Norm Transformation and the Institutionalisation of Targeted Killing in the United States

*Forthcoming, *European Journal of International Relations*

Simon Frankel Pratt,

SSHRC Postdoctoral Fellow, Mortara Center for International Studies,

Georgetown University

Email: simon.pratt@mail.utoronto.ca

Abstract:

This article explains the emergence and institutionalisation of the US's targeted killing practices as a case of norm transformation. I argue that international and domestic US prohibitions on assassination have not disappeared, but they have changed as a result of practitioner-led changes in the conventions, technologies, and bureaucratic structures governing the use of force in counter-terrorism activities. After discussing the limits of alternative explanations, and drawing inspiration from practice theory and pragmatist sociology, I posit three causal mechanisms as responsible for the transformation. Convention reorientation was the redefinition of targeted killing to distinguish it from assassination. Technological revision was the development and use of UAVs ('drones') to bypass normative and strategic concerns over precision. Network synthesis was the support of the Bush administration and especially of the Obama administration, overruling dissenters from within the CIA (who were often very highly placed). I trace the processes by which these mechanisms operated and interacted in simultaneous and mutually reinforcing ways, from the start of the millennium until now. Finally, I discuss some of the ways this contributes to institutional analysis and the study of norm change more generally, and in particular, how it considers the role of technology and the reciprocity of means and ends.

The institutionalisation of targeted killing in the United States (US) suggests a significant transformation in its interpretation of, and adherence to, norms of war-fighting and security-seeking. For two decades, the US has used unmanned aerial vehicles (UAVs)—'drones'—as platforms for small-scale airstrikes on specific individuals, increasingly relying upon this method of counter-terrorism and counter-insurgency, with numbers of strikes and casualties now in the thousands. The evolution of targeted killing in the US is already the subject of a number of recent examinations (see, among others, Zenko 2013; Carvin 2015; Fuller 2017; Grayson 2012; 2016). These establish key ways changing legal discourse, along with

reconceptualisations of the geography of counter-terrorism, were facilitating factors.[1] This concerns the particular definition of assassination under international law (Thomas 2001; Beres 1991; Pickard 2001), questions of imminence and pre-emption (Kasher and Yadlin 2005; Gordon 2006), the space in which a formal armed conflict is occurring, and the status of combatants (Blum and Heymann 2010). Mostly unexamined, however, is a normative dimension linking all of these, distinct from—though certainly entangled with—formal or legal rules, and extending throughout the practices and institutions composing the US's counter-terrorism apparatus.[2]

Significant actors within the US's counter-terrorism apparatus articulated concerns over what was right or proper. They referred not just to laws but to embedded institutional norms, organisational history and experience with scandal, professionalism, and other dynamics warranting focused sociological investigation. In particular, their concerns pertain to the salience and nature of international and domestic prohibitions on assassination *as interpreted* by ranking figures in the CIA and in the Bush and Obama administrations. This establishes *prima facie* the value of examining this case through an approach oriented around the origins and effects of norms and normativity. If so, the case may be a puzzle of norm 'death' or 'disappearance'—a subject that has garnered recent attention from international relations scholars (McKeown 2009; Panke and Petersohn 2011; D'Ambruoso 2015). Did prior 'norms' cease to guide or regulate practice?

I address two parts of this puzzle. First, I show that the US's targeted killings do represent a normative change. However, this is not the demise of a single norm against assassination, but a transformation of its contents and referents, reaching across a range of interacting formal and informal structures and standards. It indicates not a sweeping change of norms at an international level, but rather of the ways one major power has arranged its military and security practices. Second, I explain how that change came about, identifying three interacting causal mechanisms as the drivers of a process of institutional evolution, in which new normative and strategic logics became embedded in new bureaucratic structures, most notably in the CIA. This again diverges from existing scholarship on this subject not only by

---

[1] Comparisons may also be made with similar studies of Israel's targeted killing programme (Guiora 2004; Craig-Jones 2015; Pratt 2013) but space constraints preclude their inclusion here.
[2] With the exception of Jose 2017, who examines the status of the normative shift, but not the institutional process leading to it.

focusing on normative factors, but also by employing a more formal approach to distinguishing causal mechanisms by type and by placing them within a process-tracing framework.

In the first section of the article, I lay out the empirical puzzle, offering a brief history of the US's use of targeted killing. I state three possible explanations: the prohibition on assassination has eroded or disappeared ('norm death'), never meaningfully existed in the first place for the actors in question ('norm dissociation), or still exists but has changed in form ('norm transformation'). I draw on public documents and testimonies on the case to show that the first two explanations are not consistent with key facts of the case. The correct explanation is norm transformation.

In the second section, I point to three interacting causal mechanisms that explain how norm transformation actually occurred: convention reorientation, technological revision, and network synthesis. These mechanisms rest on a pragmatist view of social action and change: actors, in confronting problematic situations, revise their existing habits, practices, and repertoires to synthesise new ways of navigating the world, transforming their sense of their environment and their position. Pragmatism, epistemologically and ontologically, is here a theory of situated human creativity, placing the potential for transformation in the transactional relations knitting together actors and environments (Dewey and Bentley 1949; Gross 2009; see also Pratt 2016).[3] After outlining how the mechanisms work work, I trace them within a theoretically informed chronology of the case, using a range of government, media, and interview sources to pinpoint practices, technologies, and bureaucratic mutations behind the targeted killing programme.

Methodologically, this is a form of process tracing, inflected with insights from practice theory. It provides a single case analysis of the over-time operation and interaction of the three posited mechanisms, showing how normative obstacles to targeted killing were overcome through a mixture of technological, discursive, and bureaucratic-political manoeuvres.[4] I define a causal mechanism as a specifiable arrangement of unfolding actions—what Guzzini has called an 'action-complex' (2011, 336)—that when triggered will produce an observed outcome. Focusing on practitioners as drivers of institutional change, my approach takes cues

---

[3] This a relational view of agency is drawn from Emirbayer and Mische (1998). It turns on an understanding of creativity and action developed by Joas (1996).

[4] One methodological advantage of focusing on practices as 'manoeuvres' is that it overcomes the problem of concealed perceptions; intelligence officials, and political operators in general, are skilled at concealing or dissembling when questioned about their views, and the relational, 'external' nature of practices fixes attention on what actors do rather than what they think.

from practice theory, but is more focused in its account, serving not to map the structure and history of a field, but to pinpoint bundles of actions as they proceed and evolve over time. While technology, rhetorical contestation, and bureaucratic politics already feature in scholarship on norm change, they drove transformation in this case in simultaneous and mutually reinforcing ways—a causal interaction not currently well studied or theorised in the field. The outcome is that a prohibition on assassination still persists, but in changed form.

In the third section, I discuss how my approach fits into existing research programmes in the field. I point to a productive, growing conversation between scholars of norms and those associated with recent 'turns' towards practices and relational sociology to theorise institutional change. *Contra* accounts that view these turns as theoretically supplanting norms research (McCourt 2016), practice and relational theorising fits well within current trends in norms research, and provides theoretical goods scholars of norms already seek. They are helpful for theorising the role of technology, and of the reciprocity of means and ends—of morality and strategy—in shaping prevailing norms and practices. I then conclude the article with brief remarks on the 'portability' of the three mechanisms and their relationship to other high profile cases of transformation of the US's security apparatus.

Norms and Targeted Killing

Beginning in late 2002, under the Bush administration, the CIA began strikes on a small number of 'high-value targets' comprising *al-Qa'ida* and *Taliban* leaders (Plaw 2006). Under the Obama administration, these strikes increased in frequency, reaching a peak of at least 128 in Pakistan alone in 2010, then declining, as US involvement in Afghanistan diminished and the focus of the *War on Terror* shifted to Yemen and the Horn of Africa.[5] These killings also became more expansive, in terms of who was targeted and who carried them out. The US military began a parallel targeting programme, while at one point the CIA briefly considered using private contractors to carry out some killings (Mazzetti 2013). There is no indication that these kinds of actions will cease in the future, even if they may scale with strategic needs, proportional to larger US military commitments abroad.

---

[5] For these statistics and others pertaining to the US's use of armed UAVs, see <https://www.thebureauinvestigates.com/wp-content/uploads/2012/11/Every-confirmed-US-drone-strike-in-Pakistan-Yemen-and-Somalia-recorded-by-the-Bureau-2002-20121.jpg>. Accessed 1 May 2017.

Prominent commentators, academic and public, claim these 'targeted killings' constitute assassinations, and indicate the erosion or change of international and domestic norms prohibiting assassination. Amongst scholars, these range from historical examinations of state practices (Thomas 2000) to detailed legal analyses of US policy (Banks and Raven-Hansen 2002). Journalists have made similar claims (Scahill 2013; Meyer 2009), while some exports have editorialised on the supposedly dishonourable connotations of targeted killing (Kilcullen and Exum 2009). Others have disagreed, denying that targeted killing fits legal definitions of assassination (Kretzmer 2005), or questioning whether assassination, in an ordinary sense, is prohibited in the first place (Pratt 2015; Fuller 2017).

This debate thus offers three possible explanations of what has taken place, each with distinct evidentiary implications. 'Norm death' holds that the prohibition has disappeared, either because the historical circumstances that established and reinforced it no longer obtain, or because it has been eroded by the deliberate efforts of pro-assassination 'norm entrepreneurs'. Norm death proceeds through escalating non-compliance, driven by inadequate incentives to self-regulate (Morrow 2014) or strategic benefits to transgression (Evers 2017), psychological pressures to reinterpret norms until they no longer regulate in any meaningful sense (Shannon 2000), and the presence of alternative new norms that can inspire moral defection (Finnemore and Sikkink 1998). The end result is that a norm which did regulate, constitute, or otherwise dispose actors in significant ways ceased to exist. If this is true here, then the evidence should show that targeted killing was initially considered by US officials to be prohibited under the assassination ban, but with the rise of a new counter-terrorism regime, those officials saw assassination itself as increasingly justifiable. Crucially, the evidence would show that the link between targeted killing and assassination remained, but ceased to present a normative problem for those involved.

'Norm dissociation' holds that a prohibition on assassination either did not actually exist, except perhaps as an unenforced formality, or (more plausibly) that US officials from the start did not care whether or not they violated it. Dissociation (as I term it) is another form of non-compliance.[6] It is a product of organisational culture oriented towards violations (Legro 1997), the absence of specific domestic resonance for a particular norm (Cortell and Davis 1996), or ineffective norm 'localisation' (Acharya 2004), such that a norm nominally exists but is weakly institutionalised in practice. The end result is that a norm may exist in name or in

---

[6] This bifurcation of non-compliance into death and dissociation is an atypical way of organising disparate literatures on norms, but highlights some deep commonalities in theme.

law, but without extension. If this is true here, then the evidence should show either that discussions of targeted killing within the US policy and security apparatus never made reference to a prohibition on assassination, or was oblique or summarily ignored. On this view, simple violation of the prohibition is an instance of norm dissociation—a methodological assumption is that actors consistently believe in the normative correctness of their actions, even if they are aware that their interpretations and justifications may deviate from those typically accepted by a broader community. If those responsible for the US's targeted killing apparatus knew about, but simply chose to ignore, norms prohibiting it, this would attest to their dissociation from that norm—it simply wasn't something embedded into their institutions or practices. The history of the US's targeted killing programme would show that everyone important involved in its establishment didn't know or didn't care if they were breaking assassination norms.

Finally, 'norm transformation' holds that a prohibition on assassination did exist in ways that mattered for US officials, but changed such that targeted killing ceased to *be* assassination in their perspective. This emerges out of a change in *how* rather than *whether* to comply—one that may be driven by discursive contestation (Wiener 2008; Kornprobst 2007) but also by technological or bureaucratic imperatives, as I show in this article. If this is true here, then the evidence should show that debates over targeted killing initially considered the question of whether or not it would constitute assassination. Crucially, the evidence should then show that as targeted killing became a significant part of US counter-terrorism efforts, proponents of it engaged in successful and ongoing attempts to differentiate it from assassination, out-manoeuvring or out-arguing opposition based on assassination prohibitions.

Table 1: Competing explanations for the US's use of targeted killing

Explanation	Observable Implications
Norm death	Key actors considered targeted killing to assassination, initially found this good reason not to engage in it, but over time stopped caring whether or not assassination was prohibited.
Norm dissociation	Key actors considered targeted killing to be assassination but never cared in the first place whether or not assassination was prohibited.
Norm transformation	Key actors considered targeted killing to be assassination *at first* but then their definition of assassination changed to no longer include it. Assassination, however, *remains prohibited.*

This final explanation, I argue, is the correct one.. Per available accounts, the possibility of using drones to carry out targeted killings was first raised by Cofer Black, the director of the CIA's Counterterrorism Center (CTC), in mid-2000. However, Director of Central Intelligence George Tenet was opposed, and he was joined in his opposition by other high-ranking members of the CIA. This shows an institutional normative divide over what standards of appropriate action should be (See National Commission on Terrorist Attacks upon the United States[7] 2004b, 210, and note 241; also see Mazetti 2013). Assassination was contentious for CIA to perform, at least before 11 September 2001, both under US law and by bureaucratic conventions (Freedman 2000).[8] As James Pavitt, Deputy Director for Operations (1999- 2004), would explain, 'we don't do policy from Langley…and you don't want us to' (NCTAUS 2004a).[9] Testimony in the *9/11 Commission* report states: '[T]wo senior CIA officers told us they would have been morally and practically opposed to getting CIA into what might look like an assassination. One of them, a former CTC chief, said he would have refused an order to directly kill Bin Ladin [sic].' (NCTAUS 2004a) As Richard Clarke, adviser to the White House on counter-terrorism under both Clinton and later Bush, explained: 'The corporate view inside CIA was, "We don't want to do covert action. And if we do covert action, we want it to be neat and clean. We don't want to be involved in killing people. Because we're not like that. We're not Mossad' (Mazetti 2013).[10]

These statements are inconsistent with 'norm dissociation'. Assassination was meaningfully prohibited, and opponents of targeted killing within the US's security apparatus made meaningful reference to that prohibition. Yet after 11 September 2001 the CIA did develop a targeted killing programme, and began strikes in Afghanistan, Pakistan, and Yemen. So that prohibition either died or changed in content.

---

[7] Henceforth NCTAUS

[8] While the CIA had been involved in activities resembling assassination, it had never done so with great scale or systematicity; the closest thing to what the targeted killing would become was the 'Phoenix Program', in which US intelligence services cooperated with South Vietnamese security forces to locate insurgent cadres, but this program was not specifically devoted to killing, even if summary executions or lethal exchanges of fire led to the deaths of many of those targeted (Roseneau and Long 2009).

[9] Tenet's reluctance is not unique; during the mid-1980s, President Reagan's security executive made some attempts to establish CIA-run teams of local commandos to target and kill terrorists in Lebanon, but was forced to scrap the plan in the face of strong resistance from both the CIA and the State Department, both of which cited the illegality of assassination and the likelihood of strong public relations blowback should the operation be exposed (Mazetti 2013)

[10] As an editorial note, be aware that these sources are either unpaginated or digital, such as in the case of Mazetti, whose 'e-print' version of his book was the one I had access to.

A significant indication that 'norm death' is also not what happened may be seen in the Obama administration's approach to targeted killing—which differentiated targeted killing from assassination, rather than defend assassination itself. One clue to this process is a State Department white paper confidentially provided to members of the Senate Intelligence and Judiciary committees in June 2012, which outlined much of the Obama administration's case for targeted killing in general. Besides establishing a regulatory framework, it fulfilled another key purpose: to explicitly differentiate such killings from 'assassinations' (Department of Justice White Paper 2012) on both international and domestic legal grounds.

The evidence suggests that for this case—and perhaps for similar possible cases[11]—relevant norms persisted in name, but came to define or extend to different practices over time. They transformed. In the next section, I posit an explanation emphasising the role of ethical and strategic innovation as drivers of transformation.

Three Mechanisms of Normative Transformation

I propose that three causal mechanisms drove the normative transformations underlying the emergence and institutionalisation of the US's targeted killing programme. This proposal rests on two bases. One is a *prima facie* plausibility test: the evidence I have collected suggests some interaction of technology, normative framing, and bureaucratic politics propelled the rise of targeted killing. Actors revised institutional norms alongside their practices in recursive ways, meaning counter-terrorism efficacy influenced normative discourses, just as norms influenced discourses on strategic choice. Meanwhile, norms provided both guidance to actors and institutional resources for contesting various practices. As these forces stand out as important, I offer a theory that gives them adequate analytical attention. The second basis lies in existing literature on norm change and on institutional transformations. To varying degrees, technology, framing and discourse, and bureaucratic politics are all part of existing theories of norm change. This scholarship provide guidance on how best to more formally and systematically specify and trace how they worked in this case.

The first mechanism, *convention reorientation,* refers to the reframing of a situation to entail different obligations, actor identities, and local ends. Unlike in norm contestation, actors are not disputing the legitimacy of a rule or principle, but instead repositioning themselves so

---

[11] For example, of torture (McKeown 2009) or of mercenarism (Panke and Petersohn 2012).

as to be outside its scope. Versions of this appear of this appear in the literature on framing (Barnett 1999; Payne 2001) and 'rhetorical coercion' (Krebs and Jackson 2007), ontological security-seeking (Rumelili 2015), and securitisation theory (Buzan et al 1998). Shannon (2000) in particular explores debates over whether an action falls within the regulatory scope of a norm, termed 'justification', through a psychological framework.[12] The common thread is that the way a situation is classified situates it in particular normative configurations, and reclassifying that situation often moves it to a completely new such configuration. As classifications are the outcomes of creative and competitive transactions, they fit well within a relational theoretical framework such as the one I use here. Moreover, a pragmatist perspective takes this beyond a purely instrumental account of framing or of strategic speech-acts, to include how actors are themselves changed along with their situations.

This mechanism is most salient to situations where actors' options, such as the employment of political violence, are highly defined by conventions; switching the *context* of those conventions reveals a new horizon of possible action. For example, by framing its counter-terrorism practices as a war, rather than policing, the US places them within the broader normative framework of *Just War Theory* and outside of the domestic justice system, which in turn implies certain obligations of proportionality and discrimination, codified in international law and liberal political thought (Crawford 2003). This was facilitated by widespread anguish and anger in the aftermath of the September 11th attacks, which helped unsettle or shock the existing institutional environment. When critics of US practices employ the language of crime and punishment, such as by referring to killings as 'extra-judicial executions' (see, for example, Kretzmer 2005), they are also seeking to re-orient the situation such that a different set of conventions apply—ones that permit far less extensive violence and entail far greater institutional oversight. Over time, these discursive manoeuvres generate broader transformations, with changed classifications and their associated conventions crystalising into new normative configurations.

The second mechanism, *technological revision,* refers to the shifting of action through new media of intervention into the world—both new objects *and* skills—which carry different normative connotations and enable new forms of transactions subject to different regulative conditions. As noted, technological innovation is directed by value-driven and cultural

---

[12] Shannon is, however, more interested in justification as a mental act of self-affirmation to resolve a value-conflict, in which an act is reasoned to lie outside the scope of a norm. By contrast, convention reorientation is where an action is placed into a different normative framework as a positive redefinition, versus simply placing it outside the scope of a given norm (a negative argument).

processes, and is only one part of a broader set of enabling conditions making normative transformation possible at a systematic scale. Technological determinism is alone wholly inadequate to understand this, but an analysis that omits technology ignores key instrumental factors— technology on this view *does not determine* actors' choice of actions, but rather offers *new possibilities* to them, for them to evaluate, select, or synthesise as they see fit.

Again, IR scholars have attended to some aspects of this mechanism in existing work. Macro-historical research into the material foundations of international systems (Deudney 2000) and into the complexification of war (Bousquet 2008) are two such examples, while Carvin and Williams (2014), who take an explicitly practice-theoretical approach to look at the emergence of a liberal way of war, offer a third. A fourth lies in the IR-adjacent literature in political geography on materialism and war (Shaw 2013; Grayson 2016; Holmqvist 2011). The pragmatist take on this mechanism differs from others through its emphasis on the relationship between technological development and creative possibility, with new means of action disclosing new horizons of ends and values. Because technological change makes it possible to do things differently, it produces new ethical solutions and problems.

The third mechanism, *network synthesis,* refers to the synthetic combination of social networks into new coalitions able to authorise new actions and reform social arrangements, entailing new normative configurations. When new relationships are formed between actors, they generate new authorities, such as through chains of command, crossing bureaucratic boundaries, or delegation of tasks. This mechanism is most salient to situations where insurgent actors emerge or where existing networks are, as with convention reorientation, unsettled by exogenous shocks. In many respects, network synthesis has already been the subject of sustained attention by norms scholars. For example, in their account of the demise of the transatlantic slave trade, Finnemore and Sikkink (1998) study the successes of Christian activists in influencing the British government to employ naval power against ships involved in transporting slaves. Acharya (2004) also examines a form of network synthesis in how individual states 'localise' international conventions, gaining influential foreign support but reshaping those conventions in the process. More recently, studies of private security companies show how closer ties between government elites and corporate executives challenge and transform perceptions of mercenaries and of legitimate combatants (Avant 2005; 2016; Percy 2007). Network synthesis has thus been well studied as a mechanism of alliance building. Yet it also builds worlds, resulting in often sweeping transformations of norms as actors engage the novel situations.

In line with a Bayesian approach to process-tracing, I identify key observations which, if they obtain, should increase confidence in my explanation over others, such as norm dissociation, norm death, or the predominance of one mechanism over the others (Humphreys and Davis 2015; Nexon and Musgrave *forthcoming*). While process-tracing may take a range of methodological forms (Bennett and Checkel 2015), this approach makes transparent my selection of single case study evidence: I focus on the institutional processes especially likely to yield evidence of the operation of these three mechanisms in particular—the presence of which is enough to warrant some confidence in the explanation I offer. In other words, the more the case evinces these mechanisms, the more confidence is warranted to accept that they account for the underlying causal story. Convention reorientation implies key discussions around definitions. Specifically, there should be clear evidence of a definitional dispute, the outcome of which determines the essential normative valance of a contested practice—whether the practice is permissible will depend on its place within an already articulated set of conventions, and thus discourse revolves not around whether an action is right or wrong, but which conventional framework should apply. Technological revision implies that the development of new tools plays a notable role in making normatively contentious action more palatable—that it resolves moral or strategic dilemmasin ways that empower proponents of the action over opponents. Finally, network synthesis should imply clear evidence of bureaucratic alliance-making as a key component to the triumph of a 'winning coalition' of proponents of a normative transformation, and of the new practices or actions associated with it.

Table 2: The Mechanisms of Normative Transformation and their Observable Implications

Mechanism	Normative Effect	Observable Implication
Convention Reorientation	Redefines the *frame* of a situation to involve a new set of laws, authorities, agents, and agencies, changing its normative dimensions.	Definitional disputes over action classification, rather than over overarching legal/moral principles.
Technological Revision	Shifts action onto new media of intervention into the world, establishing new means with different normative connotations to their use.	Use of new tools to reduce moral/strategic costs of a contentious action.
Network Synthesis	Brings actors together in new ways, creating new alliances able to authorise new kinds of action.	Partnerships of actors from different institutional networks to push a common agenda.

The War on Terror and the Transformation of the Prohibition on Assassination

I here give a phased account of targeted killing by the US, reviewing the institutional history of each phase and discussing the ways the evidence on this case attests to the operation of the three causal mechanisms.. I outline the prohibition on assassination actually *is,* and describe how it was embedded within US institutions, with particular attention to where it was strong and weak, in terms of how disposed officials or practitioners were to avoiding actions proscribed under it. Then, I trace the emergence of targeted killing through the early normative and organisational changes accompanying it during its gradual development as a regular practice, under the Bush administration. Finally, I trace the full normalisation and institutionalisation of targeted killing as a major military and counter-terrorism instrument, under the Obama administration.

Phase Zero: The prohibition on assassination and targeted killing

Initially targeted killing too closely resembled assassination to be embraced as a military or counter-terrorism instrument. In international convention, formal and informal, the prohibition

on assassination dates back several centuries, and has been a factor in discouraging the killing of both political leaders (Thomas 2001) and military officers (Solis 2010), as hunting/killing 'named' individuals lay outside the boundaries of permissible killing in war. This was bound up in operational assumptions about how assassination would work: while ambushes were permitted in times of war, the infiltration of undercover operatives appeared 'perfidious' and therefore was forbidden. Moreover, assassination was associated primarily with political disputes between conflicting elites, wherein the method and the target sat outside normative military affairs (Thomas 2001). Without technology or tactics that allowed uniformed forces to target specific persons, Western military norms cemented assassination as illegitimate by nature, nearly impossible to perform honourably.

Meanwhile, though this international prohibition has not stopped the US government from getting involved in 'assassination-like' activities in the past, strong legal and informal conventions against the practice developed by the late 1980s. A history of scandal—mainly associated with the CIA's involvement in Latin American coups—and a lack of institutional memory surrounding the use of assassination in counterinsurgency meant that Agency officials 'grew up' in an environment where targeted killing was seen as prohibited in the minds of many within the CIA and in other arms of government, at least before 11 September 2001.[13]

Assassination was explicitly forbidden by *Executive Order 11905*, signed into law in 1976 by President Gerald Ford – 'No employee of the United States Government shall engage in, or conspire to engage in, political assassination' — and reinforced by *Executive Order 12036*, signed in 1978 by President Jimmy Carter. The 1976 ban on assassination came after public investigation and exposure of a number of unsuccessful CIA operations to assassinate foreign leaders, and established firm boundaries constraining the scope available to the US intelligence community for covert action. As Grayson (2016) notes, this ban was 'generously narrow' (54) and geared more towards mechanisms of transparency and executive control rather than permanent prohibition—indeed, employing the legal instrument of an executive order may have been to specifically pre-empt a legislative ban, which would have denied future presidents the power to approve of assassinations should they see fit. Nevertheless, until

---

[13] The CIA's Vietnam-era Phoenix Program resembled a targeted killing programme it operated primarily through local partners—and left no institutional memory, as one self-described 'old Agency hand' explained to me (John Rizzo, interview with author). The CIA similarly experimented with political assassination in partnership with Latin American allies, and had engaged in limited, quasi-targeting of terrorists a small number of times under the Reagan administration, but without institutionalising this approach (Fuller 2017).

overridden the Order carried legal and institutional weight, redirecting the CIA away from any routine paramilitary operations.

Beyond its apparent illegality, assassination also fell within the range of activities associated with 'policy' rather than intelligence collection, which ran afoul of the principles internalised by the CIA in the wake of the Iran-Contra scandal. As previously quoted, James Pavitt's testimony to the *9/11 Commission* was, 'we don't do policy from Langley' (NCTAUS 2004a),[14] further testimony suggests senior CIA officials would have refused direct orders to engage in assassination, and as Richard Clarke claimed, 'We don't want to be involved in killing people. Because we're not like that. We're not Mossad' (quoted in Mazetti 2013).

Finally, targeted killing or assassination of terrorists ran a high risk of unacceptable harm to bystanders. This is well illustrated by the way President Clinton approached an opportunity to kill Bin Laden , in mid-September 2000. In a trial run for expanding Predator UAVs as a surveillance platform, one pilot observed, at Bin Laden's *Tarnak Farms* compound outside Kandahar, a figure apparently matching Bin Laden's description (NCTAUS 2004a, 190). Clinton was unwilling to approve a cruise missile strike, as the settlement likely contained children (Coll 2004). By refusing, at least up until that point, to engage in targeted killing, the executive branch of the US government lent the prohibition strength, hitching it to other conventions regarding the distribution of powers across the arms of the state—according to which the CIA was not to engage in killing—and to a particular, liberal vision for US military activities in a post-Cold War era. It was not just the direct prohibition on assassination that forbade targeted killing, but broader cosmopolitan norms concerning interventions abroad.

This is consistent with expectations stemming from the explanation this article advances. First, it shows how key actors both defined targeted killing as assassination and were opposed to it on that basis, as well as on the basis of deeper institutional conventions concerning the appropriate powers of the CIA versus other arms of the US defence and security apparatus. Second, it shows that despite the obvious role that advanced technology has since then played in the US's use of targeted killing, major objections revolved also around propriety rather than solely the absence of adequately precise means. The form opposition to targeted killing took

---

[14]Tenet's reluctance is not unique; during the mid-1980s, Reagan's security executive sought to establish CIA-run teams of local commandos to target terrorists in Lebanon, but scrapped the plan due to resistance from both the CIA and the State Department, both citing the illegality of assassination and the likelihood of strong public relations blowback should the operation be exposed (Mazetti 2013)

thus makes norm dissociation unlikely, while suggesting that whatever changes later took place cannot solely be a product of the technological revision mechanism alone.

However, the prohibition was weaker in CIA's Counter-Terrorism Center (CTC). Established during the Reagan administration, its first director, Duane 'Dewey' Clarridge, was chosen precisely for his bellicose and action-oriented reputation. Clarridge pushed for a pre-emptive, global counter-terrorist doctrine making use of elite military forces, and even appears to have proposed the use of armed drones, though this project did not come to fruition before he was sacked in the wake of the Iran-Contra scandal (Fuller 2017). Thus the CTC was established from its outset to approach terrorism through more bellicose means, and to employ and train personnel to accept targeting and direct action as legitimate. It diverged, in normative make-up and practical orientation, from the rest of the Agency. The global orientation of the CTC, and its mandate to target violent non-state groups rather than to conduct more traditional intelligence duties, placed it at the seam between espionage and military action, in a unique, novel institutional space where the conventions of neither were clear. Hence it was constituted in ways at odds with the conventions and practices on which normative opposition to assassination rested.

Phase 1: The emergence of targeted killing

The potential for significant transformations in the US's stance towards targeted killing lay in a combination of new technology and a new executive orientation towards the use of military force abroad. Attempts to arm the MQ-1 Predator—initially designed for surveillance—proceeded throughout the late 1990s, with successful tests taking place throughout 2001 (Whittle 2014). A Predator armed with a Hellfire anti-tank missile offered a far more discriminating use of force than did a cruise missile, which had previously been considered and rejected as a means of targeting Bin Laden (Fuller 2017). As one source explained, it offered a 'little boom' rather than the 'big boom' produced by larger ordnance (Roger Cressey, interview with author), and, crucially, did not require commandoes to invade another sovereign country, and did not entail the risk of dead American personnel. Also significant were improvements in electronic and signals intelligence collection, offering new opportunities to learn the locations of targets in time to strike them (Miller et al 2013).[15] These technological developments

---

[15] Later advances optical technology, and new aircraft such as the MQ-9 Reaper, contributed to the further use of unmanned airpower once the targeted killing programme was underway (Coll 2014).

reassured the US government of its ability to remain with the normative parameters of cosmopolitan warfare, and in turn allowed would-be targeted killers in the CIA to remain within its own normative aversion to high-profile military or paramilitary adventures—am institutional legacy still potent outside of the CTC.

Yet technological advances were not the only factors enabling normative change. According to available accounts, the possibility of using drones to carry out targeted killings was first raised by Cofer Black, the director of the CTC, in mid-2000. Black, alongside Clarke, had been searching for a way to damage *al-Qa'ida* and Osama Bin Laden. However, the suggestion that the CIA should engage in targeted killing met with strong bureaucratic opposition (Mazetti 2013). DCI George Tenet in particular was highly resistant to the prospect of his organisation engaging in what appeared to be assassination:

> Tenet in particular questioned whether he, as Director of Central Intelligence, should operate an armed Predator. This was new ground," he told us. Tenet ticked off key questions: What is the chain of command? Who takes the shot? Are America's leaders comfortable with the CIA doing this, going outside of normal military command and control? Charlie Allen told us that when these questions were discussed at the CIA, he and the Agency's executive director, A. B. "Buzzy" Krongard, had said that either one of them would be happy to pull the trigger, but Tenet was appalled, telling them that they had no authority, nor did he. (NCTAUS 2004b, 210, and note 241)

Tenet's reticence, though not shared by all beneath him in the Agency's hierarchy, represented settled institutional norms concerning authority and use of force, and delayed further serious consideration of the use of CIA resources to engage in any killings for over a year. Indeed, in July 2001 the US government made a firm public statement against targeted killings when its ambassador to Israel, Martin Indyk, condemned Israel's targeting of Palestinians suspected of terrorism: 'The United States government is very clearly on record as against targeted assassinations....They are extrajudicial killings, and we do not support that' (Meyer 2009). Thus, publicly and internally, significant normative transformation had yet to take place.

However, even prior to the *September 11th* attacks and the 'War on Terror', the new Bush administration sought to circumvent the opposition of CIA leadership to targeted killing by soliciting ideas from lower-ranking members of the Agency. Clarke, by mid-2000, despite opposition to extensive CIA involvement in 'policy', was looking into ways of striking Bin Laden. He went as far as holding a meeting with targeted killing's main advocates in the CIA

and the DoD that excluded Tenet (Mazetti 2013). Nevertheless, Clarke's enthusiasm for targeted killing was not limitless:

> We didn't want to create a broad precedent that would allow intelligence officials in the future to have hit lists and routinely engage in something that approximated assassination [and] create an American hit list that would become an ongoing institution that we could just keep adding names to and have hit teams go out and assassinate people. (Clarke in Scahill 2013)

Black's standing enthusiasm for paramilitary counter-terrorism, however, was well known to his colleagues, representing the more bellicose disposition of the CTC. With the Bush administration interested in aggressive responses, he became a popular figure at the White House. Black and the CTC were given the authority to begin targeted killings, following a White House briefing to which only Black, senior CTC personnel, and select foreign intelligence officials were invited (Scahill 2013). Moreover, the legal permissions offered by the new *Authorization for the Use of Military Force* (AUMF), passed on 14 September 2001 and authorising the use of military forces against those responsible for the attacks, introduced a broad military logic to the CIA's counter-terrorism initiatives—a point emphasised to me by a former counter-terrorism adviser to the Bush administration (Roger Cressey, interview with author). In other words, executives in the Bush administration out-manoeuvred Tenet to partner with a lower-ranking official from an insurgent, and until then relatively subordinated, sub-section of the CIA, who had no distaste for clandestine killing, and empowered those in favour with a new set of conventions governing use of force against terrorists.

Here it is helpful to explicitly revisit the observational implications of the proposed causal mechanisms, and consider whether they obtain. The use of new technology to overcome the disadvantages of previous means—both operational and normative—is the easiest to discern. This strongly attests to role of technological revision. Moreover, the importance of executive enthusiasm for aggressive counter-terrorism is consistent with network synthesis; the intervention of the White House in support of targeted killing proponents neutralised CIA officials opposed to it. Perhaps hardest to discern in this phase is convention reorientation. It may be possible to imagine all this taking place without redefinition of targeted killing; more consistent with norm death, this explanation would simply point to new technologies and executive impetus. There are, however, two indications of convention reorientation here. First is the importance of the AUMF in resituating counter-terrorism activities within a logic of

armed conflict. Second, though a weaker indicator, is that after the US government initially referred to Israel's targeted killings as 'extrajudicial' executions, suggesting a criminal justice framework, this objection ceased to matter *within* the US's security apparatus and executive. Indeed, there is little evidence it received serious consideration once the US began to set up its own targeted killing programme, suggesting an easy shift into a 'laws of armed conflict' normative framework. Moreover, clearer evidence of convention reorientation can be found in the later actions of the Obama administration.

Phase 2: The institutionalisation of targeted killing

Despite the re-orientation of the CIA towards targeted killing engineered by the Bush administration was, with its supporters within the Agency, the practice met with mixed reception from the defence community at large. As former CIA general counsel Jeffrey Smith claimed in an interview with the Washington Post, targeted killings may 'suggest that it's acceptable behavior to assassinate people. . . . Assassination as a norm of international conduct exposes American leaders and Americans overseas' (Smith in Meyer 2009). The Bush administration and the CTC, which had significantly grown in size and influence within the CIA, however, were certain that drone strikes were dealing a significant blow to *al-Qa'ida*. Both the CIA and the Defense Department, with its own expanded counter-terrorism infrastructure, had largely accepted their roles as counter-terrorists fighting on a global battlefield. At this point, however, targeted killing was not yet as widespread and well institutionalised as it would become under the Obama administration.

As noted earlier, when President Obama took office, he might have limited or to put a halt to further targeted killings, but he instead did the opposite: he escalated and expanded the programme. Within the first year, the Obama administration had presided over more strikes than the Bush administration had in its entire eight years in office (Meyer 2009), and Obama took a far more personal role in the programme, signing off on lists of targets in weekly meetings between himself and the director of the CIA. By micromanaging, Obama injected executive authority into the CIA's targeting practices, directly legitimating expansions in scope and pace of targeting. There are two reasons why Obama may have done this. The first was to wage a 'good' fight against *al-Qa'ida* while withdrawing from 'bad' fight the Bush administration had started in Iraq. The second, at least according to some within the government, was that after Obama permanently shuttered the CIA's infamous 'enhanced

interrogation' programme, targeted killings became a more significant defence against terrorism (Scahill 2013). As less information was available to the CIA, the killings had to shift from a pre-emptive to a preventive mode, lest another major attack against the US take place and result in great political cost. Though this second reason may imply a rather more cynical calculus, both highlight the perceived value of targeted killing as a key instrument for the Obama administration to fight terrorism while differentiating their approach to the War on Terror from that of their predecessors.[16]

One of the clearest indicators of the Obama administration's attempts to legally normalise targeted killing is a leaked, undated State Department white paper.[17] Entitled 'Lawfulness of a Lethal Operation Directed Against a U.S. Citizen who is a Senior Operational Leader of Al Qa'ida or An Associated Force', it was confidentially provided to members of the Senate Intelligence and Judiciary committees in June 2012. The memo went beyond simply outlining the circumstances under which a US citizen may be targeted and killed, to state, in legal language, much of the Obama administration's case for targeted killing in general. First, it firmly differentiated such killings from 'assassinations':

> In the Department's view, a lethal operation conducted against a U.S. citizen whose conduct poses an imminent threat of violent attack against the United States would be a legitimate act of national self-defense that would not violate the assassination ban. Similarly, the use of lethal force, consistent with the laws of war, against an individual who is a legitimate military target would be lawful and would not violate the assassination ban. (*Department of Justice White Paper* 2012)

Second, it stated when targeting is permissible, including a broad definition of imminent threat: 'The condition that an operational leader present an 'imminent' threat of violent attack against the United States does not require the United States to have clear evidence that a specific attack on U.S. persons and interests will take place in the immediate future'. (*Ibid.*). Two other conditions must also be fulfilled: 'law of war principles' must in general be followed, and

---

[16] Whether this perception was accurate lies outside the remit of my paper.

[17] Another memo, dated 2011, outlines a more specific justification for the targeted killing of Anwar al-Awlaki, an al-Qa'ida leader and US citizen. Here the US government claims the authority to target him under the AUMF, positioning the operation as a military action directed at an imminent threat rather than a punishment for terrorist crimes, and acknowledges but dismisses civil liberties concerns surrounding extrajudicial execution. See < https://www.washingtonpost.com/r/2010-2019/WashingtonPost/2014/06/23/National-Security/Graphics/memodrones.pdf?tid=a_mcntx>.

capture, at least when an American citizen is the target, must be practically unfeasible without considerable risk to US personnel.

It is here that convention reorientation can best be observed, as efforts to define targeted killing as something distinct from assassination are the clearest indication that this mechanism is at work. Not just a move within legal discourse, this was a bureaucratic and institutional move as well, given the formal and informal channels through which the law influences the normative sensitivities and orientations of the CIA. If the Obama administration could simply have decided, regardless of legal or conventional status, to escalate and institutionalise targeted killing, there would be no reason for the white paper. By intervening in the definitional dispute over whether targeted killing was or was not assassination, therefore, the administration's actions attest to the operation of something other than just the network synthesis mechanism.

By this point, the case is complete, with the US's targeted killing programme looking more or less as it does today: normalised, employed in numerous locales, and a fixture of political discourse on countering terrorism. Its development was first driven by technological change and institutional manoeuvring, in which the Bush administration partnered with 'insurgent' CIA bureaucrats willing to flout conventions, and later by a new administration that saw the killings as an effective way to leave behind the unpopular security practices of its predecessor, while dealing with threats in regions where other military actions carried with them their own problems.

Summary

All three proposed mechanisms generated institutional change—in norms, in organisational structure, and in practices. The first phase occurred over a period of successful institutional politicking during the initial years of the Bush administration, and most clearly shows these mechanisms operating not just simultaneously, but also synthetically. Convention reorientation occurred as counter-terrorism shifted into a military institutional framework, constituted by legal and bureaucratic configurations more permissive of directed, lethal force as a legitimate first choice of action. Technological revision was a major enabling process, starting even before counter-terrorism became a 'war', and facilitated targeted killing by offering a means of remaining within liberal standards of discrimination and proportionality. Network synthesis, enabled by the entrance of a new administration, allowed CIA officials supportive of targeted killing to triumph over their previously more powerful internal rivals, providing the authorities

and institutional pathways to reform the practices and structure of the organisation. Crucially, it is hard to imagine any of these mechanisms working in isolation from the others in this case; the interaction effect of all three in concert explains how targeted killing first arose.

Further transformation took place during the initial years of the Obama administration, which sought to legally normalise and institutionalise targeted killing as a major policy instrument, beyond what Bush-era proponents such as Clarke had originally desired. Technological revision diminished in salience: though both UAVs and surveillance technology continued to increase in sophistication, the major development—a means of precision killing— already had occurred. Rather, convention reorientation and network synthesis interacted, with Obama's increased personal involvement injecting executive authority into the targeted killing programme, and measures of legal normalisation shifting the killings from a state of exception to a well-defined institutional role.[18] This transformation was not essentially tied to the use of armed UAVs—the killing of Bin Laden by a commando team in a highly risky and daring operation shows this—but it was nevertheless closely bound up with the routine and relatively risk-free targeting capabilities afforded by aircraft that allowed for sustained surveillance, a relatively precise use of force (in comparison to a cruise missile or multi-party firefight), and a complete absence of US personnel on foreign ground and in the line of fire. Of the two periods of transformation, the first was undoubtedly the most major, but the second still features the mechanisms of normative transformation at work.

Broader Implications for Theorising Institutional and Normative Change

The explanation I advance here is consistent with the notion of 'punctuated equilibrium' as an explanation of institutional change—a long-standing concept in historical institutionalism (Hall and Taylor 1996). As Fligstein and McAdam (2012) argue, exogenous shocks to a field upset its stability, and give challengers opportunities when they would otherwise be defeated by incumbent actors defending the *status-quo*. While major events can unsettle established norms and practices, there must still be a process of recognition and mobilisation by challengers for change to take place. This occurred within the CIA. The *September 11th* attacks profoundly influenced both the security bureaucracy and US politics in general, reducing the risk posed by

---

[18] By comparison, this process of legal normalisation took place with Israel's targeted killing programme far sooner, in part because the programme was led by the military and prosecuted in places visible to the public eye (Pratt 2013).

the exposure to the public of aggressive covert operations and giving the Bush administration the impetus to bypass the CIA hierarchy. While Clarke's concerns show the lingering power of the prohibition on assassination upon the attitudes even of officials in favour of the programme, Black's willingness to expand and re-structure the CTC supplied the requisite institutional and technical means to overcome the prior conventions that guided Tenet and other objectors.

More than a case study of institutional change, however, this article is an enquiry into the origins and evolutions of a prohibition: it theorises norm transformation. It shows that the targeted killing prohibition arose out of a constellation of normative bases. The relationship between a 'norm' against assassination and the US's use of targeted killing is not determinable absent the institutional context in which that norm is constituted, with local particularities shaping the limits and connotations of the prohibition. Moreover, it shows how changes in norm compliance and interpretation may arise from a range of discursive, technological, and bureaucratic factors, and that this is, effectively, a kind of normative transformation in itself.

This study is thus relevant to one of the key research programmes of IR scholarship over the past two and a half decades: investigations into the effects of existing international norms and the emergence of new ones. It began in the 1990s and early 2000s) and uncovered a normative dimension to the conduct of international politics, in a discipline otherwise consumed by rationalist debates over the comparable merits of neo-realism and neo-liberalism (Hoffmann 2010; for examples see, among others, Kratochwil and Ruggie 1986, Kratochwil 1989; Nadelmann 1990; Finnemore 1993; Barkin and Cronin 1994; Katzenstein 1996). At the forefront of this research programme were studies into the emergence and spread of prohibitions (Tannenwald 1999; Price 1995; Keck and Sikkink 1998), and it grew to posit complex models of the 'life-cycles' of norms (Finnemore and Sikkink 1998; see also, among others, Klotz 1995; Keck and Sikkink 1998). In the early 2000s, a second wave of norms scholarship studied how existing norms manifest in varying ways, and how norm-compliance differs across contexts (Hoffmann 2010; for examples see, among others, Acharya 2004; Sandholtz 2008; Wiener 2004; 2008; Krook and True 2012), but until recently paid relatively little attention to intra-institutional factors and the role of practitioners. Some scholars have thus called for more investigation of local agency (Bucher 2014 Hofferberth and Weber 2015), and reached for increasingly sophisticated sociological perspectives on the dynamics of contestation and creativity within disputes over norms (Wiener 2008; 2014; Kornprobst 2007; Schmidt 2014).

The approach I use here contributes to that effort, if understood in terms of practice theory and sociological pragmatism. Characteristic of both is a focus on practitioners, processes of transformation in single cases, and configurational analysis (Adler and Pouliot 2011; Büger and Gadinger 2015; Friedrichs and Kratochwil 2009; Adler-Nissan 2013; Jackson and Nexon 1999; see also Elias 1994; Depélteau 2013), and scholars working from their premises have been critical of more mainstream research on norms (Jackson et al 2004). Despite recent suggestions that these approaches are in opposition to dominant constructivist scholarship (McCourt 2016), the three mechanisms traced in this article are sensitive to precisely those dynamics of contestation and agency, in large part because they proceed from an understanding of practice based in pragmatism, rather than Bourdieu's more structuralist account.[19] They avoid reifying 'norms' as theoretical objects—meaning norms do not play an explanatory role as cognitive proxies for more primitive processes of institutionalisation and legitimation, themselves driven by problem-solving action. Rather, my explanation focuses less on norms *per se* and more on the normative dimensions of a host of practices by officials concerned with the authorities and strategies they take to be necessary for effective security policies. This highlights the practical, complex, and often multivalent normative character of contentious actions in ways that can be obscured or shoved into an abstract ideational realm when encapsulated within the conceptual container of 'norm'.

Moreover, my explanation takes seriously the role of technology in the transformation of norms: not just a source of moral and strategic problems and solutions, it is a force for actors to remake themselves, entangled with broader processes of normative and institutional reformation. By orienting explanation around mechanisms attesting to these variables, rather than solely on discourse or decision theory, I take actors to be as plastic as structures. New technology alters identities and authorities in ways that may not change *which* norms are applicable, but does change *how* those norms are applied. Certainly technology is part of existing accounts of norm change—one cannot talk about weapons taboos, for example, without talking about weapons—but its role in interpretation and contestation is especially clear given the emphasis practice theory and pragmatism place on the materiality of cognition and social interaction. Granting a broader role to technology also ties in existing scholarship from other approaches already attentive to this dimension. Studies into liberalism and its attendant mode of warfare explicitly trace the history of drones and targeted killing (Shaw

---

[19] In this I deviate from the bulk of existing 'practice turn' literature in the field, which takes its cues more from Bourdieu (Büger and Gadinger 2015).

2013; Carvin and Williams 2014; Grayson 2016), and consider the cultural implications of their use (Holmqvist 2013; Wilcox 2017). Carvin and Williams (2014) examine the broad historical transformation of warfare, and the others focus on the normative implications of technology rather than the causal origins of its evolution and institutionalisation. My approach shares their sensitivities, but operationalises that normative dimension through a mechanism-based aetiology, applied to a specific case.

Finally, and most broadly, I foregrounded the reciprocal relationship between ends and means—between the normative and the strategic—by showing how perceptions of appropriate or legitimate conduct change in concert with political and practical problem-solving.[20] This illustrates the transformational potential lying even in local and immediate situations of social interaction—a subject of ongoing creative meta-theorising (Adler *forthcoming*) and political critique (Cochran 2012). Studying the reciprocity of normativity and strategy orients recent attempts by scholars to revisit classical realism and critically evaluate the direction of mainstream constructivist research (Barkin 2003; Levine 2012). While these themes exist in more mainstream conversations in norms scholarship to a limited degree (see, for example, Wiener 2014; Schmidt 2014; Hofferberth and Weber 2015), they do so from first premises. In starting with an empirical rather than meta-theoretical puzzle, as I have done, scholars working in these new traditions can engage with and propel more mainstream research programmes as a whole. The result should be a plurality of progressive approaches and a livelier conversation on the facets of the problems to which they may be applied, new or enduring.

Conclusion

The emergence and institutionalisation of the US's targeted killing programme was not the demise of a norm but its transformation. Drawing on insights from practice theory and pragmatist sociology, I traced the operation of three causal mechanisms—convention reorientation, technological revision, and network synthesis—to show how the prohibition on assassination changed. Initially, opponents and proponents alike of targeted killing within the CIA were concerned that it would violate that prohibition, but as the CIA paramilitarised, as UAVs became more sophisticated, and as executive pressure mounted for aggressive counter-terrorism, these concerns diminished. Then, under the Obama administration, targeted killing

---

[20] This contrasts with a strict separation of action theory into contrasting logics of appropriateness and consequences (March and Olsen 1998).

became institutionally entrenched, with an accompanying legal infrastructure that fully normalised it and differentiated it from assassination. All the while, however, actors averred that a prohibition on assassination existed and that they were not violating it.

This analysis doesn't just give an internal account of the history of a contentious practice. It offers a theory of norm transformation not by focusing on the life-cycle of norms as reified social objects, but through an investigation of institutional change. Practices often evolve without neat divisions between old and new norms, knitting together a range of ethical and strategic problem-solving activities. This approach is well suited to investigating the enormous shifts the US security apparatus has undergone over the past two decades, as they feature a complex entanglement of laws, threat adaptations, and advanced science and technology. Targeted killing one case of the foregoing; others may include the CIA's use of torture and the widespread deployment of armed private military contractors in warzones. The latter two also feature not just new interpretations of old conventions, but also similar embrace of new skills and devices.[21] If so, the approach may be 'portable' beyond the idiosyncrasies of this one case, offering a substantive theoretical and methodological addition to the research on norms and institutions in international relations.

At the same time, it locates a thematic overlap between as discrete research programmes on norms and on techno-social configurations (such as 'new materialism' and its relatives). The latter accounts for a normative dimension to technology, but does not focus on the way an arrangement of means and artefacts binds specific conventions to specific practices. Norm entrepreneurship thus can target or propel technological development, and the normative implications of techno-social configurations are not, so to speak, value-neutral—they favour some possible norm-transformations over others. While this article primarily speaks to scholars of norms, it also shows where these other research programmes have something to gain, especially when knitted together through a pragmatist sensitivity to creativity, evolutionary process, and configurational theorising.

---

[21] Documents on the CIA's torture of suspected terrorists highlight the technological development supposedly offered by a new 'science' of interrogation (Soufan 2011), while the deployment of armed contractors became increasingly integrated into US force deployments in Iraq as a result of better communications technologies (Col. (ret.) Christopher Mayer, interview with author).

References

Acharya, Amitav. 2004. "How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism." *International Organization* 58 (02): 239–75.

Adler, Emanuel. *Forthcoming*. *A Social Theory of Cognitive Evolution: Change, Stability, and International Social Orders*. Cambridge: Cambridge University Press.

Adler, Emanuel, and Vincent Pouliot. 2011. "International Practices." *International Theory* 3 (01): 1–36.

Adler-Nissan, Rebecca, ed. 2013. *Bourdieu in International Relations: Rethinking Key Concepts in IR*. Oxon and New York: Routledge.

Alexander, Thomas M. 1987. *John Dewey's Theory of Art, Experience, and Nature*. Albany: State University of New York Press.

Archer, Margaret Scotford. 1995. *Realist Social Theory: The Morphogenetic Approach*. Cambridge: Cambridge University Press.

Avant, Deborah D. 2005. *The Market for Force: The Consequences of Privatizing Security*. Cambridge: Cambridge University Press.

Banks, William C., and Peter Raven-Hansen. 2003. "Targeted Killing and Assassination: The U.S. Legal Framework." *University of Richmond Law Review* 37: 667–749.

Barkin, J. Samuel. 2003. "Realist Constructivism." *International Studies Review* 5 (3): 325–42.

Barkin, J. Samuel, and Bruce Cronin. 1994. "The State and the Nation: Changing Norms and the Rules of Sovereignty in International Relations." *International Organization* 48 (1): 107.

Barnett, Michael. 1999. "Culture, Strategy and Foreign Policy Change: Israel's Road to Oslo." *European Journal of International Relations* 5 (1). Sage Publications: 5–36.

Bennett, Andrew. 2013. "The Mother of All Isms: Causal Mechanisms and Structured Pluralism in International Relations Theory." *European Journal of International Relations* 19 (3): 459–81.

Bennett, Andrew, and Jeffrey T. Checkel. 2015. "Process Tracing: From Philosophical Roots to Best Practices." In *Process Tracing: From Metaphor to Analytic Tool*, edited by Andrew Bennett and Jeffrey T. Checkel. Cambridge: Cambridge University Press.

Blum, Gabriella, and Philip B. Heymann. 2010. "Law of Policy of Targeted Killing." *Harvard National Security Journal* 1: 145–70.

Bourdieu, Pierre. 1993. *The Field of Cultural Production*. New York: Columbia University Press.

Bousquet, Antoine. 2008. "Chaoplexic Warfare or the Future of Military Organization." *International Affairs* 84 (5): 915–29.

Bucher, Bernd. 2014. "Acting Abstractions: Metaphors, Narrative Structures, and the Eclipse of Agency." *European Journal of International Relations* 20 (3): 742–65. doi:10.1177/1354066113503481.

Buzan, Barry, Ole Wæver, and Jaap De Wilde. 1998. *Security: A New Framework for Analysis*. Boulder: Lynne Rienner Publishers.

Byrne, David. 1998. *Complexity Theory and the Social Sciences*. New York: Routledge.

Carvin, Stephanie, and Michael John Williams. 2014. *Law, Science, Liberalism, and the American Way of Warfare*. Cambridge: Cambridge University Press.

Cochran, Molly. 2012. "Pragmatism and International Relations: A Story of Closure and Opening." *European Journal of Pragmatism and American Philosophy* 6 (1): 138–58.

Coll, Stephen. 2004. *Ghost Wars : The Secret History of the CIA, Afghanistan and Bin Laden, from the Soviet Invasion to September 10, 2001*. London: Penguin Press.

Coll, Steve. 2014. "The Unblinking Stare." *The New Yorker*, November. http://www.newyorker.com/magazine/2014/11/24/unblinking-stare.

Cortell, Andrew P, and James W Davis. 1996. "How Do International Institutions Matter ? The Domestic Impact of International Rules and Norms." *International Studies Quarterly* 40 (4): 451–78.

Craig-Jones, Craig A. "Frames of Law: Targeting Advice and Operational Law in the Israeli Military." *Environment and Planning D: Society and Space* 4 (676–696).

Crawford, Neta C. 2003. "Just War Theory and the Iraq War." *Perspectives on Politics* 1 (1): 5–25.

Department of Justice White Paper. 2012. "Lawfulness of a Lethal Operation Directed Against a U.S. Citizen Who Is a Senior Operational Leader of Al-Qa'ida or An Associated Force." http://msnbcmedia.msn.com/i/msnbc/sections/news/020413_DOJ_White_Paper.pdf.

Depélteau, François. 2013. "What Is the Direction of the 'Relational Turn'?" In *Conceptualizing Relational Sociology*, edited by Christopher Powell and François Dépelteau. New York: Palgrave Macmillan.

Deudney, Daniel. 2000. "Geopolitics as Theory: Historical Security Materialism." *European Journal of International Relations* 6 (1): 77–107.

Dewey, John, and Arthur Bentley. 1949. *Knowing and the Known*. Boston: Beacon Press.

Emirbayer, Mustafa, and Ann Mische. 1998. "What Is Agency?" *The American Journal of Sociology* 103 (4): 962–1023.

Evers, Miles. 2017. "On Transgression." *International Studies Quarterly* 61 (4): 786–794.

Finnemore, Martha, and Kathryn Sikkink. 1998. "International Norm Dynamics and Political Change." *International Organization* 52 (4): 887–917.

Fligstein, Neil, and Doug Mcadam. 2012. *A Theory of Fields*. Oxford: Oxford University Press.

Florini, Ann. 1996. "The Evolution of International Norms." *International Studies Quarterly* 40 (3): 363–89.

Fuller, Christopher J. 2017. *See It/Shoot It: The Secret History of the CIA's Lethal Drone Program*. New Haven, CT: Yale University Press.

Gordon, Avishag. 2006. "'Purity of Arms,' 'Preemptive War,' and 'Selective Targeting' in the Context of Terrorism: General, Conceptual, and Legal Analyses." *Studies in Conflict and Terrorism* 29 (5): 493–508.

Grayson, Kyle. 2016. *Cultural Politics of Targeted Killing*. London and New York: Routledge.

Grayson, Kyle. 2012. "The Ambivalence of Assassination: Biopolitics, Culture and Political Violence." *Security Dialogue* 43 (1): 25–41.

Gross, Neil. 2009. "A Pragmatist Theory of Social Mechanisms." *American Sociological Review* 74 (3): 358–79. doi:10.1177/000312240907400302.

Guiora, Amos. 2004. "Targeted Killing as Active Self-Defense." *Case Western Reserve Journal of Internatoinal Law* 36: 319–34.

Guzzini, Stefano. 2011. "Securitization as a Causal Mechanism." *Security Dialogue* 42 (4–5): 329–41.

Hafner-Burton, Emilie M, Miles Kahler, and Alexander H Montgomery. 2009. "Network Analysis for International Relations." *International Organization* 63 (3): 559–92.

Hall, Peter A., and Rosemary C. R. Taylor. 1996. "Political Science and the Three New Institutionalisms." *Political Studies* 44 (5): 936–57.

Hedström, Peter, and Petri Ylikoski. 2010. "Causal Mechanisms in the Social Sciences." *Annual Review of Sociology* 36 (1): 49–67.

Hildebrand, David L. 2008. *Dewey: A Beginner's Guide*. Oxford: Oneworld Publications.

Hofferberth, Matthias, and Christian Weber. 2015. "Lost in Translation: A Critique of Constructivist Norm Research." *Journal of International Relations and Development* 18 (1): 75–103.

Hoffmann, Matthew J. 2010. "Norms and Social Constructivism in International Relations." *The International Studies Encyclopedia*. Blackwell Reference Online. http://www.isacompendium.com/subscriber/tocnode.html?id=g9781444336597_yr2013 _chunk_g978144433659714_ss1-8.

Hoffmann, Matthew J. 2011. *Climate Governance at the Crossroads: Experimenting with a Global Response after Kyoto*. Oxford: Oxford University Press.

Holmqvist, Caroline. 2013. "Undoing War: War Ontologies and the Materiality of Drone Warfare." *Millennium* 41 (3): 535–52.

Humphreys, Macarta, and Alan M Jacobs. 2015. "Mixing Methods: A Bayesian Approach." *American Political Science Review* 109 (04): 653–73.

Jackson, Patrick Thaddeus, and Daniel H Nexon. 1999. "Relations before States: Substance, Process and the Study of World Politics." *European Journal of International Relations* 5 (3): 291–332.

Jackson, Patrick Thaddeus, Daniel H Nexon, Jennifer Sterling-Folker, Janice Bially Mattern, Richard Ned Lebow, and J. Samuel Barkin. 2004. "Bridging the Gap : Toward A Realist-Constructivist Dialogue Constructivist Realism Or." *International Studies Review*, no. 6: 337–52.

Jervis, Robert. 1997. *System Effects: Complexity in Political and Social Life*. Princeton, NJ: Princeton University Press.

Joas, Hans. 1996. *The Creativity of Action*. Cambridge: Polity Press.

Jose, Betcy. 2017. "Critical Studies on Terrorism Bin Laden's Targeted Killing and Emerging Norms Bin Laden's Targeted Killing and Emerging Norms." *Critical Studies on Terrorism* 10 (1): 44–66.

Kasher, Asa, and Amos Yadlin. 2005. "Assassination and Preventive Killing." *SAIS Review* 25 (1): 41–57.

Katzenstein, Peter J, ed. 1996. *The Culture of National Security: Norms and Identity in World Politics*. New Directions in World Politics. New York: Columbia University Press.

Keck, Margeret E., and Kathryn Sikkink. 1998. *Activists Beyond Borders*. Ithaca: Cornell University Press.

Kilcullen, David, and Andrew McDonald Exum. 2009. "Death from Above, Outrage Down Below." *The New York Times*, May 16. http://www.nytimes.com/2009/05/17/ opinion/17exum.html.

Klotz, Audie. 1995. "Norms Reconstituting Interests: Global Racial Equality and U.S. Sanctions against South Africa." *International Organization* 49 (03): 451.

Kornprobst, Markus. 2007. "Argumentation and Compromise: Ireland's Selection of the Territorial Status Quo Norm." *International Organization* 61 (01): 69–98.

Kratochwil, Friedrich. 1989. *Rules Norms and Decisions: On the Conditions of Practical and Legal Reasoning in International Relations and Domestic Affairs*. Cambridge: Cambridge University Press.

Kratochwil, Friedrich, and John Gerard Ruggie. 1986. "A State of the Art on an Art of the State." *International Organization* 40 (4): 753–75.

Krebs, Ronald. R., and Patrick Thaddeus Jackson. 2007. "Twisting Tongues and Twisting Arms: The Power of Political Rhetoric." *European Journal of International Relations* 13 (1): 35–66.

Kretzmer, David. 2005. "Targeted Killing of Suspected Terrorists: Extra-Judicial Executions or Legitimate Means of Defence?" *European Journal of International Law* 16 (2): 171–212.

Krook, M. L., and J. True. 2012. "Rethinking the Life Cycles of International Norms: The United Nations and the Global Promotion of Gender Equality." *European Journal of International Relations* 18 (1): 103–27.

Latour, Bruno. 2005. *Reassembling the Social: An Introduction to Actor-Network-Theory*. Oxford: Oxford University Press.

Legro, Jeffrey W. 1997. "Which Norms Matter? Revisiting the 'Failure' of Internationalism." *International Organization* 51 (1): 31–63.

Linklater, Andrew. 2011. *The Problem of Harm in International Politics*. Cambridge: Cambridge University Press.

March, James G, and Johan P Olsen. 1998. "Institutional Dynamics of International Political Orders." *International Organization* 52 (4): 943–69.

Mazzetti, Mark. 2013. *The Way of the Knife*. New York: Penguin Press.

McCourt, David M. 2016. "Practice Theory and Relationalism as the New Constructivism." *International Studies Quarterly* 60 (3): 475–85.

McKeown, Ryder. 2009. "Norm Regress: US Revisionism and the Slow Death of the Torture Norm." *International Relations* 23 (1): 5–25.

Meyer, Jane. 2009. "The Predator War." *The New York Times*, October 26. http://www.newyorker.com/reporting/2009/10/26/091026fa_fact_mayer.

Miller, Greg, Julie Tate, and Barton Gellman. 2013. "Documents Reveal NSA's Extensive Involvement in Targeted Killing Program." *The Washington Post*, October 26. https://www.washingtonpost.com/world/national-security/documents-reveal-nsas-extensive-involvement-in-targeted-killing-program/2013/10/16/29775278-3674-11e3-8a0e-4e2cf80831fc_story.html.

Morrow, James D. 2014. *Order within Anarchy: The Laws of War as an International Institution*. Cambridge: Cambridge University Press.

Musgrave, Paul, and Daniel H Nexon. Forthcoming. "Defending Hierarchy from the Moon to the Indian Ocean: Symbolic Capital and Political Dominance in Early Modern China and the Cold War." *International Organization*.

Nadelmann, Ethan A. 1990. "Global Prohibition Regimes : The Evolution of Norms in International Society." *International Organization* 44 (4): 479–526.

National Commission on Terrorist Attacks upon the United States. 2004. "The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks upon the United States." Washington, DC.

National Commission on Terrorist Attacks upon the United States. 2004. "Intelligence Policy: Staff Statement No. 7." Washington, DC.

Obama, Barak. 2014. "Press Conference by the President 1 August 2014." *The White House, Office of the Press Secretary*. https://www.whitehouse.gov/the-press-office/2014/08/01/press-conference-president.

Percy, Sarah V. 2007. "Mercenaries : Strong Norm, Weak Law." *International Organization* 61: 367–97.

Plaw, Avery. 2006. *Targeting Terrorists: A License to Kill?* Farnham, UK: Ashgate Publishing.

Pouliot, Vincent. 2007. """ Sobjectivism "": Toward a Constructivist Methodology." *International Studies Quarterly* 51: 359–84.

Pratt, Simon Frankel. 2013. "'Anyone Who Hurts Us': How the Logic of Israel's 'Assassination Policy' Developed During the Aqsa Intifada." *Terrorism and Political Violence* 25 (2): 224–45.

Pratt, Simon Frankel. 2015. "Crossing off Names: The Logic of Military Assassination." *Small Wars & Insurgencies* 26 (1): 3–24.

Pratt, Simon Frankel. 2016. "Pragmatism as Ontology, Not (Just) Epistemology: Exploring the Full Horizon of Pragmatism as an Approach to IR Theory." *International Studies Review* 18 (3): 508–27.

Price, Richard. 1995. "A Geneology of the Chemical Weapons Taboo." *International Organization* 49 (1): 73–103.

Rumelili, Bahar. 2015. "Identity and Desecuritisation: The Pitfalls of Conflating Ontological and Physical Security." *Journal of International Relations and Development* 18 (1): 52–74.

Sandholtz, W. 2008. "Dynamics of International Norm Change: Rules against Wartime Plunder." *European Journal of International Relations* 14 (1): 101–31.

Scahill, Jeremy. 2013. *Dirty Wars: The World Is a Battlefield*. New York: Nation Books.

Schmidt, Sebastian. 2014. "Foreign Military Presence and the Changing Practice of Sovereignty: A Pragmatist Explanation of Norm Change." *American Political Science Review* 108 (04): 817–29.

Shain, Yossi, and Aharon Barth. 2003. "Diasporas and International Relations Theory." *International Organization* 57 (03): 449–79.

Shannon, Vaughn P. 2000. "Norms Are What States Make of Them : The Political Psychology of Norm Violation." *International Studies Quarterly* 44: 293–316.

Shaw, Ian G R. 2013. "Predator Empire : The Geopolitics of US Drone Warfare Predator Empire : The Geopolitics of US Drone Warfare." *Geopolitics* 18 (3): 536–59.

Solis, Gary D. 2010. *The Law of Armed Conflict*. Cambridge and New York: Cambridge University Press.

Soufan, Ali H. 2011. *The Black Banners*. New York and London: W. W. Norton and Company.

Tannenwald, Nina. 1999. "The Nuclear Taboo: The United States and the Normative Basis of Nuclear Non-Use." *International Organization* 53 (3): 433–68.

Thomas, Ward. 2001. *The Ethics of Destruction*. Ithaca: Cornell University Press.

Thomas, Ward. 2000. "The Case of International Assassination." *International Security* 25 (1): 105–33.

United States Senate Select Committee on Intelligence. 2014. "The Committee Study of the Central Intelligence Agency's Detention and Interrogation Program." Washington, DC.

Whittle, Richard. 2014. *Predator: The Secret Origins of the Drone Revolution*. New York: Henry Holt.

Wiener, Antje. 2004. "Contested Compliance: Interventions on the Normative Structure of World Politics." *European Journal of International Relations* 10 (2): 189–234.

Wiener, Antje. 2008. *The Invisible Constitution of Politics: Contested Norms and International Encounters*. Cambridge: Cambridge University Press.

Wiener, Antje. 2014. *A Theory of Contestation*. Heidelberg: Springer.

Wilcox, Lauren. 2017. "Embodying Algorithmic War: Gender, Race, and the Posthuman in Drone Warfare." *Security Dialogue* 48 (1): 11–28.

Zenko, Micah. 2013. "Reforming U.S. Drone Strike Policies." *Council of Foreign Relations, Council Special Report No. 65*. New York.