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Document type:	Article
Title:	Imagining warfare
Author zone:	Paul W. Kahn
Host item entries:	European journal of international law = Journal européen de droit international,
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	Contribution dans le cadre du symposium : Just and unjust warriors : marking the 35th anniversary of Walzer's Just and unjust wars
Abstract:	War and law enforcement refer to structures of the political imaginary before they refer to legal norms. In this article, the author delineates the basic categories through which this framing of political violence takes place: the aesthetics of war, the subjectivity of the combatant, and the ethos of battle. Together, these elements produce a picture of what war is, what it is about, and what sort of rules should govern it. Today, however, the different elements no longer exist in relationships of mutual support. Political violence is no longer between states with roughly symmetrical capacities to injure each other; violence no longer occurs on a battlefield between masses of uniformed combatants; and those involved no longer seem morally innocent. The drone is both a symbol and a part of the dynamic destruction of what had been a stable imaginative structure. It captures all of these changes: the engagement occurs in a normalized time and space, the enemy is not a state, the target is not innocent, and there is no reciprocity of risk. We can call this situation 'war', but it is no longer clear exactly what that means. The use of drones signals a zone of exception to law that cannot claim the sovereign warrant of war. It represents statecraft as the administration of death. Neither warfare nor law enforcement, this new form of violence is best thought of as the high-tech form of a regime of disappearance. Neither Clausewitz nor Kant, but Machiavelli is our guide in this new war on terror.
Authors:	Kahn, Paul W.
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