National Security and the Rule of Law: The War on Terror and the Challenges for Democracy in the United States

Workshop Organizers:
Dr. Florian Böller, Lukas D. Herr, M.A., Marcus Müller, M.Ed.; Prof. Dr. Jürgen Wilzewski (all TU Kaiserslautern)

Call for Papers

After 9/11 the Bush administration claimed inherent powers in dealing with global terrorism and abandoned common human rights standards in its fight against al Qaeda. The politics of preventive detention, military tribunals, renditions, and systematic torture raise questions of legislative and judicial checks and balances with regard to executive power, due process, and habeas corpus. Many scholars have diagnosed a return of the “imperial presidency” and a failed oversight role of Congress.

Barack Obama’s election led to widespread expectations that he would restore the rule of law in the “war on terror”. The finding of double standards in the USA including the failed shutdown of Guantanamo, the widespread targeting and killing of terrorists with drone strikes and the contemporary debate about the NSA surveillance activities, remain to be studied with regard to national security politics, the rule of law, the national identity and the democratic control of the “war on terror”.

The purpose of the workshop is to address the following questions:

- What is the role of the Supreme Court in U.S. national security discourses since 9/11?
- What are the roles of Congress and President in the national security policy of the United States?
- What are the cultural, sociological and historical conditions and forces behind the revival of the “imperial presidency” since 9/11?
- How can we explain double standards in times of national crisis after 9/11 with regard to America’s self-understanding as an exceptional nation?
- How were the policies of exemption in the national security realm after 9/11 justified and what were the underlying narratives?

Scholars and students of history, international law, political science and sociology are invited to submit paper proposals of at least two full pages (double-spaced) by January 11, 2016; decisions will be made by January 25, 2016. Proposals should be submitted as Word or PDF attachments to Marcus Müller (marcus.mueller@sowi.uni-kl.de).