To Senator Vitter:

War and its effects have long had a large cost on human civilization. The development of drones appears to lower this cost, as people are farther removed from conflict than ever before in the history of the world. This, however, has led to complicated legal issues that have before needed to be considered in the past, as displayed in the case of the fatal drone attack against Anwar al-Awlaki, an American citizen proven to be involved in terrorist activity.

Drones are categorized as Unmanned Aerial Vehicles (UAVs). The specific drones in question are UACVs, Unmanned Aerial Combat Vehicles. The sight of UACVs on a country’s border could unintentionally viewed as a threat of force. Among countries that are part of the United Nations, all must respect a state’s sovereignty and refrain from the use or threat of force according to article 2, paragraph 4 of their charter\*. In the case of the al-Awlaki in particular, however, the United States used drones to launch a missile at him while he was in Yemen. This violates the UN charter, unless it qualifies for one of two possible exemptions: the sovereign state gave express permission, or it can be proven that the act was made in self-defense.

As far as express permission from Yemen goes, the host state did not give the US permission to launch the drones, so the defense of the United States rests solely on whether or not they can prove that al-Awlani proved a legitimate threat to US security. A “white memo” released by the federal court in June 2014 stated that because it was not feasible to capture al-Awlani, and he was an imminent threat, they had no other choice than to order the drone attack in the name of protecting national security\*\*. This was sufficient to prove that the US was acting simply in self-defense and so had not violate international law.

Another fact that is causing the US trouble is that Anwar al-Awlaki was an American citizen. Under the constitution, all American citizens are entitled to trial by jury. al-Awlaki was not offered this chance. Though the US may have complied fully with international law, its own standing with regards to domestic law comes into question. If a country can’t be trusted to follow its own laws, many wonder whether it can follow international laws.

Senator, with this question, we must wonder whether we should first uphold the Constitution or uphold national security. Perhaps a review of international drone use would be called for, in order to help the US remain a world leader in peace, safety, and strength. An evaluation of the drone policy might lead to greater clarification and respect for the US as a whole.

Sincerely,

A Concerned Citizen

=\*Charter, United Nations, Chapter I, Purposes and Principles.

\*\*Miller, Zeke J. "Here's the Secret Memo That Justified Anwar Al-Awlaki Killing." *Time*.