

Can securitization be *just*?

A case study of the U.S securitization of bioterrorism post 9/11

Abstract

This study investigates the morality of securitization. More specifically, it examines the possibility of a *just* securitization. Using Just Securitization Theory, developed by Rita Floyd, it analyzes the morality of a case of securitization. The selected case for testing Just Securitization Theory is the U.S securitization of bioterrorism after the incidents of 9/11 and the anthrax attacks in the U.S in 2001. Five criteria are operationalized and inform the analysis with ethical arguments. U.S security measures following the securitization are analyzed in regard to how proportionate, sincere and harmful they were. The U.S was judged a legitimate referent object, and the threat of al-Qaeda executing a bioterrorist attack directed at the U.S, was estimated objective and existential. For a securitization to be considered just, all criteria must be met. The last criteria, *chance of success*, was not met due to the security measures that could have taken a less harmful course of action. The last criteria was decisive for the selected case to be considered unjust, but was concluded to not enable a result of a just securitization at all. The result showed that Just Securitization Theory might not enable a just securitization.

Keywords: *Al-Qaeda, Anthrax, Biodefense, Bioterrorism, Just Securitization Theory, Securitization, War on Terror*

Word count: 11.134

Abstract	1
1. Introduction	3
2. Theory	5
2.1 Exploring the background of JST	5
2.2 Just Securitization Theory (JST)	7
2.3 The criteria of JST	8
3. Method	10
3.1 Research design	10
3.2 Case selection	11
3.3 Scope and material	12
3.4 The operationalized questions	12
3.4.1 Objective existential threat	12
3.4.2 Legitimate referent object	13
3.4.3 Right intention	13
3.4.4 Proportionality	13
3.4.5 Chance of success	14
3.5 Table of analysis	15
4. Applying JST to the case	16
4.1 Criteria 1 – Objective existential threat	16
4.2 Criteria 2 – Legitimate referent object	19
4.3 Criteria 3 – Right intention	21
4.4 Criteria 4 – Proportionality	23
4.5 Criteria 5 – Chance of success	24
5. Conclusion	26
6. Bibliography	29

1. Introduction

“Bioterrorism is a real threat to our country. It’s a threat to every nation that loves freedom. Terrorist groups seek biological weapons; we know some rogue states already have them. It’s important that we confront these real threats to our country and prepare for future emergencies” (President George W. Bush 2002-06-12)

Biological weapons (hereafter BW) are living organisms, bacteria or infectious diseases that are strategically spread with a hostile purpose to cause illness or death. Historically, BW attacks have been carried out by nation states to undermine the enemy’s defence abilities. Targets for BW can be armed forces, the civilian population, livestock and crops (Jansen et al., 2014: 489). Infectious diseases have caused extensive mass deaths among human populations in history, such as ‘The Black Death’, the 1918 flu and smallpox that killed hundreds of millions of people in the 20th century alone (Millet & Snyder-Beattie, 2017: 373).

More recently, bioterrorism has been expressed as a security threat. The phenomenon refers to when a non-state actor uses BW to achieve societal disruption, spread terror and fear, and create casualties. The development, production and stockpiling of BW is strictly prohibited under the Geneva convention and the UN Biological Weapons Convention from 1972. However, the latter has been described as ineffective due to its lack of inspection mechanisms (Jansen et al., 2014: 489-490, Deller & Burroughs, 2003: 38).

A few weeks after the events of 9/11 in 2001, letters containing anthrax spores from a U.S biolaboratory were sent to senators, politicians and media offices. The attacks killed 5 persons, and infected at least an additional 22 (U.S DOJ 2010). After the anthrax attacks in the U.S, known as *amerithrax*, an enormous mobilization of funds, personnel and intelligence went into a new and extended biological defense program. 41 billion USD have since been invested in research on biodefense and the functions of different federal agencies. Studies have indicated that this numeral increase in biolaboratories has led to greater risk of the spreading of disease from accidents, or intended attacks. As of October 2007, over 15.000 persons in the U.S were estimated to have access to BW agents, such as anthrax (Dudley Miller, 2008: 20). The U.S intention was to establish a robust biodefense industry to deter the threats of bioterrorism. The threats of BW are spoken of in terms of national security in the U.S and this language of security threats was established by the Bush administration, in the aftermath of 9/11 and *amerithrax* (Lentzos, 2007: 15-6).

The potential of al-Qaeda obtaining *weapons of mass destruction* (hereafter WMD) was considered an objective existential threat (Davis, 2004: 304, Lentzos, 2006: 458). Much has been written regarding the realness of the bioterrorism threat, yet scholars are far from united on the matter. Some consider the U.S

security measures and perception of the threat exaggerated, while others claim that the threat should be taken more seriously. Scholars have asserted that the issue of bioterrorism was securitized by the U.S (Kelle, 2007: 225, Singh, 2014: 100).

The term *securitization* refers to a process, when an issue is strategically spoken of as a security threat. Extraordinary measures are often the result of introducing an issue to emergency politics (Buzan et al., 1998: 26). Securitization almost always have negative consequences for democratic values, and established rules are not always applied when an issue is securitized. Furthermore, it can increase insecurity and cause a security paradox among states in the world (Floyd, 2016: 77. Floyd, 2019: 97).

Meanwhile, securitization might be necessary for mobilizing against urgent security threats that threaten human lives. Since securitization have such a wide range of consequences, an ethical discussion would be meaningful and relevant. A theory of *just* securitization might offer the tools for a discussion of this kind. Such a theory would specify what should be considered when securitizing and under what circumstances it could be morally just. A *just securitization theory* (hereafter JST) could give scholars, policy-makers and the general public tools to make ethical judgements on the securitization processes that are initiated, ongoing or completed (Floyd, 2016: 77-83).

The contribution of this study is both theoretical and empirical when applying JST to a case of securitization. Since JST was formally published under the time period when this study was conducted, it is probably new enough for the study to be one of the first of its kind. Additionally, Floyd explicitly asks for further research on JST and requests that researchers take on this mission for the theory to develop. The study has a wider relevance that does not concern only scholars of security studies. As mentioned before, securitization can be wildly undemocratic if misused. It should be in the interest of every participant of society to be able to detect such mobilizations of power conducted by influential actors (ibid).

The general aim of this study is to investigate the possibility of a just securitization and the theoretical contribution of JST. Using JST, I will analyze the morality of a specific case of securitization. The selected case for this study is the context of the U.S securitization of bioterrorism after amerithrax in 2001. More specifically, the case will be limited to concern the U.S as a referent object, anthrax as a BW agent, and al-Qaeda as a potential threatening actor. JST as a theory is still in its infancy and one way of developing it would be by applying it on a well researched case. Additionally, the application of JST could contribute to new angles and findings on the empirical case. The aim of this study is thus dual, since it seeks to understand the morality of a specific case, using the JST criteria, as well as it seeks to draw conclusions on the applicability and usefulness of JST. This general purpose leads to the research question: *Can securitization be 'just', or more specifically, can the U.S securitization of bioterrorism be considered 'just', according to Just Securitization Theory?*

2. Theory

Since JST touches upon a few different scholarly fields, the subsequent section explains the void in which JST grows from, and how it relates to other fields. A few incompatibilities and disagreements among different ‘schools’ of security studies exists (Balzacq, 2016: 498). I will explain the differences between the *Copenhagen school* and the *Welsh school* as a way of situating JST in the scholarly field. The *Just War Theory* tradition will be described as well, since it is a source of inspiration for JST. Then, I will turn to the actual theory for this study. JST will be introduced and explained while also including points of critique the theory has received. My operationalization of the theory will be explained in the method chapter.

2.1 Exploring the background of JST

The Copenhagen School and Securitization Theory

The Copenhagen School refers to a group of researchers at COPRI in Copenhagen that inter alia developed the widely recognized and scholarly popular securitization theory. The theory makes a few fundamental arguments about security with a vast impact on security studies (Balzacq etl al., 2016: 496). According to the Copenhagen School, securitization is a speech act that is intersubjectively constructed by an actor, in a sequence of steps. The process involves a securitizing actor, a securitizing move, a referent object, and an audience. A securitizing move is established, i.e. a speech act that has to be accepted by an audience which has to be convinced that extraordinary measures has to be taken for the survival of the referent object (Buzan et al., 1998: 26).

Scholars of the Copenhagen School are critical towards the process of securitization, and prefer desecuritization (i.e. when a previously securitized issue is returned to being a matter for ordinary politics). The preference for desecuritization has added a normative function to securitization theory, when valuing desecuritization higher than securitization (Hansen, 2012). Their main argument for this is that once a subject is moved out of the political arena and into the realm of emergency politics, the democratic process is reduced (Floyd, 2007: 329-330).

The Copenhagen School offers a critique on traditional perceptions on security that they perceive has been misused many times by states when speaking of security. Their approach to security and the ethics of it is clearly poststructuralist and social constructivist, and in some ways realist as well (Balzacq, 2016: 496, 518). Furthermore, The Copenhagen School completely

reject discussing in terms of real threats, because they can not be studied or identified. This position can be explained by their ontological and epistemological assumptions (Floyd, 2019: 38-40, Balzacq, 2016: 519).

The Welsh School and Critical Security Studies

Studies of security with a critical take is conducted by the Welsh School as well, although different from the Copenhagen School. More specifically, theorists of the Welsh School reject old realist ways of understanding security in a nation-state context, and focus mainly on human security. The realist state system in itself is argued to cause insecurity. Some theorists of this view suggests an understanding of security as emancipatory, and that the meaning of security is normative. When understood in an emancipatory manner, security would be the ultimate freeing of people from constraints. This line of thought is common in the field of human security (Floyd, 2007: 330-335).

In the sense that these scholars find security valuable, their understanding of security is incompatible with that of the Copenhagen School. Their understanding of security differs in a few ways, but most importantly that it finds securitization mainly positive and security a state of being that is desirable (Floyd, 2019: 32-3). The two fields further seem to speak different languages because of their very different view on security and on threats. According to the Welsh school, security is valuable because threats are real, while the Copenhagen school do not recognize the ability to identify real threats, and therefore they only see security as a set of practices of social and political kind (Floyd, 2019: 30-31).

Amongst the scholars of the Welsh school, human beings are the preferable referent object. Many speak in terms of freedom from need and freedom from want, i.e. positive and negative security. Negative security refers to freedom from need, which means that basic needs are met such as access to food, health-care and safety. Positive security would include values such as justice, equality and emancipation (Hoogensen Gjørsv, 2012: 836, Roe, 2008:780). Some scholars of the Welsh school crosses the bridge over the gap between security as a state of being and as a practice, making their research closer to that of the Copenhagen school, which makes meaningful discussions more likely (Floyd, 2019: 37).

The Just War Theory tradition

Just War Theory (Hereafter JWT) is one of the inspirational sources for JST. JWT is authoritative when discussing the ethics of war, which can be explained by its rich historical lineage. The moral philosophy that is embodied in JWT is ancient and has its heritage in Christianity and Islam (Shapcott, 2008: 201-202). Another explanation for its importance is the actual practical impact it has had on international law, politics and discourse (O'Driscoll & Lang, 2013: 8). The body of thinking is different from other theories of international relations, such as Liberalism and Realism, in the sense that it wants to regulate war, that is considered intrinsically evil (Walzer, 2006: 3). It seeks to regulate and morally asses acts of war by a set of explicit criteria for when it is morally justified to initiate war, how to conduct war in morally justifiable ways, and how to terminate wars with regards to a just peace (Floyd, 2016: 78-81).

The implications of JWT can be said to have caused a democratization of war. It has given scholars, policy-makers and the general public not only the tools for evaluating the justness of war, but a common language for communicating about issues regarding the morality of war (ibid). Critique has been targeted on JWT for making it easier to justify war, as the criteria actualizes the possibility for a war to be justified. Defenders of JWT claim that this argument do not hold, since JWT seeks to limit and decrease the occurrence of wars (Orend, 2006: 31)

2.2 Just Securitization Theory (JST)

Just Securitization Theory is a normative theory on securitization that is inspired from both Just War Theory and Securitization Theory. JST seeks to guide practitioners, the general public and analysts in judging the moral value of securitization processes by developing a set of explicit criteria for when securitization is *just*, i.e. morally legitimate. A securitization process can be considered just if all criteria are met. Yet, if all criteria are met, it does not ensure that securitizing is necessary. Rather it means that securitization could be considered (Floyd, 2016: 77-80). JST has received critique due to its ambition to objectively assess existential threats. Scholars that identify as constructivists or poststructuralists find JST provocative because of this. Others reject the research to be untruthful, unnecessary or unhelpful. Some even suggest that studying security in this manner could undermine the research that constructivist scholars have achieved (Waever, 2011: 472, McDonald, 2008: 581, Balzacq, 2011: 12).

The theory aspires to enable analysts to determine the moral rightness of any case of securitization. Floyd is inspired by Securitization Theory, but renounces some parts of it. For instance, she does not recognize the role of the audience as an analytical concept, since it does not respond to how securitization unfolds in reality, according to her. Moreover, she emphasizes the importance of the combination of a security move with a security practice, because solely the speech act is not enough for an issue to be successfully securitized (Floyd, 2010: 52-4).

Her view of securitization is slightly revised from that of the Copenhagen School, but she does recognize security as a process, and not a state of being such as the Welsh School does. Unlike the Copenhagen School, she finds it meaningful to analyze real threats. Partly based on an argument made by Balzacq, that securitization, when intersubjectively constructed, is empirically more likely to be successful if it is based on a real threat (Balzacq, 2011: 13). Floyd argues that real, objective and existential threats are basic requirements for a securitization to be just (Floyd, 2019: 10). Moreover, she rejects relativism and has a different epistemological view than the Copenhagen School when she argues that real threats exists. Real threats can only become security threats if framed and constructed as such by a powerful actor, and therefore big parts of Securitization Theory still applies to what she is attempting with JST (Floyd, 2019: 79).

2.3 The criteria of JST

In total, Floyd has developed 11 criteria for JST that cover the just cause, just initiation, just conduct and just termination of securitization. Criteria 1 and 2 make up the just cause for securitization, and the three following criteria; 3,4 and 5, make up the just initiation of securitization. Remaining criteria have been excluded, since the securitization of bioterrorism was not desecuritized during the time period of interest. Other reasons for this delimitation is the scope of this study, and the assumption that the chosen criteria are the most relevant since they were in the first and original version of JST that was published in 2011 (Floyd, 2011: 428).

Objective existential threats

The first criteria refers to an objective existential threat to a referent object. The threat has to be existential in the sense that it is so dangerous that it could threaten the survival or essential properties of the referent object. The criteria is dual, since an objective existential threats renders an aggressor that has got both the *intention* and *means* to harm the referent object, simultaneously. Floyd identifies several possible threats, agent-intended threats, agent-lacking threats and agent-caused threats (Floyd, 2019: 82).

Legitimate referent object

A referent object is morally legitimate and worth protection if it is conducive of human well-being. Human well-being is defined as conditions where people can be and do what they value. Particularly human autonomy, civil and political rights and basic human needs is important for well-being. Both human rights and democracy are institutions that render human autonomy and well-being. Liberty and equality are recognized as connected with human well-being. A state that is a liberal democracy, and have a strong human rights record, would be a legitimate referent object. However, much more phenomenons can be recognized as legitimate referent objects, as long as they are conducive of human well-being (Floyd, 2019: 121). The ethical approach of virtue influences the second criteria, in the way it concerns what is intrinsically good and, in this case, worth protecting (Shapcott, 2010: 25).

Right intention

Since securitization implies such a big mobilizing power, actors can be insincere and enjoy privileges or set the agenda for something that would not be possible through democratic processes. If an actor securitizes a certain issue, and the audience accepts it, the securitizing actor can pursue whatever emergency measures it finds appropriate. Such measures do not always counter the actual threat. Instead they might accomplish another agenda that is not included in the

public securitization act. Analysing the right intention seeks to ensure that the securitizing actor intends to fulfill the Just Cause, i.e. protect the referent object from the objective existential threat (Floyd, 2019: 123-8). The third criteria of JST is influenced by the deontological approach, since it prioritizes actions that are right over those that are good, more specifically, sincerity (Shapcott, 2010: 25).

Proportionality

The criteria on proportionality is clearly inspired from JWT. This principle deals with expectations of consequences and risk analysis. The criteria is concerned with the possible harms a securitizing actor must consider the securitization might cause others, involving the referent object, bystanders and the aggressor. Even when legitimate referent objects are existentially threatened, the harm from securitization should still not exceed the harm from not securitizing (Floyd, 2019: 131-5). This criteria is influenced by the ethical approach of consequentialism, in how the morally good is based upon the consequences of securitization (Shapcott, 2010: 25).

Chance of Success

A main concern in all fields of security studies, is security dilemmas. When securitizing, it must be considered that your actions might cause more insecurity in the world than you seek to defend yourself against. There must be a fair and reasonable chance of successfully deterring the threat without creating more insecurity than initially was the case. A securitizing actor must first consider other alternatives and compare the expected harm from each alternative, and choose the least harmful action. If securitization seem like the least harmful way of acting, it would be a reasonable ground for believing that it is the best chance of success for achieving the just cause (Floyd, 2019: 137-8). The last criteria is based on consequentialism as well, in how the consequences of the security measures decides the moral value (Shapcott 2010: 25).

3. Method

To increase intersubjectivity of the study, considerations regarding method will be discussed in this section. The procedure will be presented in such detail, that it will enable successors to reproduce a similar study, with similar results. The method selection has thus been based on the research question and JST. Using a normative theory on an empirical case, to draw upon conclusions on the usefulness of said normative theory for understanding ethical aspects of securitization, is complex. It positions the study in a grey area in between empirical and normative research. The study actually claims to be both, since it requires empirical data to answer the question, while also answering questions about whether securitization can be considered just. A rigorous methodological discussion is thus required. I intend to make this study both empirically and philosophically well-informed. Since the study will make contributions to both the empirical case, and to the field of JST, it should excel from the norm of normative studies that typically do not have a sufficient methodological discussion, and from empirical studies that fail to be philosophically informed (Halperin & Heath, 2017: 57, 139).

3.1 Research design

Since the object of interest is a securitization process, which is a theoretically defined instance, it will be treated and observed as a case, making the research design of a case study appropriate. Primarily because it amounts to a focused study of a unit, an instance or a class of events, with a purpose to understand more units. Only one case of securitization will be studied, which makes it a single-N study (Gerring, 2004: 342). Furthermore, it is a theory-guided case study. It has to be, since the framework of JST demands a structured and focused analysis for it to be possible to study the relevant aspects of the case, and neglect the aspects that are not relevant for the theory. With very specific analytical assumptions and a clear operationalization, the study will provide both empirical and theoretical contributions (Levy, 2008: 4-5).

A few attributes should characterize a well performed case study. First, it should attempt to say something relevant and new about a case. I argue that applying a new theory to a case of securitization, which will judge the case either just or unjust, will provide meaningful results about the case. The study will be able to make some assumptions on the usefulness of the theory as well, and engage in an academic debate on the possibility of just securitization. Thus, the study is both internally and externally valid. Some are skeptical on the possibility

to generalize when conducting a single-case study. Others claim that a single-case study cannot test a theory. I acknowledge that a comparative study perhaps could be argued to provide a more rigorous critique and testing of JST. Yet, I argue that the first time the theory is used in a case study, it should be done in depth and with great precision. It will provide a detailed and focused analysis of the case, to give the theory a fair chance (Halperin & Heath, 2017: 214-6). This would not be possible in a comparative study, using more cases, mainly because of the limited scope of the study.

3.2 Case selection

When the case was selected, a few aspects were considered. First, an aim was to select a case that would give JST a fair chance. It had to be a case that JST could be applied to, hence a case of securitization. When conducting a single-case study, the case selection can be biased if selecting a random case that is not theory-guided (Levy, 2008: 8). A case that could easily be judged morally just or unjust would be unhelpful. Since JST requires all criteria to be met, no criteria should at first glance, when considering a case, be decided met or not. This applies particularly to the criteria of a legitimate referent object where the threatened object have to be conducive of human well-being. As some nation-states are more or less known as undemocratic and having an inferior human rights record, those cases were dismissed. In other words, the case had to be complex enough for testing JST. Secondly, a theory testing case study should always be different from the cases by which the theory developed (Halperin & Heath, 2017: 216). However, Floyd has not conducted an in-depth case study using JST (Floyd, 2019: 70).

The selected case is the context in which the U.S securitized bioterrorism. More specifically, with regards to anthrax as the weapon, and al-Qaeda the threatening actor (Singh, 2015: 100). Since the case study is theory-guided, it will enable the study to focus on a wide but focused range of aspects of the case, from al-Qaeda intentions to U.S democracy. The case of securitization has been limited to concern the years from 2001 until 2009. This time period reflects when George W. Bush was the president of the U.S and when the global War on Terror was ongoing, which was terminated by Barack Obama in 2009 (Howell & Lind, 2009: 2). The study will present some data from before the selected time period, as well as from after it, since the context is to some extent dependent on history and consequences that unraveled after 2009.

3.3 Scope and material

Operationalized questions derived from JST will be asked to the selected case, to reach conclusions on the morality of said case. This has been argued to provide the foundation for a discussion on the implication and usefulness of JST. The study has taken the form of a theory-guided desk study of a single case. To answer the research question, secondary material concerning the subject, such as academic literature, articles and statistics have been processed and analyzed. The material has been assessed reliable since large quantities of sources on the case could be found, which could be triangulated. Primary material has been of limited use, although it was used for analyzing the U.S intentions to deter the objective existential threat. A textual analysis could have been conducted, but was not given priority, due to the scope of the study and the magnitude of material required for answering the seven operationalized questions.

3.4 The operationalized questions

While acknowledging that validity and reliability should feature any study, some trade-offs between the two has been made. The studied concept of securitization is in itself complex, and JST makes it even more complex, seeking to objectively assess threats and judge intent and insincerity. The operationalization is to a great extent based on recommendations and guidelines provided by Floyd, and cannot achieve the highest levels of reliability, since the study will inevitably be interpretive. Instead, the study will achieve higher levels of validity since it will capture the theory and its definitions in a truthful manner (Höglund & Öberg, 2011: 186). For the criteria to be measurable, they are operationalized and specified. I have formulated questions based on the criteria in JST and a table of analysis to provide clarity. The operationalized questions will be used to determine if the circumstances enabled a just securitization.

3.4.1 Objective existential threat

The first criteria refers to an objective existential threat. Opposed to other epistemological beliefs, Floyd renders it meaningful to discuss objective existential threats, as well as necessary for making a moral judgement. This can be done in a evidence-relative sense. Unlike fact-relativity, the objective truth by evidence-relativity is based on all available evidence. Objective knowledge that is fact-relative might never be possible. Floyd suggests an evidence-relative way of trying to judge objective existential threats in JST (Floyd, 2019: 80-81, 98).

Exploring evidence on the matter, the study will analyze the objective existential threat by a capability analysis and an intent analysis. I will get to the intent by comparing what al-Qaeda states as their intent, and if this responds to their actions. Regarding capability, all available evidence on al-Qaeda's

possession, development or ability to obtain BW will be analyzed. Two operationalized questions to judge the objective existential threat have been formulated, because of the duality of the criteria:

Does al-Qaeda have an intention to use BW for hostile purposes and to harm the U.S in any way?

Does al-Qaeda have the capability to use BW for hostile purposes and to harm the U.S in any way?

3.4.2 Legitimate referent object

The U.S as a referent object is only morally worth protection, if they are conducive of human well-being. As stated earlier, democracy is an indicator of human well-being, as well as human rights. Reliable and acknowledged research on both of these factors are continuously updated. Indexes and statistics can provide evidence for a discussion on the moral legitimacy of the U.S as a referent object. Two questions have been formulated:

Is the U.S a functioning democracy?

Is the U.S conducive of human needs inside and outside of its borders?

3.4.3 Right intention

The right intention is important for a just securitization because sincerity is crucial to moral rightness. Thus, we suppose that securitization can be conducted without sincerity. The sincerity of an actor's motives is hard to measure. Instead, Floyd argues that gauging the sincerity of intention is feasible. When a securitizing actor promises protection to the referent object and warns the aggressor, a comparison can be made between what is said, and what is done afterwards. If the securitizing actor follows up on the the speech act with actual behavioural changes that corresponds to what has been said, the actor was sincere in their intention (Floyd, 2019: 123-8). The following question has been formulated:

Do the U.S security measures in 2001-2009 correspond to the intention of deterring the threat of bioterrorism?

3.4.4 Proportionality

When judging the proportionality of a securitization process, harm calculations are relevant. The expected harm from the objective existential threat must be judged greater than the consequences for bystanders due to security measures. If a state, to deter a security threat, starts to engage in activities that entails risks to the

referent object, bystanders or the aggressor that can be judged greater than the existential threat itself, the securitization is not proportionate (Floyd, 2019: 131). Therefore, this operationalized question has been formulated:

Did the consequences of the security measures in 2001-2009 entail less insecurity and harm than the objective existential threat composed?

3.4.5 Chance of success

Security paradoxes are not compatible with just securitizations. The criteria about the chance of success revolves around the just cause (i.e. the objective existential threat and the legitimate referent object). If the security measures taken by a securitizing access have a reasonable chance of protecting the referent object from the objective existential threat, the chances of success can be argued sufficient. Believing the securitization will result in success is not enough. The actor must have considered other options, and based on such considerations, decided that securitization was the least harmful approach (Floyd, 2019: 138). The following question has been formulated:

Were the U.S security measures less harmful than other potential courses of action?

3.5 Table of analysis

For the purpose of clarity and intersubjectivity, this table of operationalization has been created. The operationalizing questions will be asked to the case, namely the context of the U.S securitization of bioterrorism in 2001-2009. After the analysis, the questions will be answered with *yes*, or *no*.

Criteria	Operationalized question	Case of securitization	Criteria met
1 Objective existential threat	<i>Does al-Qaeda have an intention to use BW for hostile purposes and to harm the U.S in any way?</i>		
	<i>Does al-Qaeda have the capability to use BW for hostile purposes and to harm the U.S in any way?</i>		
2 Legitimate referent object	<i>Is the U.S a functioning democracy?</i>		
	<i>Is the U.S conducive of human needs inside and outside of their borders?</i>		
3 Right intention	<i>Do the U.S security measures in 2001-2009 correspond to the intention of deterring the threat of bioterrorism?</i>		
4 Proportionality	<i>Did the consequences of the security measures in 2001-2009 entail less insecurity and harm than the objective existential threat composed?</i>		
5 Chance of success	<i>Were the U.S security measures less harmful than other potential courses of action?</i>		

4. Applying JST to the case

The U.S securitization of bioterrorism in 2001-2009 will be analyzed, using JST, in the subsequent section. For the sake of clarity, the section is divided accordingly with the JST criteria. The result and a more general discussion of the usefulness of JST will be provided in the conclusion.

4.1 Criteria 1 – Objective existential threat

Does al-Qaeda have an intention to use BW for hostile purposes and to harm the U.S in any way?

Al-Qaeda is in no way secretive of its ambition to harm the U.S, would it get the opportunity. The 9/11 attacks proved the sincerity of its intention to kill Americans and their allies (Floyd, 2019: 85). Nine days after the 9/11 attacks, George W. Bush and the U.S declared a global War on Terror. Meanwhile, al-Qaeda and its leader, Osama Bin Laden, declared a holy war on the U.S. Targeting western populations in general, and American civilians in particular is, by al-Qaeda leaders, considered the best way to pursue their goals. On al-Qaeda websites, potential terrorists are exhorted to execute attacks, and instructed on how to carry one out. The websites enable al-Qaeda to recruit, empower and instruct supporters of the al-Qaeda ideology and practice. Particularly the ability to recruit manpower willing to die for the cause of jihad, has been expressed as the most dangerous aspect of the al-Qaeda network (Salama & Hansell, 2005: 630, 644).

The general purpose and goal of the global al-Qaeda organization and its affiliates is to expel the U.S from the Middle East and to undermine the U.S hegemony. Additionally, it aims to create an islamic caliphate and to replace and punish Muslim ‘infidels’ (Salama & Hansell, 2005: 617). Al-Qaeda has attempted to achieve this in numerous ways, although the most impactful attacks were the 9/11 events in New York. Its battle method is asymmetric in the sense that there is a military power imbalance between the terrorist organization and Western states (Floyd, 2019: 85).

WMD include weapons in the CBRN category, which apart from BW includes chemical, radiological and nuclear weapons. BW are just one kind of WMD that al-Qaeda has expressed interest in obtaining, and it has been expressed a Muslim duty to obtain such weapons. In conclusion, to buy, construct or steal WMD has been a top priority for al-Qaeda cells. Their interest in BW is documented and proven by their strive and success in recruiting biochemists for developing anthrax. Evidence proves that al-Qaeda encourages

and instructs its supporters to carry out attacks using BW (Mowatt-Larssen, 2010: 2, Salama & Hansell, 2005: 632).

Lastly, an answer to the operationalized question should be provided. All evidence suggests that al-Qaeda wants to harm the U.S, undermine their hegemonic position and kill the American population. The organization is driven by the ambition to erode the U.S as a global superpower. Reaching this conclusion does not demand an in-depth analysis, but it could suggest that the group is likely to have the ambition to attack the U.S using BW if it would have the capability (Davis, 2010: 296). Based on this, the intention of al-Qaeda could constitute an objective existential threat, if combined with capability to pursue such attacks, which will be evaluated in the subsequent section.

Does al-Qaeda have the capability to use BW for hostile purposes and to harm the U.S in any way?

Developing BW is far more easy than manufacturing nuclear weapons but is yet more difficult to handle than other more conventional weapons. In addition, biolaboratories are hard to detect, the agents are easy to transport across borders and they are considerably less expensive than other weapons. Over all, producing BW is getting easier and easier, making them more dangerous. If 50 kilograms of anthrax was spread in an urban population of 5 million, an estimated 250.000 casualties could be the result (Kellman, 2010: 235-7).

Some states have been producing and stockpiling BW, although the Biological Weapons Convention (hereafter BWC) has been widely ratified. Amongst them are the former Soviet Union, Iraq and South Africa. All of them have inter alia been stockpiling anthrax, although they officially have cancelled their BW programs. U.S intelligence services claim that more countries are stockpiling BW agents, such as Syria, Iran and North Korea (ibid).

More lately, terrorist groups have expressed interest in acquiring BW. Al-Qaeda has stated that BW are the best option in terms of WMD because they are easy to manufacture since they are not as technologically complicated as other CBRN agents. It has been reported that al-Qaeda has acquired BW through arms dealers in Kazakhstan and East Asia, and they are continuously trying to recruit experts and scientists in microbiology for their own weaponization of anthrax (ibid, Salama & Hansell, 2005: 619).

Although advanced biotechnology is required to weaponize BW agents, it is getting easier to manufacture them. Handbooks on how to obtain, develop and weaponize anthrax are available on the internet for anyone to read. However, the instructions are flawed and have been estimated to not enable the use of anthrax as a WMD. Facts remain that al-Qaeda did not have the technological means necessary in the early 21st century. Evidence suggests that some cells had anthrax spores in their possession, and that they made efforts to weaponize them. Experts agree that if al-Qaeda would carry out a bioterrorist attack, the group would need help and without it, an attack would be very unlikely (Salama & Hansell, 2005: 619). Such an attack was unlikely because of the very complicated aerosol techniques that are required for anthrax to be lethal and

sufficiently dispersed. The spores need to be the right size, and dispersed from an effective carrier. For anthrax to be an effective weapon, it has to be precise, yet with large-scale impacts (Lentzos & Rose, 2009: 231).

A possible way for al-Qaeda to access the right technology, BW agents and knowledge was from former Soviet states. The Soviet Union had an extensive BW program during the 20th century and the Cold War. In the 1970s, Soviet ratified the BWC, but they continued to stockpile hundreds of tons of BW agents, anthrax among them. Their BW program was offensive and extensive, and included 52 biotechnology sites which involved an estimated personnel of 50,000. They had aerosol planes, missiles and bombs that could disperse BW in attacks. In 1992, the Soviet BW program was cancelled and disarmed, but stockpiles of BW remained. In addition, former soviet scientists might have started working for other governments (Kellman, 2010: 236).

The risk of al-Qaeda obtaining BW from former Soviet states has been estimated high by some, and unlikely by others. Corruption and crime in Russia could enable al-Qaeda to purchase BW. Others claim that even if they succeeded to purchase BW, they did not have a sufficiently high technology to perform an attack. The lack of security procedures in the biolaboratories in the former Soviet Union does not reduce the possibility of al-Qaeda procuring such materials (Salama & Hansell, 2005: 642-3).

To return to the analytical question, the capability of al-Qaeda seems rather indefinite, although some aspects are clear. We know that al-Qaeda would not doubt to carry out a bioterrorist attack as soon as the group had the capability to harm enough people. Furthermore, the most dangerous aspect of al-Qaeda is the ability to recruit devoted supporters. Additionally, evidence suggests that cells were trying to obtain BW. In contradiction, al-Qaeda did not have the technological knowledge to weaponize anthrax. It would be easier and more likely for cells to use conventional weapons (Salama & Hansell, 2005: 645). Others claim that al-Qaeda had to advance from conventional weapons, to actually cause the desired impact (Kellman, 2010: 237).

Considering all the stockpiles of BW in the world during the early 21st century, and the intense desire of al-Qaeda to obtain BW, the risk of the group doing so seems high. Crucially, their ability to recruit would at some point provide them with scientists technical enough to weaponize anthrax. The answer regarding the question on the capability of al-Qaeda to perform a bioterrorist attack, is thus Yes. There is a sufficiently high probability, after the events of 9/11, that al-Qaeda would obtain BW to attack the U.S in due time. In combination with a very sincere intention to harm the U.S, al-Qaeda could be said to have posed an objective existential threat to the U.S during this time period.

4.2 Criteria 2 – Legitimate referent object

Is the U.S a functioning democracy?

To judge the presence of democracy in the U.S might seem obscure or ridiculous to some, since it is generally considered a functioning and full democracy (Hague et al., 2016: 274). However, the U.S was in 2015 downgraded from a 'Full Democracy', to a 'Flawed Democracy', according to the democracy index presented by the EIU. The index does not provide data for 2001-2005, and therefore a discussion on the presence of a functioning democracy is relevant for the case of this study (EIU Democracy Index). A legitimate referent object should be conducive of human well-being. A functioning democracy indicates that human well-being is a priority.

The U.S has in modern history been considered a political superpower and an economic and military campaigner, spreading the message of liberalism and democracy to other parts of the world. It has been argued that the offensive promotion of democracy during George W. Bush's time in office, has changed the general picture of the U.S as a democracy and an actor in international politics. Skeptics of U.S interventionism argue that the U.S is not as democratic and conducive of human rights abroad as they claim (Carothers, 2006: 56).

Regarding the political system and the prevalence of democracy, a few aspects are interesting. These aspects are human autonomy, electoral participation, civil liberty, and political rights. Data on all of these aspects will be presented. First, human autonomy will be demonstrated by the UN human development index (HDI), since it concerns people's ability to self-realisation. The HDI is based on indicators such as life expectancy, education and income, i.e. factors that indicate freedom and autonomy. The U.S average value in HDI from 2001-2009 is 0.900 on a scale from 0 to 1. This value should be considered high since it ranks the U.S at 7th place in the world (Svenska FN-förbundet).

Freedom House provides an index that summarizes freedom ratings based on civil liberties and political rights. From 2001-2009 the U.S was considered entirely free. The scale ranges from 1-7, where 1 is ranked best and 7 worst. The U.S has received a 1 in all categories from 2001-2009. Freedom House has considered the people of the U.S to enjoy a high degree of personal autonomy, and opportunities to economic self-realisation has historically been very high (Freedom House).

The average electoral participation in the U.S during 2001-2009 was 0,57 on a scale from 0 to 1. By international standards, the U.S score is rather low, and many European states have a higher electoral participation. The electoral participation is one of the main premises for a functioning democracy (IDEA).

Other aspects of the U.S democracy have been questioned. The fixation on electoral candidates and their personalities rather than their ideological or political background, has been described as a problem. Additionally, the electoral campaigns are funded by private interests and financial capability is important for campaigning and essentially, winning elections (NE1)

More examples of deficiencies or uncertainties in the U.S democratic system could be demonstrated. However, evidence suggests that the U.S was a

sufficiently functioning democracy, although some aspects are flawed. Even if the electoral participation was comparably low, elections are regularly held and they are relatively free from irregularities (IDEA). Citizens in the U.S enjoy human autonomy and political as well as civil rights. The U.S was a liberal democracy in the early 21st century and I argue that it was functioning, but not perfect. Officially, the U.S seems to be conducive of human well-being, democratic rights and liberty. The subsequent section will discuss the fulfillment of human needs inside and outside of the U.S borders, which is a discussion with more controversy than defining whether the U.S is in fact a democracy.

Is the U.S conducive of human needs inside and outside of its borders?

While one view of the U.S reflects that they have helped spread the norm of human rights in other parts of the world, another is critical of the way in which the U.S has achieved this. Some suggest that the U.S has used this pioneership as an excuse for their imperialistic quest for political and material power through warfare against undemocratic states (NE1).

While the U.S claims to be an advocate of human rights in the world, some aspects about the life of the U.S population can be discussed. With a distinguishing history of black slavery in the U.S, discrimination and racism is still rife during the 21st century. Discrimination is illegal in the U.S, yet, african american men are more often subject to police assault, harassment and discrimination. In comparison with white men, african american men get sentenced to prison six times more often, as well as sentenced to death to a greater extent (HRW 2002).

Another discriminated group is women, in particular those of colour, who are not paid an equal salary or fairly represented in politics. Violence against women, trafficking and sexual violence is a widespread problem. Furthermore, HBTQ persons, Muslims and Native Americans are also discriminated. There is a growing gap between the wealthy and the poor in the U.S. The income gaps have grown larger than in other comparable well developed countries (NE1).

The U.S claims to be conducive of human well-being outside of their borders. However, in some wars the U.S has fought on behalf of suffering populations under ruthless leaders, the civilian loss has been tremendous. Humanitarian interventions, the norm of cosmopolitanism and the Responsibility to Protect (R2P) were discourses on the rise in the 1990s. Peace-building, aid assistance and democracy promotion are just a few of the terms used for describing the actions of liberal Western states during this decade. Armed forces were legitimized as a force for good (Dexter, 2016: 178-180).

An example of how the U.S contributed to human well-being abroad is through the donations and foreign aid that countries around the world receive from the U.S. Since 2002, the amount of foreign aid has increased, and has helped fund relief programs for disasters and human suffering. The U.S donates the second largest amount of foreign aid in the world (Wang, 2018). The U.S democracy promotion has been argued more benign in the 1990s than after 9/11. American foreign policy has been informed by a belief that it is important for

U.S national security to ensure that other states agree on the same core values as the U.S promotes. Many efforts to achieve democratization in the world has been conducted by the U.S and its military forces. Civilians have nonetheless been negatively affected during the democracy promotion campaigns conducted by the U.S in the 20th century (Singh, 2015: 104-6).

What is attempted in this section is not to prove the U.S guilty of human rights violations. Neither is it an attempt to argue that U.S interventionism is a power of good. The matter is all too complex for a single section in this study. This section has instead brought up arguments for and against the conduciveness of human well-being of the U.S, which in combination with being a democracy, can enable a judgement of the U.S as a legitimate referent object. Internal and external affairs of the U.S do not always fit well with human well-being. Accordingly, some U.S citizens suffer from poverty and inequality, and many civilians in countries in which the U.S has intervened, have been affected negatively. Meanwhile, the U.S democracy promotion, foreign aid and humanitarian interventions have also helped people in need. Above it all, the U.S as a nation-state is sufficiently conducive of human well-being for it to be a legitimate referent object. In the context of the threat of bioterrorism in particular, U.S civilians are indeed worth protecting from the ferocity of anthrax.

4.3 Criteria 3 – Right intention

Do the U.S security measures in 2001-2009 correspond to the intention of deterring the threat of bioterrorism?

The intention and strategic plan of the U.S is presented in *The National Security Strategy of the United States of America* from 2002. In this document, the Bush administration presents a plan of action. Their mission is to destroy terrorist organizations and to combat WMD (The White House, 2002).

For instance, they promise to use all of their influence and power to stop terrorists from gaining access to WMD. They will do so before the threat reaches the U.S borders. If needed, they will act without international support, even preemptively. They will convince and force states to stop supporting or hiding terrorists in their territory. The War on Terror is according to this report, a fight for the American or Western way of life, and democratic values. Some diplomatic strategies are presented as well, through international cooperation in the UN, gaining allies or friends, and promoting democracy in the Muslim world, to reduce the opportunity for Muslim extremism to grow (ibid).

Furthermore, they want to reduce the proliferation of WMD through international efforts and build a national defense against the actual consequences of a WMD attack. More specifically, intelligence services will extend their activity, alliances will be formed and the U.S military is getting ready to defend the U.S against the threats of terrorists with access to WMD (ibid).

When the report was presented, the Operation Enduring Freedom in Afghanistan had already been launched. When it became clear that al-Qaeda was

responsible for 9/11, the U.S launched an attack into Afghanistan. The taliban regime, which refused to extradite Osama bin Laden, was defeated in a couple of weeks, although Bin Laden escaped to Pakistan (NE3).

In 2003, the U.S launched another attack, that gained less international support than the one in Afghanistan. Saddam Hussein, the Iraqi dictator, was accused of hiding terrorists and having access to WMD. An attack was launched and Saddam Hussein was defeated in a couple of weeks. Bush claimed the U.S victorious, but the attack had erupted deeper conflict in Iraq and the neighbouring area. It is further noteworthy that no WMD could be found in Iraq after the attack (NE2).

Another aspect worth noting is that the War on Terror was not only launched on the basis of national security, as it may seem from the document described above. Ethical dimensions of the War on Terror mattered for legitimizing the actions internationally and nationally. The war was essentially fought on multiple fronts, and for multiple reasons. To deter terrorism, but also for purposes such as democracy promotion and human rights. To what extent the two latter have been fulfilled, remains unclear (Bergman-Rosamond & Phythian, 2011: 2-4).

The rapid expansion of the U.S biodefense program was another consequence of 9/11 and amerithrax as much as the military operations in Iraq and Afghanistan. The investments were directed towards building a defense to prevent and handle bioterrorism at all levels of society, such as increased hospital preparedness, stockpiling of vaccines and enhancement of intelligence services (Lentzos, 2006: 453-8). The discussion on how much funds should go into the biodefense is polarized. Many claim that the threat is real, that the U.S is not resistant to an attack, and that more funding is needed. On the other hand, some argue that the threat is overestimated and that the focus on biodefense makes the public health infrastructure and other biomedical fields suffer from lack of funding (Enserink & Kaiser, 2005: 1398).

In conclusion, the U.S seems sincere considering the security measures following the 2002 strategy document. Its actions responds well to what is described in the document. The majority of what the U.S promised to do, characterizes the following security measures. The U.S demonstrated their influence in stopping countries from defending terrorists, when launching the attack in Afghanistan. They acted with few allies, disregarding international condemnation, when launching the attack in Iraq. The War on Terror was fought on several fronts, with the expansion of the biodefense industry at home, and with military force abroad. Their ambitions of democracy promotion during the War on Terror is one aspect that might not respond to how the War on Terror actually played out, since they have received critique on this matter. Essentially, the U.S seems sincere in its actions. To analyze secretive intentions or a hidden agenda is not possible within the scope of this study. The proportionality and reason behind the U.S actions, will be discussed in the subsequent section.

4.4 Criteria 4 – Proportionality

Did the consequences of the security measures in 2001-2009 entail less insecurity and harm than the objective existential threat composed?

Critique has been directed towards the U.S after the consequences of the global War on Terror have been unveiled. The security policy of the Bush administration has been described as a deeply illiberal means, for achieving liberal ends (Singh, 2014: 117). The security measures described in the previous section will be discussed with regards to how harmful they were to the referent object, bystanders and the aggressor.

The consequences of the securitization will be compared to the imminent risk of a bioterrorist attack. As mentioned before, 50 kg of anthrax could kill 250.000 people in an urban city. Human extinction is not very likely as a consequence of bioterrorism, especially not with anthrax since it is not contagious. However, it has been estimated that it would not be difficult to smuggle five bags of anthrax, containing 50 kg each, into the U.S. If five bags were to be efficiently dispersed in five major cities, the casualties could amount to over a million. Such a coordinated attack would completely overwhelm the U.S medical system. This is the threat the U.S was dealing with and acted to prevent (Millett & Snyder-Beattie, 2017: 380, Davis, 2004: 303).

The War on Terror that took place primarily in Afghanistan, Iraq and Pakistan entailed large numbers of casualties. The wars fought by the U.S and its allies, have caused somewhere between an estimated 480.000 and 507.000 casualties. This number includes the deaths of not only civilians, but every death related to the violence of the War on Terror in 2001-2018. Of course, other estimates have been made of a lesser death toll, but the human suffering and the political destabilization of the region has been extensive (Crawford, 2018: 1-6).

Another impact of the War on Terror is the extended function of U.S intelligence and defense agencies. Interrogation techniques of suspected terrorists escalated in Guantanamo Bay and Abu Ghraib during the War on Terror. These methods do not comply with human rights or international humanitarian law, and the U.S has received critique for it. The PATRIOT Act gave intelligence services more extensive possibilities of monitoring terrorists, which also infringed on the integrity of ordinary citizens in the U.S (NE2, HRW 2004).

A third consequence is the security paradox of the U.S biodefense program. Government spending has increased enormously, by some estimates to 41 billion USD. Most efforts made by the new biodefense program has been benign and reduced the risk of a catastrophe if a bioterrorist attack would occur. If other states saw the U.S activity as a breach of the BWC, the biodefense industry could escalate in other parts of the world. This could cause a security paradox and make the U.S countermeasures counterproductive (Leitenberg et al., 2004: 3, Enemark, 2006: 40).

The U.S biodefense program has not only affected other states and their perception of the U.S. As explained in the introduction, the biodefense program has been expanded to a 30-fold increase of personnel and institutions. Most importantly, 15,000 people had access to BW in 2007, compared to about 100 people at the time of the amerithrax attack. This surely heightens the risk of bioterrorism with agents obtained from U.S biolaboratories (Dudley Miller, 2008: 20).

The evidence presented in this section suggests that the U.S securitization of bioterrorism was very harmful. It has entailed great risks for the U.S population, it has affected innocent bystanders at the sites of the War on Terror, and al-Qaeda terrorists have been inhumanely treated at Guantánamo Bay and Abu Ghraib. Human suffering, infringed integrity and the breach of human rights are consequences caused by the U.S securitization.

Considering the objective existential threat al-Qaeda posed, the imminent risk was large. As stated above, over a million casualties could be the result of a bioterrorist attack. To analyze proportionality of this securitization and its impacts demands much from the analyst. If being crude, the prevention of an attack that could result in 1 million casualties, is proportionate to the estimated 500,000 casualties caused by the War on Terror. Comparing numbers in this manner is difficult because it regards human lives. Theoretically, the U.S has been defined as a legitimate referent object worth protecting. The threat of al-Qaeda executing a bioterrorist attack was judged imminent and an objective existential threat. When a threat is imminent, it is at least by some, considered an object for preemptive self-defence (Hutchings, 2018: 143). The U.S was sincere in their actions to protect the referent object from the objective existential threat. If the harm could have resulted in 1 million casualties, the security measures post 9/11 must be judged proportionate. However, if other options could have yielded less harmful results, will be discussed in the subsequent section.

4.5 Criteria 5 – Chance of success

Were the U.S security measures less harmful than other potential courses of action?

To explore other potential options that could have yielded more successful results, I will compare the U.S security measures with the UK and their response to the increased threat. The UK response to the threat of bioterrorism after 9/11 was not as distinctive as was the U.S. The latter have invested 97 percent more money into their biodefense program, than the UK have. The UK can not be said to have deployed as extensive security measures to deter the threat of bioterrorism, even though they were an ally to the U.S in the War on Terror and to some extent securitized terrorism as well, although not bioterrorism. Their own biodefense program was not very extensive in the early 21st century, and they did not expand it significantly after 9/11. Two different perceptions of the threat, and two courses of action was the result. The Bush administration have been accused of

overestimating the threat, while the UK have been questioned for not investing more to deter the threat of bioterrorism (Lentzos, 2006:458-9).

The British intelligence service did acknowledge the UK as a target for al-Qaeda, along with the U.S and Israel. However, a mobilization of the public medical system or a heavily extended biodefense program was not deployed. The UK has, unlike the U.S, been very conducive of an additional protocol to the BWC. The U.S, on the contrary, has been skeptical and refractory towards signing such a protocol that would establish a monitoring mechanism of the development, production, and stockpiling of BW (Bonin, 2007: 189, 227-8). This skepticism is based on a disbelief in the ability of this particular additional protocol, for effectively pursuing non-proliferation of BW (Hoyt & Brooks, 2004: 127).

Considering the many consequences which the extended biodefense program and the War on Terror have had on increased insecurity inside and outside of the U.S, another course of action should have been considered. The production and research on BW have escalated in comparison with the risk of a bioterrorist attack. Such an extensive biodefense program is a double-edged sword in the sense that it makes the likelihood of terrorists to gain more knowledge and ability to perform an attack increase (ibid: 125).

In combination with the War on Terror, which was concluded proportionate, although very harmful, it seems like other options could have caused less harm and insecurity. For example, inaction has been described as the best countermeasure to terrorism, because it deflates the power of terrorists to inflict fear among the population (Floyd, 2019: 139). The U.S security measures did not meet the demand of having a rational chance of success, specifically in regards to the U.S refusing to sign the additional protocol to the BWC. Their stated intentions of international cooperation was not given priority, in favour of more aggressive security measures listed in the National Security Strategy analyzed in section 4.3. Their course of action could have been more multilateral and less aggressive, even though it was proportionate. The U.S could have fulfilled the just cause in a less harmful way.

5. Conclusion

Before concluding the result of applying JST to the case, the table of analysis will be completed, and each of the operationalized questions will get an answer. Thereafter, an analysis of what the table implies, will be presented. Reflections on the conduct of the study will be presented, which will be followed by a more general discussion on JST and its relevance in relation to the ethics of securitization.

Criteria	Operationalized question	Case of securitization	Criteria met
1 Objective existential threat	<i>Does al-Qaeda have an intention to use BW for hostile purposes and to harm the U.S in any way?</i>	Yes	✓
	<i>Does al-Qaeda have the capability to use BW for hostile purposes and to harm the U.S in any way?</i>	Yes	
2 Legitimate referent object	<i>Is the U.S a functioning democracy?</i>	Yes	✓
	<i>Is the U.S conducive of human needs inside and outside of their borders?</i>	Yes	
3 Right intention	<i>Do the U.S security measures in 2001-2009 correspond to the intention of deterring the threat of bioterrorism?</i>	Yes	✓
4 Proportionality	<i>Did the consequences of the security measures in 2001-2009 entail less insecurity and harm than the objective existential threat composed?</i>	Yes	✓
5 Chance of success	<i>Were the U.S security measures less harmful than other potential courses of action?</i>	No	X

The U.S securitization of bioterrorism in 2001-2009 was not *just* according to JST. The last criteria, chance of success, was not met due to the scope of other options that the U.S could have chosen to deal with the threat of bioterrorism. The U.S could have conducted their defense differently, and caused less harm. The components of the extended biodefense program, and the War on Terror together compose a rather extreme set of measures to the objective existential threat. I judged the threat an objective existential threat, but that does not mean that the threat requires such extreme security measures to be deterred. I decided, although somewhat reluctantly, that the security measures were proportionate, considering the danger the objective existential threat posed.

A reflexion on all of the criteria is that they were hard to measure. The case covers a wide range of phenomena, that demands sources and data from many different fields. The operationalized questions are complex, although narrowed down as much as they could without losing validity. While being complex, they are answered with a Yes or No, which gives a rather undifferentiated view, considering the difficulty to answer them. Each and every one of the questions asked have countless studies written on the subject they refer to, and more could still be produced. I want to highlight that this study scratches the surface of vast questions that the scholarly world occupy with.

The material provided contrasting views on every single aspect of the securitization and its context. I consider this a strength, since not a single discussion was bland and left uncontrasted. Furthermore, the material used has been triangulated to the extent possible, this does however not ensure that declassified documents do not exist and could have provided a better material. I am sure there is intelligence I have no access to. This particularly applies to the third criteria, because judging the true intention and motives of the U.S is a matter that requires resources I do not have. The case is albeit well researched, and I have dealt with the material available.

The last criteria was apparently decisive for judging the morality of this case of securitization, but other criteria should be discussed as well. Regarding the proportionality, it was difficult to judge the security measures of the U.S proportionate, considering the harm they inflicted to other entities. Comparing one million potential casualties, to the approximate five hundred thousand as a consequence of the War on Terror, is crude. More consequences must count towards proportionality than only human casualties. The breach of human rights, the development of infringement on integrity, the destabilization of the Middle East, and many other consequences are left out. I included them in the discussion as a contrast, but essentially, the security measures were judged proportionate.

The U.S was assessed to be a legitimate referent object, even though contesting views were presented. The basic, yet crucial, argument for this is that the U.S is sufficiently conducive of human well-being and democratic for the population to be protected. It could be proven that basic human needs were promoted, and a priority, in a sufficiently high manner. The moral ideas behind the criteria informs us that the U.S is a legitimate referent object, because human lives are intrinsically valuable, in accordance with virtue ethics. The criteria does not demand a total satisfaction of all human needs, if this was the case, a political order could never be a legitimate referent object (Floyd, 2019: 109).

The most controversial aspect of this study might be that it has assessed an objective existential threat. I want to emphasize that an unaccustomed philosophical-scientific view on research has been adopted by me for the purpose of giving JST a chance. However, it can be concluded that objectively assessing threats, at least is very difficult, if not impossible. Throughout the process, I was analyzing an event that could happen, but did not. The world has not seen any bioterrorist attack since the events of amerithrax. If this indicates that the U.S security measures to deter the threat was successful, or that there really never was a threat, remains unclear.

As mentioned in the section where JST was presented, the theory has received critique. The most damaging point of critique regards, not very surprisingly, the philosophical-scientific view of Floyd. Objectivism is hard to combine with constructed phenomenons. Threats are indeed real, but the insecurity is not, since it is constructed. I noticed that, just as Waever points out, the threat assessment that indeed indicated that they dealt with a real threat, could not give answers on the appropriate security measures. Supposedly, the U.S was a legitimate referent object, and was threatened by al-Qaeda bioterrorism. Nevertheless, it could not provide another answer than that less harmful security measures could have been adopted by the U.S. The best policy, making the case just, can not be identified, because it deals with something constructed and subjective (Waever, 2011: 472-3).

This brings us back to the last criteria that stalled the possibility of the case being just. I argue that the theory has an inherent contradiction problem. Less harmful security measures or courses of actions can always be utilized. The fifth criteria of JST seems impossible for a case of securitization to meet. Securitization is intrinsically harmful, in one way or another. JST, ironically, complies with the Copenhagen School preference for desecuritization. The two possible results from applying JST to a case are either that the securitization was unjust, or that a securitization did not occur. If less harmful options than securitization always are favored, what is the meaning of JST, if a securitization never can be just?

I conclude that the ethics of securitization is still a relevant subject for discussion. Floyd has contributed a lot to bringing securitization and ethics closer, and has in fact established a foundation for a language for such questions. I am sure that this study is only the first of many to reflect on the usefulness and applicability of the JST criteria. It is possible that the theory in due time will develop into a different shape, that conquers the present problems of contradictions. However, the theory can not in its present form, decide the justness of securitization. This study has thus contributed to identifying a few problems with JST, as well as empirically contributing to assessing the U.S securitization of bioterrorism unjust. According to JST, no securitization can be just, and more specifically, the U.S securitization of bioterrorism in 2001-2009 was not just.

6. Bibliography

- Balzacq, T., 2011. "A theory of securitization: origins, core assumptions, and variants" in Balzacq, T., (red.). *Securitization theory: how security problems emerge and dissolve*. Abingdon: Routledge
- Balzacq, T., Léonard, S., Ruzicka, J., 2016. "'Securitization' revisited: theory and cases" *International Relations* Vol. 30, No. 4, pp. 494–531
- Bergman Rosamond, A. & Phythian, M. 2012. "Introduction" in Bergman Rosamond, A. & Phythian, M.(eds.) *War, Ethics and Justice New Perspectives on a Post-9/11 World*, London: Routledge
- Bonin, S., 2007. *International Biodefense Handbook*. Zurich: Center for Security Studies at ETH Zurich
- Buzan, B., Wæver, O., de Wilde, J., 1998. *Security: a new framework for analysis*. Boulder: Lynne Rienner.
- Carothers, T., 2006. "The Backlash against Democracy Promotion" *Foreign Affairs*, Vol. 85, No. 2, pp. 55-68
- Davis, J.A., 2004. "A Biological Warfare Wake-Up Call: Prevalent Myths and Likely Scenarios" in Davis, J.A., Schneider, B. R., (eds.), *The Gathering Biological Warfare Storm*. Santa Barbara: Praeger Publishers Inc.
- Deller, N. & Burroughs, J., 2003. "Arms Control Abandoned The Case of Biological Weapons" *World Policy Journal* (summer 2003)
- Dexter, H. 2016. "War ethics and the individual" in in Nyman, J. & Burke, A., (eds.) *Security Studies: A new research agenda*. London: Routledge
- Dudley Miller, J. 2008. "After the Anthrax", *Scientific American* , Vol. 299, No. 5, pp. 20-22
- Enemark, C., 2005. "United States Biodefense, International Law, and the Problem of Intent" *Politics and the Life Sciences*, Vol. 24, No. 1, pp. 32-42

Enserink, M. & Kaiser, J., 2005. "Has Biodefense Gone Overboard?" *American Association for the Advancement of Science* Vol. 307

Floyd, R., 2007. "Towards a consequentialist evaluation of security: bringing together the Copenhagen and the Welsh Schools of security studies" *Review of International Studies*, vol. 33, no. 2, pp. 327-350

Floyd, R., 2010. *Security and the environment: securitization theory and US environmental security policy*. Cambridge: Cambridge University Press

Floyd, R., 2011. "Can securitization theory be used in normative analysis? Towards a just securitization theory" *Security Dialogue* vol. 42, no.4-5

Floyd, R., 2016. "The promise of theories of just securitization" in J. Nyman & A. Burke (eds.) *Security Studies: A new research agenda*. London: Routledge

Floyd, R., 2019. *The Morality of Security*. Cambridge: University Press

Gerring, J. 2004. "What Is a Case Study and What Is it Good for?" *The American Political Science Review*, Vol. 98, No. 2, pp. 341-354

Halperin, S. & Heath, O. 2017. *Political Research: Methods and Practical Skills*. 2nd ed. Oxford: University Press

Hansen, L., 2012. "Reconstructing Desecuritization: The Normative-Political in the Copenhagen School and Directions for How to Apply It" *Review of International Studies*, vol. 7, no. 4, pp. 525-546

Hoogensen Gjørsv, G., 2012. "Security by Any Other Name: Negative Security, Positive Security, and a Multi-Actor Approach" *Review of International Studies*, vol. 38, no. 4.

Howell, J. & Lind, J. 2009. "Counter-Terrorism, Aid and Civil Society: Before and After the War on Terror" 1st ed. Basingstoke: Palgrave Macmillan.

Hoyt, K., Brooks, S. G., 2004. "A Double-Edged Sword: Globalization and Biosecurity" *International Security*, Vol. 28, No. 3, pp. 123-148

Hutchings, K., 2018, *Global Ethics An Introduction*, 2nd edition, Cambridge: Polity Press.

- Höglund, K. & Öberg, M. 2011 “Conclusion” in Höglund, K.& Öberg, M. (eds.) *Understanding Peace Research: Methods and challenges*. Abingdon: Routledge
- Jansen, H. J., Breeveld F. J., Stijnis, C., and Grobusch, M. P., 2014. “Biological warfare, bioterrorism, and biocrime” *Clinical Microbiology and Infection*, vol. 20 no. 6, pp. 488-496
- Kelle, A. 2007. “Securitization of International Public Health: Implications for Global Health Governance and the Biological Weapons Prohibition Regime” *Global Governance* Vol. 13, pp. 217-235
- Kellman, B., 2010. “Emerging dangers of biological weapons” in Dunn Cavelty, M. & Mauer, V. (eds.) *The Routledge Handbook of Security Studies*
- Leitenberg, M., Leonard, J., Spertzel, R., 2004. “Biodefense Crossing the Line” *Politics and the Life Sciences*, Vol. 22, No. 2, pp. 2-3
- Lentzos, F. 2006. “Rationality, Risk and Response: A Research Agenda for Biosecurity”, *Biosocieties*, vol. 1, pp. 453-464
- Lentzos, F. 2007. “The American biodefense industry - From emergency to nonemergence”, *Politics and the Life Science*, vol. 26, no. 1, pp. 15-23
- Lentzos, F. & Rose, N. 2009. “Governing insecurity: contingency planning, protection, resilience” *Economy and Society*, Vol. 38 No. 2, pp. 230-254
- Levy, J. S., 2008. “Case Studies: Types, Designs and Logics of Inference” *Conflict Management and Peace Science*, Vol. 25 pp. 1-18
- McDonald, M., 2008. “Securitization and the Construction of Security” *European Journal of International Relations* 14(4):563-587
- Millett, P. & Snyder-Beattie, A., 2017. “Existential Risk and Cost-Effective Biosecurity”, *Health Security*, vol. 15, no. 4 pp. 373-383
- Mowatt-Larssen, R., 2010. “Al-Qaeda Weapons of Mass Destruction: Hype or Reality?” *Belfer Center for Science and International Affairs* (January 2010)
- O’Driscoll, C., & Lang, A. F. J., 2013. “The Just War Tradition and the Practice of Political Authority” in O’Driscoll, C., & Lang, A. F. J (eds.) *Just War: Authority, Tradition and Practice*. Washington, DC: Georgetown University Press. pp. 1-16

Orend, B., 2006. *The Morality of War*. Peterborough, ON: Broadview Press.

Roe, P., 2008. "The "Value" of Positive Security" *Review of International Studies*, vol. 34, pp. 777-794

Salama, S & Hansell, L. 2005. "Does Intent equal Capability? Al-Qaeda and Weapons of Mass Destruction" *Nonproliferation Review*, Vol. 12, No. 3, pp. 615-653

Shapcott, R., 2008. "International Ethics" in Baylis, J. et. al. (eds.) *The Globalization of World Politics*. 4th Ed. New York: Oxford University Press.

Shapcott, R., 2010. *International Ethics A Critical Introduction*, Cambridge: Polity Press.

Singh, R. 2015. "'Defensive Liberal Wars': The Global War on Terror and the Return of Illiberalism in American Foreign Policy" *Revista Sociologia e Política*, Vol. 23, No 53, pp. 99-120

Waever, O., 2011. "Politics, Security, Theory" *Security Dialogue*, vol. 42 no. 4-5, pp. 465-480

Walzer, M., 2006. *Just and Unjust Wars*. 4th Ed. New York: Basic Books

Electronic sources

Crawford, N. C., 2018, "Human Cost of the Post-9/11 Wars: Lethality and the Need for Transparency" *Watson Institute, International & Public Affairs*.
<https://watson.brown.edu/costsofwar/files/cow/imce/papers/2018/Human%20Costs,%20Nov%208%202018%20CoW.pdf>

Collected on: 2019-05-25

Freedom House, 2018. *Freedom In the World, United States, 2001-2009*
[electronic] <https://freedomhouse.org/report/freedom-world/2008/united-states>

Collected on: 2019-05-25

Human Rights Watch, 2002. "Race and Incarceration in the United States"
[electronic] <https://www.hrw.org/legacy/backgrounder/usa/race/pdf/race-bck.pdf>

Collected on: 2019-05-25

Human Rights Watch, 2004. "The Road to Abu Ghraib" [electronic]

<https://www.hrw.org/report/2004/06/08/road-abu-ghraib>

Collected on: 2019-05-26

International Institute for Democracy and Electoral Assistance. *The Global State of Democracy Indices. 2001-2009.* [electronic]

Collected on: 2019-05-25

NE1, *Nationalencyklopedin*, USA. [electronic]

<http://www.ne.se.ludwig.lub.lu.se/uppslagsverk/encyklopedi/lang/usa>

Collected on: 2019-05-18

NE2, *Nationalencyklopedin*, kriget mot terrorn. [electronic]

<http://www.ne.se.ludwig.lub.lu.se/uppslagsverk/encyklopedi/lang/kriget-mot-terrorn>

Collected on: 2019-05-21

NE3, *Nationalencyklopedin*, Afghanistankriget. [electronic]

<http://www.ne.se.ludwig.lub.lu.se/uppslagsverk/encyklopedi/lang/afghanistankriget>

Collected on: 2019-05-21

Svenska FN-förbundet, *HDI - Index för mänsklig utveckling* [electronic]

<https://www.globalis.se/Statistik/HDI-maensklig-utveckling>

Collected on: 2019-05-25

The Economist Intelligence Unit's Democracy Index, [electronic]

<https://infographics.economist.com/2019/DemocracyIndex/>

Collected on: 2019-05-25

The United States. "President Signs Public Health Security and Bioterrorism Bill," Remarks by the President at Signing of H.R. 3448, the Public Health Security and Bioterrorism Response Act of 2002 (Washington, D.C.: The White House, 12 June 2002)

The United States Department of Justice, 2010. *Amerithrax Investigative Summary*, [electronic]

www.justice.gov/archive/amerithrax/docs/amx-investigative-summary.pdf

Collected on: 2019-05-20

Wang, C. 2018. "Five countries that provide the largest foreign aid" The Borgen Project [blog] 2018-03-14

<https://borgenproject.org/five-countries-that-give-the-largest-foreign-aid/>

Collected on: 2019-05-25

White House, *The National Security Strategy of the United States of America*,
September 2002 [electronic]

<https://www.globalsecurity.org/military/library/policy/national/nss-020920.pdf>

Collected on: 2019-05-25