. officials with President Obama on top of the list by pointing to President's responsibility and obligation, impersonal authority of international legal prescriptions and treaties and also to authority given by expert knowledge of the issue. This technique was applied very often by U.S. government in drone discourse when at the same time taking the wind out of opposite voices' sails. Legitimization through claims of transparency is fourth technique present in drone strikes' discourse. Here Obama administration often found itself trapped between too much secrecy that might have defeat public accountability on one side and maintaining as much secrecy as possible on

the other. Finally, the fifth legitimization technique observed by the thesis is referencing to altruism i.e. executing drone strikes in the name of bright future of our children.

Purpose of above mentioned proclamations is to draw drone issue in positive contours in the face of growing attention by general public and media. This paper argues that Obama administration made use of these legitimization methods because: it believed in its effectiveness, it saves lives of U.S. soldiers, makes the war cheaper, makes the war easier to digest both at home and abroad and so on. Simultaneously, the Obama administration underpinned employment of drones for lethal counterterrorism operations by proclamations about lawfulness of these actions. Based on this argument, the government claimed that in no case drone strikes violate sovereignty of any country where drone strikes were executed. Possible reasons for such practice of Obama administration are covered by fourth section of the thesis. It also puts some “facts” into broader context that is in case of political discourse inevitable factor.

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List of Appendices

Appendix I: List of Official U.S. Utterances Examined in the Paper

Appendices

Appendix I: List of Official U.S. Utterances Examined in the Paper

Date	Official Utterance
Dec. 01, 2009	Remarks by the President in Address to the Nation on the Way Forward in Afghanistan and Pakistan
Dec. 10, 2009	Nobel lecture delivered by President Barack H. Obama in Oslo
Mar. 25, 2010	Legal Adviser Koh's Speech on the Obama Administration and International Law
Sep. 16, 2011	Remarks of John O. Brennan, "Strengthening our Security by Adhering to our Values and Laws"
Jan. 30, 2012	Obama Addresses Drone Strikes During Google+ Hangout
Feb. 22, 2012	Jeh Johnson's Speech on "National Security Law, Lawyers and Lawyering in the Obama Administration"
Apr. 29, 2012	John Brennan talks War on Terror
Apr. 30, 2012	The Ethics and Efficacy of the President's Counterterrorism Strategy
Jun. 06, 2012	Feinstein, Chambliss, Rogers, Ruppertsberger Deplore Leaks of Classified National Security Information
Feb. 14, 2013	Watch: President Obama Answers Your Questions in a Google+ Hangout
May 22, 2013	Attorney General Eric Holder's letter to members of the Senate Judiciary Committee
May 22, 2013 (declassified in Aug. 2016)	PROCEDURES FOR APPROVING DIRECT ACTION AGAINST TERRORIST TARGETS LOCATED OUTSIDE THE UNITED STATES AND AREAS OF ACTIVE HOSTILITIES
May 23, 2013	Obama's Speech on Drone Policy
May 23, 2013	Fact Sheet: U.S. Policy Standards and Procedures for the Use of Force in Counterterrorism Operations Outside the United States and Areas of Active Hostilities
Mar. 27, 2014	Explanation of Vote by the Delegation of the United States of America on Resolution on the use of Remotely Piloted Aircraft or Armed Drones in Counter-Terrorism and Military Operations
May 28, 2014	Remarks by the President at the United States Military Academy Commencement Ceremony
Nov. 15, 2014	Secretary of Defense Speech: Reagan National Defense Forum Keynote
Mar. 07, 2016	Lisa O. Monaco on Homeland Security and Counterterrorism
Jul. 01, 2016	Summary of Information Regarding U.S. Counterterrorism Strikes Outside Areas of Active Hostilities
Jul. 01, 2016	Executive Order -- United States Policy on Pre- and Post-Strike Measures to Address Civilian Casualties in U.S. Operations Involving the Use of Force
Dec. 05, 2016	REPORT ON THE LEGAL AND POLICY FRAMEWORKS GUIDING THE UNITED STATES' USE OF MILITARY FORCE AND RELATED NATIONAL SECURITY OPERATIONS

**UNMANNED WARFARE: HOW LIBERAL DEMOCRACY
LEGITIMIZES DRONE ATTACKS AND KILLINGS ABROAD**

Vedoucí práce: PhDr. Vít Střítecký, M.Phil., Ph.D.

Background:

„A hallmark of our counterterrorism efforts has been our ability to be exceptionally precise, exceptionally surgical and exceptionally targeted,“ stated official White House spokesman Jay Carney in January 2012 when he was talking about drone attacks against al-Qaeda terrorists in the territory of sovereign states around the world. It was the first public White House conference after the U.S. President Barack Obama acknowledged existence of the classified drone program that Americans have employed as an aggressive campaign to thwart the terrorist threat posed by al-Qaeda and to degrade and ultimately destroy that organization ever since 2001 – the year, when armed drones started to be used extensively by the U.S. military and intelligence.

Unmanned aerial vehicles (UAV's or drones) today represent crucial American tool that is used to fight terrorism in places like Yemen, Afghanistan or Pakistan. Not only the U.S. military but also the Central Intelligence Agency uses drones in order to conduct surveillance and killings of suspected enemies. This effort is part of American War on Terror that has started as response to 9/11 terrorist attacks against American cities in a same way as it was used during Operation Enduring Freedom (OEF) and Operation Iraqi Freedom (OIF). In Afghanistan, for example, the U.S. Air Force put the weaponized Predator into immediate use in 2001 and hit approximately 115 targets in the country during the first year of its combat operations. Drones thus started to be used not only for monitoring the situation on the ground but also for combat itself. As a risk-free and remote controlled tool that does not endanger life of the U.S. soldiers, drones became popular means of warfare.

Both, Bush and Obama administration, approved the use of armed drones and the U.S. administration showed the continuation in use of armed drones when the number of attacks and killings by drones even increased after Obama replaced his republican predecessor in 2009.

Ever since armed drones have been used for killings by the U.S., the legitimacy of armed drones as means of warfare was questioned. Scholars, analysts, politicians, NGO's and many others have argued that killings by armed UAV's on the territory of other sovereign states violate international law in sense of both *ius ad bellum* and *ius in bello*. Among the most discussed issues concerning killings by armed UAV's are: Is America really in the war as it argues through the concept of War on Terror? Does America have the right to kill citizens of another state in the foreign country and (on top of that) without any judicial approval? What role does the distance between a pilot, based thousands kilometers far away from battlefield, and the targeted person plays? Who is accountable and responsible for drone strikes? How does it come that the U.S. – the most powerful democracy in the world – does kill people all around the world without blinking an eye? Does the U.S. violate the ban of international human rights law on execution of extrajudicial killings? Who has the right (if anyone) to say “release the Hellfire missile on the target”?

Author of this thesis thus intend to focus on the U.S. ability to perpetrate such actions despite controversy that have appeared all around the issue of drone killings. Critical discourse analysis (as understood by Fairclough, Wodak and van Dijk) of the U.S. actions and overall uncritical acceptance of the U.S. steps by both U.S. citizens and international community will help to indicate how and with help of which tools the U.S. justified it's actions. The author thus intends to focus on the discourse constructed by the United States where author suggests can be found characteristics of propaganda that helps Washington with legitimizing its otherwise illegitimate actions. The author believes that the best way to approach this issue is to apply concepts of the constructivist theory.

Concepts:

Firstly, theory of *speech act* will be part of the theoretical background of the thesis. This would be for example based on works of John L. Austin who argues that the language has the strength to construct social reality. There would be some valuable books to support this constructivist approach such as would be *The Social Construction of Reality* written by Peter L. Berger and Thomas Luckmann, *Social Theory of International Politics* created by Alexander Wendt or *Rules, Norms and Decisions* by Friedrich Kratochwil. Also, in his books *World of Our Making and Making Sense*, *Making Worlds: Constructivism in Social Theory and International Relations* Nicholas

Onuf developed theory that would enable us to determine what kind of legitimizing actions, based on the language, agents pursue.

Another useful concept that author intends to include in the thesis would be a *propaganda model* formulated by Edward S. Herman and Noam Chomsky in their book *Manufacturing Consent*. Here authors argue that propaganda approach to media coverage suggests a systematic and highly political dichotomization in news coverage based on serviceability to important domestic power interests. Such dichotomization in the mass media is massive and systematic: not only are choices for publicity and suppression comprehensible in terms of system advantage, but the modes of handling favored and inconvenient materials (placement, tone, context, fullness of treatment) differ in ways that serve political ends. Propaganda is defined as a form of communication aimed towards influencing the attitude of a population toward some cause or position. Propaganda and persuasion thus can be made by different techniques such as: disinformation, demonizing of the enemy, fear, uncertainty and doubt, glittering generalities, half-truth, loaded language, making excuses, stereotyping, virtue words, obfuscation etc.

Hypothesis:

Therefore, based on this constructivist framework, it is possible to formulate the hypothesis: The United States carefully chooses language, uses tools of propaganda and makes use of its political-military-economic power in order to create discourse that justifies and even legitimizes killings by UAV's in foreign countries.

Operationalization:

Firstly author will define characteristics of propaganda. Afterwards he will focus on speeches, official documents etc. and by critical analysis he would determine if the document or speech fits to characteristics of propaganda or not. Specifically author will focus on the United States during presidential terms of George W. Bush and Barack Obama.

Key words:

U.S. Foreign Policy, War on Terror, Bush Doctrine, drone warfare, extrajudicial killings, international law, speech act, propaganda

Data:

The primary sources of the thesis would be official speeches of the U.S. representatives (Presidents Obama and Bush, secretaries of states, secretaries of defense, etc.), White House official statements, official documents of administration (the National Security Strategies of the U.S. 2002 etc.), documents that are referred to be part of the so called Bush Doctrine etc. Also author will focus on how American media reported about drone attacks and killings and how they present actions of the U.S. administration and military. Among these will be included for example Washington Post, NY Times, LA Times, Time etc. Also, as secondary sources there will be also included books that will help with theoretical part of the work. Also, the important sources will be international treaties and conventions that ban extrajudicial killings and that establish conditions for *ius ad bellum* and *ius in bello*. Finally, various authors will be also consulted while writing this thesis for purpose of contextualization.

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