

De-securitization of the “War on Terror” & Conflict Mitigation

A phased, evidence-based program to return counterterrorism to ordinary law, ordinary politics, and the paradigm of human security.

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READINESS CAVEAT	The PeaceMakerGPT detection layer and the de-escalation model (Part III) are forward-looking research constructs at TRL 1–2 — design hypotheses to be tested, not validated tools.

READING NOTE — WHAT THIS DOCUMENT IS, AND IS NOT

This is a *policy mission plan*: a structured argument for how a democratic state could dismantle a permanent-emergency security architecture and replace it with one grounded in human security. It is normative and forward-looking. The diagnosis it offers—that emergency powers introduced after 2001 have been normalized—and the comparative record it cites are drawn from named scholarship and public law. The proposed instruments for monitoring incitement are presented with their own civil-liberties safeguards, because a plan to de-securitize must not quietly re-securitize through surveillance of speech.

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FRONT MATTER

Executive Summary

In the years following 11 September 2001, the United States and allied democracies built a security architecture premised on permanent emergency. Surveillance authorities, expansive war powers, and a parallel justice system that were each introduced as *temporary* responses to an acute threat have, in the language of political theory, quietly become the new normal. The Italian philosopher Giorgio Agamben gave this condition its name: a *state of exception* that no longer expires.³ This mission plan sets out a phased, evidence-based program to reverse that condition—to *de-securitize* the so-called “War on Terror” and return counterterrorism to ordinary law, ordinary politics, and the broader frame of human security.

The plan rests on three established bodies of scholarship. From the **Copenhagen School** of security studies it takes the insight that “security” is not a fixed fact but a *speech act*—an issue becomes a security matter when an authority successfully frames it as an existential threat warranting exceptional measures. The reverse move, *desecuritization*, returns an issue to normal political deliberation, and the school’s founders treated it as the normatively preferable outcome.^{1, 2} From Agamben it takes a diagnosis of how exception becomes permanent.³ And from the **United Nations Development Programme** it takes a positive alternative: *human security*, which relocates the object of protection from territory to people, and from arms to development.⁴

On that foundation the plan pursues four strategic objectives—**institutional dismantling** of permanent emergency status, **legislative sunset** for surveillance authorizations, **judicial normalization** that moves terror cases into ordinary criminal courts, and an integrated **hate-speech detection and conflict-mitigation** capability. Each is anchored in a concrete, documented reality of the post-2001 order: an open-ended war authorization with no named enemy and no expiry; surveillance powers that have lapsed and been revived on the strength of sunset clauses; and a military-commission system that, after two decades and more than six billion dollars, has produced a handful of contested convictions while ordinary federal courts secured hundreds.

THE ARGUMENT IN ONE LINE

The post-9/11 emergency was constructed through language and law; it can be dismantled through language and law—by letting exceptional authorities expire on schedule, returning suspects to courts with a proven record, and answering the rhetoric that sustains violence with transparency and counter-speech rather than with more securitization.

The conflict-mitigation component deserves a frank word. A plan that proposes to *monitor discourse* for incitement risks reproducing the very surveillance logic it sets out to retire. This document treats that tension as central, not incidental. Its detection methodology is built on the open, scholarly framework of **dangerous speech**—the recurring rhetorical “hallmarks,” such as dehumanization, that reliably precede group violence—and its response is explicitly *counter-speech*, not *censorship*, following the same research tradition.^{10, 11} The analytic layer referred to here as **PeaceMakerGPT**, and the de-escalation model that accompanies it, are research constructs at low technology-readiness (TRL 1–2): design hypotheses to be tested transparently, not validated instruments to be deployed.

Implementation proceeds in three phases over thirty-six months: a comprehensive **audit** of post-2001 security legislation (Months 1–6); **legislative sunset and de-escalation**, pairing expiry clauses with a transparent discourse-monitoring pilot (Months 7–18); and **normalization and consolidation**, migrating residual cases to civilian courts and locking in oversight (Months 19–36). Success is measured against falling reliance on emergency powers, a documented decline in incitement metrics on monitored platforms, and the return of security questions to open civil debate.

PART ONE

Conceptual Foundation

*Why the post-2001 security order is a structural problem and not merely a set of bad policies—
and what intellectual tradition supplies the cure.*

PART I • CHAPTER 1

The Problem of Permanent Emergency

An emergency is, by definition, the suspension of the ordinary. The defining pathology of the “War on Terror” is that the suspension never ended.

When a state confronts a genuine crisis, it reaches for extraordinary powers: detention without the usual process, surveillance without the usual warrants, force without the usual authorization. These measures are tolerated because they are understood to be temporary—a bridge across the emergency, after which normal law resumes. The central claim of this plan is that, in the counterterrorism context, the bridge was never dismantled. Two decades on, the extraordinary has become the baseline.

Giorgio Agamben supplied the canonical analysis. Writing explicitly against the backdrop of the war on terror, the USA PATRIOT Act, and new European counterterrorism measures, Agamben argued that the *state of exception*—the moment in which sovereign authority suspends the law in order, ostensibly, to defend it—had ceased to be a temporary device reserved for true emergencies and had become a normalized technique of government.³ He described the result as a “zone of indistinction” in which the boundaries between law and lawlessness, and between democracy and its opposite, blur. His recurring example was the legal limbo of Guantánamo, where detainees were placed outside the protections that both criminal law and the law of war would ordinarily guarantee.

THE DIAGNOSIS

The problem is not that a particular surveillance program went too far, or that a particular detention was unjust. The problem is structural: emergency authorities were designed without an off-switch, and a security apparatus has every incentive to keep the emergency running. De-securitization is the deliberate reinstallation of the off-switch.

The paradigm case: an authorization without end

No instrument illustrates permanent emergency better than the **2001 Authorization for Use of Military Force** (AUMF), passed by Congress three days after the September 11 attacks.⁷ It is, by the account of lawmakers who have sought to repeal it, the only such authorization in American history with no named enemy, no geographic limit, no list of authorized operations, and—crucially—no expiry date. On the strength of those forty-odd words, successive administrations of both parties have justified military operations across roughly two dozen countries, against groups that did not exist in 2001 and had no connection to the attacks it was written to answer.

The consequences of an authorization that cannot expire are not abstract. The same 2001 language was invoked to justify a drone strike that killed a senior Iranian commander in 2020, bringing the United States to the brink of war with Iran. Members of Congress from across the spectrum—among them Barbara Lee, Tim Kaine and Todd Young,

Gregory Meeks, and more recently Pramila Jayapal and Thomas Massie—have repeatedly introduced bills to repeal or narrow the authorization and reclaim the legislature's constitutional war powers.⁷ The companion 2002 Iraq authorization was even passed for repeal by the Senate in March 2023, though final repeal has not been enacted. That these efforts recur, and recur in vain, is itself evidence of the gravitational pull this plan must overcome: open-ended authority, once granted, is extraordinarily difficult to claw back.

What the AUMF is to war powers, surveillance authorities and the military-commission system are to law enforcement and justice. Each is examined in Part II. Together they form an architecture of exception that this plan proposes to retire deliberately, on a schedule, and in the open.

PART I • CHAPTER 2

The De-securitization Thesis

If security is something done with words, then it can be undone with words. The Copenhagen School explains how.

The intellectual engine of this plan is *securitization theory*, developed in the 1990s by Barry Buzan, Ole Wæver, and Jaap de Wilde at what became known as the Copenhagen School.^{1, 2} Their central move was to stop asking which threats are “real” and start asking how an issue *becomes* a security problem in the first place. Their answer: security is a **speech act**. An actor with sufficient standing—a government, an agency, a leader—declares that some referent object faces an existential threat, and on that basis claims the right to take exceptional measures outside the bounds of normal politics. When an audience accepts the framing, the issue has been “securitized.”²

The corollary is what gives this plan its name. If an issue can be lifted *out* of normal politics by being securitized, it can be returned *to* normal politics by being **desecuritized**—downgraded from a matter of emergency and exception to one of ordinary “political deliberation and haggling,” in Wæver’s phrase.¹ And the Copenhagen School’s founders were clear about which they preferred. In one of their few explicitly normative arguments, they held that security should be understood as a *negative*—as a failure to deal with an issue through normal political means.² Desecuritization, on this view, is not a retreat from safety; it is the restoration of politics.

WHY THIS MATTERS OPERATIONALLY

Securitization theory turns a vague aspiration (“end the War on Terror”) into a concrete program. De-securitization means systematically reversing the specific speech acts and legal instruments that placed counterterrorism beyond normal politics—naming each one, and returning each to ordinary legislative, judicial, and democratic process.

Securitization breeds the very hatred it claims to fight

There is a second reason the Copenhagen framework anchors this plan, and it connects the security half of the program to the conflict-mitigation half. Wæver himself warned that escalating securitization carries social costs: it tends to intensify hate speech and discriminatory discourse, and to reinforce the antagonistic “us-versus-them” logic that hardens societies against one another.¹ In other words, the permanent-emergency frame is not merely costly to liberty and expensive to maintain; it actively manufactures the polarization that feeds political violence. A program that de-securitizes the state and a program that mitigates incitement in public discourse are therefore two faces of one strategy. Part III develops the second face in detail.

PART I • CHAPTER 3

From National Security to Human Security

Taking exception apart leaves a vacuum. Human security is what fills it.

De-securitization clears ground; it does not, by itself, say what should grow there. A purely negative program—repeal this, sunset that, close the other—invites the objection that it leaves citizens exposed. The answer is a positive reframing of what “security” is for, and the most developed such reframing is **human security**, introduced by the United Nations Development Programme in its *Human Development Report 1994*.⁴

The 1994 report performed a deliberate inversion. Where the prevailing doctrine equated security with the defense of *territory* by means of *arms*, human security equates it with the protection of *people* through *development*.⁴ It identified two basic components—“freedom from fear” and “freedom from want”—and defined the concept as safety from chronic threats such as hunger, disease, and repression, together with protection from sudden and damaging disruptions to daily life. It then disaggregated the idea into seven interlocking dimensions.

THE SEVEN DIMENSIONS OF HUMAN SECURITY (UNDP, 1994)

DIMENSION	WHAT IT PROTECTS AGAINST
Economic	Loss of assured basic livelihood—unemployment, income collapse, the absence of a safety net.
Food	Lack of physical and economic access to basic nutrition.
Health	Threats to life and health, including inadequate access to care.
Environmental	Degradation of ecosystems; pollution of water, air, and soil.
Personal	Physical violence—from the state, from conflict, from crime and abuse.
Community	Loss of the security that group and identity membership provide; intergroup tension.
Political	Repression and the denial of basic civil and political rights.

For the purposes of this plan, the shift in *referent object*—from the state to the individual—is the decisive move. It reframes counterterrorism not as the defense of an abstract national-security state but as the protection of actual people from actual harms, of which terrorism is one among many. That reframing is what allows surveillance powers and emergency authorities to be weighed honestly: a measure that protects the state while corroding citizens’ political and personal security registers, under a human-security accounting, as a net loss. Human security is therefore both the destination of this plan and the yardstick against which its trade-offs are measured.

A NOTED CAVEAT

Human security has been criticized for breadth—an idea that encompasses everything risks guiding nothing, and folding non-military problems into a “security” frame can invite the militarization of issues better handled by ordinary policy. This plan uses human security narrowly and deliberately: as a counterweight in cost-benefit reasoning and as the explicit content of the counter-narratives in Part III—not as a license to re-securitize development, health, or speech.

PART TWO

Strategic Objectives

Four concrete reversals—institutional, legislative, judicial, and discursive—each tied to a documented feature of the post-2001 order.

PART II • OBJECTIVE 1

Institutional Dismantling

Revoke the permanent “emergency” status under which security agencies operate, and return them to ordinary statutory footing.

Aim. End the standing condition of exception. Concretely: repeal or sunset the open-ended authorizations on which the security apparatus rests, restore congressional and judicial oversight to its ordinary scope, and require that any genuinely exceptional power be re-granted explicitly, narrowly, and temporarily rather than presumed to persist.

The reality this addresses. The 2001 AUMF is the keystone. Because it carries no sunset, no geographic boundary, and no named adversary, it has functioned as a self-renewing grant of war-making authority across four administrations and roughly two dozen countries.⁷ Around it sits a wider scaffolding of permanent-emergency instruments—surveillance authorities, national-security letters, and the executive’s claimed power to detain—each of which has tended, in Agamben’s terms, toward normalization rather than expiry.³

- **Repeal-and-replace the 2001 AUMF.** Where some authorization for force against specific, named groups remains necessary, replace the open-ended grant with a narrow authorization carrying an explicit enemy, a defined scope, and a mandatory sunset—the model already advanced in bipartisan repeal-and-replace proposals.⁷
- **Re-assert legislative war powers.** Restore the constitutional default in which sustained military action requires fresh, affirmative congressional authorization rather than reliance on decades-old language.
- **Strip “emergency” framing from routine operation.** Require agencies to justify continuing authorities under ordinary statutory standards, not under a perpetual crisis posture.

PART II • OBJECTIVE 2

Legislative Sunset

Make expiration the default for surveillance authorizations—so that powers must be re-justified to survive, rather than persisting by inertia.

Aim. Attach mandatory, meaningful sunset clauses to every surveillance and emergency authority, and close the procedural escape hatches—notably grandfather and “ongoing investigation” exceptions—that let expired powers continue in practice.

The reality this addresses. The post-2001 surveillance regime already demonstrates that sunsets *work*—and that they are routinely circumvented. Section 215 of the USA PATRIOT Act, which conferred subpoena-like power to compel “tangible things” (including bulk telephone metadata) for intelligence investigations, was written with an expiration date.⁵ That clause has bitten more than once: the authority lapsed briefly in 2015 before being reauthorized—with reforms ending bulk metadata collection—through the **USA FREEDOM Act** of June 2015, and it lapsed again, this time durably, on 15 March 2020 when Congress could not agree on a broader reform package.^{5, 6, 12}

The same record exposes the loopholes a serious sunset regime must close. Section 215's expiration contained a grandfather clause permitting continued use for investigations already underway, and observers noted the government might read it still more broadly to cover new matters tied to pre-sunset conduct—an interpretation that would hollow out the sunset entirely.¹²

DESIGN PRINCIPLE

A sunset is only as strong as its exceptions are narrow. Every expiry clause in this program pairs a hard date with a strict limit on carry-over authority, public reporting of any reliance on transitional provisions, and a default that lapse means lapse—no silent continuation.

- **Default expiry.** Every surveillance and emergency authority carries a fixed sunset; reauthorization requires an affirmative, recorded vote on current evidence of necessity and efficacy.
- **Closed loopholes.** Grandfather and ongoing-investigation exceptions are narrowed to genuinely active matters and made transparent through mandatory public reporting.
- **Efficacy as a precondition.** Reauthorization is conditioned on demonstrated necessity—answering the long-standing critique that some bulk authorities were renewed without evidence they prevented attacks.¹²

PART II • OBJECTIVE 3

Judicial Normalization

Move terrorism cases strictly into ordinary civilian criminal courts—the forum with, by a wide margin, the stronger record.

Aim. Try terrorism as crime, in Article III courts, under ordinary rules of evidence and procedure. Wind down the parallel military-commission system and lift the statutory barriers that currently force certain prosecutions into it.

The reality this addresses. The case for normalization does not rest on principle alone; it rests on two decades of comparative results. The military commissions established at Guantánamo—created by executive order in November 2001, struck down by the Supreme Court in 2006 for lacking congressional authorization, and then re-authorized by statute—have produced a tiny number of convictions, several since overturned, at extraordinary cost. Ordinary federal courts have done the opposite.

TWO DECADES OF TERRORISM PROSECUTION: A COMPARATIVE RECORD

MEASURE	FEDERAL (ARTICLE III) COURTS	GUANTÁNAMO MILITARY COMMISSIONS
Terrorism-related convictions since 9/11	660+	~8
Convictions later overturned	Few reversals	Several (in whole or part); roughly one “clean” final conviction
Conviction rate	>90%	Not meaningfully comparable
Cost	Ordinary court budgets	\$6B+
The 9/11 case itself	—	Not yet tried (defendants arraigned 2012)

Sources: Human Rights First; New York City Bar Association white paper; Center for Victims of Torture. Figures verified at time of writing.

The contrast is stark and well documented. By the count maintained by Human Rights First, more than 660 individuals have been convicted of terrorism-related offenses in federal court since 9/11, against roughly eight convictions in the commissions—several of which were subsequently overturned, leaving the commissions with close to a single clean result.⁸ The New York City Bar Association, urging that the commissions be replaced by an Article III court, recorded a federal conviction rate above ninety percent with few reversals, set against a commission

system that had cost more than six billion dollars and was projected to cost hundreds of millions more each year.⁹ The flagship prosecution of the alleged 9/11 conspirators, arraigned in 2012, has still not reached trial.⁹

Federal courts have repeatedly handled high-profile defendants captured abroad without incident; the commissions, by contrast, permit coerced testimony and hearsay that ordinary courts exclude, and have been dogged by reversals on appeal—often in the very federal courts the system was meant to bypass.^{8,9}

- **Default to Article III.** Prosecute terrorism offenses in civilian criminal courts under ordinary rules.
- **Lift transfer bars.** Repeal the funding restrictions that prohibit moving Guantánamo detainees into the United States for trial, which presently make commissions the only available forum for those cases.⁸
- **Wind down the commissions.** Transition pending matters into the civilian system and close the parallel apparatus, ending the “zone of indistinction” it embodies.

PART II • OBJECTIVE 4

Hate-Speech Detection & Mitigation

Integrate a transparent capability—referred to here as PeaceMakerGPT—to monitor public discourse for incitement and polarization, and to answer it with counter-speech rather than censorship.

Aim. Address the polarization that securitization itself aggravates (Chapter 2), by detecting the rhetorical patterns that reliably precede group violence and responding through transparency, fact, and counter-narrative. The detailed methodology and model are the subject of Part III; this objective states the commitment and, equally important, its limits.

READINESS AND HONESTY

“PeaceMakerGPT” names a *research hypothesis* at TRL 1–2, not a deployed system. Nothing in this objective should be read as endorsing covert monitoring, automated punishment, or state censorship. The detection layer exists to inform *counter-speech*—and it carries safeguards (Chapter 8) precisely so that a de-securitization program does not re-securitize speech through the back door.

The reality this addresses. Decades of research into the rhetoric that precedes mass violence—most prominently Susan Benesch’s *dangerous speech* framework—find recurring, cross-cultural “hallmarks” in the discourse that mobilizes people toward atrocity: dehumanization, the casting of a target group as a mortal threat, appeals to purity, and the branding of dissenters as traitors.^{10, 11} The same tradition argues that the most effective response, consistent with free expression, is *counter-speech*: challenging hateful narratives with empathy and fact rather than suppressing them.¹⁰ This objective adopts that posture wholesale.

PART THREE

Conflict-Mitigation Framework

How to detect the discourse that precedes violence—and how to answer it—without becoming the surveillance state this plan sets out to retire.

PART III • CHAPTER 8

Detection Methodology

Borrow the analytic categories of dangerous-speech research; apply them through open-source intelligence; and bind the whole capability with safeguards from the outset.

The detection task is to identify, in public discourse, the rhetorical patterns empirically associated with rising risk of group violence—early enough that counter-speech can do its work. The methodology draws its categories from Susan Benesch's **dangerous speech** framework, which defines its object precisely: any expression—speech, text, or image—that increases the risk its audience will condone or take part in violence against another group.¹⁰ Benesch's key contribution is the observation that such speech, across very different countries and eras, exhibits recurring *hallmarks*. These hallmarks are the detection signal.

The hallmarks as detection signals

Dehumanization. Describing a target group as insects, vermin, bacteria, disease, or cancer—language that makes violence seem not merely acceptable but sanitary. Historically the most reliable precursor to atrocity.^{10, 11}

Accusation in a mirror. Asserting that the target group poses a mortal or existential threat—attributing to them the very violence the speaker hopes to incite, so that aggression can be reframed as self-defense.¹¹

Assault on purity. Casting the target as contaminating or defiling the in-group, so that violence is dressed up as the preservation of identity.¹⁰

Coercion of the in-group. Branding members of one's own group as traitors for sympathy toward the other—policing solidarity and foreclosing dissent.¹⁰

To these, the present framework adds the markers named in the source mission brief—*binary moral categorization* (“us versus them”) and explicit *calls for extrajudicial action*—which align closely with Benesch's categories and with Wæver's warning that securitization itself amplifies exactly this kind of antagonism.¹

The analytic layer: PeaceMakerGPT

Open-source intelligence (OSINT) technique supplies the collection method: systematic, transparent observation of public discourse for the hallmarks above, tracking changes in their nature and volume over time. This matches the first of the two uses Benesch identifies for dangerous-speech analysis—collecting and studying such speech systematically as an early-warning indicator for violence.¹⁰

The component referred to as **PeaceMakerGPT** is the proposed analytic layer over that collection: a language-model-assisted classifier that flags candidate hallmarks for human review and surfaces escalation trends. It is, to be unambiguous, a *design hypothesis at TRL 1–2*. Its validity, its error profile (particularly the risk of false positives

against legitimate protest or dissent), and its susceptibility to the documented biases of automated speech classification are open research questions, not settled capabilities. It is specified here as something to be *built and tested transparently*, never as a finished instrument to be trusted on faith.

Safeguards: monitoring without re-securitizing

This is the hinge of the entire plan. A capability that monitors speech is, in the wrong configuration, indistinguishable from the surveillance apparatus Parts I and II set out to dismantle. The following constraints are therefore constitutive of the methodology, not optional additions to it:

1. **Counter-speech, not censorship.** Outputs feed counter-narrative and de-escalation. The framework does not remove content, does not penalize speakers, and confers no enforcement power—consistent with the dangerous-speech tradition's own insistence on countering harmful speech without infringing expression.¹⁰
2. **Public scope.** Observation is limited to public discourse; the capability is not an instrument for monitoring private communication.
3. **Transparency by design.** Methods, categories, and aggregate findings are published. A monitoring tool that cannot itself be inspected cannot be trusted to de-securitize.
4. **No state coercion.** The detection layer is decoupled from policing and prosecution; its purpose is to inform speech, not to trigger force.
5. **Protection for dissent.** Detection thresholds are tuned to distinguish incitement to violence from protest, criticism, and unpopular opinion—the false-positive risk is treated as the system's primary failure mode.

PART III • CHAPTER 9

The De-escalation Model

A simple heuristic for thinking about whether a discursive intervention is likely to cool a situation or inflame it.

The mission brief proposes a compact expression for de-escalation. It is best understood not as a predictive equation but as a *conceptual model*—a way of naming the levers that a counter-speech intervention can pull, and the force working against them.

$$D = (T_r + E) - P$$

- D** De-escalation — the net cooling effect of an intervention
- T_r** Transparency — openness about facts, methods, and intent
- E** Empirical fact-checking — correction of false and inflammatory claims
- P** Polarized vitriol — the dehumanizing, antagonistic charge in the discourse

The model's logic maps directly onto the research base. Its two positive terms—transparency and empirical fact-checking—are precisely the mechanisms counter-speech scholarship identifies as effective: a central strategy in Benesch's counter-speech taxonomy is the presentation of facts to correct misstatements and misperceptions.¹⁰ The negative term, polarized vitriol, is the dangerous-speech signal itself—the dehumanization and “us-versus-them” antagonism that the detection layer is built to find. De-escalation, on this reading, is the work of raising transparency and verified fact faster than vitriol accumulates.

WHAT THE MODEL IS—AND IS NOT

Is: a planning heuristic that keeps an intervention honest—are we adding transparency and fact, or merely adding heat?
Is not: a measured quantity or a validated formula. The terms are not yet operationalized into agreed metrics; doing so, and testing whether the relationship holds, is itself a research task (TRL 1–2). The model earns its place by organizing thought, not by producing numbers.

From detection to de-escalation: the loop

The two chapters of this Part compose a single loop. The detection methodology (Chapter 8) identifies rising vitriol—the *P* term—through the dangerous-speech hallmarks. The de-escalation model (this chapter) prescribes the

response: targeted counter-narratives that raise transparency and verified fact, and that re-anchor the conversation in human security rather than securitized threat. Crucially, the response is counter-speech delivered by credible voices, in the open—not removal, not punishment, not coercion. The loop closes when escalation metrics fall, which is also one of the program's success criteria (Chapter 13).

One caution completes the picture. Dehumanization, some scholars argue, is not a purely rhetorical strategy that persuasion alone can reverse; it can reflect a deeper psychological disposition, which counter-speech may blunt but not simply argue away.¹⁰ The de-escalation model should therefore be understood as one instrument among several—necessary for cooling acute discourse, but not a substitute for the structural de-securitization that Parts I and II pursue. Speech that manufactures enemies is, in the end, downstream of a politics that rewards manufacturing them.

PART FOUR

Phased Transition

A thirty-six-month sequence: audit what exists, let it expire on schedule while standing up de-escalation, then normalize and lock the gains in.

PART IV • PHASE I

The Audit — Months 1–6

You cannot dismantle what you have not inventoried. Phase I produces a complete map of the post-2001 security architecture.

MONTHS 1–6

Objective. Conduct a comprehensive audit of all security-related legislation, authorization, and institutional practice enacted since 2001—establishing, for each instrument, its legal basis, scope, sunset status (if any), oversight mechanism, demonstrated efficacy, and human-security cost.

Why first. The permanent-emergency architecture is diffuse: it lives across statutes, executive orders, funding restrictions, and agency practice. A reversal program that proceeds piecemeal will miss the connective tissue—the grandfather clauses, the cross-references, the funding bars—that lets expired powers persist. The audit makes the whole structure legible before any instrument is touched.

ILLUSTRATIVE AUDIT INVENTORY — INSTRUMENTS AND AUDIT QUESTIONS

INSTRUMENT	WHAT IT DOES	PRIMARY AUDIT QUESTION
2001 AUMF Pub. L. 107-40	Open-ended authorization for use of military force; no named enemy, no sunset. ⁷	On what current basis is each ongoing operation justified?
2002 Iraq AUMF	Authorization for force against Iraq; Senate passed repeal in 2023, not enacted. ⁷	Why does a repealed-in-one-chamber authority remain on the books?
PATRIOT Act §215 50 U.S.C. § 1861	Compelled production of business records / bulk metadata; lapsed 2020. ^{5, 12}	What residual authority survives via grandfather provisions?
FISA authorities & NSLs	Foreign-intelligence surveillance and national-security letters.	What is the sunset status, oversight, and demonstrated necessity of each?
Military commissions	Parallel justice system at Guantánamo; transfer of detainees barred by statute. ^{8, 9}	Which pending matters can move to Article III courts?

- **Deliverable.** A public register of post-2001 security instruments, each scored for sunset status, oversight, efficacy evidence, and human-security cost.
- **Method.** Apply the human-security ledger (Chapter 3) as the scoring rubric, so that each instrument's costs to personal and political security are weighed against its security benefit.

- **Output feeds Phase II.** The register becomes the worklist for sunset legislation and the baseline against which “reduction in emergency-powers usage” is later measured.

PART IV • PHASE II

Legislative Sunset & De-escalation — Months 7–18

Begin the reversal in earnest: legislate expiry into the surveillance regime, and simultaneously stand up the transparent de-escalation pilot.

MONTHS 7–18

Objective. Two parallel workstreams. First, introduce legislation enforcing sunset clauses across the instruments mapped in Phase I and closing their carry-over loopholes. Second, deploy the discourse-monitoring and counter-speech capability of Part III as a transparent pilot—identifying incitement-to-violence vectors and answering them with de-escalation.

Workstream A — Legislative sunset

- Introduce sunset clauses and repeal-and-replace measures targeting the open-ended authorities identified in the audit, beginning with the highest-cost, lowest-efficacy instruments.
- Close grandfather and ongoing-investigation exceptions; require public reporting of any reliance on transitional authority.¹²
- Condition every reauthorization on an affirmative vote supported by current evidence of necessity.

Workstream B — De-escalation pilot

- Stand up OSINT-based monitoring for the dangerous-speech hallmarks (Chapter 8), under the full safeguard set—public scope, transparency, no enforcement power.¹⁰
- Deploy targeted counter-narratives that raise transparency and verified fact (the T_r and E terms) and re-anchor discourse in human security.
- Treat false positives against legitimate protest as the pilot's primary failure metric, and tune accordingly.

WHY THESE RUN TOGETHER

The two workstreams are the two faces of one strategy (Chapter 2). Sunsetting emergency powers reduces the state-driven securitization that aggravates polarization; the de-escalation pilot addresses the polarization already circulating. Run apart, each is incomplete; run together, they reinforce.

PART IV • PHASE III

Normalization & Consolidation — Months 19–36

Make the reversal durable: migrate residual cases into civilian courts, institutionalize the human-security frame, and lock in the oversight that prevents backsliding.

MONTHS 19–36

Objective. Consolidate the gains of Phases I–II into permanent institutional defaults, so that the off-switch installed by de-securitization cannot be quietly removed. This phase—an addition to the original two-phase brief—exists because reversal without consolidation invites the slow return of exception.

- **Judicial migration.** Lift the transfer bars and move residual terrorism matters into Article III courts; wind down the commission system.^{8, 9}
- **Oversight lock-in.** Make default-expiry, closed loopholes, and mandatory efficacy review permanent features of how surveillance authority is granted—not one-off reforms vulnerable to the next crisis.
- **Human-security institutionalization.** Embed the human-security ledger as the standing rubric for evaluating any future security measure.
- **De-escalation as standing function.** Transition the pilot, if validated, into a transparent, independently overseen capability—or retire it if testing shows the false-positive cost outweighs the benefit. Either outcome is a success of the method.

TRANSITION AT A GLANCE

PHASE	WINDOW	CORE DELIVERABLE
I — Audit	Months 1–6	Public register of post-2001 security instruments, scored for sunset, oversight, efficacy, and human-security cost.
II — Sunset & De-escalation	Months 7–18	Sunset legislation with closed loopholes; transparent counter-speech pilot under full safeguards.
III — Normalization	Months 19–36	Cases migrated to civilian courts; oversight and human-security framing made permanent.

PART FIVE

Metrics & Risk

*What success looks like, how it is measured, and an honest accounting of what could go wrong
—including the risk the plan poses to itself.*

PART V • CHAPTER 13

Key Metrics for Success

Three outcome families, each with a concrete indicator and a baseline drawn from the Phase I audit.

De-securitization is measurable. The program succeeds to the extent that reliance on emergency power falls, that incitement in monitored discourse declines, and that security questions return to ordinary democratic debate. Each family below pairs the original brief's success criteria with a means of measurement.

OUTCOME METRICS AND MEASUREMENT

OUTCOME	INDICATOR	BASELINE / SOURCE
Reduced emergency-powers usage	Count of active open-ended authorities; frequency of invocation; share of surveillance authorities carrying enforced sunsets.	Phase I register (Chapter 10).
Decline in incitement metrics	Volume and intensity of dangerous-speech hallmarks on monitored public platforms, tracked over time. ¹⁰	De-escalation pilot baseline (Phase II).
Return to civil debate	Proportion of terrorism matters tried in Article III courts; security questions resolved through ordinary legislative/judicial process rather than exception. ^{8,9}	Comparative court record (Chapter 6).

A measurement caution applies to the second family in particular. A fall in observed incitement is meaningful only if the detection layer is valid—a tool that under-counts because it misses novel rhetoric, or that appears to “reduce” vitriol by chilling legitimate speech, would produce a misleading metric. The success of the incitement indicator is therefore inseparable from the safeguards and false-positive discipline of Chapter 8. Numbers from an untrusted instrument are not evidence.

PART V • CHAPTER 14

Risk Assessment & Mitigations

A plan to give up power encounters predictable resistance and carries real hazards. Naming them is a precondition of managing them.

PRINCIPAL RISKS AND MITIGATIONS

RISK	DESCRIPTION	MITIGATION
Political resistance	Open-ended authority, once granted, is hard to reclaim; repeated AUMF-repeal efforts have stalled for two decades. ⁷	Sequence by lowest-efficacy, highest-cost first; use the audit's public register to shift the burden onto those defending each power.
Security trade-off	The objection that sunseting powers leaves citizens exposed—sharpened if an attack occurs mid-transition.	Human-security accounting; civilian courts' >90% conviction record shows ordinary law is not a soft option. ^{8,9} Genuinely needed powers are re-granted narrowly, not abandoned.
Re-securitization via monitoring	The gravest internal risk: the de-escalation capability becomes a speech-surveillance tool—the very apparatus the plan retires.	The Chapter 8 safeguards are constitutive: counter-speech not censorship, public scope only, full transparency, no enforcement power, dissent protected. ¹⁰
False positives	Automated detection flags protest, satire, or dissent as incitement, chilling legitimate expression.	Treated as the system's primary failure mode; human review mandatory; thresholds tuned to incitement-to-violence, not unpopularity.
Silent backsliding	Expired powers persist through grandfather clauses, or exception returns at the next crisis.	Closed loopholes with public reporting (Chapter 5); Phase III lock-in of permanent oversight defaults. ¹²
Overreach of human security	The breadth of the concept invites re-securitizing development, health, or speech under a new banner. ⁴	Human security used narrowly—as a cost-benefit counterweight and counter-narrative content, not a mandate for new emergency powers.

THE GOVERNING PRINCIPLE

Every instrument in this plan—including its own monitoring capability—is subject to the same test it applies to the security state: it must be transparent, bounded, justified by evidence, and reversible. A de-securitization program that exempted itself from that test would refute its own thesis.

A final, candid limitation. This is a conceptual mission plan authored independently; it is not a legislative draft, and its enactment would require sustained political coalition-building well beyond the scope of any single document. Its contribution is to supply the *architecture* of a reversal—the diagnosis, the objectives, the sequence, the metrics, and the safeguards—grounded throughout in named scholarship and public law. The political will to use that architecture is a separate, and harder, problem.

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