

Gazing into the Abyss. Unending Illegal U.S. War-making Is Creating a “Domestic Monster”

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Is it impossible to conceive of a peacetime USA?

Culturally and politically, American leaders with both political parties have declined to provide a vision to the American people of a country that has declared an end to war in the Middle East and the resumption of a peace time society.

Instead, the last 14 years of war have produced an overgrown Executive branch, unconstrained by law, by Congress or the judiciary.



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If nothing is done, the Executive branch, as a domestic institution, will almost certainly overwhelm Congress and the courts and will permanently disrupt the careful checks-and-balances system that is the hallmark of the American constitutional order. There is a real threat that unending war will create a domestic monster.

The hallmark of this overgrown Executive is the continued and unabashed violations of law with respect to military action.

Today, the Executive branch wallows in an aggressively militant governmental apparatus that routinely violates law and expands the boundaries — both legally and culturally — of permissible violent government conduct.

Bush-era illegality in the form of wars of aggression, torture, war crimes and domestic spying caused outrage amongst the public when these crimes were initially revealed.

But outrage without an outlet has, through some reverse osmosis, transmuted itself into a permanent cultural numbness.

The continued silence amongst members of the cultural, social and governmental elite with

respect to Bush-era crimes permits a similar silence to surround illegal activities by the Obama Administration.

For example, the public seems to willingly accept the notion that the use of drone strikes (which in some instances may constitute illegal acts of aggression and crimes against humanity), the continued use of indefinite detentions at Guantanamo Bay and the normalization of domestic surveillance powers under national security auspices are the “new normal” — no matter whether laws are broken.

There is very little legal basis for Obama’s bombing of Syria, both internationally and domestically. In a functioning democracy, the bombing of a sovereign country would create widespread political discussion. Yet the decision in the US to bomb Syria was made practically overnight.

The same was true of the recent announcement — again, met with silence — that US ground forces would begin to enter Syria.

Even the bombing of a hospital in Kunduz, in what appears to be a clear *prima facie* war crime, produces mute commentary.

Carl Schmitt, the philosopher most associated with the intellectual defense of National Socialism, applauded a strong, law-breaking executive on the grounds of what he termed the “state of exception.”

Schmitt believed that in times of crises, a sovereign had to act outside of the normal constitutional framework in order to save society from existential threats. Schmitt thus defended the sovereign who violated the law, if in so doing, the sovereign could help a society delineate between friends and enemies, and give meaning to its citizens.

Nothing upset Schmitt more than the weakness of societies that had adopted liberalism, societies he viewed as hopelessly depoliticized and without the glory associated with a strong state.

Schmitt’s foul logic does much to explain the current “state of exception” in US politics. The supposed and ever present threat of terrorism is used as a means for the Executive branch to act outside of the law in order to save the law. Whether it is a Democrat or Republican in the White House, the law breaking remains the same.

Meanwhile, such illegal international actions threaten to shatter the remaining shards of what is left of the global peace. In attempting to “defend freedom” by the “war on terror,” the American government and its allies create further instability, which in turn creates additional violence directed against Americans. The CIA refers to this as “blowback.” It is not a difficult concept to grasp, and the fact that US leaders refuse to alter their conduct in the face of blowback means they are either too dense or too intentional in their use of military action abroad. Either conclusion should be frightening to a thinking person.

It is Hannah Arendt, another German thinker, whose 20th century insights are even more profound in this current time. In her classic, *Eichmann in Jerusalem*, she coined the “banality of evil” as a phrase that described the seeming stupidity (or at least the clumsiness) of people like Adolph Eichmann, who were responsible for countless atrocities and yet were able to defend their actions with trite rationalizations that they were simply doing their jobs,

or following orders.

Today, there is a similar caustic fog that shrouds the culture, a darkness that no one speaks of, and an acceptance of criminal conduct by those in power. Empathy towards the countless innocent victims (perhaps millions at this point) who have been killed in their homes, their schools, or even at their own weddings, all in the name of the War on Terror, is entirely absent from everyday discourse.

Americans need only look to their Founders to understand the consequences of illegal warmaking. [James Madison, the chief drafter of the US Constitution, observed,](#)

“Of all the enemies of true liberty, war is, perhaps, the most to be dreaded, because it comprises and develops the germ of every other. War is the parent of armies; from these proceed debts and taxes; and armies, and debts, and taxes are the known instruments for bringing the many under the domination of the few.

“In war, too, the discretionary power of the Executive is extended; its influence in dealing out offices, honors and emoluments is multiplied; and all the means of seducing the minds, are added to those of subduing the force, of the people.”

As Madison observed, war itself becomes a threat to domestic security and individual liberty. It acts as the pretext for an overgrown Executive and the beginnings of a criminal state.

Madison’s classical liberalism is now threatened by the views of Schmitt and other statist, who seemingly welcome the growth of the “unitary Executive” and the beginnings of domestic despotism.

So long as Americans give their leaders carte blanche to wage war in their name, to break laws domestically and internationally, and to avoid scrutiny or oversight for such conduct, then criminality will only increase, and with it, an increase in the potential for sudden instability in the global economic and political order.

“He who fights with monsters should look to it that he himself does not become a monster. And when you gaze long into an abyss the abyss also gazes into you.” Frederick Nietzsche, *Beyond Good and Evil*, aphorism 146.

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