

CONVERSATIONS ON STRATEGY

PODCAST
TRANSCRIPT

Paul Lushenko On Drones in Conflict

In this episode, Colonel Paul Lushenko, PhD, discusses drones and their use in Gaza and Ukraine. Lushenko is a faculty instructor, and director of special operations in the Department of Military Strategy, Planning, and Operations at the US Army War College. His most recent book, *The Legitimacy of Drone Warfare: Evaluating Public Perceptions*, was published by Routledge in January 2024.

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Episode Transcript

Stephanie Crider (Host)

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The views and opinions expressed in this podcast are those of the authors and are not necessarily those of the Department of the Army, the US Army War College, or any other agency of the US government.

I'm in the studio with Lieutenant Colonel Paul Lushenko, PhD. Lushenko is a faculty instructor, and director of special operations in the Department of Military Strategy, Planning, and Operations at the US Army War College. He's the co-editor of *Drones and Global Order: Implications of Remote Warfare for International Society*, which was published in 2022. It's the first book to systematically study the implications of drone warfare on global politics.

**Note: Since recording this podcast, LTC Lushenko was made assistant professor at the US Army War College.*

Welcome to Conversations on Strategy, Paul. I'm glad you're here.

Paul Lushenko

Stephanie, I'm glad to be here. Thank you so much for having me.

Host

Let's talk about drones. How have drones been used in the Israeli–Palestinian conflict?

Lushenko

It's a really important question because it benchmarks this concept of so-called drone warfare, which is what I focus on in my empirical research and, for the better part of two decades as a career intelligence officer in the US Army, have focused on in terms of providing intelligence that would enable decisions made by commanders to apply lethal effects through these drones. What I often see in the literature among, especially, pundits is taking a look at drone warfare in terms of the platform itself. The most well-known drone is the large, armed, and networked MQ-9 Reaper that's built by General Atomics, but there are others that we can talk about. And if it's not taking a look at drone warfare in terms of this platform, which we call "drone essentialism," it's defining drone warfare in terms of simply targeted killing or even in terms of only counterterrorism, which we've been doing for over two decades in guarded spots such as Pakistan, Somalia, Yemen, Iraq, [and] Afghanistan.

In my research, what I take a look at is drone warfare in terms of two key attributes: the use of the capability and then the constraint of the capability. The use of the capability is differentiated in terms of a strike as a tactic—much

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like a patrol in the battlefield, an AK-47, a tank—or as a strategy, which is designed to link ends, ways, and means to achieve political outcomes. In this case, the central approach to achieving political-military objectives is the use of a drone. The means become the munition, the (AGM-114) Hellfire missile, for instance.

On the other hand, you can see evolving constraints as well. The most well-known constraints in a US context are things like the reasonable near-certainty standard for no civilian casualties in conflict. But there are other known constraints, such as the multilateral constraint or international approval for operations, which is to say we want authorization from the United Nations or any regional security fora before we conduct these sorts of strikes.

If we take this framework of use and constraint and we bring it together, what we can see clearly, globally, [are] different patterns of drone warfare. The pattern that's preferred by the United States and our citizens is the so-called "over-the-horizon" pattern, which is the use of strikes as a strategy with nothing more than unilateral constraint. France will prefer what I call "juridical drone warfare," which is the use of a drone as a tactic, but with multilateral approval through the UN and also things such as the African Union. If we adopt this framework, I think what we're seeing in Gaza right now is so-called "predatory drone warfare." This is the use of drones as a tactic with unilateral oversight. It differs markedly from patterns of drone warfare that are preferred by great powers to include, especially, the United States and France because the real difference here is that as opposed to breaching other countries' territorial integrity, or their sovereignty—which is the chief norm of international relations. These capabilities in Ukraine and Gaza are being used pursuant to an ongoing and declared military operation. The sort of implications it has for perceptions of legitimacy or approval will be quite different than the United States' use of drones, which is perceived to flout international humanitarian law as a matter of course.

To put a pin in it, I think what we're seeing right now in Israel and Palestine and the conflict between these two groupings—one a state, one kind of a quasi-state—is the use of drones for this notion of predatory drone warfare tactically, but with nothing more than unilateral oversight. And it creates a lot of challenges for the morality and the ethical use of drones, as we'll talk about as well.

Host

Let's expand on that idea a little bit. What are the advantages and disadvantages of using drones in this conflict?

Lushenko

Generally, drones are appealing to countries, to non-state actors, [and] to political military officials because they allow you to precisely apply an effect at a certain time and place for a certain purpose, while buying down the risk to one's own forces and increasing the protection of civilians, or what we call noncombatants. This is the chief benefit of drones in this context of warfare.

If you take a look at the sides in this conflict [between] Hamas and Israel, what you see is really two leading arguments on each side. For Hamas, scholars lately have argued that Hamas used drones—commercially available, off-the-shelf drones that are easily weaponized, that are cheap, that are expendable—in such a way that it approximated a military. There's actually a line of reasoning from my colleague at Texas Tech (University), Kerry Chavez, as well as (from) a really well-known terrorism scholar and technologist (named) Audrey Kurth Cronin at Carnegie Mellon (University)—she just moved from American University—that non-state actors have capitalized on emerging capabilities [and] dual-use capabilities to include drones to actually approximate a professional military. In doing so, they have potentially even shepherded a new way of combined arms maneuver.

I think as it relates to Hamas's use of these capabilities, this is a rather specious argument for a couple of reasons. One is, I think, that we've inflated the ability of non-state actors like Hamas to actually drive proliferation globally. Proliferation comes down to a couple of key things. One is, of course, the security gains you can gain from drones, so the chief benefit as we've just talked about. There are other reasons that proliferation would take place. Political autonomy tells us that countries and states would like to capitalize on the profit they get from selling drones globally.

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Finally, there are status considerations that by having drones at any scale, whether it's the large-network Reaper or these commercial drones, one could get status for joining the venerable drone club. I think that's actually what we see with Hamas.

Hamas's drone program has been quite fledgling for years, and the degree that they used the capability in its invasion of Israel on October 7th, it capitalized on momentary surprise to degrade communication towers and observation points for limited tactical gain. It was not necessarily linked into a broader campaign plan that would have synchronized forces across time and space to achieve an overall objective.

So, that's Hamas.

When we take a look at Israel, much like the United States and France and other countries that use the capability prolifically, this is a democratic, political regime. What that means is that there is, theoretically, democratic oversight and accountability that Israeli officials have to answer to—at least theoretically. Now, if that's the case, what drones provide, especially [to] political officials, is the ability to circumvent all that [and] to, unfortunately, approach this question of moral hazard that because we have the capability and it's quite easy to use, as President Obama has stated himself as well—he's known as the drone president—that we ought to use it always and in every case. That leads to a whole set—and we could have another conversation about this—of these legal, ethical, and moral challenges, which I think constitute the disadvantages that (are) really the heart of the matter for your question.

Legally, the question becomes: "Has Israel and its military adequately differentiated between combatants and noncombatants in Gaza?" The chief principle, the first-order principle of international humanitarian law is that we would reduce liability to be harmed by noncombatants—the notion of distinction. The other moral question becomes: "Have we reduced reciprocal risk in war to such a degree that you no longer have this moral purchase of conflict?" War actually becomes quite morally problematic. This notion of radically asymmetric risk—that you're not engaged in conflict, there's no reciprocity. And then furthermore, that you're actually not giving due notice to a target to defend him or herself—this notion of an inalienable human right. Finally, as the ethical issue at hand, you often hear war ethicists, as well as practitioners of the ethical use of force, so those from the ICRC (International Community of the Red Cross), talk about war, being post-heroic or riskless. These are some of the disadvantages that we confront when we talk about modern drone warfare—the legality, the morality, and the ethicality of using the capability.

Host

How has drone use affected the civilians in Gaza and the West Bank?

Lushenko

I think it's really important to draw from existing literature on noncombatant immunity—civilian protection—to answer this question. One of the leading scholars in this space is an academic by the name of Neta Crawford. She, I believe, was at Brown for a little bit in Rhode Island, now she's at Oxford. She has a book called *Accountability for Killing: Moral Responsibility for Collateral Damage in America's Post 9/11 Wars*. It takes a (really) rigorous look at the culture that undergirds civilian casualties from a military perspective. She, of course, notes that in war, civilian casualties can be inevitable. I think this is a right starting position that notwithstanding the precision of drones, you're never really going to mitigate civilian casualties in conflict—it's actually pretty fanciful. And that there actually may be individual cases of so-called "genuine accidents." She also talks about organizational culture as well as policies set by officials being pretty important to civilian casualties. This is the notion of systematic collateral damage as well as foreseen collateral damage. The latter is really a function of deliberate, targeted decisions that are made by political officials.

If we use her framework of systematic collateral damage and foreseen collateral damage, the real concern here is that with a 2:1 ratio of civilians to combatants killed in Gaza, which is what the figure is right now as far as we can tell, that these civilian casualties aren't just foreseen, they're preventable. Let me just state that clearly: Israeli

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officials have recognized that they can prevent civilian casualties but may actually be causing them as a matter of course for any number of military [and] political outcomes, which has real concerns for blowback and international legitimacy. So much so is this a concern that some journalists have even said that Israel is producing a “mass assassination factory” in Gaza at this point. The best reporting reflects that the use of AI (artificial intelligence) to generate targeting options in Gaza has resulted in an increasing number of targets that are prosecuted very quickly and a lot of collateral damage. I think that the implications for drone warfare in Gaza are quite severe right now in terms of noncombatant immunity and the legitimacy outcomes that it has for Israel.

Host

What concerns do human rights organizations have regarding the use of drones in Gaza?

Lushenko

I think the chief concern is this notion of distinction—noncombatant immunity. An outspoken international humanitarian organization, human rights organization, would be the ICRC (International Community of the Red Cross), which questions the degree to which Israeli operators in the military have differentiated between combatants and noncombatants on the battlefield. I think this is actually a really important conversation to have because if you take a look at the targeting methodology within Israel, aside from the sensationalized, almost hyperbolic notion of a “mass assassination factory,” with the devil being in the details, you can see why there would be increased concern for collateral damage.

Israel has, apparently, four distinct targets that it takes a look at with drones. The first is sort of the standard-fare, tactical targets—machine gun nests and RPG (rocket-propelled grenade) position. The others, which is really important in Gaza and a comparative advantage for Hamas, are these underground targets. So, tunnels, which have been used for the warfighting function of protection but also for some leverage of Hamas over Israel and the West, to include the United States, in terms of these hostages. The final two target sets consist of power targets and family homes. Power targets are defined as high rises and residential towers, and then family homes [are] defined as private residences.

These two targets, if they’re not meant to assassinate the Hamas terrorist or official, are meant to instill fear in the psychological dividend against Hamas. You can see with this targeting methodology an inordinate amount of risk that [is] levied against civilians on the battlefield, notwithstanding that it is actually a pretty congested urban environment where collateral damage is going to be high in any case. Having said that, the figure I’ve seen recently, which is just amazing to me, is that in one week Israel dropped the same number of bombs that at the highest peak in Afghanistan over 20 years, the United States did. Something like 6–7,000 bombs against these powered family homes.

[On] the one hand, where I do believe there is a chief concern for sovereignty and a vital national security interest for Israel—and let’s face it, Hamas wants to deface the world of Israel—and it needs to protect its border; international humanitarian law gives us the ability to have self-defense. They’ve got to figure out how to thread the needle in such a way where the collateral damage is actually reduced— less or for fear that they actually lose will, morale, legitimacy from its number one, sort of, ally/partner in this fight, which is the United States. And I think that’s really the central concern to unpack it from these human rights organizations in Gaza.

Host

Are there any parallels to drone use in Ukraine that you want to talk about?

Lushenko

I just came from a meeting with the department chair here at the Department of Military Strategy, Planning and Operations, Colonel Tom Spahr, who just got back from Ukraine. He was part of a special planning team that

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was sent out there to help relook [at] the stalled counteroffensive on behalf of the Ukrainian Coalition Forces vis-a-vis Russia. The central point of conversation was drones.

Drones have taken on a (really) interesting connotation by way of the shifting character warfare. I often marvel at the way that pundits, especially, will talk about the game-changing nature of drones, to include the ability to change “the fate of nations.” That’s a pretty loaded statement, but yet we know that drones at a certain phase of the operation—say, several months into the counteroffensive—really allowed Ukraine to shift what we call the “offense-defense balance” in its war with Russia. In other words, who really had the tactical, operational advantage? And they have built, likely, a veritable army of drones producing 10–15,000 drones a month to offset the same number of losses a month for these commercially available, usually weaponized, drones.

What parallels can we draw from Ukraine as an incubator of so-called “drone warfare” with Gaza? I think there’s a lot of similarities. Hamas uses commercially available drones that were easily weaponized for limited tactical effects. Ukraine has done the same but has also used it for operational fires, as well. The capability’s quite expendable and there’s been some novel innovation in terms of the way drones can be used in tandem and the way that drones can be used against each other.

I think what we see in terms of scale, scope, as well as mission and innovation—these four pillars—leads me believe that Ukraine is radically different, actually, than Gaza. In terms of scale, I actually think we see a broader array of drones in the Ukraine environment than we do in Hamas. In addition to the commercially available, easily weaponized cheaper drones, we see tactical drones. We see loitering munitions. We even see large, armed drones like the (Bayraktar TB2), which is manufactured by Turkey and gives some degree of capability that approximates the Reaper. Now, of course, these have all been attrited in the war, and now Ukraine is attempting to increase its mass of drones to approximate the asymmetry that it would have had from (Bayraktar TB2). So, the scale of drone use is pretty different, I believe.

The other thing, too, is the scope of drones. Commercial to tactical to large arms and network is different from what we saw in the initial invasion by Hamas in Israel on October the 7th. And certainly, we don’t see the army of drones in Hamas, in that conflict in Gaza, like we see clearly in Ukraine.

The final two considerations of mission and innovation—in terms of mission, I think that the way that drones are used in Ukraine (is) different as well. To the extent that drones had a limited effect in Israel used by Hamas, it was tactical surprise—it was disrupting situational awareness momentarily. But again, desynchronized for many campaign plans. What we see in Ukraine is a little bit different where they’re using the capability not for just these lethal purposes but also for nonlethal purposes: for intelligence, surveillance, and reconnaissance; to ferry logistical supplies across the battlefield, to include blood supplies, even; to see how drones can be used in tandem with each other in terms of targeting solutions; to see how we can extend the operational range of drones. The mission set of drones in Ukraine is radically different than what we see in Gaza.

The final point, which I think is really important—going back to this notion of necessity as a mother of invention or innovation at this point—is that there is rapid innovation taking place in the conflict in Ukraine right now, to include not just the application of lethal effects, but also how we protect our own forces from these capabilities. To potentially answer the question about the way that drones have impacted the offense-defense balance. I think that we would have a radically different conversation if Ukraine could achieve air superiority with (American) jets, F-15s or whatever. Right now, what Ukraine lacks, and why it’s attempting to approximate this capability with drones, is air superiority. Air superiority through jets wouldn’t necessarily resolve the issue of drones being used against each other by Russia and Ukraine. What it would allow Ukraine to do is to have operational and shaping fires that would affect nearly all warfighting functions for Russia, which is logistics or sustainment, protection, and maneuver. The fact of the matter is they have no operational reach beyond what we call the “FLOT,” or forward line of (own) troops, to affect any of that, and the war, effectively, has kind of devolved into a stalemate.

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The final point on invasion is this is not, as we say, the enemy is not a potted plant. The enemy gets a vote not just because of status considerations from Putin, but also because of a critical vulnerability that he identified. He has built large manufacturing plants in Russia—to the tune of 14 football fields long—to approximate drone and to outpace drone production from Ukraine; 6,000 Shahed drones (are) what he wants to pump out, here, in the springtime. These are one-way loading munitions that are essentially just flying, floating missiles.

What we see here—as Clausewitz tells us, war is a duel. We see, sort of, the tit for tat taking place between these two countries, also in other sort of warfighting functions like protection. The electromagnetic spectrum is pretty important to the use of drones countering these capabilities. What I see from the best reporting is (an attempt) to turn off some frequencies on behalf of Russia towards Ukraine, so it defeats or disrupts their capabilities. That basically results in a cat-and-mouse game where Ukraine has got to respond in kind.

Maybe you got more than you bargained for with this question, but there are similarities between Ukraine and Gaza, but differences in scale, scope, mission, and innovation show that Ukraine is really an incubator for understanding emerging TTPs—or tactics, techniques, and procedures—going forward.

Host

What else are you working on right now?

Lushenko

I'm working on another book that will come out here in 2024—I believe around January or February. We're gonna launch it at Cornell University. [It's] called *The Legitimacy of Drone Warfare: Evaluating Public Perceptions of Legitimacy*. I think this is a really important topic because although legitimacy from a US doctrine perspective constitutes a key principle of joint warfighting, I'm not really sure we understand what it means and what can cause variation in legitimacy outcomes for both targeted and targeting communities, especially in the case of collateral damage. You only have to look as far as Afghanistan in 2021 to identify a statement by then chairman of the Joint Chiefs of Staff, General Mark Milley, that the strike in August that resulted in 10 civilian casualties—including women and children—was supposed to be targeting Islamic State terrorists, was identified as “righteous,” which is the definition of legitimacy—rightful wartime conduct.

This book takes the first empirical stab, and in a cross-national setting, to understand what shapes legitimacy outcomes for drone warfare. What we do—with my co-author—is we introduce an original middle-range framework, which means it's focused specifically on an important problem like drone warfare, (and) define use and constraint as attributes that allow us to understand what, in fact, drone warfare is. That leads to these emerging patterns of drone warfare; it goes back to your first question. We illuminate these patterns in different case studies, to include the US and Pakistan, and then France and northern Africa. We close out with the implications for research policy and military modernization going forward.

I'm really pleased to announce that this has been my couple-year project, and it's the first empirical stab to take a look at the way that drone warfare is evolving globally and how military practitioners and scholars can understand legitimacy outcomes. The other thing, too, before I close on the book is that in addition to taking a real rigorous look at patterns of drone warfare globally, this is the first stab that adopts legitimacy—defined as perceptions of rightful wartime conduct—as a key dependent variable in itself for public opinion research. Mostly, when you're looking at public opinion research in this space, or the use of force abroad, or whatever, you often think about public opinion in terms of support and approval. But yet, we talk about legitimacy.

We say we ought to adopt legitimacy as the key outcome variable of interest and use survey experiments to test our theory empirically. We also show that legitimacy matters because, though legitimacy and support outcomes can covary, meaning that they go in the same direction, they can also diverge, meaning they go in the opposite direction. This legitimacy paradox, if you will, instructs or informs us that legitimacy matters a whole lot more than we often

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think about empirically. Also, it gives us real leverage and understanding [as to] why someone would think that [the] legitimacy of one pattern is important and support it less, and vice versa. In a nutshell, that's what we take a look at.

Host

Do you have any concluding thoughts you'd like to share before we go?

Lushenko

One of the questions I often get asked in forums like this or in presentations, and even written work and feedback, is the degree to which drones are changing war. One of the principles that we in the war colleges—Army, Navy, Marine Corps, whatever it may be, understand, but is lost on some observers, [including] journalists, interested parties, whatever—is this notion between the character and the nature of warfare. The nature of warfare, again, instructed by Clausewitz and other modern war theorists like H. R. McMaster or John Nagl, is that it's a clash of wills. It's intensely human, it's nasty, and it's political. It's designed to achieve a political objective, if we believe that warfare is an extension of politics by other means.

The character of warfare can change—not like the nature of warfare. The character of warfare is the use of new emerging technologies or tools to achieve effects on the battlefield. When we talk about the implications of drones or drone warfare, I think we have to be (really) clear-eyed about what it is we're talking about. (In) my mind, it seems like we're talking about not a wholesale revolution in military affairs per se, but the use of a new capability to achieve consistent battlefield effects like we would have during World War II or World War I. It gives us different approaches to that. I think more to the point, from Tom Spahr's conversation today on his recent trip to Ukraine, is in the event of increased air superiority and air capability, drones may not play as pivotal a role as we think they would or are in Ukraine. That's a counterfactual that we can actually answer because Congress can approve the use and has of (McDonnell Douglas F-15E Strike Eagles) in Ukraine. But now it's a matter of what we call the "tooth-to-tail" sustainment and training, which is trying to catch up to give them the capability.

The final thing is I would say that this is not a dead-space drone warfare. When I went to Cornell, the committee members really challenged me in my dissertation about why I was focusing on drones and drone warfare. They thought that the literature was so oversubscribed that it couldn't possibly say anything new. But, what I've seen in my research, and what we talk about in the tail end of the book that's forthcoming, is there's a whole host of questions that we really don't have any leverage over right now, empirically. There (are) also older questions that with new data and new perspectives, we could take a new look at—things like the racial bias for drone strikes. To what degree are public attitudes racialized? The implications of public attitudes among not just those who are targeting but those who are targeted. If we believe that these populations are decisive to durable war outcomes. The implications of drones for the durability of global order—I take a stab at this in the first book. It's more an exercise with theory building, but we can empirically test the way people think that drones are impacting—or not—global order. I think, as a final point, that drones will be with us for a long time, and we can take fresh and new perspectives and look at new questions that will form how drone warfare could evolve over time.

Host

Where can our listeners go to learn more about you and your work?

Lushenko

Probably the easiest thing—should you care—is LinkedIn. I'll put a lot of my work on LinkedIn; it's a good networking tool, and if you write me, I'm really good about responding. In fact, my wife says too good because I'll respond to everybody because I think the conversation is so important. And also at Twitter, my X (formerly known as Twitter) handle, @LushenkoPaul, is a good way to take a look at not just my own research, but the so-called epistemic community that we've built both in the United States and globally for questions surrounding drone warfare and also artificial intelligence.

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The final thing you can take a look at is the website called SSRN, the Social Science Research Network. I have a lot of working papers that I put up there that deal not just with drones or drone warfare or the racialization of drones but also with emerging questions on the implications of AI (artificial intelligence), on future warfare, and the degree to which soldiers trust partnering with artificial intelligence, which I think (are) really the most important questions right now.

Host

I have one more question, if you'll indulge me.

Lushenko

Absolutely.

Host

How did you end up studying drones?

Lushenko

Yeah. In fact, this is a really important question I should have led off with. As I said, after graduating from (The United States Military Academy) West Point in 2005, I entered our special operations community through an assessment selection process and, really, the 75th Ranger Regiment. For about two decades, on and off, as an intelligence officer at echelon, so tactically, operationally, strategically—in fact, my last assignment was as the senior intelligence officer for our Joint Special Operations Task Force in Afghanistan—I had been leading incredible soldiers, sailors, airmen, [and] marines across a joint force to provide intelligence that would enable a commander to make a yes-or-no decision on applying a strike.

As I came into Cornell, having the opportunity to conduct this PhD in emerging technology, I basically combined my very deep practical experiences with this interest in theorizing, conceptualizing, and testing notions of legitimacy and support for these strikes, effectively bridging the gap between practitioners and theorists. That's a real comparative advantage that I think we in the military, those with (master's degrees) or PhDs, often don't celebrate as much. We can write at a very high level, we can research at a very high level, but we can also filter this data to explain the practical implications for our future admirals and generals or lieutenants and captains and field grade officers. That [experience] is a little bit different as a military academic than what you typically get in the peer security studies space, which is why I feel so fortunate to be here at the War College to be able to, again, bridge these two worlds.

If you are interested in more Army War College podcasts on similar topics, check out [Decisive Point](#), [SSI Live](#), and [A Better Peace](#).

Host

Thank you so much for making time to speak with me today.

Lushenko

Thank you for having me again.

Host

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