# 1NC

## Off-Case

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#### 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 forced topic rotation---they undermine it.

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#### Miles 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.)

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#### 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.

**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).

**High risk of nuke terror---escalates and turns the case because civil-liberties crackdowns**

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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.

**Terrorism causes extinction---hard-line responses are key**

Nathan **Myhrvold '13**, Phd in theoretical and mathematical physics from Princeton, and founded Intellectual Ventures after retiring as chief strategist and chief technology officer of Microsoft Corporation , July 2013, "Stratgic Terrorism: A Call to Action," The Lawfare Research Paper Series No.2, <http://www.lawfareblog.com/wp-content/uploads/2013/07/Strategic-Terrorism-Myhrvold-7-3-2013.pdf>

Several powerful trends have aligned to profoundly change the way that the world works. Technology ¶ now allows stateless groups to organize, recruit, and fund ¶ themselves in an unprecedented fashion. That, coupled ¶ with the extreme difficulty of finding and punishing a stateless group, means that stateless groups are positioned to be ¶ lead players on the world stage. They may act on their own, ¶ or they may act as proxies for nation-states that wish to ¶ duck responsibility. Either way, stateless groups are forces ¶ to be reckoned with.¶ At the same time, a different set of technology trends ¶ means that small numbers of people can obtain incredibly ¶ lethal power. Now, for the first time in human history, a ¶ small group can be as lethal as the largest superpower. Such ¶ a group could execute an attack that could kill millions of ¶ people. It is technically feasible for such a group to kill billions of people, to end modern civilization—perhaps even ¶ to drive the human race to extinction. Our defense establishment was shaped over decades to ¶ address what was, for a long time, the only strategic threat ¶ our nation faced: Soviet or Chinese missiles. More recently, ¶ it has started retooling to address tactical terror attacks like ¶ those launched on the morning of 9/11, but the reform ¶ process is incomplete and inconsistent. A real defense will ¶ require rebuilding our **military and intelligence capabilities** from the ground up. Yet, so far, strategic terrorism has ¶ received relatively little attention in defense agencies, and ¶ the efforts that have been launched to combat this existential threat seem fragmented.¶ History suggests what will happen. The only thing that shakes America out of complacency is a direct threat from a determined adversary that confronts us with our shortcomings by **repeatedly attacking** us or hectoring **us for decades**.

#### 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.**

### 1NC

**Solving the root causes of terrorism is impossible because of expansive jihadist demands---the aff’s attempt at reconciliation collapses causes global violence**

Peter **Beinart 8**, associate professor of journalism and political science at CUNY, The Good Fight; Why Liberals – and only Liberals – Can Win the War on Terror and Make America Great Again, 100-2

While different U.S. policies may be more or less important at differ- ent times, most experts agree that it is American actions (“what we do”), not American values (“who were are”) that have made the United States the target of salafist jihad. While in his ideal world Bin Laden would cer- tainly like to see the United States ditch its barbaric culture and convert to Islam, that is low on his list of concerns. As he himself has pointed out, if Al Qaeda were offended primarily by the licentiousness Western societies practice at home, it would have attacked Sweden. ¶ The problem is that while salafists might theoretically leave the United States alone if we left them alone, their concerns are vast and their hostility to liberal values is profound. Salafism is not a universalist ideology in the way that Communism was. (That is not to say its devotees do not dream of a world completely under God’s rule—they do—only that the cultural barriers preventing, say, an Argentinean from adopting the religion of Qutb are far greater than the barriers preventing him from adopting the religion of Marx.) But neither is salafism easy to avoid. Bin Laden has said the United States can escape “this ordeal” of terrorism if “it leaves the Arabian Peninsula, and stops its involvement in Palestine, and in all the Islamic world.” Unfortunately, Zawahiri, his second in command, has defined the Islamic world as stretching from “Eastern Turkestan [ Xinjiang, in western China] to Andalusia [Spain and Portugal].” Azzam has gone further, including among the territory that must be “returned to us so that Islam will reign again” sub- Saharan African countries like Chad, Eritrea, and Somalia and Asian nations like Burma and the Philippines. Salafists want to restore the caliphate that once ruled much of the Islamic world. But even at its eighth- century peak, the caliphate only stretched from In- dia to Spain. Under Al Qaeda’s more expansive definition, it seems to include every country or region once under Muslim rule. To comply with those terms, the United States would have to **retreat** virtually **to the Western Hemisphere.** ¶ Needless to say, for the United States to withdraw from a swath of territory stretching from West Africa to Southeast Asia would constitute a geostrategic revolution. American power is the guarantor of last resort for the government of Pakistan, which has nuclear weapons, a volatile border with nuclear- armed India, and salafist elements in its security services. It plays the same role in Jordan and Egypt, the lynchpins of peace between Israel and the Arab world. And, of course, America protects the Saudi monarchy, whose kingdom sits atop one quarter of the world’s proven oil reserves. As the Bush administration has rightly recognized, these relation- ships are unsustainable in their current form, and America’s long-t erm safety requires that its clients evolve in a democratic direction, even if it means they prove less compliant. But were the jihadist movement to force the United States to withdraw its military, political, or economic influence ¶ from these crucial areas—producing governments with dramatically dif- ferent orientations—**the consequences for American security, the world economy, and regional peace could be grave**. ¶ And a withdrawal from the Muslim world would not only imperil American interests, it would also imperil American values. Al Qaeda may not hate us for “who we are”—unless “who we are” obligates us to oppose what might be called “religious cleansing,” the violent purification of large swaths of the globe. After all, **if the U**nited **S**tates **withdrew from its war against salafism, salafism would still be at war**. Al Qaeda’s ultimate goal is not to expel the United States from Islamic lands; it is to establish a new caliphate that ushers in God’s rule on earth. And the many enemies of that effort—non- Muslims, apostate Muslims, liberated female Muslims, gay and lesbian Muslims—would still blemish the Islamic world, representing jahiliyyah in its myriad sinful forms. ¶ Where those enemies have no army to defend them, the result has been terror. Where they do, the result has been endless war. It is a virtual axiom of international politics that salafists will try to seize control of any local conflict—from the Philippines to Chechnya to Kashmir to Iraq—that pits Sunni Muslims against their neighbors. And the more they succeed, the less likely it is that such a conflict will end. Many Muslims, including many non-s alafist Islamists, also support Muslim insurgencies around the world. In Iraq, they may support attacks on American troops. But since they see jihad as a means to some concrete goal, political compromise is possible. Salafists, however, who see jihad as a means to usher in a messianic age, will accept no outcome that leaves Muslims under non- Muslim rule, because such a compromise threatens the path to paradise.

## Case

**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.

**Moral tunnel vision is complicit with evil**

**Issac 2**—Professor of Political Science at Indiana-Bloomington, Director of the Center for the Study of Democracy and Public Life, PhD from Yale (Jeffery C., Dissent Magazine, Vol. 49, Iss. 2, “Ends, Means, and Politics,” p. Proquest)

As a result, the most important political questions are simply not asked. It is assumed that U.S. military intervention is an act of "aggression," but no consideration is given to the aggression to which intervention is a response. The status quo ante in Afghanistan is not, as peace activists would have it, peace, but rather terrorist violence abetted by a regime--the Taliban--that rose to power through brutality and repression. This requires us to ask a question that most "peace" activists would prefer not to ask: What should be done to respond to the violence of a Saddam Hussein, or a Milosevic, or a Taliban regime? What means are likely to stop violence and bring criminals to justice? Calls for diplomacy and international law are well intended and important; they implicate a decent and civilized ethic of global order. But they are also vague and empty, because they are not accompanied by any account of how diplomacy or international law can work effectively to address the problem at hand. The campus left offers no such account. To do so would require it to contemplate tragic choices in which moral goodness is of limited utility. Here what matters is not purity of intention but the intelligent exercise of power. Power is not a dirty word or an unfortunate feature of the world. It is the core of politics. Power is the ability to effect outcomes in the world. Politics, in large part, involves contests over the distribution and use of power. To accomplish anything in the political world, one must attend to the means that are necessary to bring it about. And to develop such means is to develop, and to exercise, power. To say this is not to say that power is beyond morality. It is to say that power is not reducible to morality. As writers such as Niccolo Machiavelli, Max Weber, Reinhold Niebuhr, and Hannah Arendt have taught, an unyielding concern with moral goodness **undercuts political responsibility**. The concern may be morally laudable, reflecting a kind of personal integrity, but it suffers from three fatal flaws: (1) It fails to see that the purity of one's intention does not ensure the achievement of what one intends. Abjuring violence or refusing to make common cause with morally compromised parties may seem like the right thing; but if such tactics entail impotence, then it is hard to view them as serving any moral good beyond the clean conscience of their supporters; (2) it fails to see that in a world of real violence and injustice, moral purity is not simply a form of powerlessness; it is often a form of **complicity in injustice**. This is why, from the standpoint of politics--as opposed to religion--pacifism is always a potentially immoral stand. In categorically repudiating violence, it refuses in principle to oppose certain violent injustices with any effect; and (3) it fails to see that **politics is as much about unintended consequences as it is about intentions**; it is the effects of action, rather than the motives of action, that is most significant. Just as the alignment with "good" may engender impotence, it is often the pursuit of "good" that generates evil. This is the lesson of communism in the twentieth century: it is not enough that one's goals be sincere or idealistic; it is equally important, always, to ask about the effects of pursuing these goals and to judge these effects in pragmatic and historically contextualized ways. Moral absolutism inhibits this judgment. It alienates those who are not true believers. It promotes arrogance. And it undermines political effectiveness.

### 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.

### Alternatives---1NC

#### Moral evaluation of drones requires considering the most likely alternatives that would replace them---they’re all worse for casualties and 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.

#### The likely alternative to targeted killings would be invasions or un-targeted killings, both of which involve far more state violence

Alan M. Dershowitz 12, the Felix Frankfurter professor of law at Harvard Law School, 11/15/12, “The Rule of Proportionality,” http://www.nytimes.com/roomfordebate/2012/11/14/how-can-targeted-killings-be-justified/in-targeted-killings-the-rule-of-proportionality-should-be-the-guiding-principle

If a combatant is appropriately subject to military attack, as the military leader of Hamas certainly was, then targeted assassination may be the preferred legal and moral course. It is certainly better than a broad military attack that might endanger large numbers of noncombatants. Targeted assassinations are intended to limit collateral damage by focusing specifically on the combatant. Every reasonable effort should be made to avoid collateral damage. Sometimes it is impossible to eliminate completely all risk to noncombatants. In such cases, the military value of the target must be weighed against the likelihood and degree of collateral damage. The rule of proportionality should be the guiding principle.¶ It is sometimes argued that targeted assassination should never be permitted because it is a form of “extrajudicial killing.” This view is absurd: all military deaths are extrajudicial (as is killing in self-defense and shooting a fleeing felon). If a judicial element is to be added to targeted assassinations, it could take the form of a warrant requirement. Under such a requirement, the military or the executive would be obligated to seek a judicial warrant setting out the basis for why the target is an appropriate one, and why the risk of collateral damage is warranted. When time permits, such a warrant could be sought prior to the military action, but when immediate action is required by exigent circumstances, the warrant could be obtained after the fact. This is far from a perfect solution, but it introduces a more neutral decision maker into the balancing process. ¶ The alternatives to targeted killing are either to allow terrorists free rein in targeting civilians or to engage in undertargeted military actions that are likely to cause more casualties. Targeted assassination will often be the least bad alternative in an inevitable choice of evils.

### 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 decision-making 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.

# Block

## CP

### Solvency---2NC

#### 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.

### Calahan

**Survival focus inevitable, doesn’t lead to tyranny, and preconditions all other human values**

**Callahan 73** (Daniel, The Tyranny of Survival, p 90-1, AG)

Moreover, I would want to argue that, in order to remain human, they should not be all that responsive. Or better, they should be responsive only to those survival arguments which manage to integrate the need for survival with a whole range of other human needs, some of which would risk survival for the achievement of higher values. A beginning can be made toward this integration by noting some of the uses and abuses of the concept of survival. Historically, the uses have been more evident than the abuses. Among the uses are those of a fundamental perception of a biological reality principle: unless one exists, everything else is in vain. That is why survival, the desire to live, is so potent a force, and why the right to life is such a basic part of any reasonably enlightened social, political and legal system. Politically, particularly in time of war, national survival has been a potent force for mobilization of community effort, transcendence of self-interest, and creation of patriotic spirit. For individuals, the desire to ensure the survival of offspring has been the source of great and selfless sacrifice and the voluntary acceptance of obligation to future generations. Within the private self, a will to live, to survival at all costs has literally kept people alive, starving off a despair which would otherwise have been totally destructive. That individuals, tribes, communities and nations have committed so much will, energy and intelligence to survival has meant that they have survived, and their descendants are present to tell the tale. Nothing is so powerful a motive force, for self or society, as the threat of annihilation, nothing so energizing as the necessity to live. Without life, all else is in vain. Leaving aside the question of whether we need more enlightened attitudes toward suicide in our society, which we may, it is still not for nothing that suicide has been looked upon with abhorrence, whether from a religious or a psychological perspective. It seems to violate the most fundamental of human drives, and has always required a special explanation or justification.

**No link—their authors criticize atrocities justified in the name of constructed threats—you should assume our impacts are legitimate threats unless they win specific takeouts**

**And, extinction’s irreversibility justifies prioritizing survival**

**Callahan 73** (Daniel, The Tyranny of Survival, p 106-7)

At what point in the deterioration should survival become a priority? Observe that I said a priority; it should never become the priority if that means the sacrifice of all other values. But there are surely conditions under which it could become a priority, and a very high one. The most important of those conditions would be the existence of evidence that irreversibility was beginning to set in, making it increasingly impossible to return to the original conditions.

## DA

### OV

**Terror is a real threat driven by forces the aff can’t resolve---we should reform the war on terror, not surrender---any terror attack turns the entire case**

Peter **Beinart 8**, associate professor of journalism and political science at CUNY, The Good Fight; Why Liberals – and only Liberals – Can Win the War on Terror and Make America Great Again, vii-viii

APPLYING THAT TRADITION today is not easy. Cold war liberals devel- oped their narrative of national greatness in the shadow of a totalitarian ¶ superpower. Today, the United States faces no such unified threat. Rather, it faces a web of dangers—from disease to environmental degradation to weapons of mass destruction—all fueled by globalization, which leaves America increasingly vulnerable to pathologies bred in distant corners of the world. And at the center of this nexis sits jihadist terrorism, a new totalitarian movement that lacks state power but harnesses the power of globalization instead. ¶ Recognizing that the United States again faces a totalitarian foe does not provide simple policy prescriptions, because today’s totalitarianism takes such radically different form. But it reminds us of something more basic, **that liberalism does not find its enemies only on the right**—a lesson sometimes forgotten in the age of George W. Bush. ¶ Indeed, it is because liberals so despise this president that they increasingly reject his trademark phrase, the “war on terror.” Were this just a semantic dispute, it would hardly matter; better alternatives to war on terror abound. But the rejection signifies something deeper: a turn away from the very idea that anti-totalitarianism should sit at the heart of the liberal project. For too many liberals today, George W. Bush’s war on terror is the only one they can imagine. This alienation may be understand- able, but that does not make it any less disastrous, for it is liberalism’s principles—even more than George W. Bush’s—that jihadism threatens. If today’s liberals cannot rouse as much passion for fighting a movement that flings acid at unveiled women as they do for taking back the Senate in 2006, they have strayed far from liberalism’s best traditions. And if they believe it is only George W. Bush who threatens America’s freedoms, they should ponder what will happen if the United States is hit with a nuclear or contagious biological attack. **No matter who is president**, Republican or Democrat, **the reaction will make John Ashcroft look like the head of the ACLU**.

### Drones Key/Decapitation

#### 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.

#### Drones solve leadership decapitation – turns quality arg

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.

#### Data proves

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

#### Best empirical data proves targeted killings reduce terrorism

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>

To test Hypotheses 1 and 2, we examine five different measures of militant violence: the frequency of attacks, the lethality of attacks, the number of IED attacks, the number of suicide attacks, and the number of attacks on tribal elders. The results do not support Hypothesis 1—that drone strikes are associated with increased terrorism. On the contrary, they support our hypothesis, (Hypothesis 2), that that drone strikes are associated with decreases in militant violence. We find no evidence in support of the competing hypothesis (Hypothesis 1)—that drone strikes increase violence. We discuss these results in more detail below.

The 2FESL estimates in column 2 of table 2 show that drone strikes are associated with a decrease in militant attacks of approximately 24 percentage points—a result that is statistically significant at the one percent level. From 2007 through 2011, the average agency suffered roughly 0.88 militant attacks per week. During weeks in which a drone strike occurred, agencies suffered an average of about 0.68 attacks.

Given that drone strikes are associated with reductions in insurgent attacks in the areas where they occur, it makes sense that drone strikes might also be negatively associated with the lethality, or “quality,” of attacks in those same areas. Consistent with Hypothesis 2, the estimates presented in column 2 of table 2 suggest that the lethality of militant attacks declines by more than 36.5 percent as a result of a drone strike in a given week. On average, 2.77 people were killed or injured in militant attacks in FATA between 2007 and the end of the third quarter of 2011. This figure would decline substantially to 1.76 per week as a result of a single drone strike if the number of drone strikes would increase by one per agency-week.44

The disruption hypothesis also implies that drone strikes should reduce militants’ ability to conduct complex and coordinated attacks like IED and suicide attacks. We find support for these propositions in our econometric tests. Drone strikes are negatively associated with the number of IED attacks in FATA during the period studied. Based on the estimates in column 3 in table 2, a drone strike is associated with a 21- percentage point reduction in IED attacks. The marginal effect translates into an estimated decrease in IED attacks from an average of 0.32 per agency-week to 0.25 per agency-week when there is one drone strike.

#### Prefer our evidence---it’s a systematic statistical analysis of the relationship between U.S. drone strikes and terrorism---concludes targeted killing limits the frequency and severity of terror attacks

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>

This paper offers a systematic analysis of the relationship between U.S. drone strikes and militant violence in northwestern Pakistan and eastern Afghanistan. Our analysis suggests that drone strikes are negatively associated with various measures of militant violence, both within individual FATA agencies and their immediate neighborhoods. There is also evidence to suggest that the negative association between drone strikes and three measures of militant violence—incidents, lethality and IED attacks—changes sign as we increase the neighborhood radius to exceed 125 km. This may or may not be indicative of drone strikes causing militant activities to move farther away from FATA. With the current research design and data, we are unable to make any definitive conclusion regarding the spillover effects. We are also not in a position to make strong causal claims about the impact of drone strikes on militant violence. There is evidence of a strong negative contemporaneous correlation between drone strikes and various measures of militant violence. This may indicate that that drone strikes have important counterterrorism dividends, but caution should be exercised in inferring causality due to the selection bias inherent in the data despite the econometric techniques used to mitigate selection bias in our regression estimates.

Still, our findings appear consistent with the hypothesis that new technologies— specifically, remote means of surveillance, reconnaissance and targeting—are able, at least in certain key areas of northwest Pakistan and eastern Afghanistan, to disrupt and degrade militants in ways that compensate for an incumbent government’s lack of physical presence in and control over these areas, and can consequently limit both the frequency and the lethality of militant attacks. This suggests that new technologies that provide information previously available only to actors with a strong physical presence in a geographic area can alter conventionally accepted “logics of violence” in civil war.48

#### 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.

### Low-Level Killings Good

#### Targeting low-level militants is key to all aspects of counter-terror---in-depth network analysis means the people we target don’t seem important to observers, but they’re actually vital to the effectiveness of terror groups

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>

This becomes obvious when one considers that national security bureaucrats will look beyond criticality and vulnerability, and also engage in network-based analysis. Network-based analysis looks at terrorist groups as nodes connected by links, and assesses how components of that terrorist network operate together and independently of one another.143 Contrary to popular critiques of the targeting process that liken it to a “haphazardly prosecuted assassination program,” in reality modern targeting involves applying pressure to various nodes and links within networks to disrupt and degrade their functionality.144

To effectively pursue a network-based approach, bureaucrats rely in part on what is known as “pattern of life analysis” which involves “connecting the relationships between places and people by tracking their patterns of life.” This analysis draws on the interrelationships among groups “to determine the degree and points of their interdependence,” it assesses how activities are linked and looks to “determine the most effective way to influence or affect the enemy system.”145 While the enemy moves from point to point, reconnaissance or surveillance tracks and notes every location and person visited. Connections between the target, the sites they visit, and the persons they interact with are documented, built into a network diagram, and further analyzed.146 Through this process links and nodes in the enemy's network emerge.147 The analysis charts the “social, economic and political networks that underpin and support clandestine networks,”148 identifying key decision-makers and those who support or influence them indirectly.149 This may mean that analysts will track logistics and money trails, they may identify key facilitators and non-leadership persons of interests, and they will exploit human and signals intelligence combined with computerized knowledge integration that generates and cross-references thousands of data points to construct a comprehensive picture of the enemy network.150 “This analysis has the effect of taking a shadowy foe and revealing his physical infrastructure . . . as a result, the network becomes more visible and vulnerable, thus negating the enemy’s asymmetric advantage of denying a target.”151

Viewing targeting in this way demonstrates how seemingly low-level individuals such as couriers and other “middle-men” in decentralized networks such as al Qaeda are oftentimes critical to the successful functioning of the enemy organization.152 Targeting these individuals can “destabilize clandestine networks by compromising large sections of the organization, distancing operatives from direct guidance, and impeding organizational communication and function.”153 Moreover, because clandestine networks rely on social relationships to manage the trade-off between maintaining secrecy and security, attacking key nodes can have a detrimental impact on the enemy’s ability to conduct their operations.154 Thus, while some individuals may seem insignificant to the outside observer, when considered by a bureaucrat relying on network based analytical techniques, the elimination of a seemingly low level individual might have an important impact on an enemy organization. Moreover, because terrorist networks rely on secrecy in communication, individuals within those networks may forge strong ties that remain dormant for the purposes of operational security.155 This means that social ties that appear inactive or weak to a casual observer such as an NGO, human rights worker, journalist, or even a target’s family members may in fact be strong ties within the network.156 Furthermore, because terrorist networks oftentimes rely on social connections between charismatic leaders to function, disrupting those lines of communication can significantly impact those networks.157

### Prefer McNeal

#### Dear god Mcneal is just so much better than your authors

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>

To date scholars have lacked a thorough understanding of the U.S. government’s targeted killing practices. As such, their commentary is oftentimes premised on easily describable issues, and fails to grapple with the multiple levels of intergovernmental accountability present in current practice. When dealing with the theoretical and normative issues associated with targeted killings, scholars have failed to specify what they mean when they aver that targeted killings are unaccountable. Both trends have impeded legal theory, and constrained scholarly discourse on a matter of public import.

This article is a necessary corrective to the public and scholarly debate. It has presented the complex web of bureaucratic, legal, professional, and political accountability mechanisms that exert influence over the targeted killing process. It has demonstrated that many of the critiques of targeted killings rest upon poorly conceived understandings of the process, unclear definitions, and unsubstantiated speculation. The article’s reform recommendations, grounded in a deep understanding of the actual process, reflect an assumption that transparency, performance criteria, and politically grounded independent review can enhance the already robust accountability mechanisms embedded in current practice.

### 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.

**2NC Yes Nuke Terror**

**High risk of nuke terror---there’s motivation and capability**

Kenneth C. **Brill 12**, is a former U.S. ambassador to the I.A.E.A. Kenneth N. Luongo is president of the Partnership for Global Security. Both are members of the Fissile Material Working Group, a nonpartisan nongovernmental organization. Nuclear Terrorism: A Clear Danger, www.nytimes.com/2012/03/16/opinion/nuclear-terrorism-a-clear-danger.html?\_r=0

Terrorists exploit gaps in security. The current global regime for protecting the nuclear materials that terrorists desire for their ultimate weapon is far from seamless. It is based largely on **unaccountable**, voluntary arrangements that are **inconsistent** across borders. Its weak links make it **dangerous and inadequate to prevent nuclear terrorism.**¶ Later this month in Seoul, the more than 50 world leaders who will gather for the second Nuclear Security Summit need to seize the opportunity to start developing an accountable regime to prevent nuclear terrorism.¶ There is a **consensus** among international leaders that the threat of nuclear terrorism is real, not a Hollywood confection. President Obama, the leaders of 46 other nations, the heads of the International Atomic Energy Agency and the United Nations, and numerous experts have called nuclear terrorism one of the most serious threats to global security and stability. It is also **preventable with more aggressive action**.¶ At least four terrorist groups, including Al Qaeda, have demonstrated interest in using a nuclear device. These groups operate in or near states with histories of questionable nuclear security practices. Terrorists do not need to steal a nuclear weapon. It is quite possible to make an improvised nuclear device from highly enriched uranium or plutonium being used for civilian purposes. And there is a black market in such material. There have been 18 confirmed thefts or loss of weapons-usable nuclear material. In 2011, the Moldovan police broke up part of a smuggling ring attempting to sell highly enriched uranium; one member is thought to remain at large with a kilogram of this material.

**Yes Technical Capacity**

**Yes technical capacity---intel assessments prove and it’s not that hard**

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\*\*\*elipses in orig

If terrorists could obtain the HEU or plutonium that are the essential ingredients of a nuclear bomb, making at least a crude nuclear bomb might well be within the capabilities of a sophisticated group.17 One study by the now-defunct congressional Office of Technology Assessment summarized the threat: “A small group of people, none of whom have ever had access to the classified literature, could possibly design and build a crude nuclear explosive device... Only modest machine-shop facilities that could be contracted for without arousing suspicion would be required.”18 The simplest type of nuclear bomb for terrorists to build would be a so-called “gun-type” bomb, which involves little more than slamming two pieces of HEU together at high speed. The bomb that incinerated the Japanese city of Hiroshima, for example, was a cannon that fired a shell of HEU into rings of HEU. In most cases, building such a bomb would require some ability to cast and machine uranium, a reasonable knowledge of the nuclear physics involved, and a good understanding of cannons and ballistics. In many cases, an ability to do some chemical processing might also be needed (for example, to dissolve research reactor fuel containing HEU in acid, separate the HEU, and reduce the HEU to metal); but the chemical processing required is less sophisticated than some of the processing criminals routinely do in the illegal drug industry.20 It is impossible, however, to get a substantial nuclear yield from a gun-type bomb made from plutonium, because the neutrons always being emitted by the plutonium will set off the nuclear chain reaction prematurely, causing the bomb to blow itself apart. Hence, if the terrorists only had plutonium available (or did not have enough HEU for a gun-type bomb, which requires a large amount of material), terrorists who wanted a substantial nuclear yield would have to attempt the more difficult job of making an “implosion-type” device, in which explosives arranged around nuclear material compress it to a much higher density, setting off the nuclear chain reaction. While the terrorists’ likelihood of success in making such a bomb would be lower, the danger cannot by any means be ruled out. Hence, plutonium separated from spent nuclear fuel, like HEU, must be protected from theft and transfer to terrorists.21 Even before the Afghan war, U.S. intelligence concluded that “fabrication of at least a ‘crude’ nuclear device was within al-Qa’ida’s capabilities, if it could obtain fissile material.”22 **Documents** later **seized** in Afghanistan provided “detailed and revealing” information about the progress of al Qaeda’s nuclear efforts that had not been available before the war.23 As al-Muhajir’s statement calling for nuclear experts to join the jihad suggests, al Qaeda has **consistently attempted** to recruit people with nuclear weapons expertise. Former CIA chief Tenet, in his memoir, recounts his conversation with Pervez Musharraf, in which the Pakistani presi- dent assured Tenet that Pakistani nuclear experts had dismissed the possibility that “men hiding in caves” could build a nuclear bomb. “Mr. President, your experts are wrong,” Tenet says he replied, recounting the relative ease of making a crude “gun-type” nuclear bomb, and al Qaeda’s efforts to get help from Pakistani nuclear scientists associated with Ummah Tameer-i-Nau (UTN), a group led by Mahmood, the lead scientist who sat down with bin Laden and Zawahiri to discuss nuclear weapons.24 The overthrow of the Taliban and the disruption of al Qaeda’s old central com- mand structure reduced the probability that al Qaeda would be able to pull off an operation as large and complex as acquir- ing nuclear bomb material and putting together a nuclear weapon. Unfortunately, however, the latest intelligence assessments suggest that al Qaeda’s central command is reconstituting its ability to direct complex operations, from the border areas of Pakistan.25 As then- Director of National Intelligence John Negroponte put it in his annual threat assessment in January 2007, al Qaeda’s “core leadership… continue to plot attacks against our Homeland and other targets with the objective of inflicting mass casualties. And they continue to maintain active connections and relationships that radiate outward from their leaders’ secure hideout in Pakistan to affiliates through- out the Middle East, northern Africa, and Europe.” Negroponte specifically warned that while use of conventional explosives continues to be “the most probable” kind of al Qaeda attack, **U.S. intelligence continues to “receive reports** indicating that al Qaeda and other terrorist groups are attempting to acquire chemical, biological, radiological and nuclear weapons or material.”26 Unfortunately, the physics of the problem suggests that a terrorist cell of relatively modest size, with no large fixed facilities that would draw attention, might well be able to make a crude nuclear bomb—and the world might never know until it was too late.27

### 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.

### AT: Whack-a-Mole

#### The “whack-a-mole” thesis is wrong---targeted killings are effective at thinning the ranks overall

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

This is all subject to objections, of course, and the objections generally fall into three categories: unnecessary, ineffective, or counterproductive.

There are some who argue that drone warfare is unnecessary because the right approach is simply to defend the homeland from within the homeland; among liberals this is often a way of saying, fight terrorists with law enforcement and criminal law, while among some conservatives it corresponds closely with the resurgence of right-wing isolationism.

Other critics argue that drone warfare is ineffective because killing one operational commander merely means that another rises to take his place. This is the source of the oft-heard remark that drone warfare is a "whack-a-mole" strategy: Kill one here and another pops up there. Drone warfare is nothing more than a tactic masquerading as a strategy, it is said. Worse, it indulges one of the oldest and most seductive quests of modern military technology, the one that says you can win a war from the air alone.

The whack-a-mole criticism is wildly overstated and, as a matter of terrorist leadership, simply not true. Captured terrorist communications show that qualified and experienced operational commanders are not so easy to come by. One can argue that the failure to carry off large-scale attacks in the West is the result of the defensive hardening of targets and better homeland security, which is certainly true; but culling the ranks of terrorist leaders and the resulting inability to plan another 9/11 is also critical.

## Case

# Case

### Util

#### “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).

### Morality General---2NC

#### Drone strikes are more ethical than any other tool of warfare --- don’t make the perfect the enemy of the good

Scott Shane 12 is a national security reporter for The New York Times, “The Moral Case for Drones”, July 14, <http://www.nytimes.com/2012/07/15/sunday-review/the-moral-case-for-drones.html?_r=0>

FOR streamlined, unmanned aircraft, drones carry a lot of baggage these days, along with their Hellfire missiles. Some people find the very notion of killer robots deeply disturbing. Their lethal operations inside sovereign countries that are not at war with the United States raise contentious legal questions. They have become a radicalizing force in some Muslim countries. And proliferation will inevitably put them in the hands of odious regimes.¶ But most critics of the Obama administration’s aggressive use of drones for targeted killing have focused on evidence that they are unintentionally killing innocent civilians. From the desolate tribal regions of Pakistan have come heartbreaking tales of families wiped out by mistake and of children as collateral damage in the campaign against Al Qaeda. And there are serious questions about whether American officials have understated civilian deaths.¶ So it may be a surprise to find that some moral philosophers, political scientists and weapons specialists believe armed, unmanned aircraft offer marked moral advantages over almost any other tool of warfare.¶ “I had ethical doubts and concerns when I started looking into this,” said Bradley J. Strawser, a former Air Force officer and an assistant professor of philosophy at the Naval Postgraduate School. But after a concentrated study of remotely piloted vehicles, he said, he concluded that using them to go after terrorists not only was ethically permissible but also might be ethically obligatory, because of their advantages in identifying targets and striking with precision.¶“You have to start by asking, as for any military action, is the cause just?” Mr. Strawser said. But for extremists who are indeed plotting violence against innocents, he said, “all the evidence we have so far suggests that drones do better at both identifying the terrorist and avoiding collateral damage than anything else we have**.”**¶Since drone operators can view a target for hours or days in advance of a strike, they can identify terrorists more accurately than ground troops or conventional pilots. They are able to time a strike when innocents are not nearby and can even divert a missile after firing if, say, a child wanders into range.¶ Clearly, those advantages have not always been used competently or humanely; like any other weapon, armed drones can be used recklessly or on the basis of flawed intelligence. If an operator targets the wrong house, innocents will die.¶ Moreover, any analysis of actual results from the Central Intelligence Agency’s strikes in Pakistan, which has become the world’s unwilling test ground for the new weapon, is hampered by secrecy and wildly varying casualty reports. But one rough comparison has found that even if the highest estimates of collateral deaths are accurate, the drones kill fewer civilians than other modes of warfare.¶AVERY PLAW, a political scientist at the University of Massachusetts, put the C.I.A. drone record in Pakistan up against the ratio of combatant deaths to civilian deaths in other settings. Mr. Plaw considered four studies of drone deaths in Pakistan that estimated the proportion of civilian victims at 4 percent, 6 percent, 17 percent and 20 percent respectively.¶ But even the high-end count of 20 percent was considerably lower than the rate in other settings, he found. When the Pakistani Army went after militants in the tribal area on the ground, civilians were 46 percent of those killed. In Israel’s targeted killings of militants from Hamas and other groups, using a range of weapons from bombs to missile strikes, the collateral death rate was 41 percent, according to an Israeli human rights group.¶ In conventional military conflicts over the last two decades, he found that estimates of civilian deaths ranged from about 33 percent to more than 80 percent of all deaths.¶ Mr. Plaw acknowledged the limitations of such comparisons, which mix different kinds of warfare. But he concluded, “A fair-minded evaluation of the best data we have available suggests that the drone program compares favorably with similar operations and contemporary armed conflict more generally.”¶ By the count of the Bureau of Investigative Journalism in London, which has done perhaps the most detailed and skeptical study of the strikes, the C.I.A. operators are improving their performance. The bureau has documented a notable drop in the civilian proportion of drone casualties, to 16 percent of those killed in 2011 from 28 percent in 2008. This year, by the bureau’s count, just three of the 152 people killed in drone strikes through July 7 were civilians.

### War Heroism---2NC

#### Drones eliminate nationalistic attachments from conflict---that clarifies the moral stakes of war and makes military adventurism less likely

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/

Before exploring what practical light this observation can shed on drone strikes, it’s worth pausing to ask why moral judgment comes under strain during wartime. The answer is simple: we prize our own lives over enemy lives. This state of affairs is not necessarily justifiable on moral grounds. In fact, it seems plainly unjustified on moral grounds. But it’s also a social fact. A helpful analogy can be drawn to familial relations. Moral philosophers have encountered notorious difficulty in trying to rationalize the treatment of family members differently than the treatment of strangers. In both settings — family and war — the basic problem is the same. Justice makes no claim on love. Membership in a particular polity, no less than membership in a particular family, is a feature of the world to which we are attached – a condition inherited rather than chosen, which, despite its randomness, cannot be overcome by wordplay or will. Confronted with a question like, “Why should their soldiers die before ours?” an objective vantage point — the abstract stance of morality — is simply unavailable. ¶ The dynamic of attachment at play in traditional warfare has persisted since time immemorial, and it is unlikely to relent soon. Nor am I trying to criticize it. Moral judgment is harsh, taut and withering; with good reason do we shield things we love from its gaze. At the same time, the difficulty involved in making sense of violence wrought by our troops also illuminates something important about the interpretation of wartime acts: The task of justifying an act of violence before the fact is distinct from the task of interpreting an act of violence after the fact. For example, in the face of a mission that made strategic sense but ended up yielding massive casualties, it would strike us as perfectly reasonable for an observer to say: “I was in favor of this mission, but now that I see the results, I am horrified.” The first thought — “I was in favor of this mission” — goes to whether, ex ante, the predicates of legitimate force existed. The second thought — “but now that I see the results, I am horrified” — goes to whether, ex post, the externalities can be rationalized. ¶ And even more familiar is the inverse style of claim, in response to a mission that seemed heinous or imprudent but, for reasons outside of the observer’s control, was pursued: “Much as I opposed the mission to begin with, once our troops were on the ground, I believe they did what they had to do.” This commonplace formulation speaks to the way the battlefield consternates moral judgment. It’s one thing to advocate against the deployment of troops – but once the troops are deployed, a switch flips. Because soldiers make the ultimate sacrifice, their actions are not subject to typical moral analysis. What goes on “over there” stands beyond the comprehension — and beyond the everyday reproach — of civilians. This is not to say that soldiers act with moral impunity. Of course they do not. But the moral constraints of the battlefield are of an attenuated kind, very far off, and shrouded in mystique. ¶ In this respect, drones represent a welcome shift of paradigm: they stand to clarify the moral stakes of state-sponsored violence by eliminating the dynamic of attachment that has traditionally accompanied it. By itself, of course, this proposition does not entail that drone strikes are preferable to traditional troop deployments. What it does entail, however, is that the benefits of moral clarity should be weighed, in practice, against the drawbacks of less circumspect decision-making. As much as drones are liable to desensitize leaders, making violence easier to employ, the outrage they produce is also likely to have a chilling effect in the other direction. Which way will this calculus ultimately run? We exercise an important threshold of control over this question. Whether the anesthetic effect of machine-induced violence will outstrip the sense of outrage that violence-by-machines provoke, or vice versa, is not a static political fact to which we must be resigned – it’s a hard issue for us to deliberate with care. One thing, however, is certain. Moral clarity in the face of drone strikes, as compared to troop deployments, is only politically worthwhile — indeed, only possible — insofar as members of the public are kept informed about when drone strikes are happening, and what damage they cause. Transparency is a precondition of outrage – and of accountability.

### Alternatives---2NC

#### The likely alternative to targeted killings would be invasions or un-targeted killings, both of which involve far more state violence

Alan M. Dershowitz 12, the Felix Frankfurter professor of law at Harvard Law School, 11/15/12, “The Rule of Proportionality,” http://www.nytimes.com/roomfordebate/2012/11/14/how-can-targeted-killings-be-justified/in-targeted-killings-the-rule-of-proportionality-should-be-the-guiding-principle

If a combatant is appropriately subject to military attack, as the military leader of Hamas certainly was, then targeted assassination may be the preferred legal and moral course. It is certainly better than a broad military attack that might endanger large numbers of noncombatants. Targeted assassinations are intended to limit collateral damage by focusing specifically on the combatant. Every reasonable effort should be made to avoid collateral damage. Sometimes it is impossible to eliminate completely all risk to noncombatants. In such cases, the military value of the target must be weighed against the likelihood and degree of collateral damage. The rule of proportionality should be the guiding principle.¶ It is sometimes argued that targeted assassination should never be permitted because it is a form of “extrajudicial killing.” This view is absurd: all military deaths are extrajudicial (as is killing in self-defense and shooting a fleeing felon). If a judicial element is to be added to targeted assassinations, it could take the form of a warrant requirement. Under such a requirement, the military or the executive would be obligated to seek a judicial warrant setting out the basis for why the target is an appropriate one, and why the risk of collateral damage is warranted. When time permits, such a warrant could be sought prior to the military action, but when immediate action is required by exigent circumstances, the warrant could be obtained after the fact. This is far from a perfect solution, but it introduces a more neutral decision maker into the balancing process. ¶ The alternatives to targeted killing are either to allow terrorists free rein in targeting civilians or to engage in undertargeted military actions that are likely to cause more casualties. Targeted assassination will often be the least bad alternative in an inevitable choice of evils.

#### This isn’t theoretical---the U.S. will put boots on the ground where it can no longer use drones

Adrian Johnson 13, Director of Publications, Royal United Services Institute, 5/3/13, “Mr Emmerson Takes on Washington,” http://www.rusi.org/publications/newsbrief/ref:A5183D24D108B9/#.UizUn9L\_l8E

It could well be the case that drones are the best of a bad bunch of options. When the Pakistan Army moved into the Swat Valley in 2009 to clear out the Taliban, it took tens of thousands of troops and a high civilian toll – over 2,000 perished in two months of fighting, with 2 million displaced. Drone strikes, despite the very real innocent casualties that have been inflicted, are rather more discriminating than many of the alternatives.

Neither is drone warfare as ‘costless’ to the protagonist or as revolutionary as many reckon. Drones might not be creating new instances of force so much as substituting for other forms – in other words, for many strikes, manned alternatives may have been used anyway. It is telling that the US chose a high-risk, special-forces hit on Osama bin Laden, which like drone strikes also raised complicated legal questions about sovereignty and kill versus capture. Nevertheless, Micah Zenko is right to point out that drone strikes have, in effect, become an aerial form of counter-insurgency in Pakistan. This may be a novelty of unmanned capabilities.

### Distancing---2NC

#### Distancing created by drones is good---it avoids the battlefield pressure that makes soldiers more likely to commit unethical actions drones cause ethical decision-making and restraint – that’s Holmes

Finishing it here

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.