

US Senator Dianne Feinstein
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3 July, 2006

Dear Senator,

Subject: We should exit our state of war

I write to suggest an action you can initiate, which I feel would benefit the USA enormously right now. That is, to recognize that the struggle of the USA against world terrorism can no longer be considered a state of war. We should not be "at war", except for our specific military engagements in Iraq and Afghanistan.

After the attacks of 9/11, the US immediately declared war on terrorists that target us, and acted forcefully on the declaration. That was a correct use of war. Now, nearly five years on, we find ourselves still "at war", with no end in sight. When will we have achieved the war's goals and be able to declare the war over? I feel strongly that we have passed that point, and should reduce the nation's designation from a state of war to something more akin to the Cold War -- an on-going campaign of intelligence and diplomatic activities, and military as occasionally needed. It has become a matter of continuing foreign and defense policy and practice, and is no longer a matter of war.

We have made substantial progress in halting al Qaeda's effectiveness. In fact our level of awareness and preparation at home and abroad, coupled with our military successes against that loose network, means we are at vastly less risk than we were on Sept 10, 2001. In that sense, the war has succeeded already. The goal to capture or kill one figurehead, bin Laden, is not important enough to serve as a reason to keep us at war.

The domestic benefits of leaving the state of war will be substantial. The executive branch will no longer need, nor be entitled to continue, its programs of domestic surveillance and detention of enemy combatants without proper trial. The proper balance of power between the legislative and the executive will be restored, as will rights of privacy for individuals. (The president will continue to control legitimate wars in Iraq, Afghanistan and perhaps elsewhere.) In fact this is the most important point: *It is wrong, and fundamentally subverts the constitution, that the US be in a continual state of war when there is no imminent threat to us.* The state must be lifted when no longer necessary. When it is lifted, the constitutional balances of power and citizens' rights resume their primacy. We need to take the steps to re-activate them.

Thank you very much for your attention.

-- Peter Butterfield