# 1NC

### 1NC---Specification

#### Interpretation---the plan should specify the newly-restricted legal threshold and accountability mechanism it establishes for targeted killings

#### Legal specificity’s a pre-requisite to productive debates over targeted killing

Gregory McNeal 13, Associate Professor of Law, Pepperdine University, 3/5/13, “Targeted Killing and Accountability,” <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1819583>

Discussing and analyzing the notion of accountability and the practice of targeted killings raises problems at the empirical and theoretical levels. Theoretically, accountability is a protean concept,11 with scholars using ill-defined definitions with multiple, oftentimes competing meanings. At times the term accountability is a stand-in for mechanisms with instrumental value, important for what it can achieve as a tool. At others, it is a proxy for various intrinsic values within the political environment—valued for their own sake, rather than for what they can accomplish. When commentators critique targeted killings on the basis of accountability (or its lack thereof), they frequently refer to targeted killings as “unaccountable” while failing to specify what they mean by accountability.12

The literature is far from clear. Commentators might be focusing on instrumental concerns, and finding that accountability mechanisms are insufficient—that is to say, that accountability mechanisms may be failing because they cannot control actors, induce appropriate behavior, or bring about the results that critics desire. Or perhaps commentators are directing their criticism at the failure of accountability mechanisms on a more intrinsic level, as represented by values such as democratic legitimacy or just and equitable treatment. Deeper still, commentators may be expressing a general dissatisfaction with the state of the world itself. In this way, their criticism may be understood as highlighting dissatisfaction with broader notions of executive power or unconstrained American hegemony. That state of the world, in their view, may have led to targeted killing as the means to an unjust end. Frequently, critics will raise all of these concerns in a rather haphazard fashion, criticizing targeted killings on both instrumental and intrinsic grounds, and mixing between the two critiques. With such blurred definitions of accountability, it is difficult to engage in an analysis of targeted killings without specifying what one means by accountability.

Overcoming the problem of theory specification is a necessary precondition for any analysis that claims to critique targeted killings on the basis of accountability. This problem of theory specification is not insurmountable; it has merely been neglected in prior writing about targeted killings. Accordingly, this article will address this challenge by specifying a theoretical framework for analyzing the accountability issues associated with targeted killings, focusing on four mechanisms of accountability: bureaucratic, legal, professional and political. I do not claim that this accountability framework is all encompassing, but it does provide clarity in definitions, ease of replicability, and grounding in the social science and governance literature.

#### Vote neg:

#### Ground---precise legal standards for killings determine the scope of the plan---we can’t read disad links or generate competition without textual commitment in the 1AC to defend a particular legal standard.

#### Precision---legal education’s the point of the legal topic---they undermine it.

### 1NC---Counterplan

#### Evan and I affirm that:

#### the authority of governments in the United States to employ capital punishment in the criminal justice system should be substantially restricted;

#### the war powers authority of the President of the United States to conduct war using remotely piloted aircraft armed with nuclear weapons and/or adjustable-, supervised-, or fully-autonomous robotic systems should be substantially restricted;

#### the war powers authority of the President of the United States in the area of so-called targeted killing should be preserved so long as targeted killings are carried out with an ethic of melancholy duty and an awareness that they are justified despite their problematic moral foundations, not because of them

#### Solves the case:

#### 1) Death penalty---the CP takes an ethical stance against state violence in the context of capital punishment---that’s sufficient, proven by their ev

Rupa Reddy 3, researcher at the Centre for Capital Punishment Studies, based at the School of Law in the University of Westminster, has multiple degrees in law, 2003, “The Changing Face of the Killing State,” http://www.westminster.ac.uk/\_\_data/assets/pdf\_file/0014/43403/Occasional\_2.pdf

State killing symbolises “the vindication of absolute and ultimate power appropriated to governmental ends.”194 This exercise of power by the state is then also appropriated and exploited by groups in society, in order to achieve the exercise of their own ideology. Under the guise of the seemingly benign intention of diminishing the pain of those subjected to a legitimate punishment in a democracy, the death penalty in modern society in fact seems alarmingly similar to those situations described by Hay, Ignatieff, and Foucault, in the context of societies which did not purport to be democratic. The role of the crowds present at public executions in eighteenth century England and France was crucial, as was the potential power of these witnesses to overturn the ritual if they felt any injustice had occurred.195 Arguably, this power depended upon these witnesses having an awareness of their role in the ritual, which in turn depended upon their being conscious of the wider significance of the institution. In Foucault’s account particularly, the crowd were aware that the death penalty was part of the overall exercise of state power, and that they themselves had an important role to play in the practical limitation of this power.196

With regard to modern day America, this awareness no longer exists amongst a large proportion of the public. Not only is the modern execution witnessed by very few of the citizens in whose name it is carried out, but also the death penalty as an institution is no longer primarily viewed as a representation of the power of the state over its subjects. As in the eighteenth century England described by Douglas Hay, the perpetuation of the death penalty is to a large extent dependent upon the acquiescence and support of people who believe that they control it. In a democratic state this should indeed be the case. However, in the same way that the majority of the English population in Hay’s account were duped into believing they had some control over the death penalty by a veneer of equality and justice, the American public also falsely believe that they are in control of its exercise. This is simply not the case. Instead it seems possible that the distribution of the death penalty is being influenced by a certain section of society in order to further their own ideologies related to race, and other factors such as wealth and class.

Is this the same kind of sovereign power, merely disguised more effectively under the cloak of democracy? As Sarat argues, “the death penalty is the ultimate measure of sovereignty and the ultimate test of political power.”197 In modern American society, this power has been “transformed from an instrument of political terror used by ‘them’ against ‘us’”198, as was the case in the eighteenth century, into “our instrument used by some of us against others.”199 The composition of the elite or group, and the ideology underlying their use of the death penalty may have changed over time. Yet despite this, it appears that capital punishment continues to be used as an ideological tool of power.

CONCLUSION

In this discussion I have attempted to demonstrate that “capital punishment has played, and continues to play, a major, and dangerous, role in the modern economy of power.”200 For this reason I chose to focus upon the influence of symbolism and ideology in the use of the death penalty in order to highlight their possible roles in this distribution of power. Other mechanisms, such as sanitization, might also facilitate any power imbalance by masking ideological and symbolic aims or effects. Sanitization, particularly in the form of lethal injection, is at least partly responsible for the fact that “the killing state is taken for granted,”201 and the fact that the majority of executions are no longer considered newsworthy both reflects and perpetuates this attitude. Until the ideology behind capital punishment is fully identified, no effective counter-strategy can be devised to oppose it.202

One solution to this aspect of the problem then, must be to “bring violence out from behind the scenes, thus allowing it to impinge upon public consciousness and disturb the public conscience.”203 The debate must be returned to the moral legitimacy of executions rather than their methodology, and the public must be reminded that the reality of the death penalty is the calculated extinction of human life by the state. One controversial suggestion to achieve this has been to “blur the distinction between execution and murder,”204 and “reveal the sadism that is at the heart of the state’s tenacious attachment to capital punishment”205 by televising executions. Whilst a detailed discussion of the terms of this debate is unfortunately beyond the scope of this discussion,206 and although they may never be translated into reality, arguably merely raising such issues reminds people of the moral issues involved in executions.

By using such methods to raise public consciousness, might it be possible to show that the death penalty is not as neutral a punishment as it first appears? Perhaps nothing can displace well-established ideologies such as those discussed here, but arguments regarding their potential influence should be made in order to add positively to the case for abolition. For the longer this violent penalty is perpetuated, the greater the possibility becomes that it will “leave us in a killing state . . . [with] nothing but killing as the currency of social life.”207

#### 2) Autonomous drones---their impact ev is not about targeted killings, it’s about future autonomous drones which the CP bans---this is from earlier in their Singer article, making clear that it’s about autonomous robots

Peter W. Singer 9, Director of the Center for 21st Century Security and Intelligence at Brookings, Senior Fellow in Foreign Policy, Winter 2009, “Robots at War: The New Battlefield,” http://www.cc.gatech.edu/classes/AY2009/cs4001c\_spring/documents/WilsonQuarterly-RobotsAtWar.pdf

So, despite what one article called “all the lip service paid to keeping a human in the loop,” autonomous armed robots are coming to war. They simply make too much sense to the people who matter.

With robots taking on more and more roles, and humans ever further out of the loop, some wonder whether human warriors will eventually be rendered obsolete. Describing a visit he had with the 2007 graduating class at the Air Force Academy, a retired Air Force officer says, “There is a lot of fear that they will never be able to fly in combat.”

The most controversial role for robots in the future would be as replacements for the human grunt in the field. In 2004, DARPA researchers surveyed a group of U.S. military officers and robotics scientists about the roles they thought robots would take over in the near future. The officers predicted that countermine operations would go first, followed by reconnaissance, forward observation, logistics, then infantry. Oddly, among the last roles they named were air defense, driving or piloting vehicles, and food service—each of which has already seen automation. Special Forces roles were felt, on average, to be least likely ever to be delegated to robots.

The average year the soldiers predicted that humanoid robots would start to be used in infantry combat roles was 2025. Their answer wasn’t much different from that of the scientists, who gave 2020 as their prediction. To be clear, these numbers only reflect the opinions of those in the survey, and could prove to be way off . Robert Finkelstein, a veteran engineer who now heads Robotic Technologies Inc. and who helped conduct the survey, thinks these projections are highly optimistic and that it won’t be until “2035 [that] we will have robots as fully capable as human soldiers on the battlefield.” But the broader point is that many specialists are starting to contemplate a world in which robots will replace the grunt in the field well before many of us pay of f our mortgages.

However, as H. R. “Bart” Everett, a Navy robotics pioneer, explains, the full-scale replacement of humans in battle is not likely to occur anytime soon. Instead, the human use of robots in war will evolve “to more of a team approach.” His program, the Space and Naval Warfare Systems Center, has joined with the Office of Naval Research to support the activation of a “warfighters’ associate” concept within the next 10 to 20 years. Humans and robots would be integrated into a team that shares information and coordinates action toward a common goal. Says Everett, “I firmly believe the intelligent mobile robot will ultimately achieve sufficient capability to be accepted by the warfighter as an equal partner in a human-robot team, much along the lines of a police dog and its handler.”

A 2006 solicitation by the Pentagon to the robotics industry captures the vision: “The challenge is to create a system demonstrating the use of multiple robots with one or more humans on a highly constrained tactical maneuver. . . . One example of such a maneuver is the through-the-door procedure of ten used by police and soldiers to enter an urban dwelling . . . [in which] one kicks in the door then pulls back so another can enter low and move left, followed by another who enters high and moves right, etc. In this project the teams will consist of robot platforms working with one or more human teammates as a cohesive unit.”

Another U.S. military–funded project envisions the creation of “playbooks” for tactical operations by a robot-human team. Much like a football quarterback, the human soldier would call the “play” for robots to carry out, but like the players on the field, the robots would have the latitude to change what they did if the situation shifted.

The military, then, doesn’t expect to replace all its soldiers with robots anytime soon, but rather sees a process of integration into a force that will become, as the Joint Forces Command projected in its 2025 plans, “largely robotic.” The individual robots will “have some level of autonomy —adjustable autonomy or supervised autonomy or full autonomy within mission bounds,” but it is important to note that the autonomy of any human soldiers in these units will also be circumscribed by their orders and rules.

#### Rejecting all use of deadly force in counter-terrorism is just as immoral as saying the U.S. is purely innocent---the only true ethical option is the middle ground that views carrying out violence as a sad duty rather than a joyful act of revenge

Slavoj Zizek 2, international man of mystery, 2002, Welcome to the Desert of the Real, p. 48-52

September 11 is already being appropriated for ideological causes: from the claims in all the mass media that antiglobalization is now out, to the notion that the shock of the WTC attacks revealed the substanceless character of postmodern Cultural Studies, their lack of contact with 'real life'. While the second notion is (partially) right for the wrong reasons, the first is downright wrong. What is true is that the relatively trifling character of standard Cultural Studies critical topics was thereby revealed: what is the use of a politically incorrect expression with possible racist undertones, compared with the torturous death of thousands? This is the dilemma of Cultural Studies: will they stick to the same topics, directly admitting that their fight against oppression is a fight within First World capitalism's universe - which means that, in the wider conflict between the Western First World and the outside threat to it, one should reassert one's fidelity to the basic American liberal-democratic framework? Or will they risk taking the step into radicalizing their critical stance; will they problematize this framework itself? As for the end of antiglobalization, the dark hints from the first days after September 11 that the attacks could also have been the work of antiglobalist terrorists is, of course, nothing but a crude manipulation: the only way to conceive of what happened on September 11 is to locate it in the context of the antagonisms of global capitalism.

We do not yet know what consequences this event will have for the economy, ideology, politics and war, but one thing is certain: the USA, which, until now, perceived itself as an island exempt from this kind of violence, witnessing it only from the safe distance of the TV screen, is now directly involved. So the alternative is: will the Americans decide to fortify their 'sphere' further, or to risk stepping out of it? Either America will persist in - even strengthen the deeply immoral attitude of 'Why should this happen to us? Things like this don't happen here!', leading to more aggressivity towards the threatening Outside - in short: to a paranoiac acting out. Or America will finally risk through the fantasmatic screen that separates it from the Outside World, accepting its arrival in the Real world, making the long-overdue move from “A thing like this shouldn't happen here!” to “A thing like this shouldn't happen anywhere!”. That is the true lesson of the attacks: the only way to ensure that it will not happen here again is to prevent it happening anywhere else. In short, America should learn humbly to accept its own vulnerability as part of this world, enacting the punishment of those responsible as a sad duty, not as an exhilarating retaliation - what we are getting instead is the forceful reassertion of the exceptional role of the USA as a global policeman, as if what causes resentmesainst the USA is not its excess of power, but its lack of it.

The WTC attacks confront us with the necessity of resisting the temptation of a double blackmail. If we simply, only and unconditionally condemn it, we simply appear to endorse the blatantly ideological position of American innocence under attack by Third World Evil; if we draw attention to the deeper sociopolitical causes of Arab extremism, we simply appear to blame the victim which ultimately got what it deserved .... The only possible solution here is to reject this very opposition and to adopt both positions simultaneously; this can be done only if we resort to the dialectical category of totality: there is no choice between these two positions; each one is one-sided and false. Far from offering a case apropos of which we can adopt a clear ethical stance, we encounter here the limit of moral reasoning: from the moral standpoint, the victims are innocent, the act was an abominable crime, this very innocence, however, is not innocent-to adopt such an 'innocent' position in today's global capitalist universe is in itself a false abstraction. The same goes for the more ideological clash of interpretations: we can claim that the attack on the WTC was an attack on everything that is worth fighting for in democratic freedoms - the decadent Western way of life condemned by Muslim and other fundamentalists is the universe of women's rights and multiculturalist tolerancc;23 we could also claim, however, that it was an attack on the very centre and symbol of global financial capitalism. This, of course, in no way entails the compromise notion of shared guilt (the terrorists are to blame, but the Americans are also partly to blame ... ) -the point is, rather, that the two sides are not really opposed; that they belong to the same field. In short, the position to adopt is to accept the necessity of the fight against terrorism, but to redefine and expand its terms so that it will also include (some) American and other Western powers' acts: the choice between Bush and Bin Laden is not our choice; they are both 'Them' against Us. The fact that global capitalism is a totality means that it is the dialectical unity of itself and of its other, of the forces which resist it on 'fundamentalist' ideological grounds.

Consequently, of the two main stories which emerged after September 11, both are worse, as Stalin would have put it. The American patriotic narrative - the innocence under siege, the surge of patriotic pride - is, of course, vain; however, is the Leftist narrative (with its Schadenfreude: the USA got what it deserved, what it had been doing to others for really any better? The predominant reaction of European - but also American- Leftists was nothing less than scandalous: all imaginable stupidities were said and written, up to the 'feminist' point that the WTC towers were two phallic symbols, waiting to be destroyed ('castrated'). Was there not something petty and miserable in the mathematics reminding-us of Holocaust revisionism (what are the 3,000 dead against millions in Rwanda, Congo, etc.)? And what about the fact that the CIA (co-)created the Taliban and Bin Laden, financing and helping them to fight the Soviets in Afghanistan? Why was this fact quoted as an argument against attacking them? Would it not be much more logical to claim that it is precisely America's duty to rid us of the monster it created? The moment we think in the terms of 'Yes, the WTC collapse was a tragedy, but we should not fully solidarize with the victims, since this would mean supporting US imperialism', the ethical catastrophe is already here: the only appropriate stance is unconditional solidarity with all victims. The ethical stance proper is replaced here by the moralizing mathematics of guilt and horror, which misses the key point: the terrifying death of each individual is absolute and incomparable. In short, let us conduct a simple mental experiment: if you detect in yourself any reluctance to empathize fully with the victims of the WTC collapse, if you feel the urge to qualify your empathy with 'Yes, but what about the millions who suffer in Africa .. .', you are not demonstrating your Third World sympathies, but merely the mauvaise foi which bears witness to your implicit patronizing racist attitude towards Third World victims. (More precisely, the problem with such comparative statements is that they are both necessary and inadmissible: one has to make them, one has to make the point that much worse horrors are taking place around the world on a daily basis - but one has to do it without getting involved in the obscene mathematics of guilt.)

### 1NC---DA

#### Targeted killing’s vital to counterterrorism---disrupts leadership and makes carrying out attacks impossible

Kenneth Anderson 13, Professor of International Law at American University, June 2013, “The Case for Drones,” Commentary, Vol. 135, No. 6

Targeted killing of high-value terrorist targets, by contrast, is the end result of a long, independent intelligence process. What the drone adds to that intelligence might be considerable, through its surveillance capabilities -- but much of the drone's contribution will be tactical, providing intelligence that assists in the planning and execution of the strike itself, in order to pick the moment when there might be the fewest civilian casualties.

Nonetheless, in conjunction with high-quality intelligence, drone warfare offers an unparalleled means to strike directly at terrorist organizations without needing a conventional or counterinsurgency approach to reach terrorist groups in their safe havens. It offers an offensive capability, rather than simply defensive measures, such as homeland security alone. Drone warfare offers a raiding strategy directly against the terrorists and their leadership.

If one believes, as many of the critics of drone warfare do, that the proper strategies of counterterrorism are essentially defensive -- including those that eschew the paradigm of armed conflict in favor of law enforcement and criminal law -- then the strategic virtue of an offensive capability against the terrorists themselves will seem small. But that has not been American policy since 9/11, not under the Bush administration, not under the Obama administration -- and not by the Congress of the United States, which has authorized hundreds of billions of dollars to fight the war on terror aggressively. The United States has used many offensive methods in the past dozen years: Regime change of states offering safe havens, counter-insurgency war, special operations, military and intelligence assistance to regimes battling our common enemies are examples of the methods that are just of military nature.

Drone warfare today is integrated with a much larger strategic counterterrorism target -- one in which, as in Afghanistan in the late 1990s, radical Islamist groups seize governance of whole populations and territories and provide not only safe haven, but also an honored central role to transnational terrorist groups. This is what current conflicts in Yemen and Mali threaten, in counterterrorism terms, and why the United States, along with France and even the UN, has moved to intervene militarily. Drone warfare is just one element of overall strategy, but it has a clear utility in disrupting terrorist leadership. It makes the planning and execution of complex plots difficult if only because it is hard to plan for years down the road if you have some reason to think you will be struck down by a drone but have no idea when. The unpredictability and terrifying anticipation of sudden attack, which terrorists have acknowledged in communications, have a significant impact on planning and organizational effectiveness.

#### Prefer our evidence---critics are wrong---drones are highly effective at CT, and don’t cause high civilian casualties or blowback

Alex Young 13, Associate Staff, Harvard International Review, 2/25/13, “A Defense of Drones,” Harvard International Review, http://hir.harvard.edu/a-defense-of-drones

The War on Terror is no longer a traditional conflict. The diffuse, decentralized nature of terrorist organizations had already made this an unconventional war; now, the use of unmanned aircraft has added another non-traditional layer. Conventional military strategies have failed in Iraq and Afghanistan: the United States has, in many cases, stopped sending people into combat, opting instead for airstrikes by unmanned aerial vehicles. Over the past decade, US military and intelligence agencies have expanded their use of unmanned Predator and Reaper drones; these robotic aircraft are generally used to carry out targeted strikes against known members of terrorist groups. US reliance on drones in Afghanistan, Pakistan, Yemen, and other countries has changed the nature of the war on terror.

This strategy is not without controversy. The Obama administration’s heavy use of unmanned drones in the War on Terror has come under fire from a variety of opponents, including human rights groups, think tanks, and even foreign governments. Critics claim that drone strikes cause civilian casualties, incorrectly target only the most prominent leaders of terrorist groups, and create backlash against the US. To hear some tell it, the use of drones exacerbates, rather than solves, the problem of terrorism.

The reality is not so bleak: drones are very good at what they do. Unmanned attacks are highly effective when it comes to eliminating specific members of terrorist organizations, disrupting terrorist networks without creating too much collateral damage. Their effectiveness makes drone strikes a vital part of US counterterrorism strategy.

Predator and Reaper drones are not the indiscriminate civilian-killers that some make them out to be: strikes are targeted and selective. This has become increasingly true as drone technology has improved, and as the military has learned how best to use them. A confluence of factors has made drone strikes much better at eliminating enemy militants while avoiding civilians: drones now carry warheads that produce smaller blast radiuses, and the missiles carrying those warheads are guided using laser, millimeter-wave, and infrared seekers. The result has been less destructive drone strikes that reach their intended target more reliably. A number of non-technological shifts have also made drones a more useful tool: Peter Bergen, a national security analyst for CNN, summarized on July 13th, 2012 that more careful oversight, a deeper network of local informants, and better coordination between the US and Pakistani intelligence communities have also contributed to better accuracy. Data gathered by the Long War Journal indicates that the civilian casualty rate for 2012 and the beginning of 2013 is only 4.5 percent. Even Pakistani Major General Ghayur Mehmood acknowledges that, “most of the targets [of drone strikes] are hard-core militants.” Imprecise drone strikes that cause many civilian casualties are now a thing of the past. This improved accuracy may also help to mitigate anti-American sentiment that stems from civilian casualties.

**Al Qaeda’s actions, statements, and internal documents prove they want nuclear weapons and mass casualty attacks---if the US relents, it guarantees nuclear attacks**

Larry J. **Arbuckle 8**, Naval Postgraduate School, "The Deterrence of Nuclear Terrorism through an Attribution Capability", Thesis for master of science in defense analysis, approved by Professor Robert O'Connell, and Gordon McCormick, Chairman, Department of Defense Analysis, Naval Postgraduate School, June

However, there is evidence that a small number of terrorist organizations in recent history, and at least one presently, have nuclear ambitions. These groups include Al Qaeda, Aum Shinrikyo, and Chechen separatists (Bunn, Wier, and Friedman; 2005). Of these, Al Qaeda appears to have made the most serious attempts to obtain or otherwise develop a nuclear weapon. Demonstrating these intentions, in 2001 Osama Bin Laden, Ayman al Zawahiri, and two other al Qaeda operatives met with two Pakistani scientists to discuss weapons of mass destruction development (Kokoshin, 2006). Additionally, Al Qaeda has made significant efforts to justify the use of mass violence to its supporters. Sulaiman Abu Ghaith, an al Qaeda spokesman has stated that al Qaeda, “has the right to kill 4 million Americans – 2 million of them children,” in retaliation for deaths that al Qaeda links to the U.S. and its support of Israel (as cited in Bunn, Wier, and Friedman; 2005). Indeed Bin Laden received a fatwa in May 2003 from an extreme Saudi cleric authorizing the use of weapons of mass destruction against U.S. civilians (Bunn, Wier, and Friedman; 2005). Further evidence of intent is the following figure taken from al Qaeda documents seized in Afghanistan. **It depicts a workable design for a nuclear weapon.** Additionally, the text accompanying the design sketch includes some **fairly advanced weapons design parameters** (Boettcher & Arnesen, 2002). Clearly **maximizing the loss of life is key among al Qaeda’s goals**. Thus their use of conventional means of attack presently appears to be a **result of their current capabilities** and not a function of their pure preference (Western Europe, 2005).

#### Nuclear terrorism is feasible---high risk of theft and attacks escalate

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Hundreds of scientific papers and reports have been published on nuclear terrorism. International conferences have been held on this threat with participation of Russian organizations, including IMEMO and the Institute of U.S. and Canadian Studies. Recommendations on how to combat the threat have been issued by the International Luxembourg Forum on Preventing Nuclear Catastrophe, Pugwash Conferences on Science and World Affairs, Russian-American Elbe Group, and other organizations. The UN General Assembly adopted the International Convention for the Suppression of Acts of Nuclear Terrorism in 2005 and cooperation among intelligence services of leading states in this sphere is developing.¶ At the same time, these efforts fall short for a number of reasons, partly because various acts of nuclear terrorism are possible. Dispersal of radioactive material by detonation of conventional explosives (“dirty bombs”) is a method that is most accessible for terrorists. With the wide spread of radioactive sources, raw materials for such attacks have become much more accessible than weapons-useable nuclear material or nuclear weapons. The use of “dirty bombs” will not cause many immediate casualties, but it will result into long-term radioactive contamination, contributing to the spread of panic and socio-economic destabilization.¶ Severe **consequences can be caused by sabotaging nuclear power plants, research reactors, and radioactive materials storage facilities. Large cities are especially vulnerable to such attacks. A large city may host dozens of research reactors with a nuclear power plant or a couple of spent nuclear fuel storage facilities and dozens of large radioactive materials storage facilities located nearby.** The past few years have seen significant efforts made to enhance organizational and physical aspects of security at facilities, especially at nuclear power plants. Efforts have also been made to improve security culture. But these efforts do not preclude the possibility that well-trained terrorists may be able to penetrate nuclear facilities.¶ Some estimates show that sabotage of a research reactor in a metropolis may expose hundreds of thousands to high doses of radiation. A formidable part of the city would become uninhabitable for a long time.¶ Of all the scenarios, it is building an improvised nuclear device by terrorists that poses the maximum risk. **There are no engineering problems that cannot be solved if terrorists decide to build a simple “gun-type” nuclear device.** Information on the design of such devices, as well as implosion-type devices, is available in the public domain. It is the acquisition of weapons-grade uranium that presents the sole serious obstacle. Despite numerous preventive measures taken, we cannot rule out the possibility that such materials can be bought on the black market. Theft of weapons-grade uranium is also possible. Research reactor fuel is considered to be particularly vulnerable to theft, as it is scattered at sites in dozens of countries. There are about 100 research reactors in the world that run on weapons-grade uranium fuel, according to the International Atomic Energy Agency (IAEA).¶ A terrorist “gun-type” uranium bomb can have a yield of least 10-15 kt, which is comparable to the yield of the bomb dropped on Hiroshima. The explosion of such a bomb in a modern metropolis can kill and wound hundreds of thousands and cause serious economic damage. There will also be long-term sociopsychological and political consequences.¶ The vast majority of states have introduced unprecedented security and surveillance measures at transportation and other large-scale public facilities after the terrorist attacks in the United States, Great Britain, Italy, and other countries. These measures have proved burdensome for the countries’ populations, but the public has accepted them as necessary. A nuclear terrorist attack will make the public accept further measures meant to enhance control even if these measures significantly restrict the democratic liberties they are accustomed to. Authoritarian states could be expected to adopt even more restrictive measures.¶ If a nuclear terrorist act occurs, nations will delegate tens of thousands of their secret services’ best personnel to investigate and attribute the attack. Radical Islamist groups are among those capable of such an act. We can imagine what would happen if they do so, given the anti-Muslim sentiments and resentment that conventional terrorist attacks by Islamists have generated in developed democratic countries. Mass deportation of the non-indigenous population and severe sanctions would follow such an attack in what will cause **violent protests in the Muslim world**. **Series of armed clashing terrorist attacks may follow**. The prediction that Samuel Huntington has made in his book “The Clash of Civilizations and the Remaking of World Order” may come true. Huntington’s book clearly demonstrates that it is not Islamic extremists that are the cause of the Western world’s problems. Rather there is a deep, intractable conflict that is rooted in the fault lines that run between Islam and Christianity. This is especially dangerous for Russia because these fault lines run across its territory. To sum it up, the political leadership of Russia has every reason to revise its list of factors that could undermine strategic stability.  BMD does not deserve to be even last on that list because its effectiveness in repelling massive missile strikes will be extremely low. BMD systems can prove useful only if deployed to defend against launches of individual ballistic missiles or groups of such missiles. Prioritization of other destabilizing factors—that could affect global and regional stability—merits a separate study or studies. But even without them I can conclude that nuclear terrorism should be placed on top of the list. The threat of nuclear terrorism is real, and a successful nuclear terrorist attack would lead to a radical transformation of the global order.  All of the threats on the revised list must become a subject of thorough studies by experts. States need to work hard to forge a common understanding of these threats and develop a strategy to combat them.

#### Nuke terror causes extinction---equivalent to full-scale nuclear war

Owen B. Toon 7, chair of the Department of Atmospheric and Oceanic Sciences at CU-Boulder, et al., April 19, 2007, “Atmospheric effects and societal consequences of regional scale nuclear conflicts and acts of individual nuclear terrorism,” online: http://climate.envsci.rutgers.edu/pdf/acp-7-1973-2007.pdf

To an increasing extent, people are congregating in the world’s great urban centers, creating megacities with populations exceeding 10 million individuals. At the same time, advanced technology has designed nuclear explosives of such small size they can be easily transported in a car, small plane or boat to the heart of a city. We demonstrate here that a single detonation in the 15 kiloton range can produce urban fatalities approaching one million in some cases, and casualties exceeding one million. Thousands of small weapons still exist in the arsenals of the U.S. and Russia, and there are at least six other countries with substantial nuclear weapons inventories. In all, thirty-three countries control sufficient amounts of highly enriched uranium or plutonium to assemble nuclear explosives. A conflict between any of these countries involving 50-100 weapons with yields of 15 kt has the potential to create fatalities rivaling those of the Second World War. Moreover, even a single surface nuclear explosion, or an air burst in rainy conditions, in a city center is likely to cause the entire metropolitan area to be abandoned at least for decades owing to infrastructure damage and radioactive contamination. As the aftermath of hurricane Katrina in Louisiana suggests, the economic consequences of even a localized nuclear catastrophe would most likely have severe national and international economic consequences. Striking effects result even from relatively small nuclear attacks because low yield detonations are most effective against city centers where business and social activity as well as population are concentrated. Rogue nations and terrorists would be most likely to strike there. Accordingly, an organized attack on the U.S. by a small nuclear state, or terrorists supported by such a state, could generate casualties comparable to those once predicted for a full-scale nuclear “counterforce” exchange in a superpower conflict. Remarkably, the estimated quantities of smoke generated by attacks totaling about one megaton of nuclear explosives could lead to significant global climate perturbations (Robock et al., 2007). While we did not extend our casualty and damage predictions to include potential medical, social or economic impacts following the initial explosions, such analyses have been performed in the past for large-scale nuclear war scenarios (Harwell and Hutchinson, 1985). Such a study should be carried out as well for the present scenarios and physical outcomes.

#### Terrorism studies are epistemologically and methodologically valid---our authors are self-reflexive

Michael J. Boyle '8, School of International Relations, University of St. Andrews, and John Horgan, International Center for the Study of Terrorism, Department of Psychology, Pennsylvania State University, April 2008, “A Case Against Critical Terrorism Studies,” Critical Studies On Terrorism, Vol. 1, No. 1, p. 51-64

 Jackson (2007c) calls for the development of an explicitly CTS on the basis of what he argues preceded it, dubbed ‘Orthodox Terrorism Studies’. The latter, he suggests, is characterized by: (1) its poor methods and theories, (2) its state centricity, (3) its problemsolving orientation, and (4) its institutional and intellectual links to state security projects. Jackson argues that the major defining characteristic of CTS, on the other hand, should be ‘a skeptical attitude towards accepted terrorism “knowledge”’. **An implicit presumption from this is that terrorism scholars have laboured for all of these years without being aware that their area of study has an implicit bias, as well as definitional and methodological** **problems**. In fact**, terrorism scholars are not only well aware of these problems, but also have provided their own** searching **critiques** of the field at various points during the last few decades (e.g. Silke 1996, Crenshaw 1998, Gordon 1999, Horgan 2005, esp. ch. 2, ‘Understanding Terrorism’). **Some of those scholars** most associated with the critique of empiricismimplied in ‘Orthodox Terrorism Studies’ **have also engaged in deeply critical examinations of the nature of sources, methods, and data in the study of terrorism**. For example, Jackson (2007a) regularly cites the handbook produced by **Schmid and Jongman** (1988) to support his claims that theoretical progress has been limited. But this fact was well recognized by the authors; indeed, in the introduction of the second edition they **point out** that they have not revised their chapter on theories of terrorism from the first edition, because the **failure to address** persistent conceptual and **data problems** has undermined progress in the field. The point of their handbook was to sharpen and make more comprehensive the result of research on terrorism, not to glide over its methodological and definitional failings (Schmid and Jongman 1988, p. xiv). Similarly, **Silke’s** (2004) **volume on the state of the field of terrorism research performed a similar function**, highlighting the shortcomings of the field, in particular the lack of rigorous primary data collection. **A non-reflective community of scholars does not produce such scathing indictments of its own work.**

#### Limiting targeted killings in Pakistan causes a shift to ground assaults---turns the case and collapses the Pakistani government

Richard Weitz 11, Senior Fellow and Director of the Center for Political-Military Analysis at the Hudson Institute, 1/2/11, “WHY UAVS HAVE BECOME THE ANTI-TERROR WEAPON OF CHOICE IN THE AFGHAN-PAK BORDER,” http://www.sldinfo.com/why-uavs-have-become-the-anti-terror-weapon-of-choice-in-the-afghan-pak-border/

Perhaps the most important argument in favor of using UAV strikes in northwest Pakistan and other terrorist havens is that alternative options are typically worse.

The Pakistani military has made clear that it is neither willing nor capable of repressing the terrorists in the tribal regions. Although the controversial ceasefire accords Islamabad earlier negotiated with tribal leaders have formally collapsed, the Pakistani Army has repeatedly postponed announced plans to occupy North Waziristan, which is where the Afghan insurgents and the foreign fighters supporting them and al-Qaeda are concentrated.

Such a move that would meet fierce resistance from the region’s population, which has traditionally enjoyed extensive autonomy. The recent massive floods have also forced the military to divert its assets to humanitarian purposes, especially helping the more than ten million displaced people driven from their homes.

But the main reason for their not attacking the Afghan Taliban or its foreign allies based in Pakistan’s tribal areas is that doing so would result in their joining the Pakistani Taliban in its vicious fight with the Islamabad government.

Yet, sending in U.S. combat troops on recurring raids or a protracted occupation of Pakistani territory would provoke widespread outrage in Pakistan and perhaps in other countries as well since the UN Security Council mandate for the NATO-led International Security Assistance Force (ISAF) in Afghanistan only authorizes military operations in Pakistan.

On the one known occasion when U.S. Special Forces actually conducted a ground assault in the tribal areas in 2008, the Pakistanis reacted furiously. On September 3, 2008, a U.S. Special Forces team attacked a suspected terrorist base in Pakistan’s South Waziristan region, killing over a dozen people. These actions evoked strong Pakistani protests. Army Chief of Staff Gen. Ashfaq Kayani, who before November 2007 had led Pakistan’s Inter-Services Intelligence (ISI), issued a written statement denying that “any agreement or understanding [existed] with the coalition forces” [in Afghanistan] allowing them to strike inside Pakistan.” The general pledged to defend Pakistan’s sovereignty and territorial integrity “at all cost.” Prime Minister Yousaf Raza Gilani and President Asif Ali Zardari also criticized the U.S. ground operation on Pakistani territory. On September 16, 2008, the Pakistani army announced it would shoot any U.S. forces attempting to cross the Afghan-Pakistan border.

On several occasions since then, Pakistani troops and militia have fired at what they believed to be American helicopters flying from Afghanistan to deploy Special Forces on their territory, though there is no conclusive evidence that the U.S. military has ever attempted another large-scale commando raid in Pakistan after the September 2008 incident.

Further large-scale U.S. military operations into Pakistan could easily rally popular support behind the Taliban and al-Qaeda. It might even precipitate the collapse of the Islambad government and its replacement by a regime in nuclear-armed Pakistan that is less friendly to Washington.

Given these alternatives, continuing the drone strikes appears to be the best of the limited options available to deal with a core problem, giving sanctuary to terrorists striking US and coalition forces in Afghanistan and beyond.

#### Empowering Pakistani hardliners triggers nuclear war with India---extinction

Greg Chaffin 11, Research Assistant at Foreign Policy in Focus, July 8, 2011, “Reorienting U.S. Security Strategy in South Asia,” online: http://www.fpif.org/articles/reorienting\_us\_security\_strategy\_in\_south\_asia

This policy is probably not directed from the top. Indeed, any characterization of Pakistan as a unitary actor would be fallacious. Portions of the military and ISI, whose primary concern is the strategic challenge posed by India, operate largely without constraints or civilian oversight. As a result of this strategic calculus, Pakistan has not and will never be the strategic ally the United States wants or needs. Indeed, so long as Pakistan’s overriding security concern emanates from India, U.S. and Pakistani interests in Afghanistan will diverge.

Five Minutes to Midnight

The greatest threat to regional security (although curiously not at the top of most lists of U.S. regional concerns) is the possibility that increased India-Pakistan tension will erupt into all-out war that could quickly escalate into a nuclear exchange. Indeed, in just the past two decades, the two neighbors have come perilously close to war on several occasions. India and Pakistan remain the most likely belligerents in the world to engage in nuclear war. ¶ Due to an Indian preponderance of conventional forces, Pakistan would have a strong incentive to use its nuclear arsenal very early on before a routing of its military installations and weaker conventional forces. In the event of conflict, Pakistan’s only chance of survival would be the early use of its nuclear arsenal to inflict unacceptable damage to Indian military and (much more likely) civilian targets. By raising the stakes to unacceptable levels, Pakistan would hope that India would step away from the brink. However, it is equally likely that India would respond in kind, with escalation ensuing. Neither state possesses tactical nuclear weapons, but both possess scores of city-sized bombs like those used on Hiroshima and Nagasaki. ¶ Furthermore, as more damage was inflicted (or as the result of a decapitating strike), command and control elements would be disabled, leaving individual commanders to respond in an environment increasingly clouded by the fog of war and decreasing the likelihood that either government (what would be left of them) would be able to guarantee that their forces would follow a negotiated settlement or phased reduction in hostilities. As a result any such conflict would likely continue to escalate until one side incurred an unacceptable or wholly debilitating level of injury or exhausted its nuclear arsenal. ¶ A nuclear conflict in the subcontinent would have disastrous effects on the world as a whole. In a January 2010 paper published in Scientific American, climatology professors Alan Robock and Owen Brian Toon forecast the global repercussions of a regional nuclear war. Their results are strikingly similar to those of studies conducted in 1980 that conclude that a nuclear war between the United States and the Soviet Union would result in a catastrophic and prolonged nuclear winter, which could very well place the survival of the human race in jeopardy. In their study, Robock and Toon use computer models to simulate the effect of a nuclear exchange between India and Pakistan in which each were to use roughly half their existing arsenals (50 apiece). Since Indian and Pakistani nuclear devices are strategic rather than tactical, the likely targets would be major population centers. Owing to the population densities of urban centers in both nations, the number of direct casualties could climb as high as 20 million. ¶ The fallout of such an exchange would not merely be limited to the immediate area. First, the detonation of a large number of nuclear devices would propel as much as seven million metric tons of ash, soot, smoke, and debris as high as the lower stratosphere. Owing to their small size (less than a tenth of a micron) and a lack of precipitation at this altitude, ash particles would remain aloft for as long as a decade, during which time the world would remain perpetually overcast. Furthermore, these particles would soak up heat from the sun, generating intense heat in the upper atmosphere that would severely damage the earth’s ozone layer. The inability of sunlight to penetrate through the smoke and dust would lead to global cooling by as much as 2.3 degrees Fahrenheit. This shift in global temperature would lead to more drought, worldwide food shortages, and widespread political upheaval.¶ Although the likelihood of this doomsday scenario remains relatively low, the consequences are dire enough to warrant greater U.S. and international attention. Furthermore, due to the ongoing conflict over Kashmir and the deep animus held between India and Pakistan, it might not take much to set them off. Indeed, following the successful U.S. raid on bin Laden’s compound, several members of India’s security apparatus along with conservative politicians have argued that India should emulate the SEAL Team Six raid and launch their own cross-border incursions to nab or kill anti-Indian terrorists, either preemptively or after the fact. Such provocative action could very well lead to all-out war between the two that could quickly escalate.

**Util**

**Maximizing all lives is the only way to affirm equality**

**Cummiskey 90** – Professor of Philosophy, Bates (David, Kantian Consequentialism, Ethics 100.3, p 601-2, p 606, jstor)

We must not obscure the issue by characterizing this type of case as the sacrifice of individuals for some abstract "social entity." It is not a question of some persons having to bear the cost for some elusive "overall social good." Instead, the question is whether some persons must bear the inescapable cost for the sake of other persons. Nozick, for example, argues that "to use a person in this way does not sufficiently respect and take account of the fact that he is a separate person, that his is the only life he has."30 Why, however, is this not equally true of all those that we do not save through our failure to act? By emphasizing solely the one who must bear the cost if we act, one fails to sufficiently respect and take account of the many other separate persons, each with only one life, who will bear the cost of our inaction. In such a situation, what would a conscientious Kantian agent, an agent motivated by the unconditional value of rational beings, choose? We have a duty to promote the conditions necessary for the existence of rational beings, but both choosing to act and choosing not to act will cost the life of a rational being. Since the basis of Kant's principle is "rational nature exists as an end-in-itself' (GMM, p. 429), the reasonable solution to such a dilemma involves promoting, insofar as one can, the conditions necessary for rational beings. If I sacrifice some for the sake of other rational beings, I do not use them arbitrarily and I do not deny the unconditional value of rational beings. **Persons** may **have "dignity**, an unconditional and incomparable value" that transcends any market value (GMM, p. 436), **but**, as rational beings, persons **also** have **a fundamental equality which dictates that some must** sometimes **give way for the sake of others.** The formula of the end-in-itself thus does not support the view that we may never force another to bear some cost in order to benefit others. If one focuses on the equal value of all rational beings, then equal consideration dictates that one sacrifice some to save many. [continues] According to Kant, the objective end of moral action is the existence of rational beings. Respect for rational beings requires that, in deciding what to do, one give appropriate practical consideration to the unconditional value of rational beings and to the conditional value of happiness. Since agent-centered constraints require a non-value-based rationale, the most natural interpretation of the demand that one give equal respect to all rational beings lead to a consequentialist normative theory. We have seen that there is no sound Kantian reason for abandoning this natural consequentialist interpretation. In particular, a consequentialist interpretation does not require sacrifices which a Kantian ought to consider unreasonable, and it does not involve doing evil so that good may come of it. It simply requires an uncompromising commitment to the equal value and equal claims of all rational beings and a recognition that, in the moral consideration of conduct, one's own subjective concerns do not have overriding importance.

**Ethical policymaking requires calculation of consequences**

**Gvosdev 5** – Rhodes scholar, PhD from St. Antony’s College, executive editor of The National Interest (Nikolas, The Value(s) of Realism, SAIS Review 25.1, pmuse,)

As the name implies, realists focus on promoting policies that are achievable and sustainable. In turn, the morality of a foreign policy action is judged by its results, not by the intentions of its framers. A foreign policymaker must weigh the consequences of any course of action and assess the resources at hand to carry out the proposed task. As Lippmann warned, Without the controlling principle that the nation must maintain its objectives and its power in equilibrium, its purposes within its means and its means equal to its purposes, its commitments related to its resources and its resources adequate to its commitments, it is impossible to think at all about foreign affairs.8 Commenting on this maxim, Owen Harries, founding editor of The National Interest, noted, "This is a truth of which Americans—more apt to focus on ends rather than means when it comes to dealing with the rest of the world—need always to be reminded."9 In fact, Morgenthau noted that "there can be no political morality without prudence."10 This virtue of prudence—which Morgenthau identified as the cornerstone of realism—should not be confused with expediency. Rather, it takes as its starting point that it is more moral to fulfill one's commitments than to make "empty" promises, and to seek solutions that minimize harm and produce sustainable results. Morgenthau concluded: [End Page 18] Political realism does not require, nor does it condone, indifference to political ideals and moral principles, but it requires indeed a sharp distinction between the desirable and the possible, between what is desirable everywhere and at all times and what is possible under the concrete circumstances of time and place.11 This is why, prior to the outbreak of fighting in the former Yugoslavia, U.S. and European realists urged that Bosnia be decentralized and partitioned into ethnically based cantons as a way to head off a destructive civil war. Realists felt this would be the best course of action, especially after the country's first free and fair elections had brought nationalist candidates to power at the expense of those calling for inter-ethnic cooperation. They had concluded—correctly, as it turned out—that the United States and Western Europe would be unwilling to invest the blood and treasure that would be required to craft a unitary Bosnian state and give it the wherewithal to function. Indeed, at a diplomatic conference in Lisbon in March 1992, the various factions in Bosnia had, reluctantly, endorsed the broad outlines of such a settlement. For the purveyors of moralpolitik, this was unacceptable. After all, for this plan to work, populations on the "wrong side" of the line would have to be transferred and resettled. Such a plan struck directly at the heart of the concept of multi-ethnicity—that different ethnic and religious groups could find a common political identity and work in common institutions. When the United States signaled it would not accept such a settlement, the fragile consensus collapsed. The United States, of course, cannot be held responsible for the war; this lies squarely on the shoulders of Bosnia's political leaders. Yet Washington fell victim to what Jonathan Clarke called "faux Wilsonianism," the belief that "high-flown words matter more than rational calculation" in formulating effective policy, which led U.S. policymakers to dispense with the equation of "balancing commitments and resources."12 Indeed, as he notes, the Clinton administration had criticized peace plans calling for decentralized partition in Bosnia "with lofty rhetoric without proposing a practical alternative." The subsequent war led to the deaths of tens of thousands and left more than a million people homeless. After three years of war, the Dayton Accords—hailed as a triumph of American diplomacy—created a complicated arrangement by which the federal union of two ethnic units, the Muslim-Croat Federation, was itself federated to a Bosnian Serb republic. Today, Bosnia requires thousands of foreign troops to patrol its internal borders and billions of dollars in foreign aid to keep its government and economy functioning. Was the aim of U.S. policymakers, academics and journalists—creating a multi-ethnic democracy in Bosnia—not worth pursuing? No, not at all, and this is not what the argument suggests. But aspirations were not matched with capabilities. As a result of holding out for the "most moral" outcome and encouraging the Muslim-led government in Sarajevo to pursue maximalist aims rather than finding a workable compromise that could have avoided bloodshed and produced more stable conditions, the peoples of Bosnia suffered greatly. In the end, the final settlement was very close [End Page 19] to the one that realists had initially proposed—and the one that had also been roundly condemned on moral grounds.

### V2L

#### “No value to life” doesn’t outweigh---prioritize existence because value is subjective and could improve in the future

Torbjörn Tännsjö 11, the Kristian Claëson Professor of Practical Philosophy at Stockholm University, 2011, “Shalt Thou Sometimes Murder? On the Ethics of Killing,” online: http://people.su.se/~jolso/HS-texter/shaltthou.pdf

I suppose it is correct to say that, if Schopenhauer is right, if life is never worth living, then according to utilitarianism we should all commit suicide and put an end to humanity. But this does not mean that, each of us should commit suicide. I commented on this in chapter two when I presented the idea that utilitarianism should be applied, not only to individual actions, but to collective actions as well.¶ It is a well-known fact that people rarely commit suicide. Some even claim that no one who is mentally sound commits suicide. Could that be taken as evidence for the claim that people live lives worth living? That would be rash. Many people are not utilitarians. They may avoid suicide because they believe that it is morally wrong to kill oneself. It is also a possibility that, even if people lead lives not worth living, they believe they do. And even if some may believe that their lives, up to now, have not been worth living, their future lives will be better. They may be mistaken about this. They may hold false expectations about the future.¶ From the point of view of evolutionary biology, it is natural to assume that people should rarely commit suicide. If we set old age to one side, it has poor survival value (of one’s genes) to kill oneself. So it should be expected that it is difficult for ordinary people to kill themselves. But then theories about cognitive dissonance, known from psychology, should warn us that we may come to believe that we live better lives than we do.¶ My strong belief is that most of us live lives worth living. However, I do believe that our lives are close to the point where they stop being worth living. But then it is at least not very far-fetched to think that they may be worth not living, after all. My assessment may be too optimistic.¶ Let us just for the sake of the argument assume that our lives are not worth living, and let us accept that, if this is so, we should all kill ourselves. As I noted above, this does not answer the question what we should do, each one of us. My conjecture is that we should not commit suicide. The explanation is simple. If I kill myself, many people will suffer. Here is a rough explanation of how this will happen: ¶ ... suicide “survivors” confront a complex array of feelings. Various forms of guilt are quite common, such as that arising from (a) the belief that one contributed to the suicidal person's anguish, or (b) the failure to recognize that anguish, or (c) the inability to prevent the suicidal act itself. Suicide also leads to rage, loneliness, and awareness of vulnerability in those left behind. Indeed, the sense that suicide is an essentially selfish act dominates many popular perceptions of suicide. ¶ The fact that all our lives lack meaning, if they do, does not mean that others will follow my example. They will go on with their lives and their false expectations — at least for a while devastated because of my suicide. But then I have an obligation, for their sake, to go on with my life. It is highly likely that, by committing suicide, I create more suffering (in their lives) than I avoid (in my life).

### Not Murder---1NC

#### Targeted killing is morally justified and isn’t murder---it upholds value to life

Steven Clark 12, J.D. Candidate, Indiana University School of Law, Served in the Foreign Service Institute's Stability Operations Division supporting Afghanistan, Pakistan and Iraq training programs, Summer 2012, “Targeted Killings: Justified Acts of War or Too Much Power for One Government?,” Global Security Studies, Vol. 3, No. 3, <http://globalsecuritystudies.com/Clark%20Targeted.pdf>

There are two basic models for dealings with threats. The first is the war model, and the second uses the non-war model. The non-war model envisions criminal law, police forces, and others of the like dealing with threats of terrorist violence. As previously mentioned, when using targeted killings that option is not available and one is forced to use the war model. In the war model, “soldiers of all sides are permitted to kill any soldier of the adversary, unless the latter surrenders or in limited exceptional circumstances.”48 This is based on the “Orthodox View” of moral theorists. According to the Jeff McMahan of Rutgers University:

…the Orthodox View among moral theorists is that, while it is normally or even always wrong intentionally to attack or kill the innocent, people may, because of what they do, render themselves relevantly noninnocent, thereby losing their moral immunity to intentional attack and instead becoming liable, or morally vulnerable, to attack. To be innocent, on this view, is to be harmless; correspondingly, one ceases to be innocent if one poses an imminent threat of harm to, or is engaged in harming, another person.49

Therefore, if terrorists present themselves as imminent threats, they lose their right to innocence during a time of war and can therefore be killed within the law of war.

However, for the Orthodox View to apply one must be able to use the war model and, therefore, one must be at war. It has already been established in this research that the United States is at war with al-Qaeda because of the seriousness of the threat posed and practicability of using law-enforcement to combat them. The scale of the threat posed by al-Qaeda is not overstated. They have killed thousands of people and injured many more. There is an easily identifiable difference between thugs that aim to kill in the dozens (significant itself) and an organization that aims to kill in the thousands. Because of difference in scale and their remote locations, conventional domestic law-enforcement is not equipped to deal with such a threat. For these reasons, the United States’ actions against al-Qaeda and other terrorist organizations is war.

Some question whether the analogy of war applies to the targeted killing of terrorists. Michael Gross, Chair of the Department of International Relations at The University of Haifa, Israel claims that:

Soldiers fight anonymously, as agents for the political communities they defend, and without any ‘personal’ grievances against their adversary. This is part of the veil that soldiers must wear to override the normal human aversion to murder. But naming names lifts the veil, pushing self-defence perilously close to premeditated murder and beyond the pale of permissible warfare. 50

What he is claiming is that the difference between what happens in war and through targeted killings is the naming of the target. According to him, no longer is the battle soldier simply fighting soldiers, but now people are being named, which is somehow different than conventional war. He claims that naming your target is akin to murder.

Though Gross claims that this is somewhat different than conventional warfare, he is wrong. In many circumstances in warfare soldiers specifically select their targets, and sometimes name them. For example, according to the United States Army’s Sniper Training manual, snipers are trained to take out specific targets first.51 Their key targets are other snipers, dog tracking teams, scouts, officers, noncommissioned officers, and so on. To find these targets, soldiers must specifically look for certain traits or markings. The soldiers in this case are not just simply indiscriminately killing other soldiers. Instead, this is a form of naming their targets.

The naming argument fails on another level as well. Contrary to Gross’s assumption, going after specific individuals during past wars has occurred. During World War II, the United States shot down the plane carrying Yamamoto Isoroku. Isoroku was one of Japan’s best naval officers and had originally conceived the idea for a surprise attack on the United States at Pearl Harbor. When intelligence was gathered on Isoroku’s flight plan, the Americans shot down the admiral’s plane and killed him.52 Similarly, during the Persian Gulf War with Iraq, the United States “launched 260 missions against sites where they thought [Saddam Hussein] might be hiding.”53 Though he was not killed, these attempts show that targeting specific individuals is not exclusively a post September 11th concept and has been used during conventional wars.

Gross’s claim that the practice of targeted killing is “morally abhorrent”54 is quite hypocritical. His acceptance of killing during conventional war, yet not this type of killing because of the naming aspect is puzzling at best. If a state is attacked by a terrorist and decides to invade a third party state where that terrorist finds a safe haven, this is an acceptable practice. Yet, if the same country strategically eliminates only the threat through the use of technology without invading the entire country, this is a questionable practice. The U.S. invasion of Afghanistan has shown over the last decade that with conventional war comes a multitude of other problems. It is a safe assumption that during times of conventional war there will be collateral damage. Naming targets attempts to lessen that collateral damage and minimize the indiscriminate killing that is often associated with war. By doing this, countries are actually bringing more dignity to human life because they are attempting to attack only the specific threats. This minimizes collateral damage and loss of life. For Gross to insinuate that indiscriminate killing is morally allowable in war, yet going after specific threats is reprehensible is a false and absurd claim.

The claim that targeted killings are similar to premeditated murder is also preposterous. What Gross is trying to do is paint a picture of a malevolent country killing people without regard for humanity and acting out of vengeance. However, this is a completely false picture. In an interview with the US television show 60 Minutes, former head of the Mossad (the Israeli intelligence agency) Meir Dagan gave a very candid glimpse into how he felt about missions where targeted killings were used. He said, “There is no pleasure in killing. There is no joy in killing people.”55 He also said, “I never, ever, killed nobody, or [Israeli intelligence] were engaged in killing somebody, who was unarmed.”56 This is drastically different than a premeditated murder that is used for revenge. Instead, this shows a country involved in selfdefense, which uses all necessary military tools. Because of these reasons, Gross’s claims fall short on many levels.

### Morality General---1NC

#### Targeted killing against terrorists is a moral imperative---the point of terrorism is senseless, un-targeted killing---responding with force is necessary to preserve and uphold the value of innocent lives---in the context of Camus, targeted killing is most analogous to the figure of the just assassin

Michael Walzer 13, Professor Emeritus of Social Science at the Institute for Advanced Study and co-Editor of Dissent Magazine, 1/11/13, “Targeted Killing and Drone Warfare,” http://www.dissentmagazine.org/online\_articles/targeted-killing-and-drone-warfare

First things first. Untargeted killing, random killing, the bomb in the supermarket, the café, or the bus station: we call that terrorism, and its condemnation is critically important. No qualifications, no apologies: this is wrongfulness of the first order. But someone who takes aim at a particular person, a political official, a military officer, is engaged in a different activity. He may be a just assassin, as in Camus’s play, though I don’t think that the justice of the killing depends on the killer’s willingness to accept death himself (which is Camus’s argument). It depends on the character of the official or the officer, the character of the regime he serves, and the immediate political circumstances: what else is there to do? But even if the assassination is a wrongful act, as it most often is in history if not in literature, the wrongfulness is of a second order. By aiming at a person thought to be guilty of something, the assassin indicates his rejection of aimless killing. Someone in his organization probably thought that it would be better to kill the official’s extended family or to put a bomb in the restaurant where he and “his kind” regularly dine; he refused to do that or, at least, he didn’t do it.

There are radical limits on political assassinations. In democracies, they can never be justified; it is only the blood of tyrants that waters the tree of liberty. And even with tyrants, a trial is preferable to an assassination whenever it is possible to bring down the tyrannical regime without killing its leader. In wartime, international law bars the killing of political leaders on the grounds that they are the ones who will in the end negotiate the peace treaty. But some political leaders, with whom one can’t imagine negotiating, are legitimate targets—Hitler the obvious example. Killing Hitler would have been “extra-judicial” but entirely justified. Tyrants do have to be targeted, however; blowing up the neighborhood in which they live is not a moral option.

Military leaders are obviously legitimate targets in wartime. A sniper sent to a forward position to try to kill a visiting colonel or general is engaged in targeted killing, but no one will accuse him of acting extra-judicially and therefore wrongly. It is probably best to think of insurgent organizations in roughly the same way that we think about states. If they have separated their political and military leaders, it is only the second group who should be targeted since we may eventually negotiate with the first group. I don’t believe that the same distinction is morally required in the case of terrorist organizations, though it may be prudent to make it. Individuals who plan, or organize, or recruit for, or participate in a terrorist attack are all of them legitimate targets. It would be better to capture them and bring them to trial, but that is often not a reasonable option—the risks are too high; innocent bystanders would be killed in the attempt; the planning would take time, and the terrorist attacks are imminent or actual. In cases like this, the phrase “war on terror” makes sense. More often, I think, the “war” is police work, and targeted killing is not permissible for the police. If the terrorist campaign has ended, only the police can deal with the men and women who organized it—and lawyers and judges after the police.

The targeted killing of insurgents and terrorists in wartime is subject to the same constraints as any other act of war. It will have to meet very strict standards of proportionality; given that the target is a single person, it will be difficult to justify any injury to innocent bystanders. So the targeting must be undertaken with great care; collecting information about the targeted individuals, their schedules, their whereabouts, their families and neighbors, is critically important, and if it involves risk for agents in the field, the risks must be accepted before the killing can be justified.

### War Heroism---1NC

#### Drones and targeted killings create a beneficial shift in our cultural view of war---by removing the human element, war is no longer lionized and made heroic---this shift restrains violence by making harm done to our enemies presumptively unjustifiable and therefore only acceptable in truly exceptional circumstances

Kiel Brennan-Marquez 13, Visiting Human Rights Fellow at Yale Law School, 5/24/13, “A Progressive Defense of Drones,” http://www.salon.com/2013/05/24/a\_progressive\_defense\_of\_drones/

In Thursday’s speech before the National Defense University, President Obama reflected on the concerns about “morality and accountability” raised by drone strikes. Emphasizing the importance of “clear guidelines” and intelligence gathering to properly “constrain” the use of drones, the president also maintained a firm stance on their necessity: Even though drone strikes sometimes result in civilian casualties, in many circumstances they remain the most effective option for realizing specific military objectives.¶ As a liberal, I’m against drones essentially by reflex. At least, I used to be. Recently, I’ve begun to reconsider that view; and I’m no longer sure where I come down on the morality of drone strikes. Disturbing as I find state-sponsored violence, when drones do the killing instead of soldiers, it seems apparent that we have an easier time recognizing the violence as horrific. War, in its traditional form, distorts our moral reasoning. Drones do not. And as much it grates against my broader political commitments to say so, this is plainly a benefit of drone warfare, other shortcomings notwithstanding.¶ Many detractors have pointed out that drone strikes, because they put none of our soldiers in harm’s way, are “less costly.” Without our own lives on the line, the theory goes, leaders will feel little compunction — not even the minimal compunction of political exposure — about condemning other human beings to death, especially when those other human beings live many thousands of miles away. To me, this critique seems undeniably right: the numbness that results from using machines rather than soldiers to carry out our dirty work is obviously a moral shortcoming of drone warfare. Simply put, when violence is employed more easily, it will also be employed more often. Hence the nightmarish image of an 18-year-old drone operator basically playing video games from the detached safety of a Nevada bunker.¶ But there is another moral dimension to drone warfare, running in the opposite direction, which I fear has been lost in the haze of (rightful) outcry. For the same reason that drone warfare stands to make violence easier to deploy — none of our lives are on the line — it also makes violence harder to rationalize. The pain and death of drone strikes, unlike the pain and death of traditional missions, can draw no comfort from narratives of heroism. Destruction wrought by machines is neither noble nor grand. It’s asinine, and unfailingly repugnant. This means that drone strikes must be justified on their own terms, without recourse to war’s long-standing mystification. In a world where we apotheosize soldiers, and rope off their actions from everyday opprobrium, it’s important to consider whether the banal violence of machines might be preferable to the lionized violence of men.¶ A year ago, Tom Engelhardt published a memorable essay in the Nation on the vileness of drone warfare. Taking a healthily incredulous view of the Obama administration’s assurance that it would use its lurid toy for exclusively virtuous ends, Engelhardt concluded with a flourish of outrage: “What [our leaders] can’t see in the haze of exceptional self-congratulation is this: they are transforming the promise of America into a promise of death. And death, visited from the skies, isn’t precise. It isn’t glorious. It isn’t judicious. It certainly isn’t a shining vision. It’s hell.” Magnificently put: The only trouble is that these same critiques would apply just as forcefully, if not more so, to traditional warfare. War isn’t precise. It isn’t glorious. It isn’t judicious. It isn’t a shining vision. It’s hell. ¶ The difference between traditional warfare and drone strikes is that the latter can be clearly *identified* as hellacious. Not just by poets and philosophers – but by everyone, everywhere, in the immediacy of its horror. When innocent people end up dead as the result of a drone strike, we easily recognize that outcome as morally lamentable. Undaunted by the symbolic distortion of the battlefield, we confront drones with the skepticism — and, as the case may be, the outrage — that accompanies moral clarity. The burden of proof inverts. Unlike traditional warfare, when the loss of life on the other side is presumptively acceptable, and it only becomes unacceptable if circumstances render it so, in the case of drone strikes, the loss of lives on the other side is presumptively unacceptable, and it only becomes acceptable if a persuasive rationale can be offered. Such rationales are not impossible to formulate, but it faces a steep upward grade. It’s an argument of last resort, defensive rather than triumphant.

### Distancing---1NC

#### Distancing created by drones is good---battlefield pressure makes soldiers more likely to commit unethical actions and demonize the enemy---removal from the field of battle causes ethical decisionmaking and restraint

Stephen Holmes 13, the Walter E. Meyer Professor of Law, New York University School of Law, July 2013, “What’s in it for Obama?,” The London Review of Books, <http://www.lrb.co.uk/v35/n14/stephen-holmes/whats-in-it-for-obama>

But Obama can make an even subtler case for drones. Well-meaning but imperfectly informed critics sometimes claim that the absence of risk to US forces explains the recklessness with which American drone operators kill combatants and noncombatants alike. Mazzetti quotes, in this context, Richard Clarke’s comment on the routinisation of asymmetry in drone warfare: ‘if the Predator gets shot down, the pilot goes home and fucks his wife. It’s OK. There’s no POW issue here.’ That noncombatants are regularly killed by pilots of unmanned aircraft sticking to their routines is widely acknowledged. But does it make sense to argue that such documented overkill results from the absence of risk to the pilots’ own lives and limbs? Obama and his supporters, rightly in my view, dismiss this line of attack as theoretically confused and empirically unproven. For one thing, the stress, panic and fear experienced on combat missions can easily increase rather than decrease the number of mistaken hair-trigger strikes on noncombatants. Reckless endangering of civilians results more often from heat-of-battle fear than from above-the-battle serenity. The drone operator is freed from the pressures of kill or be killed that can easily distort interpretations of what one sees, or thinks one sees, on the battlefield. The faux cockpits from which drones are remotely piloted are unlikely to be commandeered by berserkers.¶ An even more powerful, if still flawed, argument in favour of Obama’s campaign is the way heavy losses in any war can subconsciously put pressure on civilian politicians to inflate irrationally the aims of the conflict in order to align them with the sacrifices being made. War aims are not fixed ex ante but are constantly evolving for the simple reason that war is essentially opportunistic. Initial objectives that prove unrealistic are discarded as new opportunities emerge. Far from inducing greater caution in the use of force, heavy losses of one’s own troops may exacerbate a tendency to demonise the enemy and to hype the goals of the struggle.¶ Formulated more abstractly, the way we fight has a marked impact on when and why we fight. This is true despite what experts in the laws of war tell us about a theoretically watertight separation between jus in bello and jus ad bellum. Fighting in a way that limits the risk to one’s own troops makes it possible to fight limited-aims wars that don’t spiral into all-out wars for national survival. This, I think, is Obama’s best case for drone warfare. Land wars are ‘dumb’ because they almost inevitably involve mission creep as well as postwar responsibilities that US forces are poorly equipped to assume. Drone warfare is smart because, while helping dismantle terrorist organisations and disrupt terrorist plots, it involves less commitment on the American side, and is therefore much less likely to escalate out of control.

#### Their “kill chain” arg is backwards---drones cause the person ordering the strike to make more ethically sound decisions than any other weapon platform

Jeff McMahan 12, Professor of Philosophy at Rutgers University, 2012, “Foreword,” in Killing by Remote Control, edited by Bradley Jay Strawser

What differentiates the newer models of remotely controlled weapons from traditional long-range precision-guided munitions is that they allow their operators to monitor the target area for lengthy periods before deciding whether, when, and where to strike. These are capacities that better enable the weapons operators to make morally informed decisions about the use of their weapons.

But remotely controlled weapons are associated in the popular imagination with targeted killing, especially of terrorist suspects outside of traditionally delimited combat zones. Yet they can be, and are, used in combat as well and have the same advantages in each of these roles: that is, they function without risk to their operator, can be highly discriminating in the targets they destroy, and can be used in places that are inaccessible to soldiers or prohibitively dangerous for their deployment. The objections to targeted killing are not, therefore, necessarily objections to remotely controlled weapons – though if targeted killing is objectionable then it is one objection to remotely controlled weapons that they make targeted killing safer and politically more palatable than it would otherwise be.

The distinction between using remotely controlled weapons in war and using them for targeted killing is not always easy to draw. There seems to be little difference morally between using a drone to kill members of the Taliban in remote areas of Afghanistan or Pakistan when they are not engaged in violent or coercive activities and using the same weapons in the same areas to kill members of al Qaeda, who are not combatants in a war but criminals preparing to engage in terrorist action.1 It can, indeed, be argued with considerable cogency that the use of remotely controlled weapons to kill Taliban fighters in their “safe havens” can be legally justified as the killing of enemy combatants in war, while their use to kill al Qaeda operatives in their havens can be legally justified as police action against dangerous criminals who cannot be arrested and tried at a reasonable cost, so that the requirement of arrest must be suspended, as it sometimes must be even in domestic law enforcement. Critics of this suggestion will say that the difference between targeted killing and cases in which the requirement of arrest must be suspended in domestic law enforcement lies in the imminence of the threat. In domestic cases, the requirement of arrest is suspended only when a criminal is on a rampage and is resisting arrest, posing a danger to the police and perhaps to innocent bystanders as well. But targeted killing is necessarily preventive: it is done when there is no imminent threat from the terrorist. If a terrorist posed an imminent threat, killing him would not count as targeted killing but simply as third-party defense of others, about which there is no legal controversy. But to have any plausibility, the imminence requirement must be understood as a proxy for considerations of probability or necessity. Usually threats that are not imminent are either below some threshold of probability or can likely be dealt with in some other way. But in the case of committed terrorists who are protected by the political and legal authorities where they live, targeted killing may be necessary for defense of the innocent in the same way it is in the case of a rampaging murderer.

### Alternatives---1NC

#### Moral evaluation of drones requires considering the most likely alternatives that would replace targeted killings---they’re all worse for civilian casualties and state violence

Kenneth Anderson 13, Professor of International Law at American University, June 2013, “The Case for Drones,” Commentary, Vol. 135, No. 6

EFFECTIVENESS IS ONE THING, MORALITY ANOTHER. The leading objection to drone warfare today is that it supposedly involves large, or "excessive," numbers of civilian casualties, and that the claims of precision and discrimination are greatly overblown. These are partly factual questions full of unknowns and many contested issues. The Obama administration did not help itself by offering estimates of civilian collateral damage early on that ranged absurdly from zero to the low two digits. This both squandered credibility with the media and, worse, set a bar of perfection -- zero civilian collateral damage -- that no weapon system could ever meet, while distracting people entirely from the crucial question of what standard civilian harms should be set against.¶ The most useful estimates of civilian casualties from targeted killing with drones come from the New America Foundation (NAF) and the Foundation for Defense of Democracies, which each keep running counts of strikes, locations, and estimates of total killed and civilian casualties. They don't pretend to know what they don't know, and rely on open sources and media accounts. There is no independent journalistic access to Waziristan to help corroborate accounts that might be wrong or skewed by Taliban sources, Pakistani media, Pakistani and Western advocacy groups, or the U.S. or Pakistani governments. Pakistan's military sometimes takes credit for drone strikes against its enemies and sometimes blames drone strikes for its own air raids against villages. A third source of estimates, UK-based The Bureau of Investigative Journalism (TBIJ), comes up with higher numbers.¶ TBIJ (whose numbers are considered much too high by many knowledgeable American observers) came up with a range, notes Georgetown law professor and former Obama DOD official Rosa Brooks. The 344 known drone strikes in Pakistan between 2004 and 2012 killed, according to TBIJ, between "2,562 and 3,325 people, of whom between 474 and 881 were civilians." The NAF, she continues, came up with slightly lower figures, somewhere "between 1,873 and 3,171 people killed overall in Pakistan, of whom between 282 and 459 were civilians." (Media have frequently cited the total killed as though it were the civilians killed.) Is this a lot of civilians killed? Even accepting for argument's sake TBIJ's numbers, Brooks concludes, if you work out the "civilian deaths per drone strike ratio for the last eight years…on average, each drone strike seems to have killed between 0.8 and 2.5 civilians." In practical terms, adds McNeal, this suggests 'less than three civilians killed per strike, and that's using the highest numbers" of any credible estimating organization.\*¶ Whether any of this is "disproportionate" or "excessive" as a matter of the laws of war cannot be answered simply by comparing total deaths to civilian deaths, or civilian deaths per drone strike, however. Although commentators often leap to a conclusion in this way, one cannot answer the legal question of proportionality without an assessment of the military benefits anticipated. Moreover, part of the disputes over numbers involves not just unverifiable facts on the ground, but differences in legal views defining who is a civilian and who is a lawful target. The U.S. government's definition of those terms, following its longstanding views of the law of targeting in war, almost certainly differs from those of TBIJ or other liberal nongovernmental groups, particularly in Europe. Additionally, much of drone warfare today targets groups who are deemed, under the laws of war, to be part of hostile forces. Targeted killing aimed at individuated high-value targets is a much smaller part of drone warfare than it once was. The targeting of groups, however, while lawful under long-standing U.S. interpretations of the laws of war, might result in casualties often counted by others as civilians.¶ Yet irrespective of what numbers one accepts as the best estimate of harms of drone warfare, or the legal proportionality of the drone strikes, the moral question is simply, What's the alternative? One way to answer this is to start from the proposition that if you believe the use of force in these circumstances is lawful and ethical, then all things being equal as an ethical matter, the method of force used should be the one that spares the most civilians while achieving its lawful aims. If that is the comparison of moral alternatives, there is simply no serious way to dispute that drone warfare is the best method available. It is more discriminating and more precise than other available means of air warfare, including manned aircraft -- as France and Britain, lacking their own drones and forced to rely on far less precise manned jet strikes, found over Libya and Mali -- and Tomahawk cruise missiles.¶ A second observation is to look across the history of precision weapons in the past several decades. I started my career as a human-rights campaigner, kicking off the campaign to ban landmines for leading organizations. Around 1990, I had many conversations with military planners, asking them to develop more accurate and discriminating weapons -- ones with smaller kinetic force and greater ability to put the force where sought. Although every civilian death is a tragedy, and drone warfare is very far from being the perfect tool the Obama administration sometimes suggests, for someone who has watched weapons development over a quarter century, the drone represents a steady advance in precision that has cut zeroes off collateral-damage figures.¶ Those who see only the snapshot of civilian harm today are angered by civilian deaths. But barring an outbreak of world peace, it is foolish and immoral not to encourage the development and use of more sparing and exact weapons. One has only to look at the campaigns of the Pakistani army to see the alternatives in action. The Pakistani military for many years has been in a running war with its own Taliban and has regularly attacked villages in the tribal areas with heavy and imprecise airstrikes. A few years ago, it thought it had reached an accommodation with an advancing Taliban, but when the enemy decided it wanted not just the Swat Valley but Islamabad, the Pakistani government decided it had no choice but to drive it back. And it did, with a punishing campaign of airstrikes and rolling artillery barrages that leveled whole villages, left hundreds of thousands without homes, and killed hundreds.¶ But critics do not typically evaluate drones against the standards of the artillery barrage of manned airstrikes, because their assumption, explicit or implicit, is that there is no call to use force at all. And of course, if the assumption is that you don't need or should not use force, then any civilian death by drones is excessive. That cannot be blamed on drone warfare, its ethics or effectiveness, but on a much bigger question of whether one ought to use force in counterterrorism at all.

# 2NC

## CP

#### They are wrong---ethical rebellion does not require rejecting all resort to lethal force---killing is conditionally justified in cases where the target is culpable for injustice. This distinction will win us the debate---ethical rebellion can allow killing, so long as we recognize that it is simultaneously necessary, but cannot be truly ethically justified. Recognizing our own conduct as ethically unjustifiable despite its necessity in preserving innocent life sets up killing as truly exceptional

Matt Hartman 13, MA, Philosophy, University of Chicago, 6/5/13, “The Rebel or the Militant: Universality and Political Violence,” http://lucian.uchicago.edu/blogs/colloquium/2013/06/05/the-rebel-or-the-militant-universality-and-political-violence/

I begin with rebellion, Camus’ analogue to Badiou’s event. For him, rebellion means something restricted, something that respects its own limits. ¶ The rebels who [...] wanted to construct [...] a savage immortality are terrified at the prospect of being obliged to kill in their turn. Nevertheless, if they retreat they must accept death; if they advance they must accept murder. Rebellion, cut off from its origins and cynically travestied, oscillates, on all levels, between sacrifice and murder.[24] ¶ In other words, rebellion is characterized by a recognition that the status quo is structurally unjust and must be opposed―hence the rebel’s inability to retreat―and a simultaneous recognition that the means of opposition themselves imply a crime.[25] The ‘savage immortality’ that appears to arise from rebellion―the point where rebellion’s initial impetus appears to no longer to govern the sequence―cannot be, and yet the rebel must act. This conflict forms the paradoxical, logical structure of rebellion that creates an inherent limit upon what can be (ethically) done. As we will see, that limit is marked by murder. ¶ Moreover, that limit is dependent upon the beginnings of the rebellion. “I rebel―therefore we exist,” says Camus (R 22). This formulation is variously suggestive, but the two most important implications for our purposes are the axiomatic claims to universality and equality. Similar to Badiou’s claim that all are ‘virtual militants’ of the event, Camus argues that a rebellion reaches for universality (by transforming the ‘I’ into a ‘We’). Its virtues must apply to all. And for this reason, it must aim at equality, as all must be equal in their ability to make the same declaration. ¶ Rebellion is the assertion of an axiom of equality between one and all. “In assigning oppression a limit within which begins the dignity[26] common to all men, rebellion defined a primary value” (R 281). Camus’ formulation necessitates an understanding―an ethical principle―of equality that rebels must recognize. Rebellion is the very process of the assertion of this egalitarianism. We can already begin to see, then, how Camus’ axiom is an ethical principle. ¶ But this point further implies that the claim of rebellion―a claim to act from principle, not simply to take power―must recognize universality as a claim concerning the situation. The principle now instituted refers to a governing logic, not to an individual. Again, this claim parallels Badiou’s rethinking of the State’s logic of ordering. The structure of thought, not the identity of the master, is the problem. Thus, one claims a wrong against the situation: if the slave merely takes his master’s place, there is no rebellion but a coup. The logic must change. The ‘we exist’ half of Camus’ formulation necessitates as much: if the rebellion’s axiom does not apply to all, the rebellion has no coherent ground or claim. It would be a mere simulacrum. Rebels must act towards all―they have a limit on what they can not do. ¶ But, against Badiou, they also have a limit on what they can do. The result of the ‘universal value’ defined by the axiom/principle in Camus’ formulation is a limit placed upon rebels. This limit is murder: ¶ [M]urder is thus a desperate exception or it is nothing. It is the limit that can be reached but once, after which one must die. The rebel [...] kills and dies so that it shall be clear that murder is impossible. He demonstrates that, in reality, he prefers the ‘We are’ to the ‘We shall be.’ [...] Beyond the farthest frontier, contradiction and nihilism begin. (R 282) ¶ This passage contains the core of The Rebel. Camus condemns any logic that justifies murder on the grounds of a history―either because it helps bring about a desired future state or because it is part of a larger, necessary historical epoch. He denies any logic that determinatively ties ethical action to a historical context, subsuming particular situations under history. ¶ To justify an act by history is to implicitly de-value the present. It is to imply that a present claim to justice―to the axiomatic principles of rebellion―are not to be met. It is to deny the ‘we are’ to the ‘we shall be,’ as Camus says above. The axiomatic structure of the statement ‘I rebel, therefore we exist,’ demands the present be equal to the future. If not, the very structure of politics is denied and rebellion’s logic is made incoherent. The situatedness of the rebellion―the fact that the axiom is declared now―implies that as a universal, logical claim it is definitively tied to the present. Because it is universal, the present cannot be devalued to the future, otherwise it would be a mere instrument. By not separating history into pre- and post-event with an ontologically uncontainable state between them, Camus is providing a framework to make historical change sensible even as it is ongoing. ¶ The axiomatic aspect of rebellion’s principles conditions this thought. Camus does not claim that rebellion’s ends should exist, or that they will exist, or that it would be morally right if they existed: “Nothing justifies the assertion that these principles have existed eternally; it is of no use to declare that they will one day exist” (R 283). Rather, the axiom is a demand for equality (or justice or freedom) against the State. Because the axiom acts as an ethical principle for the rebels during the course of their rebellion, the coherence between the rebels’ actions and their axiom is the justification of their logic. Every (legitimate) rebellion has this form. ¶ And as a result, for Camus, universality is not a matter of Badiou’s virtuality, but of actuality. Because “[rebellion’s] reasons―the mutual recognition of a common destiny and the communication of men between themselves―are always valid” at the same time they are axiomatic, Camus is demanding concrete coherence between the rebellion’s actions and its axiom (R 283). The axiomatic principles are merely actualized by their declaration. But this is possible only because Camus does not posit an axiom that is (materially, historically) transformed into an ethical principle. As a result, though Camus may have supported all of the Libyan rebels’ actions, he has built the framework to sensibly ask the ethical question of them, even though it is based in particularity. ¶ This is because the actual universality Camus posits provides a substantial ethics: murder is the limit of rebellion and cannot be justified. “Logically,” he says, “one should reply that murder and rebellion are contradictory. If a single master should, in fact, be killed, the rebel, in a certain way, is no longer justified in using the term community of men from which he derived his justification” (R 281). The claim is drastic: to murder anyone, even the source of injustice, is unjustifiable. It denies all egalitarian maxims by denying the victim the chance to meet rebellion’s demand―and it does so because Camus’ concern is actuality: Badiou’s universality in principle holds whether acted upon or not. But Camus shows in the first three sections of The Rebel that rebellions that have accepted murder became incoherent.[27] ¶ However, Camus did not forswear murder―he claimed that it was a limit that could be met exactly once. On the one hand, it is simply utopian to refuse the use of violence in politics: Assad must be overthrown for the sake of creating a democracy. But Camus has already denied historical justification as nihilistic and incoherent. And yet inaction would implicitly accept the unjust status quo. So, then, murder is necessary but unjustifiable; the rebel “kills and dies so that it shall be clear that murder is impossible.” ¶ Camus navigates this paradox by insisting on murder’s exceptional status. One should rebel, even by murder, but simultaneously recognize murder as contrary to one’s own principles. An act of murder, we can say, will be legitimate but not just: legitimate in battling the unjust present, but unjust itself because legitimacy cannot clear the rebel of guilt. This claim―which is the core of Camus’ argument against Robespierre and Lenin, as well as his defense of the Russian terrorist Kaliayev―asserts that history cannot enter into politics’ logic. This time, this point in history may legitimize an act, but it cannot justify that act because ethical principles are eternal. Their universality must be protected in the material actions throughout the rebellion. ¶ For this reason, even the legitimacy of murder is conditional.[28] First, the victim must be a cause of the present injustices―e.g., the master of the slaves or the Ba’athist dictator. The murder of innocents can only be legitimated by historicist arguments unavailable to the coherent rebel. Second, the rebel’s act must be recognized as a crime by her own standards. She must recognize her own guilt as a failure to cohere with her axiom: only this recognition ensures murder remains exceptional, protecting a practical manifestation of the rebellion’s logic. The crime of Saint-Just and Robespierre was allowing the Terror to become an institution that altered the rebellion’s logic.

#### The ethics of targeted killing is not a simple question that can be answered with the 1AC’s universal “no”---we should recognize targeted killing as morally problematic but nevertheless required by the imperative of defending our political community from terrorists whose explicit aims include the murder of innocents. It’s entirely consistent to say that you personally are not morally comfortable with targeted killing and simultaneously that the government should have the authority to do it in certain limited circumstances

Fernando R. Tesón 11, Simon Eminent Scholar, Florida State University, 2011, “Targeted Killing in War and Peace: A Philosophical Analysis,” http://www.elac.ox.ac.uk/downloads/tk%20tes%F3n%20oup.pdf

Why are targeted killings morally repulsive even when they give villains their due and lead to highly beneficial consequences? One reason is the heightened intentional focus that characterizes targeted killing. The law assigns varying degrees of blameworthiness for outcomes. The criminal law teaches us that killing someone in self-defense is (perhaps) not blameworthy at all; killing someone as a result of negligence is somewhat blameworthy; killing someone in a rage of passion is blameworthy; and killing someone for monetary gain is very blameworthy.65 When Colonel Sanders is commanding his troops, his unjust threat to us is imminent and proximate. Our soldiers kill him, even naming him, knowing who he is, in a situation that is quite close (though perhaps not identical) to individual self-defense.66 The more removed he is from that situation of direct threat, the less defensible the targeted killing will be, because killing him requires more planning. In the law of homicide, the more premeditated the killing the more blameworthy it will be. However, premeditation is an aggravating circumstance when the killing is wrongful in the first place. If the killing is otherwise justified, can premeditation make it wrongful? Perhaps not, but targeted killings that are justified on the merits can still be morally troubling, even if that worry does not suffice to make it wrongful.67

This troubling aspect can be illuminated by reference to the idea of moral philosophers that each person has agent-relative reasons to refrain from killing, and not simply impersonal or agent-neutral reasons. Consider a prima facie justified case of targeted killing: killing the political leader of a nation that has perpetrated aggression against us, where the killing will predictably end the war. All of these good consequences are agent-neutral reasons to kill, that is, impersonal considerations to kill the aggressor. Yet targeted killing involves detailed planning, a sure hand, cunning behavior, and nerves of steel. A morally sensitive person has reasons not to be so cold-blooded as to be able to perform such a killing or to undertake the necessary preparatory acts for it. He agrees that it would be a good thing, due to the consequences, should the villain be killed, but does not want to create the state of affairs where he kills (this is not to say that in moral deliberation the agent-relative reasons will always prevail over the agent-neutral reasons, the good consequences). There is an important difference between the sentences “it is a good thing that bin Laden died” and “it is a good thing that I killed bin Laden.”

Can agent-relative reasons apply to the government? Possibly yes. The idea is that liberal governments should attempt to behave in accordance with values and virtues for which they stand.68 This includes rejecting self-help, revenge, and random violence in favor of lawful coercion, coercion under the rule of law. This excludes assassination of any sort.

The prohibition on assassination is an expression of the values embedded in the liberal social contract. Targeted killing would perhaps be understandable in the state of nature, but not in civil society, where due process and the rule of law reign supreme. Call this the political virtue argument. I think this argument, while not conclusive, has some weight. In considering the morality of targeted killing we must weigh not only the goodness of the villain’s death, but the badness of our government’s killing. These considerations may collapse in the face of supreme emergency, but they certainly carry substantial weight.

(c) Are the objections conclusive?

These objections carry considerable weight. The fact that governments will often err about the existence of the permissibility conditions, and the fact that the modi operandi of targeted killings are (arguably) troubling, point, perhaps, to one conclusion: targeted killing in peacetime should be, in principle, legally prohibited.69 Not every morally permissible practice ought to be legally permitted. The law has its own logic and creates its own specific incentives. Given the proven tendency of governments to err—the many instances of government failure—it seems salutary in a liberal democracy to prohibit the government from killing persons outside of war. Given how important it is for the state to stop terrorism, however, I think the highest authority in the land should have the power to waive the prohibition in cases where killing the terrorist is indeed necessary to avert a deadly terrorist attack, as I have specified in this chapter. The government should fully explain to the citizenry his reasons for waiving the prohibition. The secrecy that surrounds these operations in current liberal democracies does not help to ascertain their justification. It is important for the citizenry to understand the reasons why their government has resorted to an act as serious as a targeted killing—why the default rule against killing has been waived in a particular case. The justification for secrecy is the desire not to help the enemy; perhaps, then, the government should explain its reasons publicly after the fact. But secrecy should not serve as a way to hide from the state’s own citizens the fact that these killings were, after all, summary executions.

VII. Concluding thought

A legitimate function of the liberal state is to protect persons from one another and from foreign enemies. In extreme cases, the state protects citizens against foreign enemies by waging war. But custom and morality have confined war, and the license to kill that it entails, to cases where the liberal state faces an organized enemy. The license to kill in war can plausibly be extended to situations where the liberal state faces commandos or terrorists in the battlefield. But the licence does not extend beyond those cases, so the state may not declare war against individuals. If the state’s institutions function normally, it is bound by the strictures of the rule of law. One of the central precepts of the rule of law is the prohibition against killing anyone without due process, should that process be available. In times of peace due process is available, so the default rule is that the state may not conduct extrajudicial killings. This prohibition extends to foreigners, even if they have committed crimes. Nonetheless, I have argued that the terrorist threat justifies a departure from the prohibition when killing a terrorist is necessary to avert a crime that is likely to kill many innocents, even if the crime is not imminent. The permission to kill a terrorist in peacetime is an exception to a fundamental prohibition of state violence and must be interpreted strictly. In particular, the state must give the terrorist the chance to surrender if that option is available at an acceptable cost. These constraints reflect the fact that in a liberal democracy the morality of state coercion is not determined solely by the blameworthiness or dangerousness of bad persons, but by the values, goals, and purposes of the liberal state itself. The terrorist is a public danger and a moral monster, but those facts do not exhaust the relevant reasons for justifying state deadly violence. What we are, and what we may become, also matters. Perhaps that is what matters most.

#### Framing issue---their Camus evidence should not guide your decision---its discussion of rebellion is completely divorced from any actually existing historical situation---in a conflict where the other side wants to kill us, it’s morally required to maximize the enemy’s costs and minimize ours

Stephen Eric Bronner 99, Director of Global Relations and Professor of Political Science at Rutgers University, 1999, Ideas in Action: Political Tradition in the Twentieth Century, p. 161-163

But is it really the case that because "I rebel, we exist"? Circular reasoning underpins such neo-Cartesian claims. And they appear all the more arbitrary given the philosophical premise that "the first and only evidence that is supplied to me, within the terms of the absurdist experience, is rebellion."15 Camus knows that not every form of rebellion is justifiable. Neofascists and skinheads also see themselves as engaging in rebellion. But surely Camus would not consider it necessary to first legitimate their initial expression of outrage and only then condemn the exaggerated form their rebellion takes. Enough Nazis and communists were also quite willing to risk death in exchange for the murder of opponents in the brawls and street battles anticipating the rise of Hitler. The problem is obvious: rebellion is, ultimately, identified only with those actions of which Camus approves.

To make matters worse, The Rebel reveals nothing new about totalitarianism, and it lacks any practical referent for its metaphysical judgments. No antiauthoritarian movement willing to engage in violence, which includes the antifascist resistance, can begin with the idea of equally exchanging the lives of its partisans for those of its enemies; it must attempt to maximize costs for the enemy and minimize its own losses. Camus is, of course correct in noting the effect of ideology on action and the manner in which revolutions of the past generated organs of terror. But he never deals with the constraints in which such movements operated. He never makes any reference to institutions or interests or possible structural imbalances of power in defining "oppression" or "exploitation." He also never deals with the inherent differences between a theory of revolution and a theory of rule.

All this, however, generally got lost in the emotionally and politically charged climate in which discussion of The Rebel took place. Communist hacks blasted it unmercifully. More ominously, conservatives and Catholics applauded Camus for showing how revolutions only produce new hangmen. Camus surely dismissed the criticisms of the communists and deplored the "misunderstanding" of his work by the political right. But even liberal critics, who supported his attack on utopianism and his identification with democracy and the individual, expressed skepticism about his philosophical claims regarding the absolute value of rebellion. Raymond Aron was snide in complementing Camus only for being less of a romantic than Jean-Paul Sartre.16 Thus, there were already doubts about The Rebel even before what would become a bitter debate between friends.

## DA

### Impact Calculus---Pakistan

#### Limiting TK’s causes full-scale ground assaults in Pakistan --- that’s Weitz --- causes a popular uprising against the Pakistani government and militant takeover --- that causes Indian intervention which causes Indo-Pak war --- that’s Chaffin.

### Impact Calculus---Terrorism

#### Nuclear terrorism causes extinction --- city attacks cause massive nuclear winter which makes global environmental collapse inevitable --- wipes out the human species --- that’s Toon.

#### This outweighs the case --- extinction is the only impact you can’t recover from --- it’s the undoing of all future human lives. Even if there’s some minor ethical ambiguities over drone use, it’s worth it if it’s the only way to prevent mass atrocities and extinction. Value to life is inherently subjective and can be recovered.

#### Turns the case --- successful nuclear terror attack causes way worse crackdowns than drones

Ignatieff 4 [Michael, former director of the Carr Center for Human Rights Policy at the Kennedy School of Government at Harvard, former Professor in Human Rights Policy at the University of Toronto and a senior fellow of the university's Munk Centre for International Studies; “Could We Lose the War on Terror? Lesser Evils,” New York Times Magazine, 5/02]

Consider the consequences of a second major attack on the mainland United States -- the detonation of a radiological or dirty bomb, perhaps, or a low-yield nuclear device or a chemical strike in a subway. Any of these events could cause death, devastation and panic on a scale that would make 9/11 seem like a pale prelude. After such an attack, a pall of mourning, melancholy, anger and fear would hang over our public life for a generation. An attack of this sort is already in the realm of possibility. The recipes for making ultimate weapons are on the Internet, and the materiel required is available for the right price. Democracies live by free markets, but a free market in everything -- enriched uranium, ricin, anthrax -- will mean the death of democracy. Armageddon is being privatized, and unless we shut down these markets, doomsday will be for sale. Sept. 11, for all its horror, was a conventional attack. We have the best of reasons to fear the fire next time. A democracy can allow its leaders one fatal mistake -- and that's what 9/11 looks like to many observers -- but Americans will not forgive a second one. A succession of large - scale attacks would pull at the already-fragile tissue of trust that binds us to our leadership and destroy the trust we have in one another. Once the zones of devastation were cordoned off and the bodies buried, we might find ourselves, in short order, living in a national-security state on continuous alert , with sealed borders, constant identity checks and permanent detention camps for dissidents and aliens. Our constitutional rights might disappear from our courts, while torture might reappear in our interrogation cells. The worst of it is that government would not have to impose tyranny on a cowed populace. We would demand it for our own protection. And if the institutions of our democracy were unable to protect us from our enemies, we might go even further, taking the law into our own hands. We have a history of lynching in this country, and by the time fear and paranoia settled deep in our bones, we might repeat the worst episodes from our past, killing our former neighbors, our onetime friends. That is what defeat in a war on terror looks like. We would survive, but we would no longer recognize ourselves. We would endure, but we would lose our identity as free peoples. Alarmist? Consider where we stand after two years of a war on terror. We are told that Al Qaeda's top leadership has been decimated by detention and assassination. True enough, but as recently as last month bin Laden was still sending the Europeans quaint invitations to surrender. Even if Al Qaeda no longer has command and control of its terrorist network, that may not hinder its cause. After 9/11, Islamic terrorism may have metastasized into a cancer of independent terrorist cells that, while claiming inspiration from Al Qaeda, no longer require its direction, finance or advice. These cells have given us Madrid. Before that, they gave us Istanbul, and before that, Bali. There is no shortage of safe places in which they can grow. Where terrorists need covert support, there are Muslim communities, in the diasporas of Europe and North America, that will turn a blind eye to their presence. If they need raw recruits, the Arab rage that makes for martyrs is still incandescent. Palestine is in a state of permanent insurrection. Iraq is in a state of barely subdued civil war. Some of the Bush administration's policies, like telling Ariel Sharon he can keep settlements on the West Bank, may only be fanning the flames. So anyone who says "Relax, more people are killed in road accidents than are killed in terrorist attacks" is playing games. The conspiracy theorists who claim the government is manufacturing the threat in order to foist secret government upon us ought to wise up. Anyone who doesn't take seriously a second major attack on the United States just isn't being serious. In the Spanish elections in March, we may have had a portent of what's ahead: a terrorist gang trying to intimidate voters into altering the result of a democratic election. We can confidently expect that terrorists will attempt to tamper with our election in November. Condoleezza Rice, the national security adviser, said in a recent television interview that the Bush administration is concerned that terrorists will see the approaching presidential election as "too good to pass up." Thinking the worst is not defeatist. It is the best way to avoid defeat. Nor is it defeatist to concede that terror can never be entirely vanquished. Terrorists will continue to threaten democratic politics wherever oppressed or marginalized groups believe their cause justifies violence. But we can certainly deny them victory. We can continue to live without fear inside free institutions. To do so, however, we need to change the way we think, to step outside the confines of our cozy conservative and liberal boxes.

### Yes Motivation

#### Terrorists want to attack the US with nuclear weapons --- meetings with nuclear scientists, official AQ statements, and internal documents all prove it’s their primary goal --- that’s Arbuckle.

### AT: Root Cause

**There’s no root cause of terror and the aff only emboldens attacks---seriously, no political grievance can explain or justify the fundamental willingness of terrorists to kill civilians and children as a matter of strategy---that shit cray!**

Alan **Dershowitz 2**, criminal law professor, Harvard, Why Terrorism Works, p 24-5

The current mantra of those opposed to a military response to terrorism is a plea to try to understand and eliminate the root causes of terrorism. There are several reasons why this is exactly the wrong approach. The reason terrorism works-and will persist unless there are significant changes in the responses to it-is precisely because its perpetrators believe that by murdering innocent civilians they will succeed in attracting the attention of the world to their perceived grievances and their demand that the world "understand them" and "eliminate their root causes." To submit to this demand is to send the following counterproductive message to those with perceived grievances: if you resort to terrorism, we will try harder to understand your grievances and respond to them than we would have if you employed less violent methods. This is precisely the criterion for success established by the terrorist themselves. Listen to the words of Zehdi Labib Terzi, the Palestine Liberation Organization's chief observer at the United Nations: "The first several hijackings aroused the consciousness of the world and awakened the media and the world opinion much more-and more effectively-than twenty years of pleading at the United Nations." If this is true-and the Palestinians surely believe it is-then it should come as no surprise that hijackings and other forms of terrorism increased dramatically after the Palestinians were rewarded for their initial terrorism by increased world attention to its "root causes"-attention that quickly resulted in their leader being welcomed by the U.N. General Assembly, their organization being granted observer status at the United Nations, and their "government" being recognized by dozens of nations. We must take precisely the opposite approach to terrorism. We must commit ourselves never to try to understand or eliminate its alleged root causes, but rather to place it beyond the pale of dialogue and negotiation. Our message must be this: even if you have legitimate grievances, if you resort to terrorism as a means toward eliminating them we will simply not listen to you, we will not try to understand you, and we will certainly never change any of our policies toward you. Instead, we will hunt you down and destroy your capacity to engage in terror. Any other approach will encourage the use of terrorism as a means toward achieving ends-whether those ends are legitimate, illegitimate, or anything in between. Nor is there any single substantive root cause of all, or even most, terrorism. If there were-if poverty, for example, were the root cause of all terrorism-then by fixing that problem we could address the root cause of specific terrorist groups without encouraging others. But the reality is that the "root causes" of terrorism are as varied as human nature. **Every single "root cause" associated with terrorism has existed for centuries**, and the vast majority of groups with equivalent or more compelling causes-and with far greater poverty and disadvantage-have never resorted to terrorism. There has never even been a direct correlation-to say nothing of causation-between the degrees of injustice experienced by a given group and the willingness of that group to resort to terrorism. The search for "root causes" smacks more of after-the-fact political justification than inductive scientific inquiry. The variables that distinguish aggrieved groups willing to target innocent civilians from equally situated groups unwilling to murder children have far less to do with the legitimacy of their causes or the suffering of their people than with religious, cultural, political, and ethical differences. They also relate to universalism versus parochialism and especially to the value placed on human life. To focus on such factors as poverty, illiteracy, disenfranchisement, and others all too common around our imperfect world is to fail to explain why so many groups with far greater grievances and disabilities have never resorted to terrorism. Instead, the focus must be on the reality that using an act of terrorism as the occasion for addressing the root causes of that act only encourages other groups to resort to terrorism in order to have their root causes advanced on the international agenda. Put another way, the "root cause" of terrorism that must be eliminated is its success.

### Hardline Key

**Perception of resolve is critical**

Bradley R. **Gitz 7**, William Jefferson Clinton Professor of International Politics – Lyon College, “Perception as Destiny”, Arkansas Democrat-Gazette (Little Rock), 1-14-2007, Lexis

Muslim majorities will eventually reject Islamism only if it is perceived as being effectively and resolutely resisted, as is happening at present in the horn of Africa. They will accommodate themselves to Islamism regardless of their personal preferences if they feel it is the stronger force and represents their reluctant future. Osama bin Laden would be the first to agree that what we are engaged in is a struggle for the hearts and minds of the world's Muslims and that the single most important variable influencing that struggle is perceptions of who is stronger, the Islamists or us. To the extent that Islamist fanatics appear to be winning because we in the West lack the necessary resolve to use our superior power to resist their advances, our superior values will never get the chance to prove their appeal. The appropriate analogy here comes from the urban war zones of America, where the willingness of law-abiding residents to cooperate with the police in their struggle against drug dealers and street gangs is contingent upon which side they feel can hurt or protect them more. Such people constitute the vast majority of the residents of those neighborhoods and almost certainly want the same things for their children that those living in the affluent suburbs want, but they can only afford to "do the right thing," i.e., help the police identify and arrest the criminals, if they can do so without risking their lives and those of their children. Just as the "good guys" (the police) can prevail in crime-ridden neighborhoods only by receiving the help of the people living there and the people living there will help only if they believe that the police are stronger than the bad guys, moderate Muslims around the world will only reject the terrorists and their governments will cooperate with ours in the struggle against those terrorists only if they believe that we, not the terrorists, will win. Such a struggle is playing out in miniature inside Iraq at present and features almost exactly the same incentive system for ordinary Iraqis. We can build a stable democracy in Iraq only if we can overcome the terrorists and the sectarian militias, but to overcome the terrorists and diminish the appeal of the sectarian militias we must first win the support and confidence of the Iraqi people. The people of Iraq would almost certainly prefer to actively cooperate with us and with the government most of them stood in long lines to elect, but will do so only if it doesn't mean jeopardizing themselves and their families. If the people of Iraq believe that the insurgents are stronger and our will to prevail is too weak, they will accommodate the insurgents who control their neighborhoods and punish those who defy them. If they believe that we are about to throw up our hands and withdraw in frustration, they will find protection wherever they can, most obviously among Iraq's heavily armed sectarian militias. In Vietnam, we lost primarily because the villagers of South Vietnam feared the Viet Cong to a greater extent than they trusted either their army or our soldiers to protect them. Most of them didn't want the kind of oppressive future that communism promised, but then most Muslims don't want to be ruled by the Taliban or al-Qa'ida, either. Thus, what we should never forget when discussing our options in Iraq and elsewhere is that the strength of the other side will be determined by perceptions of our strength and resolve.

### Squo Solves Link Turns --- Must Read

#### Status quo target vetting is carefully calibrated to avoid every aff impact in balance with counter-terror--- there’s only a risk that restrictions destroy it

Gregory McNeal 13, Associate Professor of Law, Pepperdine University, 3/5/13, “Targeted Killing and Accountability,” <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1819583>

Target vetting is the process by which the government integrates the opinions of subject matter experts from throughout the intelligence community.180 The United States has developed a formal voting process which allows members of agencies from across the government to comment on the validity of the target intelligence and any concerns related to targeting an individual. At a minimum, the vetting considers the following factors: target identification, significance, collateral damage estimates, location issues, impact on the enemy, environmental concerns, and intelligence gain/loss concerns.181 An important part of the analysis also includes assessing the impact of not conducting operations against the target.182 Vetting occurs at multiple points in the kill-list creation process, as targets are progressively refined within particular agencies and at interagency meetings.

A validation step follows the vetting step. It is intended to ensure that all proposed targets meet the objectives and criteria outlined in strategic guidance.183 The term strategic is a reference to national level objectives—the assessment is not just whether the strike will succeed tactically (i.e. will it eliminate the targeted individual) but also whether it advances broader national policy goals.184 Accordingly, at this stage there is also a reassessment of whether the killing will comport with domestic legal authorities such as the AUMF or a particular covert action finding.185 At this stage, participants will also resolve whether the agency that will be tasked with the strike has the authority to do so.186 Individuals participating at this stage analyze the mix of military, political, diplomatic, informational, and economic consequences that flow from killing an individual. Other questions addressed at this stage are whether killing an individual will comply with the law of armed conflict, and rules of engagement (including theater specific rules of engagement). Further bolstering the evidence that these are the key questions that the U.S. government asks is the clearly articulated target validation considerations found in military doctrine (and there is little evidence to suggest they are not considered in current operations). Some of the questions asked are:

• Is attacking the target lawful? What are the law of war and rules of engagement considerations?

• Does the target contribute to the adversary's capability and will to wage war?

• Is the target (still) operational? Is it (still) a viable element of a target system? Where is the target located?

• Will striking the target arouse political or cultural “sensitivities”?

• How will striking the target affect public opinion? (Enemy, friendly, and neutral)?

• What is the relative potential for collateral damage or collateral effects, to include casualties?

• What psychological impact will operations against the target have on the adversary, friendly forces, or multinational partners?

• What would be the impact of not conducting operations against the target?187

As the preceding criteria highlight, many of the concerns that critics say should be weighed in the targeted killing process are considered prior to nominating a target for inclusion on a kill-list.188 For example, bureaucrats in the kill-list development process will weigh whether striking a particular individual will improve world standing and whether the strike is worth it in terms of weakening the adversary's power.189 They will analyze the possibility that a strike will adversely affect diplomatic relations, and they will consider whether there would be an intelligence loss that outweighs the value of the target.190 During this process, the intelligence community may also make an estimate regarding the likely success of achieving objectives (e.g. degraded enemy leadership, diminished capacity to conduct certain types of attacks, etc.) associated with the strike. Importantly, they will also consider the risk of blowback (e.g. creating more terrorists as a result of the killing).191

### Drones K2 CT --- Top Level

#### Expansive targeted killing policies provide and unparalleled to strike at terrorist groups without the downsides of large-scale interventions or counterinsurgency campaigns---drones disrupt leadership and make planning large-scale attacks impossible---that means even if they win their offense that drones make some people join terror groups who otherwise wouldn’t, there’s no effective leadership or capacity for those groups to actually do anything---that’s Anderson and Youngs.

#### Targeted killings play several irreplaceable functions in CT:

#### 1) Leadership decapitation

#### a) Drones are key---militants can’t replace senior leaders

Patrick B. Johnston 13, Associate Political Scientist, RAND Corporation, and Anoop Sarbahi, postdoctoral scholar in the Department of Political Science at the University of California, Los Angeles, July 2013, “The Impact of U.S. Drone Strikes on Terrorism in Pakistan and Afghanistan,” <http://patrickjohnston.info/materials/drones.pdf>

We expect drone strikes that kill terrorist leaders will be associated with reductions in terrorist attacks. Previous research convincingly demonstrates that conducting effective terrorist attacks requires skilled individuals, many of whom are well-educated and come from upper middle- class backgrounds. 21 Indeed, captured documents containing detailed biographical data on foreign al Qa’ida militants in Iraq illustrate that among the foreign terrorists—who are conventionally known to be more sophisticated than local fighters—their most commonly listed “occupation” prior to arriving in Iraq was that of “student.” For militants for whom information on “experience” was available, “computers” was the most commonly listed experience type, just ahead of “weapons.”22

In the context of northwest Pakistan, where militant freedom of movement is limited by the threat of drone strikes, we expect that militant groups will be unable to replace senior leaders killed in drone strikes because recruiting and deploying them, perhaps from a foreign country with a Salafi jihadist base, will be costly and difficult. This is not to say that leaders killed in drone strikes are irreplaceable. On the contrary, other militants are likely to be elevated within their organization to replace them. But we also anticipate that those elevated to replace killed leaders will be, on average, of lower quality to the organization than their predecessors. Thus, we predict that the loss of leaders will be associated with the degradation of terrorists’ ability to produce violence. This logic implies Hypothesis 3:

H3: All else equal, drone strikes that kill one or mor e terrorist leader(s) will lead to a decrease in terrorist violence.

#### b) Data supports our decapitation args

Patrick B. Johnston 13, Associate Political Scientist, RAND Corporation, and Anoop Sarbahi, postdoctoral scholar in the Department of Political Science at the University of California, Los Angeles, July 2013, “The Impact of U.S. Drone Strikes on Terrorism in Pakistan and Afghanistan,” <http://patrickjohnston.info/materials/drones.pdf>

Given that killing terrorist leaders or HVIs in terrorist organizations is the purpose of drone strikes, we evaluate whether patterns of militant attacks differ following strikes in which a militant leader was killed. Table 3 provides tests of Hypotheses 3 and 4 against the four metrics of militant violence examined here using the same 2FESL specifications as in table 2. The results are largely consistent with Hypothesis 3—that killing militant leaders is associated with decreased violence. There is little support for Hypothesis 4, that killing HVIs has counterproductive effects on violence. Controlling for the number of drone strikes per agency-week, the first column of table 3 shows that drone strikes that kill a HVI are associated with reductions in the number of militant incidents that occur. This result is statistically significant at the one-percent level. There is, however, weaker evidence that HVI removals reduce militant lethality and IED attacks.45

Overall, the evidence is somewhat consistent with the argument that individuals matter for a terrorist organization’s ability to produce violence at sustained rates. Along with other evidence from macro-level studies of leadership decapitation, the present results suggest that critics who argue against the efficacy of removing key figures may be overemphasizing the extent to which such individuals can be readily replaced.46

#### 2) Signaling resolve

#### a) Drones are key to effective power projection and demonstrations of resolve---both key to global counter-terrorism

Jacqueline L. Hazelton 13, visiting professor in the University of Rochester Department of Political Science and was previously a research fellow at the Belfer Center, Harvard Kennedy School, Winter-Spring 2013, “Drones: What Are They Good For?,” Parameters, Vol. 42.4/43.1

Drones, like other air and sea platforms, are a form of power projection. They give the United States the ability to mount tactical assaults without necessarily putting US personnel directly in harm’s way, potentially evoking domestic opposition. They also allow the United States to avoid putting its forces in foreign territory, potentially eliciting a nationalistic response. Drones are similar to Special Forces in their direct targeting ability, but they can reach remote locations and, again, do not place US troops directly in peril. Nevertheless, drone strikes do require cooperation by individuals and states on the ground. The United States needs, for example, basing rights, agreements to host launch and recovery personnel and search-and-rescue teams, and overflight permissions.7¶ A significant concern raised in the public debate is that drones make killing too easy. This is a critical issue that connects to questions about US grand strategy and whether drones encourage imperial overreach.8 But because the United States uses a variety of tools to conduct targeted killings—from the Special Forces raid on Osama bin Laden’s Pakistani compound to the missile strike on Dora Farms, where Saddam Hussein and his sons were believed to be sheltering early in the Iraq War—I suggest there is more to gain analytically by first focusing on understanding the tactic, that is, what targeted killing may and may not achieve as a foreign policy tool, then addressing concerns specific to the platform.9¶ The second core question pertains to the strategic utility of drone strikes for a state. What political goals can drone strikes achieve? In considering this question, I use a theoretical prism that identifies the fundamental political goals of the state’s use of force to defend, deter, compel, and, sometimes, swagger.10¶ It is possible to consider targeted killings, specifically those conducted by drones, as an element in a defensive strategy. This strategy would be intended to ward off attack and reduce possible damage by killing leaders and facilitators plotting violence against the United States, and disrupting their operations. It is also possible to argue targeted killings deter future attacks by denying armed groups the capability to conduct those attacks, and punishing those planning violence against the United States and its interests. The deterrence-by-denial argument requires consideration not only of targeted killings but also drone strikes to directly degrade targeted groups’ capabilities in other ways (e.g., cause equipment and supply shortages, operational and strategic paralysis, and disruption of operations). ¶ Drone strikes in this analysis might also deter cooperation with a group based on fear or doubt about the group’s likely success.11 It is harder to argue that targeted killings might exercise a compelling effect by threatening greater pain if the targeted organization does not change its behavior.12 Successful compellence requires displaying to the adversary the will and capability to cause terrible pain if the adversary does not change its behavior. The ethical and legal context of drone use by the United States make it unlikely at first glance that policymakers would choose to use drone strikes to cause pain to an adversary by deliberately targeting innocents. In terms of causing pain to the adversary directly, the death or threat of death to a plotter is an organization’s cost of doing business, not a taste of suffering to come if it does not change its behavior.13¶ There are several other possible strategic effects of drone strikes. Swaggering, here displaying US military power and its seemingly effortless global reach, arguably demonstrates resolve, a quality that has been underlined as an element of US counterterrorism policy.14 Drone strikes can also be seen as the straightforward use of brute force to destroy those who would threaten the United States or its allies.15 In addition, they are an alliance tool supporting other states, such as Yemen and Pakistan.

#### b) Signaling resolve’s key to deterrence

Gabriella Blum 10, Assistant Professor of Law, Harvard Law School, and Philip Heymann, the James Barr Professor of Law, Harvard Law School, June 27, 2010, “Law and Policy of Targeted Killing,” Harvard National Security Journal, http://harvardnsj.org/wp-content/uploads/2010/06/Vol-1\_Blum-Heymann\_Final.pdf

At the most basic level, targeted killings, which are generally undertaken with less risk to the attacking force than are arrest operations, may be effective. According to some reports, the killing of leaders of Palestinian armed groups weakened the will and ability of these groups to execute suicide attacks against Israelis. By deterring the leaders of terrorist organizations and creating in some cases a structural vacuum, waves of targeted killing operations were followed by a lull in subsequent terrorist attacks, and in some instances, brought the leaders of Palestinian factions to call for a ceasefire. The Obama administration embraced the targeted killing tactic, holding it to be the most effective way to get at Al-Qaeda and Taliban members in the ungoverned and ungovernable tribal areas along the Afghanistan-Pakistan border or in third countries.¶ Despite the adverse effects such operations may have on the attitudes of the local population toward the country employing targeted killings, the demonstration of superiority in force and resolve may also dishearten the supporters of terrorism.¶ Publicly acknowledged targeted killings are furthermore an effective way of appeasing domestic audiences, who expect the government “to do something” when they are attacked by terrorists. The visibility and open aggression of the operation delivers a clearer message of “cracking down on terrorism” than covert or preventive measures that do not yield immediate demonstrable results. The result in Israel has been to make a vast majority of citizens supportive of targeted killings, despite the latter’s potential adverse effects. And, perhaps surprisingly, of all the coercive counterterrorism techniques employed by the United States, targeted killings have so far attracted the least public criticism.

#### 3) Drones have psychological and operational impacts on terror organizations---makes them unable to carry out plots

Stratfor 12 – Strategic Forecasting, global intelligence firm, 1/12/12, “Armed UAV Operations 10 Years On,” http://www.stratfor.com/weekly/armed-uav-operations-10-years

One of the most notable uses of the Predator and Reaper has been in the counterterrorism role, both as an intelligence, surveillance and reconnaissance (ISR) platform and as an on-call strike platform. These armed UAVs are operated both by the U.S. Air Force and, in some cases (as with operations conducted over Pakistan), the CIA. Even before the 9/11 attacks, the armed Predator then in development was being considered as a means not only of keeping tabs on Osama bin Laden but also of killing him. Since then, armed UAVs have proved their worth both in the offensive strike role against specific targets and as a means of maintaining a constant level of threat. ¶ The value of the counterterrorism ISR that can be collected by large UAVs alone is limited since so much depends on how and where they are deployed and what they are looking for. This mission requires not only sophisticated signals but also actionable human intelligence. But as a front-line element of a larger, integrated collection strategy, the armed UAV has proved to be a viable and enduring element of the U.S. counterterrorism strategy worldwide. ¶ The ability to loiter is central and has a value far beyond the physical capabilities of a single airframe in a specific orbit. Operating higher than helicopters and with a lower signature than manned, jet-powered fighter aircraft, the UAV is neither visibly nor audibly obvious (though the degree of inconspicuousness depends on, among other things, weather and altitude). Because UAVs are so discreet, potential targets must work under the assumption that an armed UAV is orbiting within striking distance at all times. ¶ Such a constant threat can place considerable psychological pressure on the prey, even when the predator is large and loud. During the two battles of Fallujah, Iraq, in April and November 2004, AC-130 gunships proved particularly devastating for insurgents pinned in certain quadrants of the city, but AC-130s were limited in number and availability. When it was not possible to keep an AC-130 on station at night (in order to keep the insurgents' heads down), unarmed C-130 transports were flown in the same orbits at altitudes where the distinctive sound of a C-130 could be clearly discerned on the ground, thus maintaining the perception of a possible AC-130 reprisal against any insurgent offensive. ¶ Indeed, it is difficult to overstate the psychological and operational impact of this tactic on a group that experiences successful strikes on its members, even if the strikes are conducted only rarely. Counterterrorism targets in areas where UAVs are known to operate must work under tight communications discipline and constraints, since having their cellular or satellite phone conversations tapped risks not only penetration of communications but immediate and potentially lethal attacks. ¶ The UAV threat was hardly the only factor, but consider how Osama bin Laden's communiques declined from comparatively regular and timely videos to rare audiotapes. In 2001, bin Laden was operating with immense freedom of maneuver and impunity despite the manhunt already under way for him. That situation changed even as he fled to Pakistan, and the combination of aggressive signals as well as UAV- and space-based ISR efforts further constrained his operational bandwidth and relevance as he was forced to focus more and more on his own personal survival. ¶ The UAV threat affects not only the targeted individuals themselves but also their entire organizations. When the failure to adhere to security protocols can immediately yield lethal results, the natural response is to constrict communications and cease contact with untrusted allies, affiliates and subordinates. When the minutiae of security protocols start to matter, the standard for having full faith, trust and confidence among those belonging to or connected with a terrorist organization become much higher. And the more that organization's survival is at stake, the more it must focus on survival, thereby reducing its capacity to engage in ambitious operations. On a deeper level, there is also the value of sowing distrust and paranoia within an organization. This has the same ultimate effect of increasing internal distrust and thereby undermining the spare capacity for the pursuit of larger, external objectives.

### AT: Recruiting

#### Targeted killings destroy operational effectiveness of terror groups---they can’t recruit new operatives fast enough to keep pace with losses

Alex Young 13, Associate Staff, Harvard International Review, 2/25/13, “A Defense of Drones,” Harvard International Review, http://hir.harvard.edu/a-defense-of-drones

Moreover, drone strikes have disrupted al Qaeda’s system for training new recruits. The Times of London reports that in 2009, Al Qaeda leaders decided to abandon their traditional training camps because bringing new members to a central location offered too easy a target for drone strikes. Foreign Policy emphasized this trend on November 2nd, 2012, arguing that, “destroying communication centers, training camps and vehicles undermines the operational effectiveness of al-Qaeda and the Taliban, and quotes from operatives of the Pakistan-based Haqqani Network reveal that drones have forced them into a ‘jungle existence’ where they fear for the lives on a daily basis.” The threat of death from the skies has forced extremist organizations to become more scattered.¶ More importantly, though, drone strikes do not only kill top leaders; they target their militant followers as well. The New America Foundation, a think tank that maintains a database of statistics on drone strikes, reports that between 2004 and 2012, drones killed between 1,489 and 2,605 enemy combatants in Pakistan. Given that Al Qaeda, the Pakistani Taliban, and the various other organizations operating in the region combined do not possibly have more than 1,500 senior leaders, it follows that many, if not most, of those killed were low-level or mid-level members – in many cases, individuals who would have carried out attacks. The Los Angeles Times explains that, “the Predator campaign has depleted [Al Qaeda’s] operational tier. Many of the dead are longtime loyalists who had worked alongside Bin Laden […] They are being replaced by less experienced recruits.” Drones decimate terrorist organizations at all levels; the idea that these strikes only kill senior officials is a myth.

#### No blowback or increased terrorist recruitment from drones---painstaking field interviews confirm

Christopher Swift 12, fellow at the University of Virginia's Center for National Security Law, 7/1/12, “The Drone Blowback Fallacy,” http://www.foreignaffairs.com/articles/137760/christopher-swift/the-drone-blowback-fallacy

Critics argue that drone strikes create new adversaries and drive al Qaeda's recruiting. As the Yemeni youth activist Ibrahim Mothana recently wrote in The New York Times, "Drone strikes are causing more and more Yemenis to hate America and join radical militants; they are not driven by ideology but rather by a sense of revenge and despair." The Washington Post concurs. In May, it reported that the "escalating campaign of U.S. drone strikes [in Yemen] is stirring increasing sympathy for al Qaeda-linked militants and driving tribesmen to join a network linked to terrorist plots against the United States." The ranks of al Qaeda in the Arabian Peninsula (AQAP) have tripled to 1,000 in the last three years, and the link between its burgeoning membership, U.S. drone strikes, and local resentment seems obvious. ¶ Last month, I traveled to Yemen to study how AQAP operates and whether the conventional understanding of the relationship between drones and recruitment is correct. While there, I conducted 40 interviews with tribal leaders, Islamist politicians, Salafist clerics, and other sources. These subjects came from 14 of Yemen's 21 provinces, most from rural regions. Many faced insurgent infiltration in their own districts. Some of them were actively fighting AQAP. Two had recently visited terrorist strongholds in Jaar and Zinjibar as guests. I conducted each of these in-depth interviews using structured questions and a skilled interpreter. I have withheld my subjects' names to protect their safety -- a necessity occasioned by the fact that some of them had survived assassination attempts and that others had recently received death threats. ¶ These men had little in common with the Yemeni youth activists who capture headlines and inspire international acclaim. As a group, they were older, more conservative, and more skeptical of U.S. motives. They were less urban, less wealthy, and substantially less secular. But to my astonishment, none of the individuals I interviewed drew a causal relationship between U.S. drone strikes and al Qaeda recruiting. Indeed, of the 40 men in this cohort, only five believed that U.S. drone strikes were helping al Qaeda more than they were hurting it.

### AT: Intel Losses from Not Capturing

#### Shifting to capture missions is impossible---every alternative to drones is worse for CT

Daniel Byman 13, Professor in the Security Studies Program at the Edmund A. Walsh School of Foreign Service at Georgetown University and a Senior Fellow at the Saban Center for Middle East Policy at the Brookings Institution, July/August 2013, “Why Drones Work,” Foreign Affairs, Vol. 92, No. 4

Critics of drone strikes often fail to take into account the fact that the alternatives are either too risky or unrealistic. To be sure, in an ideal world, militants would be captured alive, allowing authorities to question them and search their compounds for useful information. Raids, arrests, and interrogations can produce vital intelligence and can be less controversial than lethal operations. That is why they should be, and indeed already are, used in stable countries where the United States enjoys the support of the host government. But in war zones or unstable countries, such as Pakistan, Yemen, and Somalia, arresting militants is highly dangerous and, even if successful, often inefficient. In those three countries, the government exerts little or no control over remote areas, which means that it is highly dangerous to go after militants hiding out there. Worse yet, in Pakistan and Yemen, the governments have at times cooperated with militants. If the United States regularly sent in special operations forces to hunt down terrorists there, sympathetic officials could easily tip off the jihadists, likely leading to firefights, U.S. casualties, and possibly the deaths of the suspects and innocent civilians.

#### Capture raids in Pakistan cause mass casualties and catastrophic mission failure

Michael Llenza 11, Senior Navy Fellow at the Atlantic Council and Foreign Affairs Specialist, NATO ISAF, Spring 2011, “Targeted Killings in Pakistan: A Defense,” Global Security Studies, Vol. 2, No. 2, http://globalsecuritystudies.com/Targeted%20Killings.pdf

In response to the call by several NGOs that the United States work with the Pakistani government in an attempt to arrest these targets, one must wonder the means by which this would be accomplished. Although it is correct to believe that the ideal manner by which to bring retribution upon these terrorists is through the legal process, it would imply that we are dealing with a government possessing such capabilities.

As mentioned earlier in the paper, the region has remained semi-autonomous throughout history specifically because of the difficulty in securing the area. Not only does it encompass a sizeable parcel of harsh mountainous terrain, the Pashtunwali code by which most in the region live by has been exploited by Al Qaeda and the Taliban for protection (Shah). Furthermore, recent attempts by the Pakistani military to enter the region and arrest such individuals have resulted in heavy fighting and little to no gain.

As in Somalia, an attempt to send in U.S. troops into the region to capture these individuals would be foolhardy at best and cost untold casualties on both sides (Anderson, 2009, p.7). The idea that these individuals could be prevented from carrying out further terror attacks by issuing an arrest order to the Pakistani government is tantamount to Israel demanding that the Palestinian Authority hand over all the Palestinians involved in plotting against it (Statman).

# 1NR

## Notes

## DA

### AT: Tyranny of Survival

#### Impacts turn this---tyranny of survival will be worse during nuclear terrorism and other crises---the fed gov will do things like crack down on civilians based on racial profiling---only voting negative prevents the escalation of a serious set of threats that ensure worse utilitarian calculus in the future

Scarre Lecturer – Philosophy – University of Durham 1996 Utilitarianism

Utilitarian thinking about killing seems then, most intuitively acceptable to many people during public emergencies. When society’s very survival is in question, the niceties of normal moral thought are found to be dispensable. Even medical cannibalism might be seen as tolerable if no other means were available to save certain individuals who were crucial to a nation’s war effort. If Black were designing the weapon which would ensure his country’s victory and White were its most brilliant general, not only their survival might depend upon Green losing his kidneys. Cruel necessities may seem no less cruel but they seem more necessary when the chips are down for the whole community.

#### Tyranny of survival mentality inevitable

Ratner Professor of Law – USC 1984 Hofstra Law Journal

The search for the ought is a search for the goals of human behavior. Underlying the ought of every goal is an implicit description of reality that predicts the consequences for humans of compliance or noncompliance with the ought. Humans choose the goals. And the perceived accuracy of the description, along with the perceived value of the consequences predicted by the description, influence the choice: Ought and is thus coalesce. The goal of enhanced human need/want fulfillment implies that such enhanced fulfillment is possible and will facilitate long-run human existence. Goals that facilitate human existence are persistently chosen by most humans, because human structure and function have evolved and are evolving to facilitate such existence. The decisionmaking organism is structured to generally prefer survival, although some may trade long-term existence for short-term pleasure, and physiological malfunctions or traumatic experience may induce the preference of a few for nonsurvival. Intermediate human goals change with human structure and function; long-run human survival remains the ultimate human goal as long as there are humans.

## Case

### Utilitarianism

#### It comes first, because YOLO---it’s the only impact you can’t recover from.

Zygmunt **Bauman,** University of Leeds Professor Emeritus of Sociology, 1995, Life In Fragments: Essays In Postmodern Morality, p. 66-71

The being‑for is like living towards‑the‑future: a being filled with anticipation, a being aware of the abyss between future foretold and future that will eventually be; it is this gap which, like a magnet, draws the self towards the Other,as it draws life towards the future, making life into an activity of overcoming, transcending, leaving behind. The self stretches towards the Other, as life stretches towards the future; neither can grasp what it stretches toward, but it is in this hopeful and desperate, never conclusive and never abandoned stretching‑toward that the self is ever anew created and life ever anew lived. In the words of M. M. Bakhtin, it is only in this not‑yet accomplished world of anticipation and trial, leaning toward stubbornly an‑other Other, that life can be lived ‑ not in the world of the `events that occurred'; in the latter world, `it is impossible to live, to act responsibly; in it, I am not needed, in principle I am not there at all." Art, the Other, the future: what unites them, what makes them into three words vainly trying to grasp the same mystery, is the modality of possibility. A curious modality, at home neither in ontology nor epistemology; itself, like that which it tries to catch in its net, `always outside', forever `otherwise than being'. The possibility we are talking about here is not the all‑too‑familiar unsure‑of‑itself, and through that uncertainty flawed, inferior and incomplete being, disdainfully dismissed by triumphant existence as `mere possibility', `just a possibility'; possibility is instead `plus que la reahte' ‑ both the origin and the foundation of being. The hope, says Blanchot, proclaims the possibility of that which evades the possible; `in its limit, this is the hope of the bond recaptured where it is now lost."' The hope is always the hope of *being fu filled,* but what keeps the hope alive and so keeps the being open and on the move is precisely its *unfu filment.* One may say that the paradox *of hope* (and the paradox of possibility founded in hope) is that it may pursue its destination solely through betraying its nature; the most exuberant of energies expends itself in the urge towards rest. Possibility uses up its openness in search of closure. Its image of the better being is its own impoverishment . . . The togetherness of the being‑for is cut out of the same block; it shares in the paradoxical lot of all possibility. It lasts as long as it is unfulfilled, yet it uses itself up in never ending effort of fulfilment, of recapturing the bond, making it tight and immune to all future temptations. In an important, perhaps decisive sense, it is selfdestructive and self‑defeating: its triumph is its death. The Other, like restless and unpredictable art, like the future itself, is a *mystery.* And being‑for‑the‑Other, going towards the Other through the twisted and rocky gorge of affection, brings that mystery into view ‑ makes it into a challenge. That mystery is what has triggered the sentiment in the first place ‑ but cracking that mystery is what the resulting movement is about. The mystery must be unpacked so that the being‑for may focus on the Other: one needs to know what to focus on. (The `demand' is *unspoken,* the responsibility undertaken is *unconditional;* it is up to him or her who follows the demand and takes up the responsibility to decide what the following of that demand and carrying out of that responsibility means in practical terms.) Mystery ‑ noted Max Frisch ‑ (and the Other is a mystery), is an exciting puzzle, but one tends to get tired of that excitement. `And so one creates for oneself an image. This is a loveless act, the betrayal." Creating an image of the Other leads to the substitution of the image for the Other; the Other is now fixed ‑ soothingly and comfortingly. There is nothing to be excited about anymore. I know what the Other needs, I know where my responsibility starts and ends. Whatever the Other may now do will be taken down and used against him. What used to be received as an exciting surprise now looks more like perversion; what used to be adored as exhilarating creativity now feels like wicked levity. Thanatos has taken over from Eros, and the excitement of the ungraspable turned into the dullness and tedium of the grasped. But, as Gyorgy Lukacs observed, `everything one person may know about another is only expectation, only potentiality, only wish or fear, acquiring reality only as a result of what happens later, and this reality, too, dissolves straightaway into potentialities'. Only death, with its finality and irreversibility, puts an end to the musical‑chairs game of the real and the potential ‑ it once and for all closes the embrace of togetherness which was before invitingly open and tempted the lonely self." `Creating an image' is the dress rehearsal of that death. But creating an image is the inner urge, the constant temptation, the *must* of all affection . . . It is the loneliness of being abandoned to an unresolvable ambivalence and an unanchored and formless sentiment which sets in motion the togetherness of being‑for. But what loneliness seeks in togetherness is an end to its present condition ‑ an end to itself. Without knowing ‑ without being capable of knowing ‑ that the hope to replace the vexing loneliness with togetherness is founded solely on its own unfulfilment, and that once loneliness is no more, the togetherness ( the being‑for togetherness) must also collapse, as it cannot survive its own completion. What the loneliness seeks in togetherness (suicidally for its own cravings) is the foreclosing and pre‑empting of the future, cancelling the future before it comes, robbing it of mystery but also of the possibility with which it is pregnant. Unknowingly yet necessarily, it seeks it all to its own detriment, since the success (if there is a success) may only bring it back to where it started and to the condition which prompted it to start on the journey in the first place. The togetherness of being‑for is always in the future, and nowhere else. It is no more once the self proclaims: `I have arrived', `I have done it', `I fulfilled my duty.' The being‑for starts from the realization of the bottomlessness of the task, and ends with the declaration that the infinity has been exhausted. This is the tragedy of being‑for ‑ the reason why it cannot but be death‑bound while simultaneously remaining an undying attraction. In this tragedy, there are many happy moments, but no happy end. Death is always the foreclosure of possibilities, and it comes eventually in its own time, even if not brought forward by the impatience of love. The catch is to direct the affection to staving off the end, and to do this against the affection's nature. What follows is that, if moral relationship is grounded in the being-for togetherness (as it is), then it can exist as a project, and guide the self's conduct only as long as its nature of a project (a not yet-completed project) is not denied. Morality, like the future itself, is forever not‑yet. (And this is why the ethical code, any ethical code, the more so the more perfect it is by its own standards, supports morality the way the rope supports the hanged man.) It is because of our loneliness that we crave togetherness. It is because of our loneliness that we open up to the Other and allow the Other to open up to us. It is because of our loneliness (which is only belied, not overcome, by the hubbub of the being‑with) that we turn into moral selves. And it is only through allowing the togetherness its possibilities which only the future can disclose that we stand a chance of acting morally, and sometimes even of being good, in the present.

#### Specifically true for nuclear war---also it’s the ultimate immorality

NYE 86 Professor of IR – JFK School of Government – Harvard 1986 Nuclear Ethics

While the cosmopolitan approach has the virtue of accepting transnational realities and avoids the sanctification of the nation-state, an unsophisticated cosmopolitanism has serious drawbacks. First, if morality is about choices, then to underestimate the significance of states and boundaries is to fail to take into account the main features of the real setting in which the choices must be made. To pursue individual justice at the cost of survival or to launch human rights crusades that cannot hope to be fulfilled, yet interfere with prudential concerns about order, may lead to immoral consequences. And if such actions, for example the promotion of human rights in Eastern Europe, were to lead to crises and an unintended nuclear war the consequences might be the ultimate immorality. Applying ethics to foreign policy is more than merely constructing philosophical arguments; it must be relevant to the international domain in which moral choice is to be exercised.

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#### The aff is an endorsement of an ethical process---our argument is that the process doesn’t matter if the ends are WORSE---Contextualized by our Gvodsvev evidence---the US let the BOSNIAN GENOCIDE happen because it was holding out for the most moral outcome instead of finding a workable compromise

#### Singer says Bosnia, Kosovo, Congo---happened because the “costs of taking action were deemed too high”---proves the alternative to drones is inaction which is infinitely worse

####  Their imagination focus causes nihilism

Molly Cochran 99, Assistant Professor of International Affairs at Georgia Institute for Technology, “Normative Theory in International Relations”, 1999, pg. 272

To conclude this chapter, while modernist and postmodernist debates continue, while we are still unsure as to what we can legitimately identify as a feminist ethical/political concern, while we still are unclear about the relationship between discourse and experience, it is particularly important for feminists that we proceed with analysis of both the material (institutional and structural) as well as the discursive. This holds not only for feminists, but for all theorists oriented towards the goal of extending further moral inclusion in the present social sciences climate of epistemological uncertainty. Important ethical/political concerns hang in the balance. We cannot afford to wait for the meta-theoretical questions to be conclusively answered. Those answers may be unavailable. Nor can we wait for a credible vision of an alternative institutional order to appear before an emancipatory agenda can be kicked into gear. Nor do we have before us a chicken and egg question of which comes first: sorting out the metatheoretical issues or working out which practices contribute to a credible institutional vision. The two questions can and should be pursued together, and can be via moral imagination. Imagination can help us think beyond discursive and material conditions which limit us, by pushing the boundaries of those limitations in thought and examining what yields. In this respect, I believe international ethics as pragmatic critique can be a useful ally to feminist and normative theorists generally.

### AT: Death Inevitable

#### Death is inevitable yes---but PREMATURE death is NOT---there is obviously a difference between NATURAL passing away and watching loved ones die during the unimaginable suffering of NUCLEAR WAR

#### Value to life answers this

### No Global War

**Global war does not result from a Western desire for control---it results from lack of clearly defined strategic imperatives---the aff is necessary to reclaim the political**

David **Chandler 9**, Professor of International Relations at the Department of Politics and International Relations, University of Westminster, War Without End(s): Grounding the Discourse of `Global War', Security Dialogue 2009; 40; 243

Western governments appear to portray some of the distinctive characteristics that Schmitt attributed to ‘motorized partisans’, in that the shift from narrowly strategic concepts of security to more abstract concerns reflects the fact that Western states have tended to fight free-floating and non-strategic wars of aggression without real enemies at the same time as professing to have the highest values and the absolute enmity that accompanies these. The government policy documents and critical frameworks of ‘global war’ have been so accepted that it is assumed that it is the strategic interests of Western actors that lie behind the often irrational policy responses, with ‘global war’ thereby being understood as merely the extension of instrumental struggles for control. This perspective seems unable to contemplate the possibility that it is the lack of a strategic desire for control that drives and defines ‘global’ war today. ¶ Very few studies of the ‘war on terror’ start from a study of the Western actors themselves rather than from their declarations of intent with regard to the international sphere itself. This methodological framing inevitably makes assumptions about strategic interactions and grounded interests of domestic or international regulation and control, which are then revealed to explain the proliferation of enemies and the abstract and metaphysical discourse of the ‘war on terror’ (Chandler, 2009a). For its radical critics, the abstract, global discourse merely reveals the global intent of the hegemonizing designs of biopower or neoliberal empire, as critiques of liberal projections of power are ‘scaled up’ from the international to the global.¶ Radical critics working within a broadly Foucauldian problematic have no problem grounding global war in the needs of neoliberal or biopolitical governance or US hegemonic designs. These critics have produced numerous frameworks, which seek to assert that global war is somehow inevitable, based on their view of the needs of late capitalism, late modernity, neoliberalism or biopolitical frameworks of rule or domination. From the declarations of global war and practices of military intervention, rationality, instrumentality and strategic interests are read in a variety of ways (Chandler, 2007). Global war is taken very much on its own terms, with the declarations of Western governments explaining and giving power to radical abstract theories of the global power and regulatory might of the new global order of domination, hegemony or empire¶ The alternative reading of ‘global war’ rendered here seeks to clarify that the declarations of global war are a sign of the lack of political stakes and strategic structuring of the international sphere rather than frameworks for asserting global domination. We increasingly see Western diplomatic and military interventions presented as justified on the basis of value-based declarations, rather than in traditional terms of interest-based outcomes. This was as apparent in the wars of humanitarian intervention in Bosnia, Somalia and Kosovo – where there was no clarity of objectives and therefore little possibility of strategic planning in terms of the military intervention or the post-conflict political outcomes – as it is in the ‘war on terror’ campaigns, still ongoing, in Afghanistan and Iraq. ¶ There would appear to be a direct relationship between the lack of strategic clarity shaping and structuring interventions and the lack of political stakes involved in their outcome. In fact, the globalization of security discourses seems to reflect the lack of political stakes rather than the urgency of the security threat or of the intervention. Since the end of the Cold War, the central problematic could well be grasped as one of withdrawal and the emptying of contestation from the international sphere rather than as intervention and the contestation for control. The disengagement of the USA and Russia from sub-Saharan Africa and the Balkans forms the backdrop to the policy debates about sharing responsibility for stability and the management of failed or failing states (see, for example, Deng et al., 1996). It is the lack of political stakes in the international sphere that has meant that the latter has become more open to ad hoc and arbitrary interventions as states and international institutions use the lack of strategic imperatives to construct their own meaning through intervention. As Zaki Laïdi (1998: 95) explains:¶ war is not waged necessarily to achieve predefined objectives, and it is in waging war that the motivation needed to continue it is found. In these cases – of which there are very many – war is no longer a continuation of politics by other means, as in Clausewitz’s classic model – but sometimes the initial expression of forms of activity or organization in search of meaning. . . . War becomes not the ultimate means to achieve an objective, but the most ‘efficient’ way of finding one. ¶ The lack of political stakes in the international sphere would appear to be the precondition for the globalization of security discourses and the ad hoc and often arbitrary decisions to go to ‘war’. In this sense, global wars reflect the fact that the international sphere has been reduced to little more than a vanity mirror for globalized actors who are freed from strategic necessities and whose concerns are no longer structured in the form of political struggles against ‘real enemies’. The mainstream critical approaches to global wars, with their heavy reliance on recycling the work of Foucault, Schmitt and Agamben, appear to invert this reality, portraying the use of military firepower and the implosion of international law as a product of the high stakes involved in global struggle, rather than the lack of clear contestation involving the strategic accommodation of diverse powers and interests.

# 2NR

#### Prefer our Johnston evidence---it’s the only rigorous, data-based analysis of the effectiveness of targeted killing

Patrick B. Johnston 13, Associate Political Scientist, RAND Corporation, and Anoop Sarbahi, postdoctoral scholar in the Department of Political Science at the University of California, Los Angeles, July 2013, “The Impact of U.S. Drone Strikes on Terrorism in Pakistan and Afghanistan,” <http://patrickjohnston.info/materials/drones.pdf>

Drone strikes are not the only instrument the U.S. can use to fight al Qa’ida terrorists; states have used other methods to fight terrorism for centuries . The effectiveness of drone strikes at countering terrorism lies at the core of U.S. policymakers’ arguments for their continued use. Yet because of the drone program’s secretive nature and wide disagreement about the effects of drone strikes on terrorist organizations and civilian populations, U.S. government officials and human rights advocates have both failed to present compelling, systematic evidence in support of their positions. What is needed is a rigorous, evidence-based assessment of drone strikes’ impact on terrorism. Such an assessment should sharpen the debate on drone strikes and help counterterrorism officials and critics alike to evaluate the tradeoffs associated with drone warfare. ¶ The present study provides such an assessment by using a data-driven approach to analyze the consequences of drone strikes. Based on detailed data on both drone strikes and terrorism in Pakistan throughout the course of the U.S. drone campaign there, the study examines how drone strikes have affected terrorist violence in northwest Pakistan and bordering areas of Afghanistan. In order to provide the most comprehensive analysis possible, this study investigates the relationship between drone strikes and a wide range of militant activities and tactics, including terrorist attack patterns, terrorist attack lethality, and especially deadly and intimidating tactics such as suicide and improvised explosive device (IED) attacks.¶ A systematic analysis of the data reveals that drone strikes have succeeded in curbing deadly terrorist attacks in Pakistan. Specifically, the key findings of our study show that drone strikes are associated with substantial reductions in terrorist violence along four key dimensions. First, drone strikes are generally associated with a reduction in the rate of terrorist attacks. Second, drone strikes are also associated with a reduction in the number of people killed as a result of terrorist attacks. Third, drone strikes tend to be linked to decreases in the use of particularly lethal and intimidating tactics, including suicide and IED attacks. Fourth, the study finds that this reduction in terrorism is not the result of militants leaving unsafe areas and conducting attacks elsewhere in the region; on the contrary, there is some evidence to suggest that drone strikes have a small violence-reducing effect in areas near those struck by drones. Taken together, these findings strongly suggest that despite drone strikes’ unpopularity, official claims that drones have aided U.S. counterterrorism efforts in Pakistan appear to be credible and should not be dismissed out of hand.