Are there decisive moral objections to the premeditated and officially authorised killing of terrorist suspects by military or intelligence officials?

Introduction

In the current ethical and political landscape, the 'surgical' precision of drone strikes employed for targeted killings of terror suspects has emerged as a significant concern (Meisels, 2020; Waldron, 2020). This paper raises a moral objection to these operations by specifically focusing on drone strike operations in foreign territories: the phenomenon of dehumanisation and 'othering' of terrorist suspects, leading to their systemic deprivation of the moral considerations and entitlements typically attributed to individuals. This essay will first delve into the human errors and biases inherent in the application of even the most advanced and precise technologies. Subsequently, it will examine the process of dehumanisation, which strips targeted individuals of their moral rights and considerations. The moral implications of perfectly executed targeted killings will be explored, drawing a contrast with the realities of decision-making processes influenced by dehumanisation within a trolley problem framework.

Non-Surgical Precision

The Morality of Fake Positives

Even with advanced technologies, discerning between actors can be complex and prone to error, particularly when dealing with groups of unlawful combatants who do not conform to the standard uniformed appearance of traditional soldiers (Guthrie and Quinlan, 2007). Meisels (2020) concedes that there is a risk of human error when carrying out ‘surgical’ strikes but does not believe that this affects the overall morality of targeted killings. Throughout history, in war operations, there have been regrettable incidents like the 1944 RAF bombing of a hospital in Denmark, intended for the Gestapo headquarters, leading to the tragic loss of innocent lives (Meisels, 2020). However, such rare mistakes do not render the overall acts of war unjustifiable (Meisels, 2020). Analogously, misidentifications in premeditated targeted killings, such as drone strikes, do not necessarily render these operations unjustifiable. I argue that Meisels’s (2020) perspective assumes a level of error inherent in warfare and does not account for the immoral ramifications of dehumanising constructions influencing the decision-making process. These constructions could increase

the frequency of such 'errors', raising serious moral and ethical concerns about the operations' legitimacy. Therefore, even if some level of error is accepted in warfare, it is crucial to interrogate the decision-making processes that are impacted by such constructions.

The Dehumanisation of Terror Suspects

Building upon two core presumptions—one grounded in empirical observation of reality and the other engaging with moral dimensions—I present an argument against the morality of targeted killings, particularly through drone strikes. Let us begin with the first assumption: Targeted killings executed through surgical drone operations predominantly occur on foreign soil, with the primary focus being non-domestic individuals. American targeted killings, even when involving American citizens, consistently occur in foreign nations rather than within American territory (Waldron, 2020; Boyle, 2013). Within the Israeli context, the matter of location adds a layer of complexity; however, a clear distinction is drawn between Israeli citizens and the Palestinian ‘Other’ (Waldron, 2020). The frequent dehumanising of Palestinians, evidenced by Yair Netanyahu's depiction of them as “monsters in human form" (Waldron, 2020, p.173), highlights an unsettling reality where terrorists are rarely referred to as humans (Pinfari, 2019). This framing of terrorists is morally relevant as the implementation of counter-terrorism relies on, and is shaped by, the specific discourse of counter-terrorism (Jackson, 2005).

In the realm of morality, my concern lies with the way 'othering', a phenomenon prevalent in Western societies where the East is often constructed as the 'Other' (Espinoza, 2018), shapes biases and judgments in targeted killings. In the context of terrorism, the classification of terrorists as 'monsters' suggests a perception of them as distinct species (Dillon and Reid, 2009), devoid of the general moral entitlements and rights inherent to humanity. Such entitlements encompass respect for human dignity and justice, while such rights include the rights to life and a fair trial (Meisels, 2020). This is not merely an ‘us’ versus ‘them’ dichotomy (such as one which can be argued to exist within traditional warfare) but a ‘human’ and ‘sub-human’ one. This imagery emphasises the inhumane or supernatural nature of the threat terrorists present to officials, justifying rule-breaking behaviour in counterterrorism (Pinfari, 2019) and redrawing the boundaries of what is perceived as moral and immoral in warfare. While one is typically innocent until proven guilty, *terrorist monsters* who are pre-emptively targeted are not awarded the same human right; they are not awarded the same humanity. They are pre-emptively targeted in a way I would imagine

officials would deal with an outbreak of actual monsters, or an alien species, targeting suspects to protect humanity. This is especially concerning when we take into consideration the fact that, unlike ‘monsters’, terrorists do not possess inhumane strength; in fact, terrorism is typically viewed as the weapon of the weak.

The basis for targetability is not solely about behaviour; it also involves classifications constructed from diverse information about individuals as biopolitical subjects (Grayson, 2016). What makes a person suspicious and, therefore, a legitimate target is a matter of intense scrutiny in targeted killing operations. "Suspicion" often hinges on arbitrary cues such as two 'military-age men' struggling with something, perceived as a 'human shield,' or a large group of racialised individuals travelling together, a pattern deemed suspicious (Wilcox, 2017, p. 19; Hall, 2014, p.68). This judgement relies heavily on preconceived notions influenced by a colonial gaze and orientalism, contributing to the dehumanisation and enemy creation of racialised and stereotyped individuals, which leads to increased fake positives on kill lists (Espinoza, 2018; Wilcox, 2017). This entanglement of biopolitics, the supernatural, and wrongful targetability is no new phenomenon. During the Salem Witch trials, commonly regarded as a moral wrong, women engaging in *unconventional* behaviours or even using herbal medicine were suspected of witchcraft and killed without definitive evidence (Williams, 2019). While I recognise that both cases differ in terms of the plausibility of the accusation being made, the point is that despite the advancement of technology, those tasked with keeping civilians safe are still engaging in the pre-meditated killings of *suspects* without definitive evidence. In both cases, the *wrong* individuals are wrongfully killed due to their dehumanising othering.

Surgical Precision

The Trolley Problem

Suppose, for argument’s sake, that targeted killings could be executed with surgical precision or even clairvoyant foresight, and the identity of the terror suspect in question was unequivocally confirmed. Considering these hypothetical circumstances, would the moral objection outlined earlier still hold its ground if officials knew they were, in fact, killing the *right* people?

Given the mentioned assumptions, intelligence and military officials face a moral dilemma similar to the trolley problem, weighing the potential to save lives against the act of

targeting a suspect on a kill list. The Trolley Problem presents a hypothetical dilemma where one must choose between allowing a runaway trolley to kill five victims on a track or redirecting it to sacrifice one victim on a side track (Quinn, 1989). Usually, decisions in this scenario are guided by a cost/benefit analysis aiming for the most favourable outcome for the greater good, with the "redirect decision" to save the five often seen as the utilitarian choice made by most individuals (Quinn, 1989). While there are many ways of approaching the problem, I am interested in Quinn's (1989) argument against redirection based on the belief that it undermines the moral significance of the individual killed, as prioritising the gains of others over the life of one individual diminishes the value of their personhood and humanity.

A Track Devoid of Humanity

Given the dehumanisation of terror suspects outlined above, our trolley problem can be framed as one where the official must choose between allowing a runway trolley to kill five humans on a track or redirecting it to sacrifice an inhuman monster. I argue that, in this case, the official's moral intuitions are undermined by their premeditated disregard for their target's humanity and subsequent moral obligations towards them. Othering has been found to influence the reliability and validity of similar moral decisions in the past, with a study by De Poli et al. (2017) finding that depictions of subjects greatly impacted respondents' decisions in a trolley-like problem. This suggests that even in a case where the right person is being targeted, a moral objection centred around othering and dehumanisation can still be made.

Additional Considerations

It may still be argued that terrorists are rightfully stripped of their humanity and subsequent moral entitlements due to the inhumane and immoral nature of their actions. I argue that the same can be said of their potential killers. By engaging in othering and emphasising the technological superiority of targeted killing operations (in comparison to terrorist acts), a distinction is made between the barbaric and irrational terrorist and the civilised and rational official, further widening the perceived moral gulf (Waldron, 2020) and lack of humanity between the two parties. However, in the context of the war on terror, it is counterterrorism, rather than terrorism itself, that has engaged in the literal removal of the human element of warfare by using these advanced technologies. This brings to the fore questions over who is in a position to determine the morality and humanity of individuals and mirrors Nietzsche's (1886, p.69) sentiment that "whoever fights with monsters should see to it that he does not

become one himself". This leads me to contend that terror suspects should be awarded the same moral entitlements and human rights as everyone else, and that is morally wrong to strip them of such entitlements.

Conclusion

To conclude, the officially authorised, premeditated killing of terrorist suspects, notably through drone strikes, reveals a profound process of dehumanisation and 'othering'. This process, integral to the conceptualisation, execution, and justification of such operations, redefines the boundaries of morality, potentially leading to the perception of targeted individuals as less than human. The implications of this perception extend to a worrying level of disregard for the suspects' moral rights, dignity, and fundamental humanity. The proclaimed 'surgical' precision of drone strikes should not serve as a distraction from these moral implications; instead, it should act as a catalyst for deeper engagement with the ethical dilemmas that characterise the war on terror. Navigating these challenges requires more than a technological or strategic outlook; it demands a profoundly human perspective. Amid the pursuit of security, it becomes essential not to compromise the fundamental humanity and moral entitlements that all, including terror suspects, are assumed to deserve.

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