

## **A COSMOPOLITANISM OF FEAR: THE GLOBAL SIGNIFICANCE OF TERRORISM AFTER THE 9/11**

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**ABSTRACT.** In this article, I propose a characterization of cosmopolitanism as a common concern against the global threat of post 9/11. I call it the ‘cosmopolitanism of fear’, referring to the idea that people in both affluent and non affluent societies share the same need for safety and public security. I start from the premise that cosmopolitan theorizing is necessary to understand the global threat of terrorism and of the security policies that followed its outburst. Given this premise, my concern focuses on the cosmopolitan characterization of global terrorism (sec. 2) and how democratic theory should address the role of fundamental liberties in a world of enhanced securization (sec. 3). I argue that while fear lends support to the global response to these new forms of terrorism, the uneven distribution of the burdens of security in the war on terror reflects the status quo of global inequality. Post 9/11 terrorism and the war on terror have only made the socio-economic cleavages more acute, without bringing more democracy or justice to populations that both terrorists and warmongers claim to represent.

**Keywords:** 9/11; democratic theory; distribution; fear; security; terrorism

### **Introduction**

Contemporary global politics since 9/11 has been dominated by a terrorist threat that cuts widely across the national borders, and whose political message is inherently globalized. As a result, the standard understanding of terrorism as an organized use of violence with a preeminent national agenda has become obsolete. This conception, which dates back to a political history of terrorism as a state-based phenomenon, is a legacy of the 19th century that evolved in more organized forms, but remained largely unchanged in the 20th century. Classical political terrorism, as we may call it, reflects the dynamics of state politics. The aim and justification of political violence was framed, in other words, within a conception of state authority, opposed by ideological factions, and conveyed by traditional media (the press and the TV), with a lower impact as compared to the internet age.

Contemporary terrorism is instead a global phenomenon both in its nature and communicative scope. Yet, the contemporary security debate in the post 9/11 scenario is still caught within the framework of state legitimacy. Two main consequences follow from the asymmetric scenario where nation states (and their military complexes) are opposed to non-state terrorist actors. The first is that anti-terrorism domestic policies have so far hinged more on individual liberties by passing liberticide laws but have not freed their citizens from the fear of a future attack. The second consequence is that the open-ended war on terror declared in the aftermath of 9/11 has caused more civilian casualties than the victims of terror itself. The global dimension of the new forms of terrorism that have emerged since the 9/11 is a fact that cosmopolitan theory has addressed in institutional terms. Facing the threat of global terrorism implies the progressive establishment of supra-national institutions that can effectively deliver the global public goods of security and safety without remaining a hostage to national interests.

Contemporary cosmopolitanism has faced the threat of terrorism in mixed ways. Some authors, in the path of Kant,<sup>1</sup> are primarily concerned with the centrality of the democratic process in designing supra-national institutions that can uphold human rights and function as more effective democratic fora (see Held, 2010,<sup>2</sup> and Archibugi, 2011).<sup>3</sup> Other theorists have insisted on the prominent role of security as a global public good. This view is best expressed by authors like Burke (2013) who defends a security version of cosmopolitanism,<sup>4</sup> and Shapiro (2011) who conceives of the cosmopolitan project as a concerted effort of containment of new terrorist threats.<sup>5</sup> Despite the different approaches, the common idea is that a response to global terrorism should be addressed from a cosmopolitan perspective.<sup>6</sup>

In this paper, my aim is not to articulate another cosmopolitan approach to terrorism, but rather to offer a critical and descriptive assessment of the current state of affairs. I will assume that the change in the scope and magnitude of political terrorism requires a cosmopolitan perspective. If post 9/11 terrorism is genuinely a global phenomenon, the framework of analysis of the nation-state is not properly equipped to understand it. We need cosmopolitan theorizing to explain a global phenomenon of such a magnitude. Given this premise, my focus is on the cosmopolitan characterization of global terrorism (sec. 2) and how democratic theory should address the role of fundamental liberties in a world of enhanced securization (sec. 3). I will conclude, with some reservations, that, while fear is a unifying motivation that lends support to the global response to these new forms of terrorism, the uneven distribution of the burdens of security in the war on terror reflects the *status quo* of global inequality and is unjustifiable from a democratic point of view. Post-9/11 terrorism and the war on terror have only made the socio-economic cleavages more acute, without bringing more democracy or justice to populations that both terrorists and warmongers claim to represent.

## The Global Scope of Post-9/11 Terrorism

Political terrorism is not a contemporary phenomenon, at least if we take ‘terrorism’ to mean the practice of inducing political change or consolidating political power through the use of violence.<sup>7</sup> The etymology of the term dates back to the French revolution under Jacobin rule between 1793 and 1794. A different issue is whether terrorism can be counted as a defining feature of contemporary politics that along with others – the friend/foe distinction, the idea of rights, democracy, and rule of law, the mass party politics, etc. – is indispensable to delimit the scope of ‘politics’ in the 20th century. Violence for political purposes seems to be co-original with the very idea of politics, and thus terrorism defined as a type of political violence is not exclusively a modern mode of politics. But, we also take terrorism in the context of contemporary politics as not just a type of political violence but as also including strategic media objectives. Its global significance is tied up with the informational exposure that terrorist attacks garner, at least when they are carried out on the soil of affluent societies.

Defining terrorism is also difficult because the term has an intrinsic evaluative component. An act of terrorism on one side can be an act of legitimate resistance on the other. The occupying Nazi-Fascist forces in Italy during WWII referred to the partisans as ‘banditen’ (bandits) and treated them as terrorists. Today Islamic terrorists are interpreted as being martyrs for Islamist factions. Its evaluative aspect depends on the ideological convictions of the parties involved.

The third complication in defining terrorism concerns its changing nature after 9/11 and the ensuing war on terror. Igor Primoratz (2015) rightly claims that terrorism was hardly a concept of philosophical interest until the 9/11. In the post 9/11 scenario, terrorism has been often analyzed in relation to the criteria of just war. The crucial aspects concern the justification of acts of violence, the immunity of non-combatants, and the role of officials and political representatives who promote or enact policies that are considered to be harmful or unjust. Concerning the first point, terrorists may sometimes gain support by arguing that their acts seek to remedy the injustices suffered by oppressed populations, groups or social classes that they claim to represent. Moreover, when terrorists act against the representatives of a ruling force (an occupying power, or an elite who exercises social control over oppressed people), they can be treated as legitimate targets. The negative connotations of terrorism mainly result from the death of innocent victims in attacks, either as primary or collateral targets. Since just-war theory makes it impermissible to cause civilian casualties as primary targets, it follows that any purported justification of targeting innocents is morally blameworthy.<sup>8</sup> Here I do not discuss whether targeting innocent people is a necessary feature of a definition of terrorism. That acts of terrorism *do* involve innocent civilian victims I consider to be a fact. My goal is rather to discern a distinctive aspect of terrorism as a contemporary political phenomenon, or better as a political practice of global scope as it evolved after the 9/11 attacks.

There is another reason why the contemporary understanding of terrorism eludes the characterization of an act of political violence directed against innocent civilians. Despite 17 years having passed since the attacks of 9/11, the images of those events are so engrained in the collective consciousness that they have become a paradigm, or reference point for any definition of terrorism. The defining element of the 9/11 attacks was not their Islamist root (Islamic organizations had been targeting US and other Western countries long before then), nor the fact that US was attacked on its soil (recall the Oklahoma City bombing of 1995). In sheer numbers, it certainly was the single most fatal terrorist since the foundation of the country, but even this is debatable.<sup>9</sup> What I instead consider to be the most defining aspect of the 9/11 is the global dimension of its reach, both for its media impact and the threat it represented to an established world order. 9/11 defined the global dimension of terrorism as well as its primary response strategy, epitomized in the slogan ‘the war on terror’. The attacks that followed 9/11, and even the birth of Isis, are all instances of on an ongoing conflict. We can then say, over and beyond the definition of terrorism as a type of political violence, that post 9/11 terrorism is distinctive in how it prompts the perception of a potential global threat. Such perception clearly exceeds the situations of emergency posed by Al-Qaeda then and by Isis now, and includes the sense of security and stability of the common world order as we know it. And since the perception of the threat is more severe where higher quality of life is at stake, its impact is higher among those having the privilege of living in affluent societies.

On such grounds, the global significance of contemporary terrorism rests ultimately in the fear that it elicits. Reflecting on the power of fear, Judith Shklar famously claimed that liberalism was a political project founded on the fear of cruelty: “liberalism’s deepest grounding is ... in the conviction of the earliest defenders of toleration, born in horror, that cruelty is an absolute evil, an offense against God or humanity. It is out of that tradition that the political liberalism of fear arose and continues amid the terror of our time to have relevance” (1989, p. 23). There is no *summum bonum* – she writes – but only a *summum malum*: “that evil is cruelty and the fear it inspires, and the very fear of fear itself. To that extent the liberalism of fear makes a universal and especially a cosmopolitan claim, as it historically always has done” (ibid, p. 29). Shklar’s forceful defense of classic liberalism was partially the consequence of the totalitarian experience she had witnessed, and in virtue of that very experience she was also able to grasp the fact that the common – and in this sense cosmopolitan – condition of humanity is the pursuit of personal safety and security. Therefore, the protection against cruelty is grounds for a strong protection of universal equal rights.

Following Shklar’s intuition, we may then say that the common concern against the perceived global threat of terrorism is a cosmopolitanism of fear. The threat of global terrorism does not rest in the alleged universalism of any single type, ideological, religious, or Islamist, but in the common response of fear and uncertainty that is allegedly shared by every individual on earth potentially

exposed to its cruelty. The global dimension of this fear requires a political conception on the same scale that is responsive to the pursuit of the basic goods of safety and security. In this sense, the global significance of contemporary terrorism is cosmopolitan.

Cosmopolitanism of fear is thus not a constructive political ideal about institution building (although it is consistent with it) but rather a moral aim in precarious real-world circumstances.<sup>10</sup> It is neither a cosmopolitanism of supra-national designs nor of grassroots civil society organizations, but a form of awareness of the global consequences of generalized fear. In what follows, I will explore only one aspect of cosmopolitan concern: the securitarian response to global terrorism that has become official policy of governments worldwide since 9/11.

### **The War on Terror and the Securitarian Agenda**

If there were a global public good, citizens would ideally agree to its distribution under a world government, and security would be achieved. Security is indispensable for any other good and rights people wish to enjoy in every circumstance of life. Personal safety, life plans, the right to freedom of movement, privacy and family, all depend on the functioning of institutions that can ensure the stability of societal structures. It should not be surprising then that, in the aftermath of 9/11, support grew around the idea that the new menace of Islamist terrorism was threatening a whole way of life, and thus had to be met by waging a war. The direction that the campaign would take was already drawn in the early declarations: the war would not stop with al Qaeda, but only when every terrorist group of global reach was annihilated.<sup>11</sup> The intentionally vague language of the war on terror served to legitimize emergency laws that would change forever the international scenario. The Patriot Act, the institution of the Homeland Security, and the Authorization for the Use of Military Force (AUMF) came into being soon after Bush's Address and have since remained in action, including under the Obama Administration and till this very year, increasingly expanding their competences. The consequences of the war on terror have been far more extensive than what its original intent would justify. Although the Patriot Act concerns U.S. domestic affairs, it has drastically changed the security landscape at an international level, making it easier for the US government to deploy mass surveillance techniques with high levels of precision in tracking and collecting personal data and monitoring people's communications, at home and abroad. The early revelations made by whistleblower Edward Snowden about the Prism NSA program leave no doubt of the global power of penetration by the U.S. security agencies.<sup>12</sup> Likewise, the AUMF has concentrated in the hand of the U.S. President the power to authorize "all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or

persons, in order to prevent any futures acts of international terrorism against the United States...” (AUMF, 2001, sec. 2).<sup>13</sup>

The debate on the presidential authority has intensified in the last decade as the interpretation of the potential enemies and of what counts as ‘hostilities’ has stretched to include cases unforeseeable in the immediate aftermath of the 2001 attacks.<sup>14</sup> For the purpose of our discussion most relevant is whether the emergency of the situation would justify the President and the Congress to pass general policies of suspension, or at least limitation, of certain civil liberties. The mainstream position of many governments in the aftermath of the 9/11 assumed that this was the right way to go. Under the pressure of the increasing alert, even the judiciary branch deferred to the executive control, granting in most cases to government officials the discretionary power of surveillance.<sup>15</sup> The war on terror, launched as a response to the common threat of this new form of terrorism, was also instrumental in setting new national security agendas worldwide, irrespective of the real threat to which many countries were exposed. While the threats of new attacks were immaterial to many countries in Europe given the scarce information available, the only certainty was that an invasion (of Afghanistan, and then Iraq) of long-term consequences would have soon taken place, opening up scenarios that nobody was able to assess. The European discomfort with the American military plan changed when Europe became a direct target of attacks. The attacks of Madrid (2004) and London (2005) had already revealed the vulnerability of European countries to terrorist attacks, but it was the cluster of attacks beginning in January 2015 in Paris, and soon followed by Brussels, Nice and Berlin in 2016, were a clear sign that Europe had become the main target on the new Isis branded terrorism. The attack on the satirical magazine *Charlie Hebdo* was certainly the most symbolic of the new wave of attacks. It struck at the hearts and souls of many Europeans as its significance lay the perception that the attack was not exclusively political. French public opinion was similar to the reactions against the 9/11: Charlie marked an unprecedented attack on the democratic values of *laïcité* and freedom of expression.<sup>16</sup>

The wave of attacks that swept over Europe since 2015 amplified the fear and reinforced the opinion that the war on terror was not over. Although the devastating effects of the coalition of the willing and of the Bush doctrine of exporting democracy were clear to many, the geopolitical situation required action. The rapid expansion of Isis and the military restraint of the Obama Administration called new actors on the international scenario (Russia and Turkey) to play a major role in Syria. As old and new powers got more involved in the military intervention, Europe became the stage for more attacks. This is a dialectic still evolving to this day. Western societies have learned to read all these events since 9/11 as an instance of a single ideological monolith, that is, Islamic terrorism. This conviction is hardly true, but had a factual consequence of legitimizing the war on terror as the only available response strategy. Despite the fact that the original war was officially over with the retirement from Afghanistan, a new war was to come with

the growth of Isis and as a response to the new wave of attacks. The two phenomena escalated in a causal loop, with more attacks bringing about more war, and vice versa. Among the many drawbacks of the military escalation is the strengthening of the security agenda in Europe as well.

In the United States and in Europe securization has become the guiding principle in striking a balance between liberty and security. A plethora of political representatives, commentators, and not in the least scholars, have insisted that in cases of emergency the value of civil liberties and constitutional rights, and even of our cultural identity depends on the protection of national security. We should therefore accept a trade-off between liberty and security, at least temporarily, to enact effective measures in the name of those liberties.<sup>17</sup> As I said, the United States have enforced balancing policies, limiting important civil liberties since 9/11. After the November 2015 attacks, the French government also approved a state of emergency that lasted for two years, and that was replaced in November 2017 with a new anti-terrorism law amid criticisms that it undermined civil liberties, including extended powers given to the police to search private houses and conduct digital surveillance.<sup>18</sup> Whereas balancing policies have taken place at national level (especially for matters of intelligence and secrecy), the effects on a global level are considerable. In the following section, I will tackle this issue from a cosmopolitan point of view.

## **Democratic Theory and Global Security**

I assume that cosmopolitanism is intrinsically democratic. By this I mean that any cosmopolitan ideal upholds (i) the principles of equal rights and protection of every person, (ii) democratic representation as the principle of legitimation of governing authorities, (iii) and just procedures of decision-making based on majority voting. A fourth element that I take to be essential to the concept of democracy is (iv) the safeguard of minorities against the unrestrained power of majorities or elite powers. What I called ‘a cosmopolitanism of fear’ is a fairly general conception of cosmopolitanism as a common concern for the safety and global security in the face of the threat of globalized terrorism. In this sense, a cosmopolitanism of fear is democratic when the concerns of fear are addressed on an equal basis in the recognition of the right to personal safety and public security, when the anti-terrorism policies are democratically legitimate and decided according to just procedures. Put this way, the problem of the global distribution of the burdens of security concerns the principles of equal protection of rights and of safeguard against the unrestrained will of majorities and elites. To see why, consider the following: collective decisions distribute both costs and benefits among deciders. This is particularly true of those cases where decisions are made by majority rule. In a democracy, where majority rule applies, minorities bear the costs of collective decisions they oppose. Sometimes, even the contrary is true: majorities bear the costs of elites who enjoy more power or special privileges; and while this is true of

authoritarian regimes, even modern capitalist democracies suffer the same condition. The fundamental issue concerning the legitimacy of democracy consists then in justifying why multitudes should accept the costs of decisions they oppose and yet are subject to the political obligation of complying with those rules. The same issue concerns the ideal of a cosmopolitan democracy: how can we justify a decision taken in the name of the interests of a supposedly large global majority that imposes the costs of those interests on some more than others?

If we take the generalized fear of global terrorism as a sufficient concern for cosmopolitan democrats, the question is how to justify the distribution of the costs of security even to those who enjoy less personal safety in the name of the security of the most.

One way to answer this concern is to adopt the balance model devised for national security and to extend it to the global scenario. The idea of balancing security and liberty is at first a principle that seems to affect everybody in the same way. For instance, if the right of public assembly is limited, it affects everybody equally. Everybody should accept such a restriction in the name of security. However, security is scarcely a good equally distributed, both domestic and at global level. At home, minorities and single individuals can become the target of particular attention (through digital control or by police activity in the streets). Profiling is the first and most common method of identifying potential suspects. Foreigners and even legal residents of certain color, language, and religion can be denied rights.<sup>19</sup> At the global level, the price of security is even higher for those living in burdened countries. These costs are paid mostly by those who live in countries where nondemocratic regimes allied with the West act arbitrarily not only against civil and political rights, but also through outright violation of human rights: kidnapping and indefinite arrest, torture, and killing of suspects. In some cases, the dirty work is left to public and private security agencies of the main ally that run black sites. The price of security is high also for civilians with no ties to the terrorists groups in that they become collateral damage of the war on terror. Of course one should not forget that the same populations that suffer from government abuse are often also subjected to the violence and prevarication of domestic terrorism. The range of causes that affect local populations is wide and sometimes not easy to trace, but it is also systematic. The same arguments about structural dependence that global justice theorists use to show global inequalities can be applied here to show how the security of affluent societies comes at the cost, both financial and in terms of personal safety of the non affluent populations. Despite the efforts and costs of the securization that come with the war on terror, affluent societies still perceive the situation as unsafe. Inhabitants of Paris and Brussels deal on a daily basis with risk of an attack, and the same goes for tourists in Bali and Sharm el-Sheik. Is this worth the effort?

From a realist point of view, there are no other options. Despite the failures, intelligence services do preempt possible attacks, although it is not always clear how and when. But from a realist point of view, the distributive problem of global



security also hinges on the stability of strategic alliances; even more so if we consider the instability generated by widespread fear, both in affluent and non affluent societies. A cosmopolitanism that takes generalized fear seriously cannot discard the consequences of securization and the injustice of its distribution. The predicament they face is how then to reconcile the distribution of global security for communities at a state or societal level with individual safety of those most affected by the consequences of the burdens of security. I think that we cannot address these issues unless we consider the gap in the power relationships that characterize the given world order. This is a platitude in many ways, but my argument has a direct import on the democratic commitment of cosmopolitan thought. Any anti-terrorist policy designed to fight global terrorism will be illegitimate if it does not justify the unequal distribution of the burdens of security. When the majority of citizens in non affluent societies have to bear the cost of security for a privileged minority of the affluent societies, there is no justification from the point of view of cosmopolitan democrats.<sup>20</sup> The fundamental thought behind my argument is that the strength of a democracy at any level does not exclusively consist in the ideal of political equality through process of consent formation, but more crucially in the equal access to the expression of dissent against the legitimate power of democratic ruling.<sup>21</sup>

## **Conclusion**

In this article, I did not defend a normative proposal on whether state or international institutions are more apt to tackle global terrorism.<sup>22</sup> My objective was to be both descriptive and critical. I argued that terrorism as a type of violence gained a global significance with the events of 9/11 and that those very events were also telling of a changing nature in the ideological objectives of post 9/11 terrorism. The traditional concept of terrorism was conceptualized within a statist conception. The new wave of terrorism that we have faced after 9/11 has instead essentially distinctive features: it is systematically linked to the magnifying effect of mass media and intended to produce both cognitive and affective reactions in the public opinion of information-based societies.<sup>23</sup> It is therefore designed to threaten and induce fear in the citizens of affluent societies, irrespective of their national belonging. And it elicits a world-scale response – the ‘war of terror’ as we know it in its most glorifying slogan – whose goals and rhetoric was also couched in non-statist terms. These features cannot be captured within the traditional scheme of the Westphalian order between state actors and political resisters, neither as a sheer act of violence intended to cause political change and instability by targeting innocent people. I called this aspect of contemporary terrorism a form of ‘cosmopolitanism of fear’ to stress the common trait that people as such, aside from their national membership, share in what they perceive as a common threat.

This descriptive aim also has a critical purpose. I am convinced that the global significance of contemporary terrorism should be found in the kind of response

constitutional democracies have given to this threat. The changing attitude that governments and citizens alike have shown towards the sacrality of fundamental liberties is instructive of the weakness of contemporary democracies towards their enemy. Once a matter of policy for public officials, the trade-off between liberty and security seems now to have conquered the hearts of people, especially those enjoying the benefits of affluent societies, and make them oblivious to the causes of their fear.

It is often claimed that fear is a basic emotion common to all human beings. Perhaps what I called the cosmopolitanism of fear is, after all, another expression for this common trait of human beings in the face of death.<sup>24</sup> But I also believe that the threat of terrorism does not elicit only this basic emotion. The shared attitude of the public in confronting terrorist attacks reveals a related but different attitude, their sense of vulnerability. While fear of an immediate harm binds everybody directly involved (or closely enough) in a dreadful attack, vulnerability more heavily depends on the national as well as the socio-economic status of the victim, and ultimately on them being an inhabitant of a society where poverty and inequality are widespread, and personal safety cannot be taken for granted. The poor, the disadvantaged, the minorities, and the outcast confront their insecurity and exposure to arbitrariness in ways that are of different magnitude as compared to the more fortunate citizens of affluent societies. While global terrorism is indiscriminate in its attack, its costs fall more heavily on those people who suffer from global inequalities. The distributive concern of the war on terror in the distribution of the global good of security thus has a collateral effect, namely that those who suffer most from the restrictive policies that privilege security over liberties and rights are also those who are more vulnerable to attacks. It is a plain fact that the number of victims of terrorist attacks suffered by Iraqi people during the insurgency is undoubtedly higher than the total number of victims in US and Europe since 9/11.<sup>25</sup>

In conclusion then, what I called a cosmopolitanism of fear is only apparently a reminder of the common condition of insecurity we all equally share. In a time of war on terror, not every person is in the same state of continual fear, and not every life is equally at danger. Affluent societies, and especially those who most enjoy the benefits of such affluence by virtue of full citizenship, secure jobs, sense of belonging to a cultural majority, and so on, are better equipped to bear the consequences of a more insecure world. It is a task of democratic theory to bridge the gap between the sacrosanct provision of security in a globalized world and a more equal share of its costs.

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## NOTES

1. Cosmopolitan thought in the Kantian tradition have taken upon the normative effort to define the principles to overcome the limitations of national interests and set up a legal framework that recognizes and protect fundamental human rights. Kant's idea is that cosmopolitan law is co-extensive with universal rights, such that a historically possible universal community should be one in which 'a violation of rights in one part of the world is felt everywhere' (Kant, 1991, p. 108; see also Archibugi, 2008, p. 120).

2. Held insists that any response to global terrorism must be premised on "the commitment to the rule of law not the prosecution of war" (2010, pp. 133–134). However "[t]o date, the US-led coalition, in pursuing, first and foremost, a military response to 9/11, has chosen *not* to prioritize the development of international law and UN institutional arrangements" (135).

3. Archibugi is skeptical about securitarian responses being sufficient to weaken terrorism. A cosmopolitan perspective should advance instead concrete proposals, including devising methods of conflict for Western democracies that "refuse to sow innocent victims, if they are not directly connected with the aim of preventing the insurgence of further losses", enact effective financial controls, insists on the protective function of the rule of law, and make it sure that "actions of international politics designed to combat terrorism [are] carried out under the aegis of the UN precisely to reinforce the idea that terrorism, more than a crime against states, is a crime against individuals" (Archibugi, 2011).

4. Burke claims that security cosmopolitanism should aim to provide "a distinctive understanding of global security as a universal good: one in which the security of all states and all human beings is of equal weight...[and]...all security actors bear a responsibility to consider the global impact of their decisions" (2013, p. 14).

5. The term "containment" explicitly refers to the Cold War strategy adopted by the US towards the Soviet Union. Shapiro's argument for containment draws on the Machiavellian idea (in *The Discourses*, not *The Prince*), of republican non-domination. The essential idea of containment – he writes – "is to stop the bully without yourself becoming a bully. In this it appeals to the impulse to refuse to be dominated rather than the impulse to dominate. It is this rootedness of containment in the idea of nondomination that gives it an elective affinity with democratic politics, conferring legitimacy on it at home and abroad" (2011, p. 167–168).

6. A different, more recent view, is that cosmopolitan justice should instead be realized through the action of national communities, which are the only form of political agency that have a recognizable political legitimacy in virtue of "the allegiance to political institutions to whose development they have contributed" (Ypi, 2011, p. 152); see also Ypi, 2008). For a discussion of the different approaches to cosmopolitan agency in the case of the migration crisis, see Benli (2018).

7. See Primoratz (2015: sec. 1.2.2) for a discussion of narrow and wide definitions of terrorism. Primoratz (2013, p. 24) offers a narrow definition. For a wider definition, see Schwenkenbecher (2012, p. 38).

8. The issue hinges on the very definition of 'terrorism'. For instance, Primoratz defines terrorism as "[t]he deliberate use of violence, or threat of its use, against innocent people, with the aim of intimidating some other people into a course of action they otherwise would not take (Primoratz, 2013, p. 24). According to this definition, terrorism is necessarily an act of injustice. Consider though that, while for non-consequentialists terrorism is an ultimate act of injustice, for some consequentialists (especially act-consequentialists) it may

be only *prima facie* unjust, since some ground of exculpation may be found if the consequences of the act are foreseen to be more beneficial than the harm caused by the act.

9. For instance, it is estimated that, over 30 years, 3,637 people lost their lives as a consequence of the Northern Ireland ‘Troubles’. See on this McKittrick (1999) and Doris Lessing’s interview ‘9/11 not as bad as IRA’, *Telegraph*, October 24, 2007.

10. Ulrich Bech and Natan Sznaider also refer to the idea of a ‘cosmopolitanism of fear’ as the negative correlate of the “cosmopolitan hope of a better world”. They characterize it as a “theory and a practice of avoidance”. (Bech and Sznaider, 2011: sec. 1). Sznaider interestingly refers to the same idea of avoidance to describe what he calls Jewish cosmopolitanism (Sznaider, 2011, p. 141).

11. See George W. Bush’s Address to a Joint Session of the Congress of September 20, 2001: “Our war on terror begins with al Qaeda, but it does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated.”

12. As the American Civil Liberties Union wrote in the early days after the Patriot Act came into force, “while most Americans think it was created to catch terrorists, the Patriot Act actually turns regular citizens into suspects” (ACLU, 2001).

13. In 2012, under the Obama Administration, the National Defense Authorization Act (NDAA) – the yearly expenditure bill for the Armed Forces – reaffirmed the authority of the President to detain any person considered potentially hostile “without trial until the end of the hostilities” under the AUMF (NDAA sect 1021). See Chesney and Wittes (2011) for a defense of the democratic legitimacy of the NDAA (2012), and Mariotti (2017), more recently, for a critique of the unforeseen consequences of Presidential authorization.

14. Recently, a US bipartisan group has proposed to pass a new AUMF “that would greatly expand who the president can place in indefinite military detention” (Scharwz, 2018). The so-called Corker-Kaine bill would grant “any president, including Donald Trump, ... plausibly claim extraordinarily broad power to order the military to imprison any U.S. citizen, captured in America or not, and hold them without charges essentially forever” (ibid.). For a different view on the Bill, see Chesney (2017).

15. I am especially referring to the operation of the so-called Foreign Intelligence Surveillance Courts, mostly known as FISA Courts, that are called to decide over requests of surveillance warrants.

16. With some exceptions however, especially outside France. Some doubts were expressed in the public opinion and on the press that the notion of *laïcité* rested on a controversial assumption: that the right to ridicule another religion should be protected in virtue of the principle of free expression. Should the law always protect satire in the name of free expression? Is it the case that some forms of ridicule are rather akin derogatory expressions, or hate-speech? I will not discuss these issues here, but highlight the fact that the Charlie Hebdo attacks had also the further consequence of calling into question the secularist interpretation of freedom of expression.

17. Among those who have defended this view are R. Posner (2006), E. Posner and Vermeule (2007), and Vermeule (2007). For a discussion of the implications of the balance model, see Santoro and Kumar (2018).

18. See Hartmann (2017).

19. The distributive concerns of the post 9/11 security are discussed by Waldron (2003).

20. It follows that the ideological narrative of exporting democracy by coercive means fails on its very democratic grounds, for it dismisses the concerns of those very people whose democracy is supposedly exported to. See Archibugi (2008, pp. 216–217).

21. This thought bears similarity with the Machiavellian idea of non-domination: “if we consider the goal of the nobles and that of the common people, we shall see in the former a strong desire to dominate and in the latter only the desire not to be dominated, and, as a consequence, a stronger will to live in liberty, since they have less hope of usurping it than men of prominence” (*Discourses*, Book 1, ch. 5). Shapiro draws on the same argument to defend the strategy of containment (see *infra*, ft. 5). My suggestion is to read the non-domination argument from the point of view of those non affluent societies mostly affected by the consequences of security policies.

22. For an agenda of the issues concerning political violence and the legitimate use of force that cosmopolitans should discuss, see Brock (2017, especially sec. 3.1).

23. For an interesting analysis of the communicative effects of media dependency, see Lowery (2004).

24. Especially the fear of violent death – as Hobbes remarked in *Leviathan*, ch. XIII – is a common denominator of humanity in state of war.

25. See for instance the dataset in Roser et al. (2018).

## REFERENCES

- 9/11 not as bad as IRA, says Doris Lessing, *The Telegraph*, October 24, 2007. <https://www.telegraph.co.uk/news/uknews/1567144/911-not-as-bad-as-IRA-says-Doris-Lessing.html>. Accessed May 18, 2018.
- ACLU (American Civil Liberties Union) (2001). Surveillance under the Patriot Act. <https://www.aclu.org/issues/national-security/privacy-and-surveillance/surveillance-under-patriot-act>. Accessed May 18, 2018.
- AUMF (Authorization for Use of Military Force) (2001). Public Law 107-40. <https://www.gpo.gov/fdsys/pkg/PLAW-107publ40/content-detail.html>. Accessed May 1, 2018.
- Archibugi, D. (2008). *Global commonwealth of citizens. Toward cosmopolitan democracy*. Princeton, NJ: Princeton University Press.
- Archibugi, D. (2011). Terrorism and cosmopolitanism: 10 years after September 11. Essay Forum. November 21. <http://essays.ssrc.org/10yearsafter911/terrorism-and-cosmopolitanism/>. Accessed May 1, 2018.
- Beck, U., and Sznaider, N. (2011). Self-limitation of modernity? The theory of reflexive taboos. *Theory and Society*, 40(4): 417–436.
- Benli, A. E. (2018). March of refugees, cosmopolitanism and avant-garde political agency. In Tamara Caraus and Elena Paris (Eds.), *Migration, protest movements and the politics of resistance: A radical political philosophy of cosmopolitanism*. London: Routledge (forthcoming).
- Brock, G. (2017). Global justice. *The Stanford Encyclopedia of Philosophy*. ed. Edward N. Zalta. <https://plato.stanford.edu/archives/spr2017/entries/justice-global/>. Accessed May 18, 2018.
- Burke, A. (2013). Security cosmopolitanism. *Critical Studies on Security*, 1(1), 13–28.
- Bush, G. W. (2001). Address to a Joint Session of the Congress of September 20. <https://georgewbush-whitehouse.archives.gov/news/releases/2001/09/20010920-8.html>. Accessed May 15, 2018.
- Chesney, R. (2018). A Primer on the Corker-Kaine Draft. *Lawfare*. April 17. <https://www.lawfareblog.com/primer-corker-kaine-draft-aumf>. Accessed June 12, 2018.

- Chesney R. and Wittes, B. (2011). NDAA FAQ: A Guide for the Perplexed. *The Brookings Institution*, December 19, <https://www.brookings.edu/opinions/ndaa-faq-a-guide-for-the-perplexed/>. Accessed May 18, 2018.
- Hartmann, Christian. (2017). Two years after the Paris attacks, France ends state of emergency. November 1. *World News*. <https://www.reuters.com/article/us-france-security/two-years-after-the-paris-attacks-france-ends-state-of-emergency-idUSKBN1D14KD>. Accessed June 1, 2018.
- Held, D. (2010). *Cosmopolitanism. Ideals and realities*. London: Polity Press.
- Hobbes, T. (1996). *Leviathan* (1651), ed. Richard Tuck. Cambridge: Cambridge University Press.
- Kant, I. (1991). *Toward a perpetual peace* (1795). in Id. *Political writings*, 93–130. 2<sup>nd</sup> edn. Cambridge: Cambridge University Press.
- Lowery, W. (2004). Media dependency during a large-scale social disruption. The case of September 11. *Mass Communication & Society*, 7, 339–357.
- Machiavelli, N. (2009). *Discourses on Livy* (1531). Oxford: Oxford University Press.
- Mariotti, S. (2017). This administration now has the power to indefinitely detain Americans without charge or trial. *Huffington Post*, April 3. [https://www.huffingtonpost.com/entry/this-administration-has-the-power-to-indefinitely-detain\\_us\\_58d919f5e4b0f633072b39be](https://www.huffingtonpost.com/entry/this-administration-has-the-power-to-indefinitely-detain_us_58d919f5e4b0f633072b39be). Accessed May 18, 2018.
- McKittrick, D. (1999). These are the names of some of the 3,637 people whose lives and violent deaths are recorded in an extraordinary new book co-authored by The Independent’s award-winning Ireland correspondent. Their story is the story of The Troubles, and a timely reminder. *The Telegraph*, 12 October. <https://www.independent.co.uk/news/uk/home-news/these-are-the-names-of-some-of-the-3637-people-whose-lives-and-violent-deaths-are-recorded-in-an-739832.html>. Accessed May 18, 2018.
- Posner, E. A., and Vermeule, A. (2007). *Terror in the balance: Security, liberty and the Courts*. Oxford: Oxford University Press.
- Posner, R. (2006). *Not a suicide pact: The Constitution in a time of national emergency*. Oxford: Oxford University Press.
- Primoratz, I. (2013). *Terrorism: A philosophical investigation*. Cambridge: Polity Press.
- Primoratz, I. (2015). Terrorism. *The Stanford Encyclopedia of Philosophy* (Spring Edition), Edward N. Zalta (ed.), <https://plato.stanford.edu/archives/spr2015/entries/terrorism/>. Accessed May 18, 2018.
- Roser, M., Nagdy, M., and Ritchie, H. (2018). Terrorism. *OurWorldInData.org*. <https://ourworldindata.org/terrorism>. Accessed May 18, 2018.
- Santoro, D., and Manohar K. (2018). *Speaking truth to power. A theory of whistleblowing*. Berlin: Springer. *Forthcoming*.
- Scharwz, J. (2018). New Bipartisan Bill could give any present the power to imprison U.S. citizens in military detention forever. *The Intercept*, May 1. <https://theintercept.com/2018/05/01/ndaa-2018-aumf-detention/>. Accessed May 18, 2018.
- Schwenkenbecher, A. (2012). *Terrorism: A philosophical enquiry*. Basingstoke: Palgrave MacMillan.
- Shapiro, I. (2011). Containment and democratic cosmopolitanism. In Id. *The real world of democratic theory* (pp. 157–179). Princeton, NJ, and Oxford: Princeton University Press.
- Shklar, J. N. (1989). The liberalism of fear. In Nancy L. Rosenblum (Ed.), *Liberalism and the moral life* (pp. 21–37). Cambridge, MA: Harvard University Press.
- Sznaider, N. (2011). *Jewish memory and the cosmopolitan order*. Cambridge: Polity Press.

- Vermeule, A. (2014). "Security and liberty: Critiques of the tradeoff thesis," in David Jenkins, Amanda Jacobsen, and Anders Henriksen (Eds.), *The Long Decade: How 9/11 Changed the Law* (pp. 31–44). Oxford: Oxford University Press.
- Waldron, J. (2003). Security and liberty: The image of balance. *Journal of Political Philosophy*, 11(2), 191–210.
- Ypi, L. (2008). Statist cosmopolitanism. *Journal of Political Philosophy*, 16(1), 48–71.
- Ypi, L. (2011). *Global justice and avant-garde political agency*. Oxford: Oxford University Press.

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