I affirm and value morality

First, free will doesn’t exist

No one can ever be held accountable for making the “immoral” decision because they never had the ability to not pick that decision. Thus, a non-consequentialist framework is not viable since it assumes that people have intent which are culpable, so only a consequentialist framework works. This is since it only evaluates the end as good or bad, not the action itself.

Moreover, even respect for the rationality of persons mandates consequentialism.

Cummiskey[[1]](#footnote-1)

If I sacrifice some for the sake of others,I do not use them arbitrarily, andI do not deny the unconditional value of rational beings. Persons may have “dignity, that is, an unconditionaland incomparableworth” that transcends any market value (GMM 436),but persons also have a fundamental equality that dictates that some must sometimes give way for the sake of others (chapters 5 and 7). The concept of the end-in-itself thusdoes 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**may** sacrifice some to save many.

Thus the value criterion is Consequentialism

Advantage 1 is Reduction of Recidivism and Terrorism Rates

A is the status quo

**“In a lawsuit filed today, the [ACLU] allege the United States violated the Constitution's guarantee of due process when it ordered the targeted killing of three United States citizens. The groups filed the suit against top military and intelligence officials on behalf relatives of the three Americans who were killed in drone strikes in Yemen last fall”**

In its press release, [the ACLU explains](http://www.aclu.org/national-security/al-aulaqi-v-panetta):

**"Outside of armed conflict, both the Constitution and international law prohibit killing without due process, except as a last resort to avert a concrete, specific, and imminent threat of death or serious physical injury. Even in the context of an armed conflict against an armed group (which did not exist in Yemen at the time of these killings), the government may use lethal force only against individuals who are directly participating in hostilities against the United States. Regardless of the context, whenever the government uses lethal force, it must take all possible steps to avoid harming civilian bystanders. The lawsuit argues that the senior CIA and military leaders who authorized and directed the killings violated these standards."**

However the government is not taking the possible steps from avoiding civilian bystanders since civilian death rates are increasing.

**According to Amnesty International "In Pakistan between 2004 and 2012, there have been some 330 strikes, with the total reported number killed being between 2,479 and 3,180 people (and more than 1,000 other people being injured); 278 of the 330 strikes were carried out under the Obama administration."**

**B is the Harms**

**First we’re violating the rights protected by the fifth and sixth amendment**

http://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=1302&context=facpub)

The Constitution does distinguish in some respects between the rights of citizens and noncitizens: the right not to be discriminatorily denied the vote and the right to run for federal elective office are expressly restricted to citizens.12 All other rights, however, are written without such a limitation. **The Fifth and Fourteenth Amendment due process and equal protection guarantees extend to all "persons." The rights attaching to criminal trials, including the right to a public trial, a trial by jury, the assistance of a lawyer, and the right to confront adverse witnesses, all apply to "the accused." And both the First Amendment's protections of political and religious freedoms and the Fourth Amendment's protection of privacy and liberty apply to "the people."**

**Second**

**According to Daniel Byman "Terrorist groups, moreover, retaliate when their leaders are killed. Following the strikes on Hezbollah during the 1980s, the group replaced its fallen leaders and accelerated its suicide attacks on Israel.**

**C is the Solvency**

**Reducing this crime is essential to minimizing of suffering**

**Scott and Steinberg. "Social Welfare and Fairness in Juvenile Crime Regulation" Louisiana Law Review 71 La. L. Rev. 35 (Fall, 2010)**  
  
**Scott and Steinberg State “In cost-benefit evaluations of crime policies, economists include the benefit to potential victims of crimes that are not committed: Less crime will reduce costs that can include** (depending on the crime) **lost possessions, physical pain and psychological distress, lost productivity, medical expenses, and lost lives. Less crime also enhances the well-being of citizens generally**.”

**The perception of procedural justice is an important link to stopping crime. When actors view criminal procedure as fair and legitimate, they are significantly more likely to obey the law.**

Segadelli. ACCESS TO JUSTICE: Minding the Gap: Extending Adult Jury Trial Rights to Adolescents While Maintaining a Childhood Commitment to Rehabilitation, 2010 Seattle Journal for Social Justice.

**Segadelli states "Procedural justice theory is the notion that people are more likely to obey the law and comply with generally accepted social policy if they believe that the procedures utilized by the justice system are fair, unbiased, and efficient.**139 This theory is relevant to a juvenile’s right to a jury trial because, if the juvenile feels that the process with which he was sentenced was unfair, he may be less likely to respect the law, leading to higher recidivism rates.**Several empirical studies, conducted by Tom Tyler and others, suggest that people obey the law when the rules and procedures are consistent with their personal attitudes and values.140 That is, when people are personally committed to obeying the law, they voluntarily assume the obligation to do so, irrespective of the risk of punishment.141 People care enormously about process and greatly value the opportunity to be heard in an official and unofficial capacity, regardless of the outcome of that fact finding.**142

**Perceived legitimacy impacts the public at large, so my impacts go way beyond recidivism.**

Tracey Meares [Max Pam Professor and Director at the Center for Studies in Criminal Justice, The University of Chicago Law School; Senior Research Fellow, American Bar Foundation], "Everything Old is New Again: Fundamental Fairness and the Legitimacy of Criminal Justice," Ohio State Journal of Criminal Law, Vol 3:105 (2005)

**Tracy Meares states** "Fair process norms are typically promoted as ethical imperatives to be pursued as goods in and of themselves set apart from their value in reducing outcome error. Importantly, however, even if procedure is disconnected from the objective of accurate sorting, fair process norms still can lead to instrumental benefits. **Public confidence in the criminal justice system is one such obvious benefit. The public is much more likely to support and participate in the criminal justice process and support those officials who run it when the public believes that the process is run fairly. If the American public does not perceive its criminal justice system to be fair, negative consequences can result**

Advantage 2 is Reduction of Discrimination.

A is the Status Quo

Jackson 07-(Richard, Ph.D in conflict resolution, 2007, Government and Opposition, Vol. 42, No. 3, pp. 394–426, “Constructing Enemies: ‘Islamic Terrorism’ in Political and Academic Discourse)

**The discourse is first and foremost founded on the deployment of a series of core labels**, terms and discursive formations, **including,** among others: ‘**the Islamic world’, ‘the West’, ‘the Islamic revival’,** ‘political Islam’, ‘Islamism’, ‘extremism’, ‘radicalism’, ‘fundamental- ism’, ‘religious terrorism’, ‘jihadists’, ‘Wahhabis’, ‘Salafis’**, ‘**militants’, ‘moderates’, ‘global jihadist movement’, ‘al-Qaeda’**, and of course, ‘Islamic terrorism’.** Crucially, in their textual usage these terms are often vaguely defined (if at all), yet culturally loaded and highly flexible in the way they are deployed. In addition, **these labels and terms are organized into a series of dramatic oppositional binaries, such as the West versus the Islamic world, extremists versus moderates, violent versus peaceful,** demo- cratic versus totalitarian, religious versus secular, medieval versus modern and savage versus civilized. **Such powerful categories func- tion to construct ‘Islamic terrorists’ and ‘extremists’ as** particular kinds of subjects within the overall discourse and enforce highly constricting subject positions upon them vis-à-vis other subjects, such as ‘decent people’, ‘democratic states’ or ‘moderate Muslims’, for example.

B is the Implication

This creates a self-fulfilling prophecy; it fuels recruitment for organizations and heightens the fear of the target population

Jackson 07-(Richard, Ph.D in conflict resolution, 2007, Government and Opposition, Vol. 42, No. 3, pp. 394–426, “Constructing Enemies: ‘Islamic Terrorism’ in Political and Academic Discourse)

At a more practical level**, it can also be argued that the ‘Islamic terrorism’ discourse is proving to be counter-productive in its effects on the broader counter-terrorism campaign of the war on terrorism. For example, it seems obvious that the discourse assists certain mili- tant groups in promoting their message that there is a fundamental conflict between Islam and the West;** in this sense, **the language works to co-constitute the very threat it purports to counter**. In addi- tion, **narratives of fanatical, murderous, suicidal ‘Islamic terrorists’ functions to amplify rather than allay the social fear generated by terrorist actions because it reinforces the perception that the attackers are inhuman killing machines who cannot be deterred or reasoned with**. In terms of foreign policy, the construction of a global Islamic threat can contribute to support for governments who actively suppress popular Islamic movements or cancel elections, **thus creat- ing a self-fulfilling prophecy** in which imprisoned, tortured and harassed activists decide that the use of violence is their only recourse.111

C is the solvency- The solution is to use due process for the “terrorists” to explain their struggle. With due process Terrorists will be tried freely compared to the status quo in which the terrorists are just killed by drones or trial by the tribunal system. This is the whole point of due process.

Enns 04 (Diane, Philosophy Department at the University of Toronto, John Hopkins University Press, Bare Life and the Occupied Body, <http://muse.jhu.edu/journals/theory_and_event/v007/7.3enns.html>)

**It is the task of democratic politics to prevent the development of conditions which lead to hatred, terror, and destruction -- and not to reduce itself to attempts to control them once they occur.**

**Advantage 3 is Securitization**

**A is the status Quo**

**Gulf News States "Terrorist attacks worldwide are expected to rise during the next two decades, a security expert said during a conference in Abu Dhabi, United Arab Emirates.** But Ekaterina Stepanova, lead researcher at Russia's Institute of World Economy and International Relations, said she didn't expect state-based conflicts to exceed 40 a year until 2030, Gulf News reported Wednesday. "**Non-state conflicts are expected to double in comparison to government intervention, which means more civilians than armed personnel will be targeted,"** Stepanova said during the Center for Strategic Studies and Research's 16th Annual Conference. She said **the world has witnessed a "three-fold increase in terrorism" during the last 10 years that unlikely would decline any time soon."**

Next is the solvency

The Increasing amount of terrorist attacks means that the military tribunal system is failing. Due process will boost security. Safety is the only foundation for human flourishing

Ken Booth, Prof. of IR @ Wales, ‘5 [*Critical Security Studies and World Politics*, p. 22]

What is immediately striking is that **some degree of insecurity**, as a life determining condition, **is universal. To the extent an individual or group is insecure, to that extent their life choices and chances are taken away**; this is **because of the resources** and energy **they need to invest in seeking safety from domineering threats** - whether these are the lack of food for one’s children or organizing to resist a foreign aggressor. The corollary of the relationship between insecurity and a determined life is that **a degree of security creates life possibilities. Security might** therefore **be conceived as synonymous with opening up space in people’s lives.** **This allows for individual and collective human becoming - the capacity to have some choice about living differently** - consistent with the same but different search by others.

And for these reasons I affirm.

1. 2Cummiskey, David.Kantian Consequentialism.Published by Oxford University Press. 1996. (p.142). [↑](#footnote-ref-1)