

GOVERNING THE FUTURE, MASTERING TIME

GOVERNING THE FUTURE, MASTERING TIME: TEMPORALITY,  
SOVEREIGNTY, AND THE PRE-EMPTIVE POLITICS OF (IN)SECURITY

By

LIAM P.D. STOCKDALE, B.A.(h), M.A.

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AUTHOR: Liam P.D. Stockdale, B.A. (McMaster), M.A. (University of Toronto)

SUPERVISOR: Dr. Tony Porter

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## **Abstract**

This dissertation offers an in-depth exploration of how temporality—and the imperative to control the unfolding of time in particular—is embedded in the practices, processes, and dynamics of contemporary world politics. While most International Relations scholarship remains conspicuously uninterested in questions relating to time, this study sees such temporal blindness as inhibiting the development of adequately nuanced and critically oriented understandings of key theoretical and practical issues in the global political realm. It thus attempts to demonstrate how time can be “brought in” to the study of world politics, and to highlight the analytical utility and critical potential of doing so.

In this respect, Part I considers the importance of temporality to perhaps the most fundamental global political concept—state sovereignty—and then moves on to discuss how shifts in the contemporary political imagination have (re-)inscribed temporal contingency as a pressing problem that requires a political response. Part II then attempts to critically think through what is at stake in the resulting proliferation of anticipatory governance strategies premised upon controlling the unfolding of the future through pre-emptive intervention in the present. It is argued that by prioritizing imagination and conjecture in the context of political decision-making, such temporally-inflected strategies serve to radically reconfigure the way political power is organized and exercised, such that a paradigm of political authority best described as “exceptionalism” is enacted. This line of argument is developed through a comprehensive conceptual engagement with one particularly prominent manifestation of this ongoing “temporalization” of the political—namely, the “pre-emptive security” strategies that have emerged as central to the conduct of the global War on Terror. It is concluded that the adoption of anticipatory political rationalities is particularly problematic for the liberal democratic states that have most enthusiastically done so—both in the security realm and beyond.

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Finally, I dedicate this dissertation to my late father-in-law, John Torry, whose terrible illness and ultimate passing during the final weeks of my work on this project served as a painful reminder of our helplessness before the unfolding of time.

## **Table of Contents**

*Introduction ... 1*

### ***Part I***

Chapter 1 – *State Sovereignty and the Governance of Time ... 24*

Chapter 2 – *The Politics of Temporal Control ... 55*

### ***Part II***

Chapter 3 – *Pre-emption and (Inter)national Security: Historical and Conceptual Considerations ... 77*

Chapter 4 – *Timescapes of Pre-emption: Anticipatory Governance and the Manipulation of Time ... 119*

Chapter 5 – *Pre-emptive Security and the Politics of Exceptionalism ... 147*

Chapter 6 – *Pre-emptive Security, Precarious Subjectivity, Autoimmunity ... 195*

*Conclusion ... 225*

*Works Cited ... 237*

## **Introduction**

In one of the more memorable passages from his *Confessions*, Saint Augustine muses perplexedly about the nature of time. “What, then, is time?” he asks, before proceeding to offer what is perhaps the pithiest articulation of the paradoxical relationship between human subjectivity and temporality found in the canon of Western philosophy: “if no one asks me, I know; if I wish to explain it to one that asketh, I know not” (1968: 40). This at once simplistic and profound observation captures well the point that while all human subjects are in some way fundamentally aware of time, time remains perpetually beyond the capacity of the human mind to fully grasp and thus eludes cogent conceptual articulation. Indeed, even a cursory parsing of the voluminous literature on the subject reveals that, on the one hand, time is recognized as central to the most basic questions of philosophical inquiry and human existence—it “is a fundamental aspect of all that occurs, a boundary condition on phenomena” (Turetzky 1998: xi). On the other hand, however, it also becomes apparent that there likely exist as many temporal understandings as there are philosophical orientations; as many theoretical articulations of time as there are theorists to articulate them (see, for instance, McCumber 2011, McClure 2005, Adam 2004, Grosz 1999, Turetzky 1998, Elias 1992, Bender & Wellbery 1991, Koselleck 1985, Gale 1968). Thus, although humanity appears collectively incapable of developing a universally accepted understanding of time, the point remains that our relations to time form a fundamental part of the human condition. As political theorist Kimberly Hutchings, paraphrasing Kant, puts it, “time...conditions all our experience of ourselves” (2008: 3).

Yet our interactions with time are by no means entirely harmonious. Quite the contrary, as it is our status as beings in time that is a primary source of the insecurities and difficulties that define the human experience. As Bonnie Honig argues, “time and man [*sic*]...are agonistically

related,” in that the free activities of human subjects inevitably “interrupt would-be time sequences,” while the vicissitudes of time’s flow in turn impinge upon human freedom (Honig 2008: 108). In the context of this agonic relationship between humanity and temporality, the desire to adequately manage our temporal interactions by exerting some degree of agentic control over time emerges as a critical imperative. Thus, what social theorist Barbara Adam refers to as a “quest for time control” can be seen to underpin all forms of human social and cultural production—from philosophic, to religious, to political activity—such that the social world as we know it is constituted to a significant extent by concepts and practices that are ultimately concerned with the management, governance, and even mastery of time itself (Adam 2004: 19-20, 124, 152; see also Luhmann 1982: 274).

In short, then, time is fundamental to shaping the human experience, and the imperative to control time can be understood as a crucial undercurrent in the ongoing constitution of the social world. And while perhaps appearing to relate only to broad philosophical questions about the character of existence and the nature of being, these two insights in fact serve as the point of departure for this dissertation—a study whose subject matter is not phenomenology or eschatology but international politics. Indeed, in the chapters that follow, I am interested in critically exploring how temporality more generally—and the imperative to control time in particular—is embedded in the epistemic foundations and practical operations of contemporary global political processes.

### ***Situating the Project***

At first glance, a dissertation about world politics oriented around the question of temporality might seem rather curious. Some may wonder, for instance, how an explicit focus on



time can improve our understanding of an area of human affairs frequently referred to by the overtly spatial sobriquet “geopolitics,” and popularly understood as involving the actions of collective units defined by their territorial fixity whose interactions have often involved violent confrontations over the boundaries of their spatial demarcations. In other words, why should students of so putatively spatialized and concrete a realm as global politics be concerned with something so apparently abstract and conceptually nebulous as time itself? The most basic answer to this question is found in the aforementioned point that time and humanity’s relation to it are essential to the constitution and operation of the social world. Indeed, since the realm of global politics is undoubtedly a part of the social world, it follows that in any analysis thereof, time matters and must be taken seriously. Yet in the scholarly discipline concerned with undertaking precisely such analyses—International Relations (IR)<sup>1</sup>—it very seldom is.

This is not the case across the other disciplines of the social sciences and humanities, where the importance of time has long been recognized. For example, prominent works in anthropology—such as Johannes Fabian’s *Time and the Other* (2002)—sociology and social theory—such as Barbara Adam’s *Time and Social Theory* (1994)—history and historiography—such as Hayden White’s *Metahistory* (1973)—and (continental) philosophy—such as Paul Ricoeur’s *Time and Narrative* (1990)—have all dealt explicitly with the question of time in their respective disciplinary contexts. Another political science sub-discipline—Political Theory—has also recognized the importance of temporal questions to understanding the sorts of elemental issues of human relations with which it is concerned, as major works such as John Gunnell’s *Political Philosophy and Time* (1987) and Sheldon Wolin’s *Politics and Vision* (2004) directly address the relationship between time and how we think about politics. To be sure, interest in

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<sup>1</sup> I will henceforth follow the convention of utilizing upper case letters to denote the scholarly discipline of International Relations, while employing the lower case when describing its subject matter.

time has ebbed and flowed along with the intellectual currents of each discipline; however, an underlying sensitivity to the importance of taking time seriously has nonetheless characterized the scholarly ethos of all of these areas of study whose general subject matter is the world created by humanity.

Moreover, we are currently witnessing a resurgent interest in the question of time among scholars in these and related fields. Most often prompted by normative concerns relating to such issues as the perceived acceleration of life in our late modern “high-speed society” (Rosa and Scheuerman 2009; Hassan and Purser 2007), or the spectre of future ecological collapse wrought by the increasingly unsustainable lifestyles many in the present take for granted (Bastian 2012; Atwood 2008), a wide variety of authors are training their gazes upon the temporalities of the social world and adopting what can be termed a “temporal lens” that “puts time...front and centre” in their analyses thereof (Ancona *et al.* 2001: 645).

Interestingly, neither this longstanding recognition of the importance of time, nor this renewed focus on temporal questions can be said to apply to the discipline of IR. Indeed, since its emergence as a discrete field of scholarly inquiry in the interwar years, the study of global politics has been so “overtly pre-occupied with *spatial* rather than *temporal* relations” that, with a few notable exceptions,<sup>2</sup> explicit engagements with temporality are all but absent (Hutchings 2008: 11, emphasis original). Instead, any reckoning with the question of time is most often left implicit in the conceptual architecture of the theoretical paradigms that inform particular scholarly interventions. For instance, the realist tradition—with its fixed ontology and emphasis on the logic of anarchy, the inevitability of conflict, and the ephemerality of any co-operative endeavours between states—implies a static temporality; an eternal recurrence of the same tragic

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<sup>2</sup> Most prominent in this regard is the work of Hutchings (2008, 2007), Jarvis (2009, 2008), and, of course, Walker (2010, 1993, 1991).

condition in which inherently self-interested states are “doomed to repeat the behaviour appropriate to rational actors with differing capabilities in an anarchic context,” such that mere conflictual “relations” rather than any positive “politics” is all that is possible in the purportedly unique realm of the international (Hutchings 2008: 11, 13; see also Wight 1960). Liberal institutionalism, by contrast, can be understood as rooted in the progressive historicism of the Enlightenment, thus implying a temporality of limited teleology in which a less volatile condition can be arrived at through co-operation in an ultimately positive-sum international environment—a condition that might be enhanced by the overt pursuit of such teleological ends as global democratization (Hutchings 2008: 13). Moreover, the various strands of constructivism imply at least the possibility of a similarly progressive temporality, as their emphasis on processes of social construction presumes that, *contra* realism, the recurrence of zero-sum power politics need not be eternal since its constructed nature signifies that it could always be otherwise (see Wendt 1992).

Importantly, these implicit temporal commitments of the major theoretical approaches suggest that temporality is far from irrelevant to the study of world politics (Hutchings 2008: 14). Yet the overt foregrounding of temporal questions and issues remains quite rare, thus rendering IR somewhat unique in its temporal blindness when contrasted with most other social science and humanities disciplines. It is the contention of this study that this represents a serious shortcoming in IR scholarship, since the importance of time to the constitution and operation of the social world in general, and the contemporary resurgence of scholarly interest in temporal questions in particular, suggests that a continued unwillingness to take time seriously is untenable. Thus, while I am not interested in extensively exploring the purely philosophical

treatment of time as such, I *am* interested in exploring the potential scholarly benefits of adopting a “temporal lens” in the study of global politics.

Building upon this underlying impetus, the project developed in this dissertation is oriented around three principal tasks. These tasks can be most simply understood as: 1) emphasizing that time ought to be “brought in” to the study of global politics, and providing a full study-length illustration of how this might be done; 2) laying the foundation for a critique of the sorts of temporally oriented governance strategies whose global proliferation is a primary reason for taking time more seriously in IR; and 3) developing a comprehensive conceptualization and critical interrogation of one particular example of such strategies—namely, the pre-emptive governance of (in)security in the context of the global War on Terror. While the connection between these three tasks may not initially be fully clear, it will become apparent in the following pages that they in fact overlap markedly. Thus, rather than corresponding in any clear way to the subsequent chapter divisions, these three overarching tasks are pursued concurrently throughout the remainder of this study. Moreover, that all three are principally concerned with conceptual questions is indicative of the primarily theoretical character of the contributions this project seeks to make. In this respect, they collectively represent an attempt to critically think through how questions of time and its control and governance are embedded in the theory and practice of contemporary global politics. It is worth elaborating upon each in turn, as this will give the reader some context for the more specific arguments developed in the subsequent chapters, as well as a better sense of how this study productively adds to the existing IR literature.

The discussion thus far has argued that the question of time is undertheorized in IR. If this point is accepted, the question thus emerges as to what a scholarly intervention that takes

time seriously might look like. Accordingly, the first principal task of this project is to provide an extended demonstration of how time might be “brought in” to the study of global politics. This is a particularly important consideration at present, since the erstwhile marginalization of temporality in IR scholarship is especially problematic today. Indeed, some of the most significant dynamics of the current global political environment stem from shifts in the broader political imagination that have brought explicitly temporal issues very much to the fore. For example, the growing discursive power of narratives proclaiming the onset of a “world risk society”—characterized by the erosion of our ability to control the unfolding of the future to an extent that affords us an adequate degree of ontological certainty in the present, and typified by such global problems as climate change, financial crises, and terrorism—suggests that time in general, and the irruptive contingency of the future in particular, are becoming framed as pressing problems that must be addressed through political channels (Beck 1999, 2008). Such narratives are corroborated in practice by the widespread proliferation of governmental strategies that are explicitly oriented toward taming an uncertain future through anticipatory logics of action. Such strategies—which are most often described in terms of “risk management,” “pre-emption,” “precaution” and the like—can thus be understood as “attempts to control time” itself, and are increasingly visible in myriad areas human affairs across the globe (Kessler 2011: 2181). This combination of an epistemic shift toward a focus on overtly temporal issues and a concurrent practical shift toward future-oriented governmental logics has effectively “reconfigured the politics of space into a politics of time,” thus suggesting the need for a greater consideration of time in political analysis (*Ibid.*).

Of course, the novelty of this emergent “temporalization” of the political should not be overstated, as politics in general and “international” politics in particular has been concerned

with controlling the unfolding of time and taming the contingency of the future since well before Machiavelli exhorted his prince to subdue *fortuna* (see Gunnell 1987). However, as the above examples suggest—and as will be discussed at length in chapter 2 below—the global polity is becoming increasingly characterized by the inscription of time itself as a problem to be addressed and the concomitant emergence of governance practices developed explicitly for this purpose. It follows that adequately understanding contemporary global politics requires a more temporally sensitive approach to the study thereof. This study thus offers an illustration of what such an approach might look like, in that the conceptual puzzles that underpin the remaining chapters have been formulated by prioritizing the question of time, while the arguments and conclusions that result from the subsequent analysis exemplify the sorts of critical insights that such a temporally inflected approach makes possible. Upon reaching the conclusion, in other words, the reader will better understand both the type of analysis that can result from taking time seriously in the study of global politics, and the critical potential embodied therein.

The second and third tasks underpinning this study relate to fleshing out the first, and are thus concerned with more specific questions relating to the role of temporality in contemporary world politics. In this respect, the second task is to lay the foundation for a critique of the sorts of practices that have resulted from the ongoing “temporalization” of the political, particularly as regards their effect on the organization and exercise of political power and authority in the contemporary global context. In other words, one of the principal ways in which this project attempts to “bring time in” to the study of world politics is to critically interrogate precisely the sorts of explicitly temporalized “political rationalities” whose global proliferation has made the adoption of a temporal lens increasingly necessary. As will be discussed in chapter 3, the term “political rationality” was developed by Nikolas Rose and Peter Miller to denote a “discursive

field within which the exercise of power is conceptualised” that combines “justifications for particular ways of exercising power” with “notions of the appropriate forms, objects, and limits of politics” (Rose and Miller 1992: 175). A political rationality can thus be understood as the normative-conceptual framework that guides political action in a certain context by both articulating the sort(s) of problem(s) to be addressed, and providing a programme for action through which political power can be mobilized toward these ends. Of concern to this study is the way in which, as mentioned above, the rationalities enacted by the ongoing temporalization of the political are characterized by an anticipatory logic of action aimed at governing the future. In particular, the issue is how such anticipatory rationalities require a paradigm of political power reminiscent of that which is associated with a politics of “exceptionalism.” As will be discussed at length in chapter 5, “exceptionalism” refers to a condition in which juridical limitations on the exercise of sovereign power are diminished to the point of practical irrelevance. In other words, it denotes a political circumstance characterized by “serious distortions in the restraining effects that the rule of law...[has] on the arbitrary exercise of power,” such that those endowed with the capacity to deploy sovereign power are effectively placed beyond the law (Huysmans 2004: 327). Such a paradigm of political authority is enacted by anticipatory rationalities of governance because the latter are concerned with controlling time by acting on and taming potential futures; and because these futures are inherently unknowable, a highly arbitrary form of political decision-making is required to make acting upon them possible. As will become clear in chapters 5 and 6, the resultant form of political authority conspicuously mirrors that which is associated with the logic of political exceptionalism, thus suggesting that the broader “temporalization” of the political has the potential to significantly alter the character of political subjectivity—particularly in liberal democratic polities. Put most

simply, therefore, the second task of this study is to move toward a critical theorization of the exceptional forms of political power that are enacted by the anticipatory rationalities whose global proliferation demands that time be taken more seriously in IR scholarship.

However, a critical account of anticipatory governance can only be fully developed through an extensive targeted analysis of particular instances in which such political rationalities are concretely manifested. And while any attempt to explore all the areas of human affairs in which this trend has become apparent would be far too unwieldy for a study of this scope, it is nonetheless possible to develop insights relevant for a broader critique of anticipatory governance through the detailed interrogation of one particular example thereof. This consideration informs the third principal task of this study, which is to develop an in-depth conceptual account of one of the most conspicuous examples of a “temporalized” politics in the contemporary global context—namely, the widespread deployment of what can be termed “pre-emptive” strategies in the governance of (in)security.<sup>3</sup> The post-9/11 rise of transnational terrorism as the dominant issue in the global security imagination has placed temporal questions more generally, and the taming of the future’s contingency more specifically, at the core of the contemporary politics of security. As will be discussed in chapter 3, this is because the spectre of terrorism has been framed as a radically irruptive, catastrophic potentiality inhabiting an ultimately unknowable future that can thus only be adequately governed through an anticipatory strategy of pre-emptive intervention aimed at stopping the proverbial “next attack” before it occurs (Aradau and van Munster 2011). The proliferation of such future-oriented security rationalities constitutes perhaps the most notable development in the post-9/11 global security climate (Ericson 2008), and also represents an archetypical example of the broader “temporalization” of the political discussed thus far. As such, this study’s concern with

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<sup>3</sup> The meaning of this term in this particular context is discussed at length in chapter 3 below.



highlighting the importance of taking time seriously and interrogating what is at stake with the rise of anticipatory governance strategies—embodied respectively in the first and second tasks—will be pursued through a comprehensive critical theorization of how the problem of temporal contingency has been prioritized within the global security imagination and responded to through the development of temporally inflected security rationalities premised upon governing the future through pre-emptive intervention in the present. Developing such an account is the aim of the third task, as doing so is integral to realizing the aims of the first two.

It is worth reiterating that these three tasks do not directly correspond to the subsequent chapter divisions, but rather are embedded in, and pursued through, the various arguments developed below. Yet understanding the contours of this study in this tripartite way is useful because it helps to highlight its contributions to the existing literature. In this respect, the first task’s concern with demonstrating how we might take time seriously in the study of contemporary world politics contributes to broader disciplinary debates regarding the proper subject and scope of IR scholarship. Specifically, this study seeks not only to show what adopting a temporal lens for the study of global politics might look like, but to emphasize that doing so is both methodologically prudent—since temporal questions increasingly underpin the key dynamics of contemporary world politics—and analytically productive—since doing so enables the development of innovative readings of key conceptual and practical issues. This hints at the contributions embodied by the second and third tasks, which relate to the explicitly critical potential of taking time seriously. In this regard, this study’s attempt to think through the implications of the ongoing “temporalization” of the political that has made the adoption of a temporal lens increasingly necessary elicits significant critical insights into the way political power is organized and exercised in the contemporary context. Specifically, by exploring how

the resurgent imperative to control time through future-oriented governmental rationalities enacts a politics of exceptionalism, this study provides the epistemic basis for a thorough critique of such rationalities on both theoretical and ethico-political grounds. Moreover, because these arguments are developed through a sustained engagement with the realm of global (in)security governance, this study also contributes to the critical security studies literature in two notable ways. First, by suggesting that political exceptionalism is embedded in the broader logic of anticipatory governance itself, it offers an innovative conceptual explanation for the widespread proliferation of exceptionalist practices in the post-9/11 era—a topic that has been of paramount interest to critical security scholars over the past decade. Secondly, by arriving at these insights through an in-depth theorization of how future-oriented rationalities have been applied to the governance of (in)security in particular, this study develops the first comprehensive conceptual account of what has been termed “pre-emptive security” in the context of contemporary global politics (de Goede 2008: 162; Sullivan and Hayes 2010). While much existing critical scholarship is concerned with problematizing the various state practices described by this idea, there has been no attempt in the extant literature to extensively describe this approach to (in)security governance in more general conceptual terms. Filling this gap is thus a primary contribution of this study.

Speaking more broadly, the subsequent chapters should therefore be understood in the spirit of self-identified critical scholarship, which seeks to “re-open assumptions that have grounded our political thought” and thus develop alternative understandings of some of the most pressing global political issues and concepts of our current moment (Edkins and Vaughan-Williams 2009: 2). Yet in this context, it is also crucial for the reader to remain cognizant of how the critical insights developed in the following chapters are ultimately the result of the analysis

being conducted through an explicitly temporal lens. In short, then, this study will show that not only is a move to take time seriously demanded by the emergent dynamics of contemporary global politics; but doing so also productively facilitates criticality in the study thereof.

### *Time, Space, and Space/Time*

At this point, sceptical readers may be questioning whether my intended focus upon the temporal must come at the expense of a sensitivity to the spatial in world politics. In other words, surely IR's erstwhile emphasis upon space rather than time suggests that even if the marginalization of time is accepted as problematic, it would be equally problematic to invert this process and prioritize the temporal while bracketing out the spatial, since the latter is also of significant importance. Some may go further and contend that it is illegitimate to speak of space and time as discrete categories. Following critical geographer Doreen Massey, such a view asserts that space and time are so "inextricably interwoven" that we must "insist on...the necessity of thinking in terms of space-time" (Massey 1994: 261, 269). Both of these lines of argument thus imply that any attempt to prioritize time in the manner attempted by this study is potentially problematic, from both methodological and theoretical perspectives.

While I recognize that such arguments are compelling and thus appreciate the importance of maintaining an adequate sensitivity to the spatial in any analysis of the social world, I do not believe these concerns seriously challenge the legitimacy of this study's analytical approach. Indeed, despite her intimations to the contrary, Massey effectively concedes as much, saying of space and time that "it is not that we cannot make any distinction at all between them, but that the distinction we do make needs to hold the two in tension" (1994: 261). In other words, it is possible to accept the fundamental theoretical point about the inexorable interconnectivity of

space and time—and the productive, mutually constitutive tensions between the two in the context of the social world (Cragg 2007: 62)—while still prioritizing one over the other for analytical purposes. This should be understood as the approach of this study with respect to the above concerns.

Thus, while the overarching goal of this study is to emphasize the importance of taking time seriously, in no way should this be construed as an eschewal of the importance of the spatial to the questions and issues that will be examined in the following chapters. Indeed, the subsequent analysis certainly recognizes that such issues—from the concept of sovereignty to the practice of drone warfare—are also intimately bound up with questions of space, and it is not my intention to deliberately play down the significance thereof. Rather, my aim is to demonstrate that an adequately nuanced and critically engaged analysis of contemporary world politics requires an increased sensitivity to and emphasis on questions of time. Put another way, I am not interested in making the negative case *against* prioritizing the spatial in the study of the social world—although I do believe this tendency is a problem for IR scholarship in particular. Rather, I am interested in making the positive case *for* taking the temporal more seriously in the analysis of global politics. In light of the entirely valid concerns expressed by Massey and similarly minded scholars, the subsequent chapters should be understood in these terms.

### ***A Note on Method***

As is perhaps already clear from the preceding discussion, I intend this study to be read as much as a work of Political Theory as of IR—a distinction whose artifice has anyway been long exposed (see Walker 1993). The original contributions I seek to make are almost entirely conceptual in nature, and the majority of the analysis consists of in-depth exercises in theoretical

argumentation that are the result of sustained critical reflection upon the issues in question. With respect to questions of method, therefore, I draw upon the precedent set by Hedley Bull in the preface to *The Anarchical Society*, in which he described this work—which would become one of the most important interventions in the history of IR scholarship—as “an attempt to deal with a large and complex subject simply by thinking it through” (Bull 1977: xiii). While I have no delusions about the present project ever achieving a similar level of renown to Bull’s magnum opus, this study’s effort to grapple with how the question of time relates to the constitution and operation of contemporary world politics should be understood as employing his “method” in this respect.

That said, while principally concerned with conceptual questions and arguments, there is also an empirical component to this project, as I make references of varying depth throughout the subsequent chapters to practical manifestations of anticipatory governance in the context of (inter)national security. However, my direct engagement with such practices as the indefinite detention of alleged terrorists in “exceptional” spaces or the targeted killing of suspected Islamic militants via drone strike is undertaken not for the purpose of developing any detailed empirical account of these policies, but rather to illustrate conceptual points relating to how the future-oriented forms of governance—of which these activities are prototypical examples—operate in practice. In other words, the purpose of the empirical component is to provide a degree of “real world” grounding for the conceptual claims that are at the core this study, and it should thus be understood as a series of illustrative examples rather than “case studies.” The examples I have chosen to engage with have thus been selected primarily on the basis of their illustrative capacity. Thus, while certainly not insignificant to the overarching arguments, these empirical

components should be understood as secondary to the conceptual components in whose insights can be found this study's principal contributions to the IR literature.

### ***Outline of Chapters***

The remainder of the study consists of six chapters, and is divided into two parts. Part I—which includes Chapters 1 and 2—is concerned with more general questions about the relationship between temporality and the political, while Part II—which includes Chapters 3 through 6—focuses more narrowly upon anticipatory political rationalities manifested through the pre-emptive politics of contemporary (in)security governance.

Chapter 1 – *State Sovereignty and the Governance of Time* can be best understood as an exercise in temporally inflected conceptual analysis that also serves as the basis for the subsequent discussion of what I have above described as the “temporalization” of the political. The core argument is quite abstractly theoretical, as it develops the somewhat counterintuitive claim that the concept of state sovereignty should be understood as ultimately concerned with the governance of time. Toward this end, the chapter begins by discussing how sovereignty's core normative promise to create a secure space in which the good life can be pursued politically is ultimately premised upon the temporal imperative that these spatial demarcations must endure through time. It then moves on to explore the genealogical relationship between the concept of sovereignty and the imperative to transcend temporal finitude through the pursuit of immortality, drawing upon several canonical theorists including Arendt, Bodin, Hobbes, and Machiavelli. The discussion then proceeds to consider how sovereignty is constituted through a dual temporality, in which the flow of time is actively appropriated to inscribe a teleological time of progress on the inside, while a cyclical time of eternal recurrence is maintained on the outside. Based on

these three lines of analysis, it is concluded that the concept of sovereignty should be ultimately understood as a temporal rather than a spatial concept. Within the broader context of the dissertation, this discussion serves two purposes. First, it constitutes something of a stand-alone illustration of the centrality of time to the conceptual architecture of the social world, thus highlighting the overarching point about the importance of “taking time seriously” in IR while providing an example of the sort of analysis that is made possible by doing so. However, it also lays the foundation for the remainder of the study by demonstrating how the logic of sovereignty is premised upon a mode of temporal governance that has served as the dominant “solution” to the “problem” of temporal contingency in the modern political imagination.

Chapter 2 – *The Politics of Temporal Control* builds upon this latter point by considering how the particular solution to the problem of temporal contingency embodied by the logic of state sovereignty is becoming increasingly challenged in the late-modern era. In this respect, the discussion considers how we are currently witnessing what can be termed a “temporalization” of the political. As discussed earlier, I use this term to refer to the way in which time more generally—and the imperative to govern temporal contingency in particular—has taken up an increasingly prominent place in the contemporary political imagination. I then discuss how this epistemic shift has manifested in the widespread proliferation of anticipatory governance strategies. After an in-depth discussion of the logics of “risk” and “precaution” that underpin these strategies, it is argued that the practice of sovereignty is thus being modified to reflect the more direct approach to temporal control embodied by such logics of governance. This suggests the need to critically consider how these developments affect the organization and exercise of political power in the contemporary global political context. This is the focus of Part II of the dissertation.

As mentioned above, this task will be undertaken through a detailed critical interrogation of one particular area of human affairs in which this “temporalization” of the political is especially conspicuous—namely, the post-9/11 governance of (in)security in the context of the global War on Terror. Part II of the dissertation will thus explore how an in-depth theorization of pre-emptive approaches to (in)security governance can offer instructive insights into what is at stake in the broader rise of anticipatory governance strategies by demonstrating both the sorts of politics that is made possible thereby, and the effects this has on the character of political subjectivity.

Chapter 3 – *Pre-emption and (Inter)national Security: Historical and Conceptual Considerations* begins this investigation by unpacking how the idea of anticipatory governance is manifested in the contemporary global security realm. In other words, it is concerned with elaborating upon what the idea of “pre-emptive security” should be understood to mean in the post-9/11 context. Answering this question requires that the notion of pre-emption be situated historically as well as described conceptually. This chapter thus opens with a conceptual history of the idea of pre-emption as it relates specifically to the question of (inter)national security. This discussion compares how the idea of pre-emption has been articulated in three discrete contexts: the canon of international law, the strategic nuclear theory of the Cold War era, and contemporary strategies for governing transnational terrorism. It is argued that the latter iteration is qualitatively different from the former two because it takes radical *uncertainty* about the future as the basis for, rather than in impediment to, anticipatory action. It is this contemporary manifestation of pre-emption that is the focus of analysis in the remaining chapters. The second half of Chapter 3 then lays out some conceptual and analytical parameters within which this analysis will take place. The question of ontology is addressed



first, where it is contended that the idea of pre-emptive security can be best understood as the sort of “political rationality” discussed above. I then consider how the relationship between agency and structure operates within the context of a pre-emptive security rationality, before moving on to outline the particular understanding of the term “sovereignty” that will be used throughout the rest of the study. Judith Butler’s (2006) conceptualization of “sovereignty within governmentality” and the associated notion of the “petty sovereign” are of particular importance in this context. The chapter then concludes by speaking to the scope of the analysis undertaken in the remainder of Part II, specifically addressing issues related to potential charges of West-centrism vis-à-vis the sort of general conceptual analysis to which the study aspires. Having laid the foundation for an in-depth theorization of pre-emptive security as an exemplar of “temporalized” anticipatory governance, I then proceed in this direction.

Chapter 4 – *Timescapes of Pre-emption: Anticipatory Governance and the Manipulation of Time* begins this portion of the investigation by developing an in-depth conceptualization of how pre-emption operates as a political rationality. In so doing, the discussion returns more overtly to the question of time, arguing that pre-emptive governance strategies function by manipulating time itself. Specifically, it is contended that by casting all future potentialities as potentially imminent and thus subject to anticipatory action, the logic of pre-emption fundamentally re-articulates our subjective relation to the future. Indeed, a pre-emptive politics “makes the future present” by granting the merely potential, virtual future a significant degree of causal purchase in the political decision-making of the actual, lived present. In other words, only by manipulating time itself can an anticipatory politics of pre-emption be made functional. This point is further unpacked by exploring its implications for questions of concrete political praxis. In this respect, it is argued that the logic of pre-emption

compresses the timescape of political decision-making by demanding immediate action to avoid an always potentially imminent catastrophe. This process of temporal compression prioritizes the affective responses, or “gut feelings,” of designated decision-makers over broader public deliberation, thus resulting in an inherently anti-democratic mode of governance. This suggests that there are significant implications for the organization and exercise of political power under an anticipatory governance framework.

Chapter 5 – *Pre-emptive Security and the Politics of Exceptionalism* unpacks this idea in detail by exploring how pre-emptive approaches to (in)security governance enact a paradigm of political authority that conspicuously mirrors that which is associated with the political “exceptionalism” theorized most prominently by Carl Schmitt and Giorgio Agamben. The argument once more hinges on the question of temporality, as the key point is that any political rationality premised upon anticipatorily governing the future inevitably relies upon an epistemic foundation of speculative knowledge created through the exercise of the imagination rather than the analysis of empirically verifiable fact. This has the effect of vesting within the sovereign authority a radically enhanced degree of discretionary subjectivity, since the necessity of dealing in speculation about potentialities that may never come to pass rather than existing fact-based evidence precludes the straightforward application of existing mechanisms of juridical oversight to pre-emptive decisions. Such an emancipation of decision-making from the circumscriptions of the law—and the attendant creation of a “decisionist” paradigm of sovereignty—are the defining characteristics of political exceptionalism, thus suggesting an intimate conceptual connection between pre-emptive governance and exceptionalist politics. This line of argument is unpacked in considerable depth by combining meticulous theoretical

explication with a variety of illustrative examples taken from the prosecution of the global War on Terror.

Chapter 6 – *Pre-emptive Security, Precarious Subjectivity, Autoimmunity* considers the implications of the link between pre-emptive security and political exceptionalism for the experience of political subjectivity. In this respect, it is first argued that adopting a pre-emptive security strategy brings into being a political condition characterized by a pervasively precarious subjectivity. This is because the exceptional paradigm of sovereign authority that it presupposes effectively eliminates any juridical mediation between sovereign and subject, which renders the latter perpetually vulnerable to arbitrary anticipatory interventions by the former. This argument is fleshed out through an in-depth discussion of the Barack Obama administration's drone warfare program, with a particular emphasis upon the 2011 targeted killing of suspected al-Qaeda operative and US citizen Anwar al-Awlaki. This is a particularly instructive case, as it represents precisely the sort of practice whose possibility is a necessary condition of pre-emptive approaches to (in)security governance. The discussion then takes a step back to consider what the arguments thus far say about the coherence of pre-emptive security as both an idea and a policy. Here it is argued that both can be seriously challenged, since the precarious subjectivity enacted by pre-emptive security rationalities closely resembles the sort of condition they are normatively premised upon diminishing. I then consider how this incoherence of pre-emptive security can be understood in terms of Jacques Derrida's conception of "autoimmunity," since this idea usefully captures the sorts of deconstructive tensions that have been identified throughout Part II as inhering in the logic of pre-emptive security.

The Conclusion brings the study to a close by considering how the preceding analysis of pre-emptive security in particular suggests that the proliferation and normalization of an exceptionalist politics and its attendant precarious subjectivities constitutes precisely what is at stake in the ongoing “temporalization” of governance more broadly. It considers how this poses a serious ethico-political problem for the liberal democracies that are in the vanguard of implementing anticipatory governance strategies across a variety of policy areas beyond the security realm. It is concluded that the modifications to the organization and exercise of political power presupposed by the logic of anticipatory governance—which have been identified and unpacked throughout this study—must be taken into consideration in policymaking decisions relating to the adoption of such strategies in democratic societies.

## ***PART I***

"Time is the wisest counsellor of all."

*-Attributed to Pericles*

"Make use of time, let not advantage slip."

*-Shakespeare, Venus and Adonis*

"Always in motion is the future."

*-Yoda, The Empire Strikes Back*

## **Chapter 1 – State Sovereignty and the Governance of Time**

### ***Introduction: Time and the Social World***

As discussed in the Introduction, time and our relation to it conditions all aspects of the human existential experience to at least some degree. Human “being” is being in time. And while neither this chapter nor this study is explicitly concerned with the philosophical treatment of time as such, this point regarding the centrality of time to the conceptual foundations of the social world does provide something of a departure point for the subsequent analysis. Indeed, following Niklas Luhmann in this regard, I take the corollary to be that time is fundamentally integral to the processes by which social reality is both created by, and rendered intelligible to, human subjects—that it is a crucial “aspect of the social construction of reality” (Luhmann 1982: 274). From the perspective of social and political theory, this point implies that an explicitly temporally inflected approach to conceptual analysis in the social sciences is both possible and necessary. Indeed, if the importance of time to the construction of social reality is accepted, then it follows that important socio-political concepts can be (re)-read with a view to better revealing their particular temporal inflections. This first chapter attempts to follow such an analytical trajectory; and it does so with a specific focus on one particular socio-political concept that is undoubtedly crucial to contemporary human society—the concept of state sovereignty.<sup>4</sup>

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<sup>4</sup> At this point, a brief terminological clarification is warranted. My concern in this chapter is with the concept of *state* sovereignty—referring to the modern political principle most basically characterised by the establishment of a supreme political authority within an explicitly bounded territorial space. Thus, throughout this chapter, I follow Robert Jackson (2007) and use the shorter term “sovereignty” to signify this meaning. I am fully aware of the potential theoretical shortcomings of making so seemingly facile a conflation—as compellingly highlighted in particular by Prokhovnik (2007) among others. However, I am with Rob Walker in his assertion that, “as far as most contemporary forms of political analysis are concerned, sovereignty is quite obviously a shorthand for state sovereignty” (2010: 100). As such, I am not overly concerned with employing these terms interchangeably in the context of this chapter’s arguments. However, it should also be noted that this orientation will change in Part II of the study, as I shift there to a broader understanding of sovereignty in recognition of the fact that, in the context of

The remainder of the chapter will thus consist of a detailed theoretical reading of the concept of sovereignty through what can be termed a “temporal lens”—meaning that the focus will be upon teasing out the temporal elements inherent in its conceptual logic.<sup>5</sup> The general contention will be that, following particularly from what I will term its *normative logic*, state sovereignty should be understood as a social technology that is significantly, if not primarily, concerned with the governance and control of time. Toward this end, I will begin by arguing that the more familiar, explicitly spatial aspect of sovereignty—which is the basis for its normative promises concerning the creation of a secure, orderly space where the good life can be pursued politically (Walker 1993)—is ultimately premised upon the less obvious, more implicit temporal imperative that the spatial demarcations made by the inscription of the sovereign boundary must endure through time. Put more simply, it will be contended that state sovereignty is fundamentally concerned with the governance of time, since its normative logic relating to the stabilizing benefits of *spatial* control is necessarily dependent upon the exercise of a degree of *temporal* control that ensures the sovereign entity’s endurance through time.

This line of argument will then be developed further through a detailed exploration of two specific aspects of the theory of sovereignty that demonstrate how the governance of time is central to its conceptual coherence as a political principle. First, I will consider the relationship between the idea of sovereignty and the transcendence of temporal finitude, focusing upon how sovereignty’s originary logic is intimately related to the apparently deeper human desire for immortality. In this respect, I will contend how the genealogical relationship between sovereignty and immortality highlights the importance of temporal governance and control to the

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contemporary global politics, actors other than titular state executives can exercise a power that can be understood as sovereign within certain domains of action.

<sup>5</sup> As cited in the Introduction, this term is appropriated from Ancona *et al.* (2001), in which the authors, albeit in the very different context of management theory, posit the analytical value of a “temporal lens [that] puts time...front and centre.”

concept of sovereignty, since it shows the latter to be intimately bound up with a broader drive to transcend that ultimate temporal limit, death (Adam 2004: 20, 72, 123, 152). Secondly, I will consider how the logic of sovereignty also embodies something of a dualistic temporality ultimately congruent with the progressive linearity of the modern Enlightenment narrative. The key point here is that the presence of a teleological, progressive temporality on the inside—which is inscribed in contradistinction to the temporality of pernicious eternal recurrence and developmental stasis presumed to obtain on the outside (see Wight 1960; Hutchings 2008)—is necessary for the normative promises of sovereignty to be realized (Walker 1993, 1991). I argue that this aspect of the theory of sovereignty also illustrates the centrality of temporal control to its conceptual logic, since it demonstrates that the normative promises of sovereignty rely upon the active appropriation of the flow of time in this particular way. Ultimately, the chapter will conclude that the temporally inflected reading of state sovereignty developed here hints at the necessity of rethinking the concept in such a way that the question of time and its governance is brought to the fore. Such a re-thinking is especially important today, as the apparent inability of state sovereignty's logic of control to grapple with the accelerative temporal exigencies our contemporary "world risk society" has become a key theme in much contemporary social and political theory (Beck 2008, 2005). It is in this respect that this chapter's focus upon the temporalities of sovereignty lays the foundation for the next chapter, which will explore how state sovereignty's promises relating to the control of time are becoming increasingly untenable—a development that has led to the rise of political rationalities premised upon a more active governance of time's unfolding.



### ***Reading State Sovereignty Through a Temporal Lens***

State sovereignty is conventionally understood primarily in terms of space. The spatial demarcation of a parcel of territory over which a particular entity wields ultimate political authority is the conceptual core of the idea of sovereignty (Kurtulus 2005: vii), while the explicitly spatialized image of the sovereign border that definitively separates this politically controllable “inside” from the contingently anarchic “outside” comprises its most elemental representation (Walker 1993). Moreover, it is the explicit spatiality of sovereignty that has entrenched it as the conceptual foundation of modern thinking about the political, in that, from the birth of Western political thought at the Athenian *polis*, the idea of “politics” has been fundamentally bound up with the attendant need for a space in which its practice can take place (Arendt 2006: 72). As Scott Nelson puts it, “Western political theory has consistently developed political ideals on the basis of political conceptions pertaining to a well-bounded space where an accepted, unquestioned practice of politics was thought to rightly locate itself” (2010: 7). When understood primarily as a spatial concept, therefore, state sovereignty clearly provides an elegant (re)resolution to this elemental topological necessity of politics—so much so that it has come to constitute “the paradigmatic organizational logic within the modern epoch” (*Ibid*: 13).

However, when considered in light of the points considered in the Introduction to this study and so far in this chapter, a conceptual understanding of the principle of state sovereignty that is developed primarily through a spatial lens is inadequate, as it addresses only one side of the proverbial coin. Indeed, as R.B.J. Walker has so often emphasized, the concept of state sovereignty also embodies a logic that is inherently temporal in nature (see Walker 2010, 1993, 1991). Put most simply, this is because the normative impetus underlying the spatial demarcation

of the sovereign boundary—which refers to its ostensible capacity to create a secured space within which a proper politics becomes possible—implicitly demands that this space be maintained and protected *through time*, since “politics takes time” (Manning 2004: 65, see also Wolin 1997). In other words, the more overt, normatively grounded spatial aspects of state sovereignty would be theoretically incoherent without this more implicit temporal requirement. This suggests that we cannot arrive at a proper conceptual rendering of the idea of sovereignty without adopting a perspective that takes time seriously (see Walker 2010: 8). Yet much of the recent theoretical literature concerned with the concept of sovereignty has—with the notable exception of Walker’s oeuvre—been largely silent on the vital importance of the question of time to what state sovereignty can be understood to be, and thus to what is at stake in its persistence as the fundamental organizing principle of modern political life. As an attempt to contribute to redressing this lacuna, the aim of the following discussion is to re-read the principle of state sovereignty through an explicitly temporal lens, with a view to moving toward a critical understanding that adequately captures the way(s) in which questions of temporality are crucial to sovereignty’s conceptual coherence.

### *State Sovereignty and the Governance of Time*

In this regard, we must begin by revisiting what might be termed the *normative logic of sovereignty*. Dealing as it does with such elemental questions of social relations, sovereignty is a fundamentally normative concept that does not so much describe an extant condition as prescribe an ongoing course of action (Stankiewicz 1969: 31). In the words of W.J. Stankiewicz, the concept of sovereignty consists of “premises, assertions about the direction that man [*sic*] chooses (rather than is compelled) to follow...assertions about man’s beliefs about what ‘ought’

to be, what is possible, and the steps necessary to realize his beliefs” (*Ibid*). It is these premises and assertions that collectively constitute the normative logic of sovereignty—since they are what have enabled the idea of state sovereignty to become attractive as an organizing principle of human society—and they are represented by the promises the theory of sovereignty makes regarding its capacity to bring into being the best possible world through the organization of human relations along its prescribed lines.<sup>6</sup> As will become clear, the theoretical basis for re-reading sovereignty through a temporal lens can be found within this normative logic.

To elaborate, the core of sovereignty’s normative logic is its claim to offer a practical framework for the maintenance of a stable socio-political order (Stankiewicz 1969: 4, 10, 14-15). Indeed, most elementally, sovereignty is presented by its canonical theorists as a social technology for taming the pernicious forces of contingency and anarchy that are alleged to characterise any non-sovereign mode of human existence—such as the proverbial state of nature of classical social contract theory, or the realm of the international in the canon of International Relations (IR) thought.<sup>7</sup> According to the theory of sovereignty, therefore, “it falls upon the sovereign state to protect us from the turbulence of nature and anarchy that permanently lies in wait offshore and over the horizon” (Der Derian 2008: 282). Importantly, this fundamental promise is rooted in the assumption that by cordoning off a rigidly bounded enclave from a dangerous outside, sovereignty makes possible the pursuit of the good life on the inside by

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<sup>6</sup> The paradigmatic articulation of sovereignty’s normative logic can be found in Hobbes’ most famous claim from *Leviathan* that submission to the sovereign offers humanity’s only means of escape from the otherwise “solitary, poor, nasty, brutish, and short” life to which we would be consigned by the inexorable “war of every man against every man” that characterizes the “natural condition of mankind” (Hobbes 2011 [1651]: 123-27).

<sup>7</sup> It should be emphasized at this early stage that I both recognize, and in no way unproblematically endorse, the implicit teleologism and overt Eurocentrism of the theory of state sovereignty—which has itself been so crucial to the marginalization, both discursive and practical, of alternative modes of political thinking and being. Yet part of my task in this chapter is to present the extant renderings of the concept so as to enable the sort of temporally inflected critical re-reading of sovereignty that is the primary aim. As such, a degree of Eurocentrism is unavoidable in this chapter’s analysis; though my exclusive focus on the state sovereignty of the European canon and concomitant avoidance of any sustained discussion of “alternative” sovereignties should not be construed as indicating a normative privileging of the former and/or indifference to the latter. It is merely a function of the sort of analysis I am undertaking here.

creating and maintaining a climate of secure, controlled stability in which this *telos* can be realized absent the ominous spectre of an anarchically uncertain war of all against all (Walker 2010: 66, 1993: 42; Jackson 2007: 114). In other words, according to the normative logic of sovereignty, it is only within the protected bastion of certainty and regularity created by the inscription of the sovereign boundary that “universalist aspirations to the good, the true, and the beautiful may be realizable” (Walker 1993: 62). From its earliest articulation in the thought of Bodin and Hobbes, therefore, the principle of sovereignty is presented as a means to slay the malicious demons of the state of nature and establish a climate of order and certainty in lieu of contingency and anarchy, thus creating and maintaining a space in which the teleological ends of human progress can be pursued through the proper practice of politics over time (Nelson 2010: 17, 94). Sovereignty is presented as solving “the age-old problem of securing peace, order, and stability and insuring the longevity of these commodities as ultimate ends” (*Ibid.*: 32). It is portrayed “as the solution to all troubles, theological, ontological, political; or at least as the primary solution that would in turn permit other solutions through government and law” (Walker 2010: 192). In short, the coherence of sovereignty as a political principle is rooted in a normative promise to “enabl[e] citizens to realize their humanity within” the securely bounded space that it provides (*Ibid.*: 253). The intuitive attraction of this promise explains sovereignty’s enduring appeal as an answer to the question of “what and where the political must be” in the modern imagination (Walker 1997: 68), and its concomitant persistence as “the basic authority assumption, the underlying premise, of modern politics and law”(Nelson 2010: 18; Jackson 2007: 11).

When understood in normative terms, then, state sovereignty is revealed as a social technology concerned primarily with stability and order; and such conditions are enacted and

maintained by establishing a high level of controllability within the sovereign boundary through the vesting of ultimate political authority in a supreme locus of power (Stankiewicz 1969: 15; Hoffman 1998: 4). As Stankiewicz emphasizes in his classic overview of the concept: “[w]hat cannot be ignored is the function of sovereignty in maintaining social order: it is this function which creates the obedience that makes sovereign power and its exercise possible” (1969: 10). This promise of controlled order and political stability is crucial to the aforementioned promises relating to the pursuit of the good life, as the degree of regularity and certainty that sovereignty purports to impose upon of society is required to enable the actualization of political activity commensurate with the imperatives of human progress.<sup>8</sup> Sovereignty is thus understood to guarantee “something elementary” for the successful socio-political operation of human society by instituting “stable, familiar, and convenient modalities of social expectation, interaction, and co-operation” (Jackson 2007: 160). Put most simply, the theory of sovereignty asserts that a politics of progressive social development requires order and stability—which the principle of state sovereignty purports to provide better than any alternative forms of socio-political organization.

However, it is also important to recognize that this emphasis on order, control, and certainty that is central to the normative logic of sovereignty also contains implicit assumptions concerning those forces and exigencies that the concept of sovereignty is formulated in ostensible response to, or as a bulwark against. By better appreciating the dialectical importance of these antitheses to the conceptual coherence of sovereignty, we can begin to understand the latter in specifically temporal terms. In this regard, consider that, for the purported normative “benefits” of sovereignty—meaning, again, the maintenance of socio-political order through the

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<sup>8</sup> This point hints preliminarily at the relationship between the idea of sovereignty and the philosophical project of Enlightenment modernity, on which more will be said below. On the importance of this connection, see Jackson 2007, chapter 1; Bartelson 1995, chapter 6; Hoffmann 1998, chapter 1; Onuf 1991.

creation of an enduringly stable, knowable, controllable political space—to be understood as normatively valuable, their opposites—namely, anarchy, contingency, uncertainty, instability, mortality, and the like—must be assumed *a priori* to be inherently pernicious (see Bartelson 1995: 101). The centrality of this assumption to the theory of sovereignty is clear to the discerning reader of the theoretical treatments of the concept through the history of political thought, since the inherent dangers of a socio-political world outside or beyond sovereignty are continuously made obvious, if not always explicitly stated.<sup>9</sup> Such a dichotomous valuation of one set of social conditions over its converse implies that, should the forces of anarchy and contingency (etc.) in any way infiltrate the bounded space of the sovereign state, the potential for actualizing the political benefits promised thereby would be critically endangered, if not eliminated. It thus follows that, to remain conceptually coherent with respect to its underlying normative logic, the principle of state sovereignty must include the capacity to actively guard against these forces absolutely *and in perpetuity*. Otherwise, its normative promises would be revealed as inherently empty, relying as they do upon the persistence of a bounded sovereign space through time.

It is at this point that the temporal character of the principle of state sovereignty begins to emerge more clearly, as it becomes apparent that the explicit, normative, spatialized logic of state sovereignty is dependent upon the implicit, temporal imperative that its practical manifestations possess the capacity to endure through time. This is a critically important, though often overlooked, component of the theory of sovereignty, as it brings to light the point that while sovereignty is most overtly associated with the delimitation and orderly control of

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<sup>9</sup> For instance, in formulating his rudimentary treatment of the theory of sovereignty, Bodin himself was explicitly concerned with mitigating the pervasive political contingency and insecurity brought about by the anarchy that followed the breakdown of the pre-sovereign, medieval socio-political order (see Maritain 1969; Bodin 1962 [1576]).

territorial space, such spatial control is itself inherently reliant upon a degree of *temporal* control. Put differently, the normative promises of sovereignty would mean very little if its spatial demarcations were not buttressed by the promise of their own temporal continuity, as the proper practice of politics and the attendant pursuit of any conception of the good life thereby invariably “takes time.” In this regard—and contrary to its more conventional understanding—sovereignty can be viewed as equally, if not primarily, concerned with the control of time vis-à-vis the control of space, since it is formulated theoretically in such a way that the latter would be impossible without the former. In other words, I am arguing that the principle of state sovereignty is fundamentally about managing, controlling, and even mastering time, and that its more familiar, normatively grounded spatial component can be understood as a means toward this end.

This point can be further clarified by considering how the various antitheses against which the normative claims of sovereignty are constructed are themselves immanently bound up with the question of temporality. Indeed, as discussed briefly in the Introduction, the unfolding of time constitutes perhaps the primary vessel through which such destabilizing forces are injected into the human existential experience. Since he has written perhaps the most famous work theorizing the political implications of time, Machiavelli is useful to consider in this regard. Through his idea of *fortuna*—particularly as discussed in chapter 25 of *The Prince*—Machiavelli lucidly articulates how the flow of time necessarily embodies the spectre of uncertainty, contingency, uncontrollability, and the potential for radical instability, insecurity, and, ultimately, mortal finitude—all of which constitute precisely those forces and dangers from which the principle of state sovereignty purports to provide respite (Machiavelli 1995: 11, 74-77). As such, it is the task of the polity, guided by the *virtú*-ous prince, to provide a bulwark

against these forces and thus make possible a stable social order congruent with the fulfilment of the eudaimonistic potentials of human existence (*Ibid*: 26, 51, 75). For Machiavelli, as Scott Nelson puts it, “men [*sic*] are not predisposed to accept a world of becoming”—implying an existence plagued by the uncertainties of the open, unknown future—“but are instead more at home in the world of stasis”—implying a condition in which socio-political stability makes possible a thriving existence premised upon more than mere survival (Nelson 2010: 39). Accordingly, the prince’s primary struggle is against the vicissitudes of time, since a failure to adequately confront and subdue *fortuna*—which means adequately taming temporal contingency—invariably leads to the breakdown of the political order and thus to ruin for both prince and polity (Machiavelli 1995: 75-76; Nelson 2010: 22; Bartelson 1995: 113; Walker 1993: 39).<sup>10</sup>

While he does not himself use the term “sovereignty,” Machiavelli’s solution to these problems nevertheless prefigures the modern logic of state sovereignty in an important way. Indeed, for Machiavelli, it is only through the *virtú*-ous actions of the sovereign prince, carried out within the spatialized boundaries of his domain of power, that the ultimate aim of “mastering” *fortuna* can be adequately realized (Machiavelli 1995: 55, 76). In other words, confronting and taming the contingencies of temporal unfolding represents the primary political problem for Machiavelli in *The Prince*,<sup>11</sup> since those forces against which politics is opposed are

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<sup>10</sup> Any discussion of Machiavelli’s arguments about taming *fortuna* must reckon with the violently misogynistic language he uses to make them. In this respect, his (in)famous description of *fortuna* as “a lady” whom “it is necessary, if you want to master her, to beat and strike her” can be read as signifying a violent masculinist dimension to the politics of temporal control (Machiavelli 1995: 76). Interestingly, Simone de Beauvoir articulated a similar insight over four centuries later, writing in *The Second Sex* that “[m]an’s design is not to repeat himself in time: it is to take control of the instance and mould the future. It is male activity that...has prevailed over the confused forces of life; it has subdued Nature and Woman” (1972: 97). While unfortunately beyond the scope of this study, a detailed exploration of how traces of this masculinist politics can be found in contemporary forms of temporal governance would offer an important and fascinating contribution to the literature.

<sup>11</sup> Of course, when Machiavelli’s broader oeuvre is considered, this emphasis on the taming of temporal contingency is largely limited to *The Prince*. Indeed, the latter is a book about the origins and beginnings of a polity, when



embedded in the flow of time. Importantly, for Machiavelli, this end can be best realized within a spatially demarcated territory in which the *virtú*-ous prince's authority is absolute. The congruence with the modern logic of state sovereignty is thus clear, as Machiavelli sees a practical solution to the problem of time in the delineation of a particular space in which proper princely action becomes possible. Put differently, Machiavelli views the inherently unknowable openness of the future as ensuring that the flow of time itself most powerfully embodies precisely those forces against which the modern logic of state sovereignty purports to shield political subjects. It thus follows from his arguments that only an arrangement congruent with the logic of sovereignty offers a paradigm of political organization capable of both resisting these forces, and enabling the emergence of a community in which the pursuit of the good life becomes possible in time.<sup>12</sup> Following Machiavelli, therefore, time can be understood as “the perennial enemy of the [sovereign] state” (Bartelson 1995: 188), such that humanity's “fear of temporality and desire for a spatialized order [is] expressed” in its logic (Walker 2010: 254). In short, while it emerged after his own time, the modern logic of sovereignty mirrors Machiavelli's own affirmation that “time is understood as a problem to be overcome...by fixing a home for man in space – the state” (Walker 1993: 40).

The broader implication of these points is that the principle of state sovereignty is ultimately concerned with the control and governance of time itself. Indeed, not only are its spatialized normative promises inherently reliant upon a degree of temporal control for their

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contingency is rampant and thus constitutes a major obstacle to be overcome. Conversely, the *Discourses* are more focused upon the quotidian functioning of established polities, wherein the elemental temporal problems discussed in *The Prince* are presumed to already be adequately managed. The problem of temporal governance is accordingly consigned to the periphery of this work. I am grateful to Peter Nyers for bringing this important distinction to my attention.

<sup>12</sup> It is also worth noting that Machiavelli's *virtú*-ous prince establishes a regime that will both endure through time and be remembered for its achievements even after its demise. This represents an additional dimension of Machiavelli's interest in questions of time, and hints at the relationship between sovereignty and immortality discussed at length in the next section.

endurance and thus coherence, but the very forces against which these promises claim to protect are themselves embedded in the broader problem of temporal contingency. In other words, sovereignty's more familiar logic of spatial control should be understood not as an end in itself, but rather as a means through which the imperative to resist the vicissitudes of time can be actualized. As Walker puts it, the ultimate assumption of the logic of sovereignty is that "temporality can be fixed and tamed within the spatial co-ordinates of territorial jurisdictions" (1993: 14). Moreover, it is this taming of time through the parcelling off a territorial unit from the recurrently anarchic, contingent, uncertain temporalities of the outside that ultimately enables the emergence of a linear, controllable, teleological temporality on the inside, thus facilitating the realization of the emancipatory political project promised by the normative claims of sovereignty (Nelson 2010: 93, Walker 2010: 66, Hutchings 2008: 30, Bartelson 1995: 101). The sovereign boundary ought therefore to be understood not only as a spatial demarcation, but also—and perhaps primarily—as a temporal frontier, as its inscription purports to provide a means through which time itself can be governed by human subjects.

While this inherently temporal(ized) character of sovereignty has thus far been discussed primarily with respect to its constitutive normative logic, the point becomes even clearer when considered in relation to two additional elements of the theory of sovereignty—namely, its relationship to temporal finitude and its embodiment of a linear temporal teleologism. A closer examination of these two aspects of sovereignty can thus serve to illustrate more clearly how the concept of state sovereignty can be (re-)read as being concerned not simply with the demarcation of space, but also—and perhaps even principally—with the governance and control of time.

*Sovereignty and Immortality*

Prominent social theorist Barbara Adam has argued that, in human society, “the relationship to finitude is ineradicably implicated in cultural practice,” to the extent that “people create cultural means of achieving immortality” (2004: 71-72). Indeed if, as Ernest Becker asserts in his famed work *The Denial of Death*, “the idea of death...is the mainspring of human activity” (1973: ix), it follows that the fear, or at least awareness, of death will induce humanity to attempt to “establish institutions that outlive their individual members and thus allow us to forget that our practices are delimited by personal beginnings and ends” (Adam 2004: 72). This represents one important way in which a broader human desire to master time is pursued in the context of social, cultural, and political production; and it is the argument of this section that the institution of sovereignty can be understood in precisely these terms. In what follows, I will contend that the relationship between the concept of sovereignty and the human struggle to come to terms with an awareness of temporal finitude in the form of inevitable death is a crucial aspect of sovereignty’s theoretical constitution, and thus provides an important illustration of how the latter is premised upon the control of time. The remainder of this section will thus explore the relationship between sovereignty and immortality in further detail, focusing on how three distinct but related iterations of the appeal to immortality have both informed the conceptual genesis of sovereignty and contributed to its legitimation as a principle of socio-political organization. Situated within the broader context of this chapter, the fact that this relationship can be located in sovereignty’s ancient, late medieval, and early modern antecedents is illustrative of its importance to the genealogy of the concept, which in turn demonstrates that the imperative to

master and govern the exigencies of time has been crucial to the logic of sovereignty from the beginning.

It is useful to begin by considering the centrality of the idea of immortality to the ancient theoretical antecedents of sovereignty; and in this respect, the thought of Hannah Arendt is especially helpful. Of particular importance is her reading of the existential value imputed to the realm of the political by the societies of antiquity (Arendt 2006). Indeed, embedded within Arendt's somewhat nostalgic account of the ostensibly pristine politics of the ancients is an argument about the importance of a purely political space that is couched in specifically temporal terms. In this respect, Arendt emphasizes that the ancients saw the value of politics as stemming from humanity's apparently innate need to confront and master the vagaries of time and the limitations it places on human existence (*Ibid.*: 70-75). In congruence with Adam's arguments about humanity's tendency to pursue the establishment of immortalizing institutions, Arendt asserts that the primary such institution for the ancients was the body politic. As she argues in *Between Past and Future*, "for Greeks and Romans alike...the foundation of a body politic was brought about by man's [*sic*] need to overcome the mortality of human life and the futility of human deeds," since "outside the body politic, man's life...was without meaning and dignity because under no circumstances could it leave any traces behind it" (*Ibid.*: 71). The implication here is twofold: first, Arendt presupposes that humanity is possessed of a desire to transcend the limits of time, particularly in relation to the certainty of our own mortality; and second, she claims that the creation of an explicitly defined, enduring body politic offers the most promising means to achieve this end. For Arendt—and thus for the ancients she is considering—the proper practice of politics within an appropriately defined political space constitutes "an activity of immortalizing," since it allows for the creation of something that will outlast the mortal

limitations imposed by the exigencies of time to which all human subjects will ultimately succumb (Arendt 2006: 71; see also Hutchings 2008: 59).

Importantly, Arendt implicitly acknowledges the importance in this respect of ideas that will ultimately coalesce into the modern logic of state sovereignty. In particular, she emphasizes that the time-mastering, immortalizing activity of politics necessarily “require[s] an *imperishable space* guaranteeing that ‘immortalizing’ would not be in vain” (Arendt 2006: 72, emphasis added). Here Arendt is following Machiavelli in asserting that only an explicitly defined and defended political space—which alone can ensure that the achievements accomplished within it will endure through time—offers a viable means of mastering time in a way that fulfils the human desire to transcend the limits of mortality (see also Hutchings 2008: 65). The Greco-Roman idea of the *polis* fills this role for Arendt, since it allegedly “offered each of its citizens that public-political space that it assumed would confer immortality on his [*sic*] acts” (Arendt 2006: 72).

Though, like Machiavelli, she does not explicitly use the language of sovereignty,<sup>13</sup> the underlying idea is directly analogous to the modern concept, in that the provisions she attributes

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<sup>13</sup> On this point, readers familiar with Arendt might find it odd that I have used her work as a guide to the antecedents of the logic of sovereignty, since she explicitly denounces the concept by famously asserting that “if men wish to be free, it is precisely sovereignty that they must renounce” (2006: 163). It is certainly true that Arendt never describes her essential political space in terms of sovereignty; however, I find this rather odd, since her affectionate description of the ancient notion of the *polis* as essential to the realization of human freedom through the immortalizing practices of politics is quite reminiscent of the central normative argument underpinning the logic of state sovereignty discussed above. Indeed, for Arendt freedom—which she calls the “raison d’être” of politics—is only realizable through the immortalizing practice of political action, which she claims can only take place within the purely political space of the *polis*. As we have seen, it is precisely such a space that the modern logic of sovereignty is premised upon creating and protecting through time. Given that the *polis* constitutes the primary ancient antecedent of the modern concept of sovereignty (see below), I think her account thereof can be usefully and legitimately mobilized in the context of the present argument regarding sovereignty’s genealogical relationship with the quest for immortality. Moreover, when placed in proper context, the “sovereignty” to which Arendt is referring in her denunciatory statement seems almost certainly to be that of the autonomous individual sovereign subject of Enlightenment modernity, and not that of the sovereign state with which I am interested here. To be sure, these two applications of the term sovereignty are closely related conceptually (see Ashley 1989); however, because Arendt’s denunciation of sovereignty does not preclude her from speaking in favour of what amounts to the logic of state sovereignty in her discussion of the *polis*, it stands to reason that she is referring specifically to the former variant.

to the *polis* are precisely what the normative logic of state sovereignty discussed in the previous section purports to provide—namely, a space in which the proper practice of politics can take place. It is of course important to recognize that the ancient idea of the *polis* and the modern concept of sovereignty differ in important ways—as Walker puts it, “the Greek *polis* is not the sovereign state” (2003: 275). Yet, the former can still be understood as a crucial antecedent to the latter, since “there are many resonances between the accounts of political founding articulated by Plato and Aristotle and those given by the political writers of early-modern Europe” who explicitly developed the concept of sovereignty (*Ibid.*: 274-75). Chief among these is the manner in which both embody a similar logic relating to the importance of a bounded space for proper realization of the eudaimonistic potentialities of politics, such that it is possible to see a “creatively reimagined ideal of the *polis* expressed in modern statist claims to political community and identity” (*Ibid.*: 267). Indeed, by purporting to create an enduring space in which the idealized practice of politics is enabled over time, it is the ethos of Arendt’s ancient *polis* that the principle of state sovereignty putatively makes possible in the modern political context.

From Arendt’s discussion, we can therefore see that in the ancient antecedents to the modern concept of sovereignty, immortality was ostensibly placed within reach of the virtuous citizen in his<sup>14</sup> capacity as political actor. The *polis* was deemed to constitute an institution that outlasted the mortal end of the citizen, and thus could enable the latter’s achievements therein to endure beyond his own inevitable encounter with temporal finitude. Put more simply, immortality could be approximated through proper political action, and the space of the *polis* provided the spatial arena for such action to be undertaken. According to Arendt, this belief underpinned the high esteem with which the ancients held both the realm of the political itself,

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<sup>14</sup> Gender-neutral language would be inappropriate here, as it would obscure the fact that the Ancient citizen was always male.

and the *polis* as its concrete location.

By emphasizing the immortalizing nature of properly spatially bounded political activity as conceived by the ancients, Arendt's discussion highlights a genealogical point supporting the claim that sovereignty constitutes a social technology through which humanity can confront and seemingly control time in accordance with the imperative to overcome its finitudinal limits. Indeed, if we take her position seriously, the concept of sovereignty—as heir to the ethos of the ancient *polis* (Walker 2010: 40)—can be understood to make possible a political condition under which individual humans inevitably subjected to the temporal finitude of death can nevertheless engage in practices and activities that endure beyond this limit and “leave traces behind.” From this Arendtian perspective, therefore, it is clear that sovereignty has been associated with the drive to achieve a pathway to immortality—and thus obtain a measure of control over the finitudinal forces of time—from the very emergence of its originary theoretical antecedents.<sup>15</sup>

It is important to note, however, that an understanding of sovereignty that emphasizes the importance of immortality is not limited to my reading of Arendt's take on the political thought of the ancients. Indeed, as Jens Bartelson illustrates in *A Genealogy of Sovereignty* (1995), themes relating to the transcendence of temporal finitude can be found—albeit in a somewhat different incarnation—in the re-emergent political thought of the late medieval and Renaissance eras. In his painstakingly thorough account, Bartelson identifies in that literature a veneration of

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<sup>15</sup> While this discussion of Arendt (and the above discussion of Machiavelli) are both undertaken in support of my claim that sovereignty can be understood primarily as a socio-political technology for governing and controlling time, it may appear that I am simply arbitrarily privileging the temporal over the spatial aspects of the concept in my analysis, when in fact the relationship between these two facets of sovereignty might be most appropriately understood as mutually constitutive. Indeed, the proposition that the spatial demarcation of the sovereign boundary is the key condition of sovereignty's logic of temporal control is certainly also implicit in these discussions. However, I am merely attempting to demonstrate that conceptualizing sovereignty primarily in spatial terms is inadequate, since it *can* be argued (as I try to in this chapter) that sovereignty's spatial dimension is ultimately premised upon the imperative of temporal governance. Put more pithily, I believe a theoretical argument can be made that the sovereign boundary is drawn in space for the *ultimate* purpose of properly controlling time; and as such, the spatialities of sovereignty can be understood as conceptually secondary to its temporalities. It is toward such an argument that the present chapter is attempting to move.

the proto-sovereign body politic that is similar in character to that which Arendt attributes to the Greco-Roman tradition. While the specific concept of sovereignty had still not been articulated as such, Bartelson nevertheless reveals the notion of immortality to have been crucial to important antecedent ideas regarding the legitimacy of what is now known as sovereign political authority. Specifically, he emphasizes that in late medieval political theology, the body politic's authority was able to be legitimated through analogy to that of God, as it was understood to stand "above the corrosive influence of transitory time" (1995: 98). In this context, "the immortality of the body politic [was] contrasted with the mortality of the individuals within it," such that the latter could be called upon to wage war in defence of the former for the purpose of ensuring its permanent endurance and thus preserving the accomplishments of its leaders and elites for all time (*Ibid.*). What was to become sovereign authority thus had an important theoretical/theological anchor in its apparent approximation of the eternal presence of the divine, as its perceived representation of an earthly rendering of heavenly immortality proved a powerful source of its conceptual emergence in late medieval political thought.<sup>16</sup> This theme is also addressed by Robert Jackson in a more recent discussion of sovereignty's genesis, as he parallels Bartelson's claims by arguing that the idea of sovereignty emerged out of the conceptual separation of the body politic—which was understood as immortal—from the corporeal body of the sovereign ruler—which was subject to the temporal finality of death—in late medieval thought (Jackson 2007: 62-3). On this account, the central characteristic of what came later to be understood as the sovereign state—as distinct from the sovereign as embodied ruler—was its capacity to endure indefinitely, thus resisting the temporal finality of death. In other words, a central idea underlying the emergence of state sovereignty was that "the king is mortal and will

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<sup>16</sup> This is also the central theme of Ernst Kantorowicz's magisterial exploration of medieval political theology in *The King's Two Bodies* (1957)—albeit developed from a more historiographical than explicitly political-theoretical perspective.



die, but the state is enduring,” and thus that “sovereignty fundamentally concerns the body politic and not the body of the king” (2007: 63). The implication here is that the authority structure that ultimately became state sovereignty embodied a political logic premised upon the transcendence of temporal finitude, as one of the key claims to legitimacy of its late medieval antecedents stemmed from its apparent capacity to resist time’s limits by enduring beyond the corporeal death of a mortal king who remained subject to these limits.

This represents a somewhat different appropriation of the idea of immortality than that of Arendt and the ancients, in that the emphasis here is on the immortality of the body politic itself, rather than its status as the location of the potentially immortalizing acts of virtuous individual citizens. In this context, the appropriation of the idea of immortality facilitated the legitimation of the top-down authority structure that ultimately became state sovereignty, as this structure’s identification with immortality permitted the earthly authority of the sovereign body politic—which was vested in the king for the duration of his life but which also endured beyond his death—to be analogized to the timeless, immortal, heavenly authority of God. The putative immortality of the body politic—a clear example of the apparent mastery of time—was thus crucial to legitimating the form of authority that would come to be labelled as sovereignty by the political theorists of early modernity. Thus, although the invocation of the idea of immortality differs in this iteration from that which characterized the ancient veneration of the *polis*, the key point is that the idea of immortality itself—and the transcendence of temporal finitude that it represents—played an important role in the late medieval antecedents of the theory of sovereignty. This further emphasizes that the capacity to govern time was crucial to the originary political logic that continues to underlie the contemporary conception of sovereignty.

This point can be seen in the way indefinite endurance and the transcendence of time's limits were crucial to the early modern articulations of what is today understood as sovereignty. Indeed, it is possible to locate theoretical strands relating to the idea of immortality in the treatments of sovereignty offered by a number major figures of canonical political theory, reaching back to the two thinkers most closely associated with the idea's conceptual genesis, Bodin and Hobbes. For instance, Bodin's catalytic—though certainly quite rudimentary—formulation makes reference to this notion directly, emphasizing, in what have become famous words in the history of political thought, that “*la souveraineté est la puissance absolue et perpétuelle d'une république*” (Bodin 1962 [1576]; Maritain 1969: 44, emphasis added). Echoing the medieval notion of “the king's two bodies” (Kantorowicz 1957), Bodin understands sovereignty—and in particular, the indivisible and absolute political power it authorizes—to necessarily be perpetually enduring through time, in that it refers to a power to govern a spatially delimited territory and its inhabitants which transcends the inevitable mortal finitudes of the particular rulers vested with that power at any given moment. The implication of Bodin's formulation is that only by ensuring that the political power of the state remains both absolute and perpetual—thus locating it outside the ephemeral, unstable, and finite time of humanity—can a desirable degree of order be realized in human affairs. Mirroring Machiavelli to an extent—and articulating the normative logic of sovereignty described above—Bodin believes that the organization of political power along sovereign lines provides a strong bulwark against the destabilizing contingencies of time's flow. However, it is important to recognize his implication that this is only realizable in practice if the power of the sovereign body politic is not subjected to the same temporal limits as human bodies through which it is exercised. In this sense, Bodin demonstrates how it is the putative immortality of sovereign power—in particular,

its capacity to transcend the temporal limits of the human condition—that makes possible the normative claims upon which the modern logic of sovereignty is based.

A similar thread can be identified in Hobbes' foundational theory of sovereignty developed in *Leviathan* (Hobbes 2011 [1651]). While conceding at the beginning of Chapter XXIX that “nothing can be immortal which mortals make,” Hobbes nevertheless asserts that the types of “commonwealths” he proposes “are designed to live as long as mankind or as the laws of nature or as justice itself”—in other words, to endure well beyond the ephemerally finite lives of the particular individual subjects that constitute it at any given moment (*Ibid.*: 275). By deliberately likening its lifespan to that of humanity as a whole, and to such universal or eternal concepts as natural law and justice, Hobbes is clearly attributing to his sovereign commonwealth a temporality that, while perhaps not *entirely* immortal—since *homo sapiens* may one day be extinguished as a species, taking with it any understanding of natural law and justice—certainly approaches it asymptotically. Indeed, Hobbes describes his particular conception of the sovereign commonwealth as a “firm and lasting edifice” whose construction is necessary for the flourishing of humanity, since the fickle selfishness of human nature combined with the ephemerality of human life will ensure that any other mode of socio-political organization would constitute “a crazy building...hardly lasting out their own time,” and which “must assuredly fall upon the heads of posterity” (*Ibid.*). Hobbes then proceeds to outline a variety of “things that weaken or tend to the dissolution of a commonwealth,” whose emergence must be guarded against at all costs since such a weakening of sovereignty would diminish the commonwealth's capacity to endure as Hobbes hopes (*Ibid.*: 275-86). Especially noteworthy in this respect are his exhortations against the divisibility of sovereignty—which echoes Bodin and his medieval antecedents (*Ibid.*: 279)—as well as Hobbes' assertion that the sovereign must never be

subjected to “civil laws”—which echoes Machiavelli and prefigures the decisionism of the likes of Carl Schmitt (*Ibid.*: 278).

This portion of his text thus suggests that the arguments of *Leviathan* can be understood as aiming to uphold and maintain the perpetual endurance of the commonwealth in spite of the fleeting, temporally limited lives of the sovereign’s subjects and the potential for instability embodied thereby. In other words, Hobbes’ aim is “to give the state a permanent, rock-solid foundation capable of outlasting men’s dangerously fanciful designs” (Nelson 2010: 133). Indeed, by identifying the temporality of his sovereign commonwealth with that of the quasi-eternal concepts of humanity, natural law, and justice, and contrasting its status as a “firm and lasting edifice” with the “crazy building” that humanity, left to its own devices, would otherwise create, Hobbes is implying that the capacity to counter the finite and unstable temporality of human existence through its own perpetual endurance constitutes a crucial component of his theory of sovereignty. This suggests that he saw the capacity to counter the exigencies of time more broadly as one of the major normative benefits of political organization in accordance with his articulation of the sovereign leviathan, since the latter is conceptualized precisely as an enduring presence, immune to the temporal ephemerality of each discrete human life living under its control. It is in this respect that Hobbes can be considered, in Walker’s terms, “an archetype of those thinkers for whom time and change constitute a problem to be overcome” (1993: 112). For Hobbes, it was the creation of a polity whose robust endurance would take it as close to immortality as anything mortals can make that would enable this aim to be achieved (Hobbes 2011 [1651]: 275).

The appeal to immortality in sovereignty’s early modern formulations differs from the previous two iterations. Indeed, while perhaps also concerned with safeguarding the permanent

endurance of virtuosic political acts—as in the case of the ancients—and ensuring the legitimacy of monarchical rule through succession of corporeal kings—as in the case of the medievals—the ultimate aim for the likes of Bodin and Hobbes was to show how the logic of sovereignty could salvage a degree of order from the natural chaos of human affairs, in part through its capacity to resist the destabilizing vicissitudes of human time through its enduring permanence. This is more explicitly congruent with the normative logic of sovereignty discussed above, whose promises require precisely the sort of temporal endurance that the early modern appeal to immortality implies. In this sense, Bodin and Hobbes make clear that the importance of immortality to the logic of sovereignty stems from the former’s representation of temporal mastery and control, as sovereignty’s normative benefits derive precisely from its apparent capacity to resist the finitudinal limitations of human time. Thus, given the marked degree of continuity between the early modern formulations and contemporary theoretical understandings, it can be concluded that the historical importance of the idea of immortality to the concept of sovereignty is indicative of the degree to which the logic of sovereignty is fundamentally premised upon the governance of time itself.

This discussion of sovereignty and immortality could itself continue in perpetuity, as parallel themes are also present in the thought of writers as diverse as Machiavelli—whose ideal polity can be understood as “protected from nature and contingency...evad[ing] the time of the heavens and of fortune, and insinuat[ing] a new time in which corruption and decay are banished” (Hutchings 2008: 31; Machiavelli 1995; see also Walker 1993: 39)—and Hegel—whose conception of human progress is bound up with the world-historical eternality of the state (Hutchings 2008: 43-46; Bartelson 1995: 216-17; Hegel 1991). While space constraints preclude further discussion of these and other thinkers on the issue, the point has been made that an

account of sovereignty that sees the concept as importantly concerned with transcending the temporal limitations of mortal individuals through the creation and maintenance of an immortal, enduring, sovereign body politic has a strong basis in the history of political thought. To return to the general theme of the chapter, then, this discussion provides genealogical support for the broader claim that the concept of sovereignty ought to be understood as concerned primarily with the governance and control of time. In this respect, it has been illustrated that both sovereignty's normative basis and its legitimated theoretical coherence are heavily indebted to the sovereign state's purported capacity to "guarantee an eternal future" in which the body politic transcends the temporal finitude of individual human life and instead embodies an earthly approximation of the immortality traditionally attributed only to the divine (Cheah 1999: 177).

### *Sovereignty, Teleology, Modernity*

The importance of time-mastering aspirations to immortality to its theoretical constitution thus represents an important way in which the logic of state sovereignty is ultimately concerned with the governance of time. However, a second aspect of sovereignty that further illustrates this broader point concerns the way in which its underlying normative claims rely upon the enactment of a temporality of linear teleology within the spatial coordinates delimited by the sovereign boundary (Walker 1993: 78). In this respect, recall the earlier discussion relating to the necessity of temporal endurance for the realization of sovereignty's normative promises concerning the pursuit of the good life. There, it was shown that the spatial structures of sovereignty must be able to endure through time in order for these promises to make sense, since the practice of politics required for their actualization inevitably takes time. Accordingly, the coherence of state sovereignty as a principle of political organization rests upon an explicitly

temporal imperative relating to its own persistence through time. This point was used as the primary illustration that the concept of sovereignty is ultimately premised upon the governance of time; however, if unpacked further, it also shows that not only is the principle of state sovereignty concerned with the governance of time *per se*, but it is premised upon governing time in a very particular way—namely, in accordance with a narrative of linear progressivity consistent with the teleological ethos of Enlightenment modernity. Given the explicitly temporal character of this narrative, this provides another illustration of how sovereignty is decidedly premised upon the control of time.

To elaborate, consider what can be understood as the dual temporality of sovereignty. This refers to the point that its normative promises concerning the “possible perfectibility in the organization of human life within the state” presuppose the existence of two different temporalities on either side of the sovereign boundary (Walker 2010: 46). This can be characterised as the contrast between “a temporality of linear progress...within states, and one of sameness and repetition between states” such that, “in the former sphere it [is] possible for a more just and stable order to emerge over time” while “in the latter, all that [is] possible [is] the recalibration of always precarious balances of power” in a perniciously contingent, ungovernable anarchy (Hutchings 2008: 13; see also Walker 2010: 226, 1993: 63; Wight 1960). In other words, the sovereign boundary is located “between a space known in terms of its radical uncertainty, propensity toward anarchy and violence, and another known for a stable, orderly, and secure existence” (Nelson 2010: 93). The corollary of this dual temporality is that the principle of state sovereignty is not only premised upon the negative imperative of protecting against temporal contingency; it is also premised upon the *positive* imperative of creating a space in which time can be appropriated in a particular way. In other words, the inside is not simply passively

protected from the temporality of the outside; it is also the site at which a very specific temporality is actively inscribed. And according to sovereignty's normative promises about the pursuit of the good life through the proper praxis of politics, this temporality is one of teleological progress toward the perfected form of human existence. Thus, in addition to counteracting the ostensibly pernicious exigencies of time by providing a bulwark against its dangerous uncertainties and mortal limitations, sovereignty also permits the flow of time to be actively harnessed toward positive ends by facilitating "a temporal process of teleological perfectibility within each particular space" (Walker 2010: 188).

This more positive, or active, exercise of temporal control is thus vital to the normative logic of sovereignty discussed above, since the latter's emancipatory promises are inherently teleological in nature, premised as they are upon the notion that "within [sovereign] states, the possibility of universalist claims to the good, the true, and the beautiful is opened up to actualization in time" (Walker 1993: 63). Indeed, from this perspective, the ontological certainty created by sovereignty's putative taming of the outside's temporal contingency enables the emergence of a more controllable temporality within the sovereign boundary. This internal temporality thus allows for greater knowability, stability, and security, and therefore makes it possible for the inhabitants of the sovereign state to successfully realize the eudaimonistic potentials of political existence absent the disruptive vulnerability of temporal contingency. The principle of state sovereignty can thus be understood to create its own temporality through the inscription of the sovereign boundary—a temporality characterized by stable linearity and teleological progress, rather than unstable recurrence and developmental stasis. Since this particular temporal trajectory is crucial to the practical actualization of its normative promises, it follows that the principle of state sovereignty must enact such a temporality of linear



progressivity within its delimited spatial coordinates if it is to retain conceptual coherence. A number of critical commentators have thus emphasized the importance of this teleological temporality to the concept of state sovereignty in their theoretical treatments thereof (see Nelson 2010: 93; Walker 2010: 253, 1993: 174; Bartelson 1995: 10). For the purposes of this chapter, however, this active creation of a teleological temporality on the inside represents another illustration of how the logic of sovereignty is fundamentally premised upon the governance and control of time.

In light of these points, it is also worth noting that the logic of sovereignty ought to be understood as a means for practically realizing the particular narrative propounded by the ethos of Enlightenment modernity (Leccardi 2007; Palti 1997; Osborne 1995; Luhmann 1982). Elias Palti identifies the modern narrative as rooted in an understanding of time as a linearly unfolding process of “endless becoming” underwritten by a “myth of progress” (1997: 29; 32), which thus, as Carmen Leccardi claims, sees “the future as a time to curb and control in accordance with a world vision where (social) progress takes the place of spiritual perfection” (2007: 28). As the above discussion has highlighted, it is precisely these ideas that underpin the temporality of state sovereignty, since the emancipatory potentials promised by its normative logic can only be realized through a politics that operates in accordance with such a narrative of progress through time (Walker 1993: 10). And according to the theory of sovereignty, such a politics only becomes possible within the secure confines delimited by the inscription of the sovereign boundary. Put most simply, then, the active harnessing of time that must take place on the inside in order to fulfil sovereignty’s normative promises quite clearly reflects the teleological ethos embodied by the broader narrative of Enlightenment modernity.

This link between the ethos of modernity and the principle of state sovereignty has been discussed at length elsewhere and thus will not be explored further here (see Nelson 2010, Jackson 2007, Hoffman 1998, Bartelson 1995, Walker 1993, Onuf 1991); however, the key point is that the teleologism inherent to the temporality of state sovereignty supports the broader idea discussed in the introduction that the key concepts which provide the architecture of the social world embody particular mechanisms of temporal governance. In this respect, state sovereignty is very much a modern concept, since, not only did it emerge in its current form with the onset of the modern epoch, but its logic of temporal control is also congruent with the assumptions and values underlying the idea of modernity as a broader philosophical project (Jackson 2007: 1, 6; Hoffman 1998: 35).

***Conclusion: Toward a Temporally Inflected (Re-)reading of State Sovereignty***

Speaking most broadly, this chapter has attempted to illustrate that for conceptual analysis in social and political theory, the adoption of what I have termed a “temporal lens” is both necessary—due to the importance of temporality to the constitutive logic of all socio-political concepts—and analytically useful—in that it opens up new pathways down which to develop innovative readings of such concepts. It is precisely such a reading of state sovereignty that I have sought to develop here by thinking through the ways in which this particular concept can be understood as ultimately concerned with governing, controlling, and mastering time. To briefly reiterate the course of the argument, I began by highlighting how that the *normative* logic of sovereignty—upon which its broader conceptual coherence as a political principle is fundamentally premised—ultimately depends upon its capacity to tame time by providing a spatially delimited bulwark against the temporal contingency, uncertainty, and mortal finitude

located on the outside. Indeed, only then could the pursuit of the good life become possible on the inside. I then sought to further demonstrate the importance of temporal control to the concept of sovereignty by emphasizing how the idea of immortality—which itself constitutes the ultimate mastery of time—was genealogically crucial to both sovereignty’s conceptual development and its legitimation as the dominant ordering principle of the modern social world. Finally, it was argued that the logic of sovereignty is not only concerned with spatialized protection from the temporal contingencies of external anarchy; it is also premised upon actively harnessing the flow of time so as to enact within its boundaries a teleological temporality congruent with the broader narrative of human progress associated with Enlightenment modernity. Such positive control of temporality is vital to the theoretical coherence of the principle of state sovereignty as a whole, since the normative promises discussed at the outset are teleological in nature, and thus fundamentally rely upon this particular active control of time for their ultimate realization. Through these lines of argument, I have above all attempted to reveal that sovereignty can—and perhaps should—be understood as a thoroughly temporal concept, since its conceptual coherence relies upon certain explicitly temporal elements and imperatives that are often overlooked in existing theoretical treatments.

This latter omission is puzzling, since the above arguments detailing the importance of temporality to the concept of sovereignty are firmly grounded in the canon of political thought, and seem to imply that no understanding of the theory of sovereignty can be considered complete if it fails to take the question of time seriously. The persistence of this lacuna is particularly problematic in the current moment, however, since not only does it cause theorists to operate with an impoverished understanding of such a key concept, but it also precludes the development of a properly nuanced understanding of broader (global) political processes

specifically related to the changing dynamics of sovereignty. For instance, as a number of prominent social and political theorists have argued, the exigencies of late modern society are fundamentally disrupting many of the established certainties and regularities previously made possible by the organization of human affairs in accordance with such fundamental socio-political concepts as state sovereignty (Beck 2008, 2005; Virilio 2010). With particular respect to the latter, such destabilizations are rooted in the apparent challenge to sovereignty's logic of control posed by such spatiotemporally "de-bounded" hazards as financial crises wrought by globally mobile capital, environmental catastrophe wrought by anthropogenic climate change, and catastrophic irruptions of violence wrought by transnational terrorism (Beck 2002: 41). Indeed, such contingencies operate explicitly beyond the neat boundaries of the logic of sovereignty, transcending and traversing the lines of demarcation that for so long acted as bulwarks of certainty and stability in large part through the degree of temporal control they apparently enabled.

Re-reading state sovereignty through a temporal lens allows analysts to theorize these emerging dynamics in a more nuanced way, since it is to their disruption of sovereignty's logic of temporal control that the political challenges associated with these and related problems can to a significant degree be traced. The next chapter will pick up on this point by pursuing a more detailed discussion of these trends in contemporary world politics—including, in particular, an exploration of how the concept of risk and associated rationalities of anticipatory governance have emerged in response to the desire to recapture a degree of the certainty and temporal controllability promised by the logic of sovereignty.

## **Chapter 2 – The Politics of Temporal Control**

### ***The (Re-)Emergence of Temporal Contingency as a Political Problem***

Broadly speaking, the preceding chapter attempted to show that the concept of state sovereignty can, and indeed should, be understood as ultimately concerned with the governance of time. More specifically, reading the logic of sovereignty through a temporal lens revealed that it is premised upon the notion that the contingent vicissitudes of time must be adequately governed if a progressive political life is to be possible, and that this is best achieved through the delineation of a particular space within which human activity can be properly marshalled toward this end (see Walker 2010: 254-55, 1993: 14, 155). Put another way, the previous chapter shows how the logic of state sovereignty offers a compelling solution to the problem of temporal contingency in human affairs. This solution is found in sovereignty's affirmation that the creation, control, and zealous defence of an explicitly delineated spatial domain enables humanity to tame *fortuna* and thus govern the irruptive excesses of time's unfolding. Thus, despite being ultimately concerned with the governance of time in this respect, the principle of state sovereignty prescribes a means to this end that is, in fact, spatially oriented.

For the purposes of this chapter, it is important to note that this somewhat paradoxical solution to the problem of temporal contingency has profoundly influenced modern understandings political possibility. Indeed, the primacy of sovereignty within the modern political imagination (see Onuf 1991) has ensured that, as Walker puts it, “modern political thought has *depended* on the claim that temporality can and must be tamed by the spatial certainties of sovereign states” (1993: 178, my emphasis). In other words, sovereignty's spatialized logic of temporal control has constituted a fundamental tenet of modern thinking about the political. Predictably, this has had especially important implications for the way

temporality and its associated political problems are addressed in this context. The most notable point in this regard is that the rise of state sovereignty as the dominant principle of political organization (Spruyt 1996) had the concomitant effect leading the question of temporal governance to become largely coextensive with the question of spatial control (Bauman 2000: 110-118). The idea that time could be adequately tamed through the demarcation and defence of a spatial sovereign boundary—that “spatial order [was] the condition within which temporality might be controlled” (Walker 2010: 254)—thus emerged as the default response to problems of temporal contingency within the modern socio-political imaginary. The upshot was that such problems need not be directly confronted through explicitly temporally oriented political strategies, since, according to the logic of sovereignty, they can be adequately managed by simply upholding the spatio-territorial integrity of the sovereign boundary. In short, then, the dominance of state sovereignty within the modern political imagination ultimately served to fold the question of temporal governance into the question of spatial governance, thus obscuring temporal contingency as a discrete political problem by implicitly embracing the idea that the unfolding of time can be adequately governed through the spatialities of sovereignty alone.

To be sure, this conceptual history of (early) modern political temporality is rather brief; however, the point is simply to emphasize that, as a consequence of sovereignty’s emergence as the dominant ordering principle of modern politics, the logic of temporal control upon which sovereignty is premised became entrenched as the prevailing response to the problem of temporal contingency in human affairs. This point is important to recognize, because there is a persuasive argument to be made that this spatialized response to the problem of temporal contingency that is embedded in the logic of sovereignty is becoming untenable; and thus that the question of temporal control, of taming time, is (re-)emerging as a discrete and urgent

political problem that must be actively confronted in a more direct way. Indeed, it has been argued that in the face of the emerging exigencies of what is variously termed “late modernity” (Giddens 1991), “postmodernity” (Harvey 1991), “new modernity” (Beck 1992), “liquid modernity” (Bauman 2000) and so on, “the hope that temporality may be tamed within the territorial spaces of sovereign states alone is visibly evaporating” (Walker 1993: 155). It is worth elaborating upon this line of thought, since it provides a provocative starting point for thinking critically about the political implications of the changing temporal dynamics of contemporary world politics.

The theoretical basis for the argument that temporal contingency is rapidly (re-)emerging as a serious political problem is found in the oft-cited claims advanced by a number of prominent social and political theorists that certain emergent trends—such as an increased rate of “social acceleration” due to technological innovation (Rosa 2009) or a spatiotemporal “de-bounding” of forces and circulations that challenges conventional managerial logics (Beck 2002: 41-2)—have drastically diminished the capacity of established institutions and mechanisms of control to provide the degree of ontological certainty that was previously considered both necessary and possible in human society (Beck 2008, Bauman 2000). On this view, we have entered an epoch characterized by what Nobel laureate and founding figure of chaos theory Ilya Prigogine has termed the “end of certainty” (Prigogine 1997). Although speaking primarily about recent developments in the physical sciences that cast doubt upon the stable determinism that has informed such inquiry since at least Newton, Prigogine’s phrase is an equally apposite descriptor of an emerging social world where prevailing concepts and strategies devised to confront and tame contingency are being revealed as inadequate in the face of the “global complexity” of our “network society” / “high-speed society” / “world risk society” (Urry 2003, Hassan and Purser

2007, Rosa and Scheuerman 2009, Beck 1999). An especially important consequence of this putative shift is that the phenomenological experience of time among human subjects is being dramatically modified, particularly with respect to the ways we experience the present and relate to the future. In particular, as these “old certainties fall away,” constructions of the future become infused with a radical *uncertainty*, as the broader societal capacity to govern emerging contingencies appears greatly diminished (Beck 2005: 36). The result is that the lived present is experienced in terms of a growing sense of precarity, since the novel “global risks” lurking in the opacity of the future’s increasingly uncertain depths suggest the perpetual imminence of catastrophe (Leccardi 2007: 30; Beck 2008: 9-11; Virilio 2010: 7). Time itself—and its inherently irruptive capacity in particular—is thus seen to be breaking free of its erstwhile subjugation by the various logics of control that have been established over the course of modernity (Leccardi 2007: 28). As German social theorist Armin Nassehi’s puts it, “modernity promised the capacity to shape and control the world and time...[b]ut in late modernity, time itself has come to destroy the potential for any form of social or substantial control” (quoted in Rosa 2009: 102-3).

This line of argument has particular resonance with respect to the concept of state sovereignty, in that it constitutes perhaps the most important of those social concepts that have been devised by modern humans for the purpose of governing time. Indeed, the picture of the current moment painted by the theorists cited above seriously destabilizes sovereignty’s constitutive normative claims relating to the provision of a temporally stable bastion of certainty in which the emancipatory possibilities of politics can be realized. This is because the dynamic forces and circulations of a globalized late modernity embody irruptive contingencies that operate beyond and across the spatial boundaries that constitute the sovereign state, thus



transcending its underlying logic of control (Beck 2005: 28-9). In particular, such “de-bounded” hazards as financial crises wrought by globally mobile capital, environmental disasters wrought by anthropogenic climate change, and catastrophic irruptions of violence wrought by transnational terrorism, pose a radical challenge to the conceptual mechanisms upon which state sovereignty’s claims to the provision of temporal control are premised, since the spatial demarcations of the sovereign state alone are manifestly incapable of fully insulating human subjects from these potentially catastrophic contingencies (Aalberts & Werner 2011: 2193; Beck 2002: 41-2). Thus, if the likes of Ulrich Beck, Zygmunt Bauman, and Paul Virilio are taken seriously, the sovereign control of space no longer constitutes a sufficient condition for realizing the degree of certainty and stability associated with an adequate taming of time (Walker 1993: 14). Rather, from such a perspective, the exigencies of late modernity have imbued time itself with a degree of radical irruptivity that cannot be adequately governed through the merely spatialized solution to the problem of contingency embodied in the logic of sovereignty.<sup>17</sup>

At this point it should be noted that I am not unproblematically accepting the sweeping, epochal proclamations that inform such conclusions; nor am I ignorant of the myriad deficiencies—both methodological and empirical—that have made this particular line of theorizing a relatively easy target of critique (see Jarvis 2007, Mythen 2005). Rather, the point is merely to emphasize that the arguments presented by the authors cited above do nevertheless provide a useful departure point for developing a critical understanding of how the question of time in general—and the problem of temporal contingency in particular—is embedded in the

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<sup>17</sup> Writing in 1993, R.B.J. Walker asserted that “if contemporary political life is increasingly characterized by processes of temporal acceleration, then we should expect to experience increasingly disconcerting incongruities between new articulations of power and accounts of political life predicated on the early-modern fiction that temporality can be fixed and tamed within the spatial co-ordinates of territorial jurisdictions” (Walker 1993: 14). This is precisely the dynamic described by the social theorists referenced above, and thus provides remarkable insight into the state of sovereignty in the current moment—at least as it is perceived by some prominent analysts.

contemporary (global) political imagination. This is because it stands to reason that any significant challenge to established social mechanisms of temporal governance—such as that which the above authors have argued is characteristic of our current moment—will precipitate a corresponding shift in the socio-political imagination toward alternative logics of action aimed at actively confronting the resultant increase in perceived uncertainty. Put in terms specifically related to the concept of state sovereignty, the point is that a serious challenge to the viability of its particular solution to the problem of temporal contingency would presumably lead to a move away from governmental rationalities that take for granted the assumption that “temporality may be tamed within the territorial spaces of sovereign states *alone*” (Walker 1993: 155, emphasis added) and toward alternative rationalities premised upon acting directly on time in lieu of mediating all attempts to govern contingency through the spatialized logic of state sovereignty. In other words, if we have in fact reached the “end of certainty,” and confronting and taming temporal contingency remains as serious a human concern as ever, then we should be witnessing what amounts to a “temporalization” of the political imaginary, whereby the governance of future *uncertainty* is identified as a vital imperative, and political interventions aimed more specifically at controlling the unfolding of time itself are prioritized. In what amounts to at least partial validation for the likes of Beck, Bauman, Virilio, *et al.*, the character of many emerging strategies of governance suggests that such a shift is, in fact, taking place.

Indeed, even a cursory survey of emerging governmental trends across myriad issue areas reveals that a nascent “rage for determinacy” is increasingly orienting political activity toward a more direct confrontation of temporal contingency in a manner that radically reformulates, or indeed moves beyond, state sovereignty’s logic of temporal control (Walker 2010: 252). In sectors as diverse as financial regulation (Porter 2009), public health management (Cooper

2005), environmental governance (United Nations 1992), crime prevention (Ericson 2007), urban planning (Coaffee 2009), natural disaster management (United Nations 2013), and national security (Department of Homeland Security 2011), a broad array of strategies, technologies, and rationalities are being developed and deployed that frame governmental intervention specifically in terms of taming a resurgent temporal contingency and recovering an acceptable degree of certainty.<sup>18</sup> Rosa and Scheuerman’s general observation that the erstwhile “preponderance of space over time” in modernity is being “inverted and ultimately replaced by the dominance of time” is thus of particular relevance to the contemporary (global) political climate, since the erstwhile consensus in which questions of temporal governance could be folded into questions of sovereign spatial governance appears to be coming undone in the face of the accelerative exigencies of late modernity (Rosa & Scheuerman 2009: 10).

Consequently, it seems that a new politics of time is in the process of materializing, whereby the active governance of temporal unfolding constitutes the primary imperative, and temporally inflected, anticipatory rationalities of government are replacing the spatially oriented, reactive strategies that characterized the political ethos of an earlier modernity (Baumann 2000: 110-118). In other words, because they are increasingly perceived to be inadequate for controlling the potentially catastrophic contingencies immanent to the present condition, prevailing governmental concepts and mechanisms—including, and perhaps especially, the logic of state sovereignty—are being increasingly reformulated and supplemented, if not entirely replaced, by more temporally oriented political rationalities premised explicitly upon governing the future through anticipatory interventions in the present. In this respect, the current moment is witnessing the emergence of “a redefined concept of politics, where the observation of political

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<sup>18</sup> A key indicator of this “temporal turn” is the widespread adoption across these issue areas of the vernacular of “risk.” The importance of this concept to the temporalization of contemporary governance will be discussed at length below.

processes has less to do with [sovereign] states per se, but with the management of uncertainty and contingency” (Kessler 2011: 2165-66). This “temporal turn” in the political imaginary has thus served to “reconfigure the politics of space into a politics of time” to such an extent that the legitimacy of political authority is increasingly associated not merely with the successful exercise of control within a particularly bounded space, but with the demonstrable success of “attempts to control time” itself (*Ibid.*: 2181).

Perhaps the clearest indication of this “reconfiguration” is found in the conspicuous diffusion of the concept of “risk” across the realm of the political. To be sure, the praxis of politics has always been concerned with confronting and managing “risks,” understood in the conventional sense as largely synonymous with “hazards” and/or “threats” (see Gardner 2009). However, “risk” has a much more specific meaning in the context of contemporary social and political theory, referring to a particular approach to the question of uncertainty and temporal contingency that is premised upon recovering a degree of control over time in the face of an increasingly uncertain future. Indeed, the concept of risk denotes both a broader conceptual orientation toward the problem of temporal contingency and its associated uncertainty, and a specific rationality for action in the face of the unknown future created thereby. Accordingly, as the exigencies of late modernity have come to destabilize state sovereignty’s spatialized solution to the problem of temporal contingency, and the need for strategies of temporal governance that act more directly upon time itself has become acute, the notion of risk—along with its more radical offshoot “precaution” (Ewald 2002)—have been drawn out of their obscure conceptual homes in the actuarial and environmental sciences and introduced into governmental logics at work across a much wider swathe of human affairs. As such, the vernacular of risk constitutes a common thread across the diverse areas of political activity in which the governance of temporal

contingency has (re-)emerged as a primary imperative, since authorities are responding to this imperative by adopting temporally inflected strategies of governance premised upon the management of the future in accordance with logic of risk. Risk is thus “indispensable for understanding our times,” and can be considered the dominant conceptual orientation to the problem of governing temporal contingency in the current moment (Garland 2003: 49). Any serious inquiry into the contemporary relationship between temporality and politics must therefore begin with an understanding of risk as it is conceptualized and applied in contemporary political thought and practice.

### ***Governing the Future through the Present: The Logics of Risk and Precaution***

#### *The Logic of Risk*

Samuel Johnson is credited with coining the pithy truism that “the future is purchased by the present.” Intuitively obvious as this quip is, the underlying logic—when taken beyond the superficial insinuation of basic cause and effect—is at the core of the concept of risk as understood in contemporary social and political thought. Indeed, risk is fundamentally premised upon the assumption that, not only are human subjects capable of weathering the vicissitudinous storms of time that erupt as the unknown future turns into the lived present, but also that properly targeted intervention in the present can, in fact, permit us to seize control of this temporal unfolding and thus radically diminish the uncertainty with which it invariably confronts us. Peter Bernstein makes this point on the very first page of his widely read conceptual history of the idea of risk. Here, he identifies risk as directly concerned with the imperative to tame and master time, and affirms that risk is ultimately rooted in the premise that “the future is more than the whim of the gods and that men and women are not passive before nature” (Bernstein 1996: 1).

Risk thus begins with an assumption about humanity's capacity to agentially influence the open future, and offers a particular epistemic framework through which this ability can be harnessed in practice.

In the most general sense, therefore, risk is best understood as a socio-political technology for grappling with the spectre of an uncertain future once considered the purview of *fortuna* and now populated by a vast array of potentially catastrophic contingencies largely of our own making (Beck 2008, Lupton 1999: 7, Bernstein 1996). The idea of risk thus renders the inherent contingency of the future both “knowable and actionable” by “mak[ing] the unpredictable predictable” and “turn[in] uncertainties into possibilities” (Aradau *et al.* 2008: 150; Beck 1999: 139; Bessant *et al.* 2003: 13). Accordingly, it should be clear that risk also represents a particular orientation toward the problem of temporal contingency that does not merely aspire to resist the associated spectre of uncertainty by spatially insulating human subjects from it, as is the case with the logic of state sovereignty. Rather, the logic of risk is premised upon the active and direct confrontation of future uncertainty and temporal contingency through targeted anticipatory action in the present. In a socio-political environment beset by the types of radical uncertainties that apparently characterize the late modern experience, risk inevitably represents a particularly compelling mode of governance, as it provides a specific rationality for taking action in the face of the unknown in a manner that ostensibly permits the recapture of a degree of ontological certainty through the renewal of human control over the unfolding of time.

The above considerations are perhaps most succinctly captured by Nikolas Rose's description of risk as “a family of ways of thinking and acting, involving calculations about probable futures in the present followed by interventions into the present in order to control that potential future” (Rose 2001: 7). However, in addition to concisely describing the philosophical

basis of the concept, his use of the term “calculations” addresses a more practical aspect of risk by hinting at the epistemic mechanisms through which it operates. The key point here is that if the anticipatory interventions deployed under the logic of risk are to be based upon anything other than pure speculation,<sup>19</sup> some sort of informational basis is required from which to develop precise calculations about both the likelihood of potential futures and the most effective means to influence their unfolding in the desired way. As such, the praxis of risk requires the ongoing accumulation of what Pat O’Malley terms “risk knowledge,” which refers to any information deemed to be relevant or necessary for the creation of an informed picture of the future (O’Malley 2005: 51, Ericson & Haggerty 2002). According to the logic of risk, using such established knowledge as a baseline enables reasoned, calculative decisions to be made concerning appropriate interventionary action to be undertaken in the present for the purpose of shaping the future in accordance with a particular set of aims. The concept of risk thus projects a broadly technocratic veneer, as its decisional rationality is premised upon the collection and calculative analysis of relevant data, rather than mere speculation about what the ultimately unknowable future might hold (Hacking 1990).

However, the putatively neutral, scientific character of risk is belied by the fact that the identification of those contingencies that must be acted upon—and thus the determination of precisely what can be understood to constitute relevant risk knowledge—is inevitably a highly politicized process of social construction—a process Beck refers to as “staging” (2008: 10; see also Ewald 1991: 199). Thus, despite its façade of technocratic objectivity, the logic of risk remains inherently political, as it is inevitably shot through with prevailing discursive power relations related to the construction of any and all knowledge (Foucault 1980). The politicality of

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<sup>19</sup> Although, it should be noted that pure speculation *is* often marshalled as the primary basis for action in many cases; however, such practice is associated with the idea of “precaution,” on which more below.

risk has been of particular importance in the contemporary context, since the staging process relies upon relevant groups of experts whose prestige has been called into question by the ongoing destabilization of the prevailing regimes of certainty with which such epistemic communities are associated. Indeed, “the changing relationships of trust between individuals and expert institutions” that has accompanied the broader challenge to established modes of governing contingency has created a rather paradoxical condition in which the logic of risk is increasingly embraced as the proper response to a newly endemic uncertainty, while the conventional sources of risk knowledge are met with growing public scepticism, since they are associated with the very regimes of certainty that are becoming increasingly discredited by the apparently radical nature of emergent contingencies (MacNaghten 2005: 136). Dubbed by some risk theorists as the “expert/layman controversy,” this epistemological fissure is a crucial problem at the core of the contemporary resurgence of risk as a governmental rationality (Taylor-Gooby & Zinn 2006: 35).

While this aspect of the politics of risk will not be discussed further, it provides a useful segue into a discussion of the limits of risk as a political technology.<sup>20</sup> It is useful to frame such a discussion through a clarification of the conceptual relationship between risk and uncertainty, since risk is both constituted in response to uncertainty, and reaches its limit when confronted by the most extreme manifestations of the latter. In both popular and scholarly discourse, risk and uncertainty are often used almost interchangeably in reference to potential irruptions of harm in the future (on this point, see Best 2008: 359; Beck 2008: 17; Lupton 1999: 7; Knight 1946).

Although the two terms are intimately related, such a conflation erroneously confuses the nature

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<sup>20</sup> This question is of particular importance to the broader concerns of this chapter, since, as will be discussed below, these limits have necessitated that the future-oriented political strategies developed in response to the “end of certainty” adopt certain features of a more radical offshoot of the logic of risk—precaution—with important implications for the way temporal governance is manifested politically.



of the connection between the two. This connection can be best expressed by the idea that risk constitutes a socio-political tool or technology for tackling and managing uncertainty, which constitutes a particular epistemic condition experienced by agents in the social world. In other words, the concept of risk is a product of our ongoing existential confrontation with the uncertainty of the future, and is fundamentally premised upon rendering the future calculable and therefore governable. Thus, while risk ought not to be conflated with uncertainty, it only becomes an intelligible concept in reference to it—as David Garland puts it, “risk always exists in the context of uncertainty” (2003: 52).

Yet the nature of this relationship between the two concepts also hints at the limitations of risk’s capacity for temporal governance. Indeed, although risk-based strategies are adopted in response to diminishing uncertainty vis-à-vis the open future, the future’s very openness renders it *ultimately* unknowable and thus always imbued with a contingent uncertainty that can *never* be fully tamed, even if we possess an extraordinarily detailed collection of risk knowledge. In other words, “[o]ur capacity to identify, evaluate, and manage uncertain future events is intrinsically limited, even where there is good data” (Garland 2003: 53), since the ultimate unknowability that defines the future as such always leaves open the possibility that a “black swan” may appear and thus render even the most meticulously calculated attempts at risk-based governance entirely ineffective (Taleb 2010). Moreover, each particular circumstance to which a risk-based strategy is applied will be unique in the degree to which it is amenable to governance through the calculative logic of risk. There will inevitably be circumstances and problems beset by an uncertainty whose radicality places them beyond the reach of risk’s technocratic logic of control, and thus about whose future, to paraphrase Keynes, we simply *cannot* know (Beck 2008: 18). Such problems embody contingencies whose amenability to governance through present

anticipatory interventions is ultimately indeterminate under prevailing knowledge structures.

While traditionally represented by such examples as natural disasters that cannot be predicted—and over which we can exert little or no control—one of the key insights of Beck’s “risk society” thesis is that some of the most threatening and radical uncertainties confronted by contemporary society are, in fact, explicitly produced by humanity, as exemplified by the potential dangers posed by nuclear waste, genetically modified organisms, the climate crisis, financial instability, and transnational terrorism (see Beck 2008, 1999). In such circumstances, therefore, the basic logic of risk as understood here is largely inapplicable, and more radical modes of temporal governance must be developed and deployed if a concerted effort to confront uncertainty and tame contingency is to be undertaken (Aradau *et al.* 2008: 151).

The late modern narrative of social acceleration, “de-bounded” hazards, and diminished temporal control that has been advanced by various prominent social theorists—and which was discussed at length in the previous section—suggests that the exigencies of the contemporary human experience often approach such a radical level of uncertainty as to render the conventional calculative logic of risk largely ineffectual with respect to taming its potentially catastrophic contingencies (Beck 2008, 2002). Indeed, it is quite possible that the available risk knowledge relating to both the potential and nature of future catastrophes of the sort represented by the above examples is manifestly inadequate for the development of a rationally calculated interventionary programme that could reduce the likelihood of their occurrence. This proposition is supported by the emergence of alternative modes of risk-based temporal governance that go beyond the rather minimalist formulation discussed thus far, and draw heavily upon the more radical derivative of the logic of risk most commonly known as “precaution” (Ewald 2002, Sunstein 2007). To complete the present exploration of risk as it pertains to the contemporary

dynamics of temporal governance, therefore, a closer examination of the logic of precaution is required.

### *The Logic of Precaution*

As with the concept of risk, the logic of precaution begins with the premise that a lack of certainty about a particular future ought not to preclude preventative action in the face of potential catastrophe (Aradau & Van Munster 2007: 102). However, precaution moves beyond risk by seeking to reclaim the possibility of an actionable decision in the context of an uncertainty so extreme that it cannot be tamed by the knowledge-based, calculative rationality of risk. Indeed, as François Ewald puts it, precaution “does not target all risk situations, but only those marked by two principal features: a context of scientific uncertainty on the one hand, and the possibility of serious and irreversible damage on the other” (2002: 283-84). The logic of precaution thus offers a specific rationality for governing decision-making under such conditions, as it purports to provide a mechanism through which we will no longer be forced to merely “*feign* control over the uncontrollable” when undertaking risk decisions in the radically uncertain climate of late modernity (Beck 2002: 41, emphasis added). Rather, the logic of precaution purports to bring the radically contingent under the governmental control of future-oriented human agents by making anticipatory decisions possible even in the absence of any significant risk knowledge. Precaution thus “results from an ethic of the necessary decision in a context of uncertainty,” and as such, purports to offer a theoretical framework within which such a decision becomes both practically possible and ethically legitimate (Ewald 2002: 294). Most simply, then, precaution takes the concept of risk to its logical excess; and it is thus no coincidence that its logic has been central to the modes of temporal governance developed in

response to the catastrophic contingencies perceived to characterize the late modern condition (Taylor-Gooby and Zinn 2006: 46, Ewald 2002: 283).

While the underlying logic of a precautionary orientation toward risk has something of a contested genealogy, it is generally agreed to have originated in its contemporary form with the development of the “precautionary principle” in the context of Western European environmental law in the final quarter of the twentieth century (Aradau & Van Munster 2007: 101-02; Ewald 2002: 283). Thus, while a number of (occasionally contradictory) versions of the idea have subsequently emerged in various contexts (Sunstein 2007: 123), its most commonly cited articulation is that provided by the *Declaration on Environment and Development*, drafted at the 1992 United Nations “Earth Summit” in Rio de Janeiro. The relevant clause asserts that, “where there are threats of serious or irreversible damage, lack of scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation” (United Nations 1992). While referring specifically to the environmental case, the underlying logic of precaution as a more radical modification of the logic of risk is clearly embedded in this formulation, as the precautionary principle affirms that in the face of significant uncertainty regarding future catastrophes, preventive action in relation to these worst-case scenarios is both possible and necessary. Moreover, it also implies that all steps must be taken to avoid any course of action that harbours the potential to cause such catastrophic irruptions itself. Under the logic of precaution, therefore, radical “uncertainty is not an excuse,” either for inaction toward the prevention of future catastrophe, or for a failure to exercise adequately imaginative foresight when deciding upon a course of action in this respect (Ewald 2002: 288).

Precaution thus attempts to resolve the epistemological dilemma posed by the spectre of a decision made in the face of radical, incalculable uncertainty by positing that such a decision

can, in fact, be legitimately made. However, it also implies that this decision can only be legitimate if it is undertaken in reference to the worst-case scenario—irrespective of such a potentiality’s connection to the available risk knowledge (Ewald 2002: 286, 292; Sunstein 2007). From the precautionary perspective, therefore, anticipatory decisions remain possible in the face of radical uncertainty that transcends the calculative rationality of risk; but only if *all* potentially catastrophic futures—even if their probability is estimated to be less than one percent—are adequately considered and taken into account (Sunstein 2007: 136).

It is thus clear that the concept of precaution and its underlying decisional logic represent a radical break from both established political rationalities more generally, and the logic of risk from which it is itself derived, as it effectively severs the link between empirically-based knowledge and legitimate political decision-making (Ewald 2002: 288, Aradau & Van Munster 2008: 32). In this respect, precisely by virtue of its constitutive link to extreme, incalculable uncertainty, the logic of precaution requires that decisions be undertaken primarily on the basis of conjecture, speculation, and imagination, rather than empirically verifiable fact, or even a collection of inevitably partial or fragmentary risk knowledge. While perhaps unavoidable in the context of radical uncertainty, this fundamentally ruptures with the prevailing logic of the rational decision. Indeed, by requiring that one “anticipate what one does not know” in reference to an entirely imagined worst-case scenario, the decision-making process inevitably requires actors “to take into account doubtful hypotheses and simple suspicions...to take the most far-fetched forecasts seriously...whether true or false” (Ewald 2002: 288). Where the logic of precaution is invoked, in other words, all contingencies, regardless of their plausibility, must be considered, since what knowledge is available can never definitively exclude them as

possibilities *a priori*.<sup>21</sup> Imagination thus trumps practical knowledge, and as Ewald, invoking Descartes, puts it, the logic of precaution “invites one to make the most deceptive malicious demon one’s closest companion” (*Ibid.*: 289).

Consequently, there are a number of potential pitfalls inherent in any governmental rationality rooted in logic of precaution. Perhaps the most significant is that a precautionary approach “reintroduces a pure logic of decision” into the realm of the political (*Ibid.*: 298). Put differently, the precautionary principle’s severing of the decision from verifiable knowledge confers upon the decider a great deal more power, since it is her/his imagination of the future—rather than any established body of risk knowledge—that ultimately determines the course of action (Ewald 2002: 298, 1993: 224). This inevitably has the effect of rendering precautionary decisions exceedingly arbitrary, while also effacing any degree of accountability on the part of the decision-maker since the latter can claim to have made the decision in the context of radical, incalculable uncertainty in which no expectation of accuracy could be guaranteed (Aradau & Van Munster 2008: 35). From this perspective, the potential for a descent into a politics of “exceptionalism”—in which groups or individuals arbitrarily constructed as “risky” are preemptively targeted for violent interventions by relevant authorities—is drastically increased with the adoption of a precautionary approach to governance (Aradau & Van Munster 2009, 2008; Diprose *et al.* 2008). This is because precautionary logic transfers the burden of proof to those cast as potentially threatening. Indeed, in the face of such a “pure logic of decision,” it is up to

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<sup>21</sup> Of course, this is not to imply that all potential contingencies will be granted an equal degree of attention or depth of response in any particular context, as a politics of precaution also involves decisions regarding those which will be anticipatorily acted upon. The point is merely that, by virtue of its emphasis upon acting in the face of radical uncertainty, the logic of precaution precludes the elimination of any contingency from the realm of possibility, and thus demands a strategy for action that recognizes this. Moreover, those contingencies that are considered will themselves be bounded within a broader choice of “danger”, which, as David Campbell has shown, is itself an inexorably political move bound up with questions of identity and power (Campbell 1998). In short, it is important to note that the logic of precaution still allows for a significant degree of agency among those actors structuring their behaviour in accordance with it, and thus leaves space for politics. These themes are discussed at greater length in the next chapter with respect to the application of pre-emptive approaches to the governance of (in)security.

them to prove otherwise, since the imagined threats they are deemed to embody have not yet materialized and, in fact, may never do so (Diprose *et al.* 2008: 274; Stern & Wiener 2006: 398). The potentially deleterious implications for ostensibly liberal democratic societies are thus clear, as the inherently arbitrary nature of a politics of precaution renders the precautionary principle a potentially dangerous and anti-democratic political tool.<sup>22</sup>

Notwithstanding these potentially harmful implications for the way political power is exercised, it is clear that the logic of precaution offers a compelling rationality for both acting in the face of radical uncertainty, and recapturing a degree of control over temporal contingency. As such, precaution has become an important component of governance strategies that operate well beyond the sphere of environmental policy from which it emerged, since Ewald's two features of a condition amenable to precautionary governance—"scientific uncertainty on the one hand, and the possibility of serious and irreversible damage on the other"—are perceived to obtain across myriad issue areas in contemporary world politics (2002: 283-84). Indeed, broadly speaking, the modes of anticipatory governance that have been developed in response to the exigencies of late modernity are perhaps more heavily influenced by the precautionary offshoot of the logic of risk than by the latter itself. This has led some scholars to argue that the dominant governmental rationality currently at work in such radically uncertain political spheres as the global War on Terror can be best described as a "logic of precautionary risk"—something of a hybrid rationality that draws legitimacy from claims of association with the scientifically calculative logic of risk, while operating primarily through the speculative decisional mechanisms of precaution (see Aradau & van Munster 2011, 2008, 2007).

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<sup>22</sup> The considerations developed in this paragraph will be explored and interrogated in much greater detail below, as the relationship between anticipatory action and the politics of exceptionalism is a core theme of Part II of this study. Indeed, as will be seen, conditions such as those discussed here are, in fact, emerging in sectors where paradigms of governance premised upon precautionary logics are in effect—chief among which is the realm of (inter)national security.

## *Conclusion*

Returning to the overarching theme of this and the previous chapter, it is these sorts of temporally inflected, future oriented political strategies—rooted in the concept of risk but operationally closer to the logic of precaution—that have increasingly come to fill the void created by the growing untenability of taking for granted sovereignty’s spatialized resolution to the problem of temporal contingency. In other words, the “reconfigur[ation of] the politics of space into a politics of time” that has accompanied the late modern challenge to state sovereignty’s logic of temporal governance can be understood as a reconfiguration of the politics of (sovereign) territoriality into a politics of (precautionary) risk (Kessler 2011: 2181; Beck 2005). Thus, while the spatialized logic of state sovereignty represented the dominant political response to the problem of taming contingency throughout the modern epoch, the perceived radicality of the uncertainty we now face, combined with the resultantly enhanced precarity of our phenomenological experience of time, has led to a significant shift in the way sovereignty is performed and enacted. In other words, sovereignty is a historically contingent concept that must be continually reproduced, and contemporary challenges to its logic of temporal control have affected the way it is performatively practiced, such that sovereign authority is becoming more overtly oriented toward the imperative of temporal rather than merely spatial governance—as evidenced by the widespread proliferation of political strategies and practices explicitly rooted in the logics of risk and precaution. Understanding what is at stake in this ongoing reorientation of the political from the spatial to the temporal thus requires coming to terms with the effects such a shift in the practice of sovereignty has on the structure and exercise of political power. This is the animating concern of the remainder of this study, as the focus of Part II narrows to one particular



issue area in which this “temporalization” of the political has been particularly conspicuous—  
namely, the realm of (inter)national security.

## ***PART II***

“It is necessary not only to pay attention to immediate crises, but to foresee those that will come and to make every effort to prevent them.”

*-Machiavelli*

"I have the imagination of disaster - and see life as ferocious and sinister."

*-Henry James*

“Nothing is so wretched or foolish as to anticipate misfortunes. What madness is it to be expecting evil before it comes.”

*- Seneca*

### **Chapter 3 – Pre-emption and (Inter)national Security: Historical and Conceptual Considerations**

#### ***Introduction***

As indicated in the conclusion of the preceding chapter, the remainder of this study will consider the implications of the broader “temporalization” of governance by focusing specifically upon how this trend has manifested in the context of (inter)national security. Such a focus is apposite, since the ongoing shift from a primarily spatially oriented, reactive approach to security problems to a temporally inflected, future-oriented concern with taming uncertainty through anticipatory intervention constitutes perhaps the defining feature of the contemporary global security landscape. Indeed, the international security environment has in recent years taken on many of the characteristics described by the narrative of diminishing temporal control discussed in the previous chapter, as “security issues have increasingly been defined in terms of uncertain, potentially catastrophic threats” (Aalberts & Werner 2011: 2191). The post-9/11 preoccupation with terrorism is at the root of this development, since transnational terrorism operates beyond the familiar territorial logic of state sovereignty (*Ibid.*: 2188; Kessler 2011: 2168) and has thus become problematized as a novel type threat that is uniquely “unpredictable in occurrence, characteristics, and effects” (Anderson 2010b: 228). The result is that security strategies are no longer conceived primarily in the spatialized terms of traditional “high politics”—whereby the defence of the sovereign state’s territorial integrity against armed incursions from the outside is prioritized. Rather, the ostensibly ever-present spectre of *potential* catastrophe—epitomized by the proverbial “next terrorist attack” (Aradau & van Munster 2011)—has inscribed the radically uncertain, potentially catastrophic future itself as the primary threat against which security action must be taken. This has led the very idea of “security” to become framed in explicitly temporal terms and equated with the taming of this future’s

putatively dangerous contingencies through targeted anticipatory intervention in the present. The result has been the widespread proliferation of strategies ultimately premised upon the notion that adequately securing a particular space now requires a measure of sovereign control over the vicissitudes of time—a direct inversion of the logic of sovereignty’s spatialized solution to the problem of temporal contingency.<sup>23</sup> This marked “shift from a reactive security politics to a precautionary politics” (Aalberts & Rijdsdijk 2011: 2157) constitutes perhaps the defining feature of a post-9/11 global security climate, and also represents an archetypical illustration of the inversion of the erstwhile primacy of the spatial over the temporal described by Rosa and Scheuerman (2009: 10). In short, these developments have placed the problem of temporal control at the very core of the contemporary politics of security.

It is for these reasons that focusing specifically on the governance of (in)security can provide significant insight into what is at stake in the ongoing temporalization of governance more generally. As such, this study’s broad interest in this question will be pursued through an in-depth interrogation of how the problem of temporal contingency has been both prioritized within the global security imagination, and responded to through the development of temporally inflected, future-oriented security strategies premised upon what can be termed a “logic of pre-emption” (Anderson 2010a: 790).<sup>24</sup> The remaining chapters, which together constitute Part II of

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<sup>23</sup> This point is perhaps most clearly exemplified by the way the explicitly spatial idea of “(H)omeland (S)ecurity” is now overtly associated with the explicitly temporal activity of pre-empting the irruption of future catastrophic events through doctrines, strategies, and practices of rooted in the logic of “risk management” (see Department of Homeland Security 2011).

<sup>24</sup> I will hereafter use this term when referring to the set of ideas that inform the anticipatory approach to (in)security governance with which I am concerned. Since the arguments are developed primarily from a general theoretical perspective, such an all-encompassing term is required for the analysis. Moreover, using the term in this way is consistent with existing terminological practice in the discipline. See Anderson 2010a: 790; Masumi 2007: 9.

this study, will thus be devoted to developing a comprehensive conceptual account, and attendant critique, of such strategies—which I will collectively refer to as “pre-emptive security.”<sup>25</sup>

The purpose of the present chapter is to lay the foundation for such an analysis by providing a more detailed discussion of what the contemporary notion of pre-emptive security should be understood to mean on the one hand, and laying out some theoretical and analytical parameters within which it can be critically conceptualized on the other. In other words, I seek to give an account of what pre-emptive security is and how it is enacted in practice, and to consider how these practical enactments can be interrogated from a critical perspective. Toward this end, the first section attempts to place the contemporary notion of pre-emptive security in historical context, so as to better illustrate how it can be considered a unique political phenomenon that merits the sort of critical scrutiny to which it will be subjected. The discussion provides a brief conceptual history of the idea of pre-emption as it has been applied to the question of (inter)national security. In particular, it surveys three such contexts—the canon of international law, the nuclear strategic theory of the Cold War era, and the theory and practice of the post-9/11 War on Terror—with a view to teasing out and comparing precisely how the idea of pre-emption is understood in each. It is subsequently argued that while there is a common conceptual thread between the articulations of pre-emption in the first two, the third is qualitatively different, since it casts radical uncertainty not as an *impediment to* anticipatory interventions, but rather as the *basis for* such action. It is this explicitly precautionary aspect of the contemporary articulation of pre-emption that renders it historically unique, and thus in need of in depth critical interrogation. The second section then lays the groundwork for such an interrogation by clarifying several

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<sup>25</sup>Again, given the conceptually general focus of the subsequent analysis, I use this term as something of a catchall to refer to the array of security strategies and practices that are united in their basis in the logic of pre-emption. This is also consistent with prevailing terminological practice in the discipline. See, for instance, Sullivan and Hayes 2010; de Goede 2011, 2008.

conceptual issues that must be addressed prior to proceeding. In this respect, the discussion begins by considering the question of ontology, and it is contended that the notion of pre-emptive security can be best understood as a “political rationality” (Rose and Miller 1992). I then consider how the relationship between agency and structure operates within the context of a pre-emptive security rationality, and then move on to outline the particular understanding of the term “sovereignty” that will be used throughout the remainder of the study. The section concludes by speaking to the scope of the analysis, both geographical and conceptual, with particular attention paid to the issue of West-centrism as it relates to the sort of general conceptual analysis to which the remainder of the study aspires. Having considered these questions, it will then be possible to proceed with the core of the analysis in the subsequent chapters.

### ***Pre-emption and (Inter)national Security: A Conceptual History***

While a convincing case can be made that a “shift from responding to past events to preventing future harms” constitutes “one of the most significant but unnoticed trends in the world today” (Dershowitz 2006: 7), the imperative to control the unfolding of time in such a way is no new invention of our contemporary “risk society.” Indeed, the idea of exerting agentic influence upon the unfolding of the future through calculatively prudent interventions in the present—the conceptual core of the logic of pre-emption—is traceable back to humanity’s first phenomenological encounter with the concept of time itself, and has been a crucial, if often implicit, aspect of political thought since well before Machiavelli identified his idealized prince’s *virtú* with the taming of *fortuna* (Adam 2004, Bernstein 1996). To properly understand the idea of pre-emptive security in the present context, therefore, some familiarity with this rich conceptual history is required, as it is the qualitatively unique character of the *contemporary*

manifestation of pre-emption that is central to the political, ethical, and theoretical implications with which this study is concerned. While a detailed conceptual history of the idea is well beyond the scope of this chapter, due attention can still be granted to this history in a manner more directly related to this study's aims by narrowing the focus to the articulation of pre-emption within discourses related to questions of (inter)national security, broadly conceived.

In this regard, three specific contexts merit consideration. The first is in the international legal realm, as jurists have struggled with some variation of the principle of “anticipatory self-defence” since early modern thinkers began to seriously consider the idea of international law itself. Indeed, as thinking related to the legitimate use of force has evolved in this context, a particular formulation of the logic of pre-emption in the abstract has emerged from this tradition; and because the latter has conventionally been the primary discursive channel through which the logic of pre-emption was articulated with respect to questions of (inter)national security, it is useful to begin here when considering the conceptual history of the idea. The second key context is the canon of strategic thought developed throughout the Cold War regarding the problems of nuclear deterrence. The point here is that, when understood theoretically, the very concept of deterrence as deployed in this literature was, in fact, explicitly concerned with the idea of pre-emption, since it was ultimately premised upon precluding the possibility of a pre-emptive strike by an adversary in a crisis situation. Accordingly, the deterrence literature also articulated a very particular formulation of the logic of pre-emption with respect to the question of (inter)national security. Although this formulation is articulated somewhat more implicitly than in the canon of international legal thought, the underlying premises largely mirror the latter's account, in that both posit an understanding of pre-emption that, while still attempting to govern an *uncertain* future in a particular way, nonetheless relies upon a fairly high threshold of certainty as the basis

for action (as in the legal context) or theoretical assumption (as in the nuclear strategy context).

In this sense, the articulation of pre-emption in these two crucial (inter)national security contexts has much in common with the idea of “risk” discussed in the preceding chapter.

This is an important point, because the third context—which concerns how the logic of pre-emption has been (re-)introduced into global security discourse with the advent of the global War on Terror—departs markedly from this articulation by inscribing radical *uncertainty* as the basis for action. In other words, under the logic of pre-emption that underpins the contemporary governance of terrorism, a lack of certainty is not, as in the international legal or nuclear strategic contexts, a barrier to pre-emptive action; rather, it is the very basis for anticipatory intervention, and as such moves away from the logic of risk and toward the logic of precaution. In this respect, the articulation of pre-emption that has developed in the post-9/11 era is qualitatively different from the way the logic of pre-emption has been theorized in the first two contexts. As a result of this difference, the emergent primacy of this paradigm of (in)security governance has serious implications for such fundamental political questions as how sovereign power is exercised, what “security” itself can be understood to mean, and how political subjectivity is experienced in the current global security moment. The remainder of this study will be concerned with exploring these concerns; however, before proceeding in this direction, a more detailed consideration of the conceptual history of pre-emption is merited.

### *The International Legal Context*

The idea of pre-emption has long been central to juridical treatments of the use of force in international affairs. This is because any comprehensive consideration of legitimate violence—whether between states or individuals—must address the vexed problem of balancing a



putatively innate right to self-defence against the possibility of sanctioning aggression under the guise of anticipatory action (Kurtulus 2007: 222). As there can be no clear-cut answer to the questions raised by this problem, it remains to this day a major point of contention in international law, with most jurists generally supporting some sort of provision for pre-emptive action against an other in the face of manifestly imminent danger to the self (see Dershowitz 2006). This position justifying anticipatory force when an actor is all but certain of imminent harm if no action is taken has a considerable historical lineage in the annals of international legal thought, as some of the earliest international jurists explicitly recognized the legitimacy of pre-emptive action under such properly limited circumstances. For instance, Hugo Grotius, traditionally viewed as the “father” of international law, located a right of pre-emptive self-defence in Natural Law, arguing in *The Law of War and Peace* that it was legitimate to “kill him who is making ready to kill” by way of anticipatory action—though he also specified that “the danger...must be immediate and imminent in point of time” (Grotius 1925 [1625]: 175, 173). Similarly, another eminent proto-international jurist, Samuel von Pufendorf (1991 [1673]: 50), asserted in *On the Duty of Man and Citizen According to Natural Law* that none should be forced by any law “to suffer the first blow” before acting in their own defence. Moreover, in what in hindsight appears to be an interesting prefiguration of the George W. Bush Administration’s security thinking,<sup>26</sup> Pufendorf went further than Grotius, claiming that this right to pre-emptive action could be exercised even if the adversary “has not fully revealed his design” (*Ibid.*; see also Dershowitz 2006: 64-65).

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<sup>26</sup> I am referring here to the expansive understanding of “anticipatory self-defence” that formed the basis for the Bush administration’s prosecution of the global War on Terror following the 9/11 attacks. Most famously employed as justification for the 2003 invasion of Iraq, this formulation of pre-emption is most clearly articulated in the 2002 American *National Security Strategy*, which asserts the legitimacy of “taking anticipatory action to defend ourselves, even if uncertainty remains as to the time and place of the enemy’s attack” (White House 2002). This articulation of pre-emption will be discussed at greater length below.

With such early modern titans of international jurisprudence supporting a right to pre-emptive action, the normative propositions espoused by the likes of Grotius and Pufendorf ultimately entered into customary international law with the so-called *Caroline* case of 1837. This case concerned an obscure Anglo-American border incident in which British agents crossed into US territory and pre-emptively destroyed an American ship (the *Caroline*) which was being prepared for use by Canadian rebels in a forthcoming raid across the Niagara River. In the course of the subsequent negotiations undertaken to resolve the dispute, American Secretary of State Daniel Webster provided what has become the authoritative statement on the status of pre-emption in international law. Webster acknowledged a right to pre-emptive action only under strictly limited circumstances in which the intervening actor could demonstrate “a necessity of self-defence, instant, overwhelming, leaving no choice of means and no moment of deliberation” (quoted in Kindred *et al.* 2006: 1138). While this norm remains confined to the realm of custom—as no explicit mention is made of pre-emption in the United Nations (UN) Charter<sup>27</sup>—Webster’s criteria nevertheless constitute the “*locus classicus*” of the right to pre-emptive self-defence in international law and thus represent what Michael Walzer terms the “legalist paradigm” in this regard (Kurtulus 2007: 222; Walzer 1977: 74-77). This was confirmed by a 2004 report by the UN’s High Level Panel on Threats, Challenges, and Change, which broadly reiterated the formulation developed in the *Caroline* case by affirming that “a threatened state, according to long established international law, can take military action as long as the threatened attack is imminent, no other means would deflect it, and the action is proportionate” (United Nations 2004: 54).

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<sup>27</sup> Chapter VII, Article 51, affirms the right to self-defence, but does not state whether this right extends to pre-emptive action. However, its specification that this right may be invoked only “if an armed attack occurs” would seem to indicate that, in fact, it does not.

In light of these considerations, the key question for present purposes concerns how pre-emption as an abstract concept is understood and articulated in the context of international law. Put differently, what is the meaning of pre-emption *as an idea* when it is deployed in international legal thinking about the use of force? Looking beyond the inevitable interpretive space that the extant legal framework permits—as well as its rather crude state-centrism—the key point in this regard relates to the level of certainty upon which the international legal articulation of the logic of pre-emption is premised. In particular, the framing of the imminence requirement in both the *Caroline* case and the UN’s 2004 report suggests that the idea of pre-emption as articulated in the international legal context is premised upon a relatively high level of certainty vis-à-vis the imagined threat. In other words, the canon of international law theorizes the idea of pre-emption as the taking of anticipatory action on the basis of a high degree of certainty that a failure to do so would have destructive consequences in the immediate future. To be sure, as with any anticipatory decision, a residual degree of *uncertainty* about the imminent future remains a defining feature, since the type of action envisioned by this articulation of pre-emption still takes place before any such consequences practically obtain. However, it is nevertheless the case that the idea of pre-emption in this context is premised upon both a short temporal horizon—meaning that the impending harm must be clearly imminent rather than merely possible at some undefined future point—and a high threshold of certainty—meaning that there must be no reasonable doubt as to this imminence. Conversely, any anticipatory action that does not meet these criteria is considered illegitimate under international law (Fletcher & Ohlin 2008: 162).<sup>28</sup> Accordingly, under the juridical theorization of the logic of pre-emption, pre-

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<sup>28</sup> Most often, such action is described as “preventive” and considered to be an entirely different type of security intervention. However, this distinction is not as stable as much of the literature seems to imply. Indeed, while the ostensible difference between “pre-emptive” and “preventive” action has been crucial in both juridical and philosophical discussions of the political use of force, former Australian foreign minister Gareth Evans (2004: 65)

emptive action is characterized by its taking place at the high end of the continuum of certainty as regards the threat, and in reference to a short temporal horizon in terms of the perceived threat's imminence. A condition of radical *uncertainty* coupled with an indefinite temporal horizon of imminence, by contrast, are incompatible with the conceptualization of pre-emption under this framework. The canon of international law thus sees pre-emption in the context of (inter)national security as somewhat analogous the sociological idea of risk, but explicitly exclusive of the logic of precaution.

### *The Nuclear Strategy Context*

The nuclear strategic theory of the Cold War era provides the second major articulation of the idea of pre-emption in the context of (inter)national security, as pre-emption was at the core of the concept of deterrence that fundamentally underpinned this highly influential but remarkably parochial scholarly enterprise. Of course, while both are concerned with controlling the future in their own way, deterrence and pre-emption constitute two conceptually distinct logics of action (see Massumi 2007). The point, rather, is that the emergence of deterrence theory in the broader context of nuclear strategic thought generated a unique security discourse in which the concept of pre-emption factored heavily, albeit somewhat implicitly. In this regard, nuclear deterrence is ultimately premised upon diminishing the likelihood of an adversary launching a

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importantly points out that the English language is unique in making this distinction on the basis of differing temporal thresholds of imminence. As such, the precise point at which the first segues into the second has never been made clear, generating much terminological slippage and semantic confusion with regard to anticipatory action in (inter)national security discourse (Fletcher & Ohlin 2008: 162). Moreover, this has permitted the term “pre-emption” to be used to describe practices that, when mapped on to the legal framework discussed here, would constitute “prevention”—most notably in the context of the War on Terror. Such practices are the primary focus of this study and will be described at length below; however, I still taxonomize them as an iteration of the logic of pre-emption broadly understood, both because the distinction between pre-emption and prevention remains ultimately woolly and somewhat arbitrary, and because the anticipatory strategies employed in the post-9/11 context have been routinely described as “pre-emptive” (rather than “preventive”) by both policymakers and commentators alike (see Ehrenberg *et al.* 2010).

pre-emptive strike—precluding pre-emption, as it were. To do so, it relies upon a series of theoretical assumptions relating to the rationality of decision-makers and the perceived benefits of such a strike under particular circumstances. Since the idea of pre-emption is thus so thoroughly embedded within the logic of deterrence, it follows that the latter must embody a particular articulation of pre-emption that can be teased out for the purposes of this chapter’s analysis. Through such an exercise, it becomes clear that while differing in important ways from the international legal rendering, the conceptualization of pre-emption embedded in nuclear deterrence theory embodies a similar emphasis on high thresholds of certainty regarding the nature and imminence of the threat, as well as a limited temporal horizon in which this imminence is defined.<sup>29</sup> In other words, though its articulation of pre-emption is far more implicit than that of the international legal canon, nuclear deterrence theory offers a rendering thereof that is quite similar in the most important ways, thus providing evidence of a trend of continuity in the conceptualization of pre-emption in the (inter)national security context—a trend that, as we will see below, has been significantly altered over the past decade or so.

To elaborate on these points, the centrality of pre-emption to the logic of deterrence must be further clarified. In this respect, consider that, writing in 1962, leading Cold War defence intellectual Thomas Schelling asserted that a fundamental premise of nuclear strategic theory is to “take for granted the importance of pre-emption”—by which he meant “being the one to initiate general war if general war occurs” (Schelling 1962: 428). Schelling’s equation of pre-emption with the opening of hostilities in a nuclear confrontation is illustrative of both the

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<sup>29</sup> This point should not be taken to imply that strategic nuclear interaction more broadly is necessarily characterized by a high degree of certainty. On the contrary, as the extensive strategic studies literature on war and (mis)perception has indicated that even the most stable military balances are vulnerable to the destabilizing effects of partial or erroneous knowledge about the intentions and capabilities of an adversary—in other words, uncertainty (Jervis 1988). The logic of nuclear deterrence is premised upon circumventing such problems by manufacturing certainty through the assurance of mutual destruction should one side decide to strike pre-emptively.

unique problematic of deterrence, and the degree to which the idea of pre-emption is embedded therein. Indeed, Schelling's articulation of the logic of nuclear deterrence presupposes that, in a crisis situation, it would always prove advantageous to undertake the first strike, since "by striking first, one side might be able to preserve an important part of its population and industrial base" (Powell 1985: 77). Accordingly, the primary aim of deterrence is to diminish the strength of the impetus to act pre-emptively that is deemed to underpin any nuclear confrontation (Powell 1985: 79; Schelling 1962: 428). In this sense, the idea of pre-emption in fact constitutes the core subject of deterrence theory, since the latter seeks ultimately to remove the former from the realm of possibility, even if—or, rather, precisely because—it is perceived to be the most rational course of action. It is for this reason that the establishment of so-called second-strike capability—and the concomitant emergence of a condition of mutually assured destruction—was deemed crucial to ensuring the stability of the bipolar system, as it was assumed that this would eliminate the viability of pre-emption in a crisis situation (Sienkiewicz 1979: 99).

The idea of pre-emption is thus at the core of the logic of nuclear deterrence; however, its precise meaning in this context—in the abstract conceptual sense with which I am concerned here—is not immediately clear from a superficial reading of deterrence theory. Indeed, as the above discussion illustrates, pre-emption is most often simply deployed as shorthand for striking first in a nuclearized confrontation and thus assumed to be the default rational decision in a game-theoretic rendering of such a crisis. In other words, while pre-emption is at the core of deterrence logic, the nuclear strategy literature says very little about precisely what pre-emption as a concept means in this context. Only a more thorough consideration of the core assumptions and propositions that constitute the conceptual framework of nuclear deterrence theory can thus

reveal the articulation of pre-emption that is embedded therein, such that it might be compared to that which is associated with the canon of international law.

To begin to move in this direction, it must first be recalled that the most basic underlying aim of deterrence was to maintain a stable systemic balance over the long term by locking in a relational condition that would *a priori* preclude the escalation of a particular crisis into wholesale nuclear war (Nye 1984). Because these aims are to be realized by seeking to diminish the likelihood that either side would resort to pre-emption at the height of a crisis, it is this “crisis management” dimension of deterrence that must be considered more carefully to reveal the articulation of pre-emption embedded therein. In this vein, recall again that the underlying assumption of deterrence theory is that, absent an adequate deterrent, it would be considered advantageous to strike first—to pre-empt—since the perceived strategic advantages of doing so are assumed to outweigh the potential drawbacks (Powell 1985: 77). Now, it is important to recognize that this assumption is itself rooted in a further assumption about the strategic conditions governing the adversarial relationship to which the logic of deterrence is being applied—namely, that the threat posed by the opposing side is *always imminent*, and thus that a *high degree of certainty* can be posited that the opposing side *would* strike first in a crisis situation. In other words, deterrence theory’s fundamental assumption that the most rational course of action would be to act pre-emptively in a crisis only makes sense if it employs an understanding of pre-emption premised upon high thresholds of imminence and certainty. Indeed, it would be incoherent to posit the importance of precluding pre-emption unless it could be plausibly argued that a rational actor would act pre-emptively in a crisis; and such an argument would only make sense in reference to a circumstance where each side is highly certain of the imminence of the threat posed by the other. The understanding of pre-emption embedded

in the logic of deterrence is thus premised upon both a high degree of certainty on the part of the actors in question, and a high threshold of imminence regarding the acute nature of the threat being faced. Otherwise, the underlying assumption that a rational actor would seek to strike preemptively in a nuclearized crisis would be much less credible, since the impetus to take such a drastic and risky step would be diminished if the circumstance were not one of high certainty and imminence. In short, then, the articulation of pre-emption embedded in the theory of nuclear deterrence describes a type of action in which an actor possesses a high level of certainty about both the threat posed by an adversary and the imminence thereof, and is thus compelled to act anticipatorily.

Again, the importance of this articulation of pre-emption to the logic of deterrence is that the latter's primary aim is the preclusion of state action based thereupon. However, for present purposes, the key point is that such action in fact closely resembles the form of pre-emptive act depicted in the international legal treatment of anticipatory self-defence. The crucial contextual distinction is that, for strategic theorists, the advent of nuclear weapons was perceived to have greatly increased both the likelihood and consequences of such pre-emptive action, and deterrence theory was devised to attempt to render impossible the type of pre-emptive strike that is, in fact, deemed legitimate in conventional warfare under international law. This suggests that, while applying the concept to the unique conditions of the US-Soviet Cold War encounter, nuclear strategists were operating within broadly similar parameters as international jurists with respect to the abstract conceptualization of pre-emption as such, since the understanding of pre-emption at the core of deterrence—manifested as the type of act that is to be deterred in a crisis—is premised upon a high degree of certainty as to both the imminence of the threat posed by the other side and the likelihood of catastrophic consequences in the immediate future should



no action be taken. In fact, it was due precisely to these characteristics—which map clearly on to the rendering of the logic of pre-emption in the canon of international law—that pre-emptive action was deemed likely to occur in the nuclearized Cold War setting, and which ultimately precipitated the development of the deterrence discourse in the first place.

Thus, despite significant contextual differences, the core conceptual articulations of pre-emption in international law on the one hand and nuclear strategic theory on the other are in fact quite similar—particularly with respect to the crucial questions of (un)certainty and imminence. And because these two contexts constitute the most important historical theorizations of the concept of pre-emption as regards the problematic of (inter)national security, this conceptualization of pre-emption as based upon a high degree of certainty and a high threshold of imminence represents the most firmly established articulation pre-emption in that respect—accepted and employed by international jurists seeking to delineate limits on the legitimate use of force, and strategic theorists seeking to limit the possibility of nuclear war. In other words, traditionally, when analysts or policymakers have used the term “pre-emption” with respect to the question of (inter)national security, they have referred to action broadly conforming to these parameters and thus operating on the basis of a rationality generally congruent with the logic of risk outlined in the preceding chapter.

Moreover, returning to the broader themes of sovereignty and time, the international legal and nuclear strategic articulation of pre-emption appears broadly congruent with the modern understanding of political temporality discussed at the beginning of Chapter 2, in which the spatial logic of state sovereignty is presumed to adequately control time and temporal contingency. Indeed, because it envisions a very limited scope for pre-emptive action—which is to be taken only with respect to an immediately proximate future about which much certainty can

be posited—this suggests a very limited capacity to mobilize sovereign power for the purposes of more direct temporal governance. In other words, because it posits such tightly circumscribed parameters for anticipatory action, this limited understanding of pre-emption implies that significant changes to the practice of sovereignty aimed at more actively governing temporal contingency are not necessary. This in turn suggests that the extant mechanisms of temporal governance—namely, the spatial logic of state sovereignty—remain largely adequate and are in no pressing need of modification. Given the widespread perception that this is no longer the case, it should be no surprise that the post-9/11 articulation of pre-emption has moved away from the limited parameters of international law and nuclear strategic theory to embrace a more expansive understanding of pre-emptive action premised upon the overt mobilization of sovereign power toward the active governance of contingency across a much longer temporal horizon and in the face of much higher levels of uncertainty. This contemporary iteration of a pre-emptive orientation to problems of (inter)national security—which has emerged primarily through developments in the post-9/11 governance of transnational terrorism—diverges markedly from the more traditional framework outlined thus far, and represents a qualitative shift in the politics of security toward rationalities of action rooted more firmly in the logic of precaution than the logic of risk.

### *The Post-9/11 Context*

The contemporary articulation of pre-emption in the (inter)national security context can only be understood if it is properly situated within the discursive climate created by shifts in the post-9/11 security imagination that have altered the way in which present and future—and the relationship between them—are understood in relation to questions of security. These shifts are

characterized by the emergence of an account of the *present* as beset by what has been termed “extreme uncertainty” (de Goede & Randalls 2009: 859) or “radical contingency” (Dillon 2008: 315). This narrative applies the broader societal arguments discussed in the preceding chapter specifically to the realm of (inter)national security, asserting that the post-9/11 security climate is characterized by the breakdown of established certainties and techniques of control in the face of new threats and hazards—namely, transnational terrorism—with which they are incapable of adequately grappling (Anderson 2010a: 781; Kessler & Daase 2008; Beck 2002).<sup>30</sup> The corollary of such a condition is that “decision-makers are simply no longer able to guarantee predictability, security, and control” with respect to the question of security to the extent that was once believed possible (Aradau & van Munster 2008: 23). As a consequence, the *future* is increasingly understood in terms of “expected and undeniable catastrophe,” as the pervasive uncertainty of the present constructs the inherently unknowable future as characterized by the perpetual potential of a catastrophic irruption, typified by the proverbial “next terrorist attack” (*Ibid.*). Moreover, as a direct consequence of the radical uncertainty ostensibly prevailing in the present, the degree of imminence and the precise moment of catastrophic irruption remain perpetually unknown (Massumi 2007: 8). In other words, the future is conceptualized as embodying an impending catastrophe that is both inevitable—in the sense that it *will* occur at some point—and unknowable—in the sense that we can never be certain precisely *when* it will take place (Anderson 2010a: 779-80; Massumi 2007: 8; Elmer & Opel 2006: 481). In the contemporary global security imaginary, therefore, the future is increasingly problematized as “a disruptive surprise”—inevitably disruptive in its effects, and necessarily surprising in its unfolding

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<sup>30</sup> The core of this idea is captured well by the so-called “risk society” literature inspired by the work of Ulrich Beck (Beck 1992, 1999, 2008). While certainly problematic in many respects (see Jarvis 2007, Aradau & van Munster 2007), Beck’s arguments nevertheless highlight the importance of the emerging sense of extreme uncertainty that characterizes the global security climate and underpins the governance of (in)security within the context of the War on Terror.

(Anderson 2010a: 791).

The socio-political ramifications of this recasting of perceptions of present and future have been quite significant. On the question of subjectivity, for instance, a number of scholars have noted that these related discourses of radical uncertainty and inevitable catastrophe have coalesced to foment an increasingly “neurotic” worldview among global citizenries—particularly in the West—in which the condition of existence is characterized by an enduring fear that the “next attack” may be just around the corner (de Goede & Randalls 2009: 871; de Goede 2008: 161; Anderson 2007: 159; Isin 2004). In more clearly political terms, the result has been that the question of “security” has, arguably, come to trump all others. As Agamben (2002) puts it, security has “impose[d] itself as the basic principle of state activity,” as publics accept that the catastrophe is inevitably coming, that any certainty as to the moment of its emergence or the scale of the devastation remains beyond our epistemic or actuarial capacities to grasp, and thus acquiesce to attempts by established authorities to confront this condition through “exceptional” means.<sup>31</sup> The result is the broader emergence of what Paul Virilio has pointedly termed “a culture of the imminence of disaster” (2010: 7), in which, to paraphrase Donald Rumsfeld’s now-folkloric idiom, the current global security climate—and, by extension, the contemporary human condition, particularly as experienced in the polities of the West—is haunted by the spectre of a catastrophic *unknown* that is nevertheless *known* to be lurking in the depths of the future.

Importantly, this apparently perpetual imminence of catastrophe has not led to an introspective embrace of contingency through a resigned “recognition of the fragility of modern life” (de Goede & Randalls 2009: 867; Fierke 2007: 203). Rather, in an assertive contemporary manifestation of the Machiavellian impetus to subdue *fortuna*, these conditions have led to the

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<sup>31</sup> The question of political “exceptionalism” in general, and its relationship to pre-emptive security governance in particular, is explored at great length in chapters 5 and 6 below.

emergence of security strategies that seek to actively confront radical uncertainty by controlling the unfolding of the future through anticipatory intervention in the present. The corollary of this goal is the absolute necessity of taking mitigatory action, irrespective of the existence of an established base of knowledge upon which to make actionable decisions (Elmer & Opel 2008: 24; Aradau & van Munster 2007: 101). Typified by American Vice President Dick Cheney's assertion—regarding the purported threat posed by Saddam Hussein's Iraq prior to the American invasion—that “the risks of inaction are far greater than the risk of action” (quoted in Daase & Kessler 2007: 426), this imperative to confront the radical uncertainty of the present and the attendant potential catastrophe of the future places decision-makers “in the uncomfortable position of having to take drastic action in the face of an inescapably elusive, uncertain threat” (Cooper 2006: 119). From this perspective, established strategies, techniques, and logics of governance appear inadequate, and the development of governmental rationalities and reformulations of sovereignty premised explicitly upon anticipatory intervention emerges as the only viable option.

It is in this political context that the contemporary articulation of pre-emption regarding the question of (inter)national security has emerged; and this articulation is qualitatively different from those developed in the canons of international law and nuclear strategic theory. Indeed, a growing literature in security studies describes a shift in approaches to (in)security governance that has both prioritized the idea of pre-emption, and drastically modified what this idea is understood to mean in terms of informing policy. It is the latter point that is of particular concern here; and the key issue in this respect relates to the way in which the articulation of pre-emption associated with the security practices of the War on Terror era addresses the questions of

(un)certainty and imminence in a nearly inverse manner to the “traditional” understanding of pre-emption articulated by both the international legal and nuclear strategy contexts.

To elaborate, because it is best understood as the basis for a security strategy that allows action to be taken in the face of perceived radical contingency—so as to mitigate the potentially pernicious effects of that contingency through the (re)assertion of control over the unfolding of the future—what Brian Massumi terms “objective uncertainty” is located at the conceptual core of the contemporary articulation of pre-emption (Massumi 2007: 7). What this means is that, unlike the articulation of pre-emption in the international legal or nuclear strategy contexts—which, again, are premised upon both a high degree of certainty regarding the threat in question and a narrow definition of imminence in which the temporal horizon is quite limited—this understanding of pre-emption posits the mere *potential* of danger emerging *at some indefinite point* in the future as the basis for anticipatory intervention in the present. In other words, radical *uncertainty* about both the precise nature of the threat and the moment at which it is likely to emerge does not serve as an impediment to anticipatory action; rather, it instead provides the very reason for it, since the radical uncertainty of the present and the concomitant potential imminence of future catastrophe suggests that, “[w]ithout some form of action, a threshold will be crossed and a disastrous future will come about” (Anderson 2010a: 780). Acting pre-emptively thus no longer refers to anticipatorily intervening to counter an event whose nature and imminence are both known to a reasonably high threshold of certainty, but rather to acting in the present on the basis of what may or may not happen at some point in the indefinite future so as to thereby control the unfolding of that future in such a way that avoids such an irruption. Indeed, because, in Massumi’s words (2007: 8), “the threat is known to have the ontological status of indeterminate potentiality,” any action to be taken against it must be anticipatory; yet it

is the very indeterminacy of its potentiality that both demands such action and ensures that it is taken on the basis of a much lower threshold of certainty with respect to the nature and imminence of the threat. In this sense, as a 2002 Brookings Institute policy paper describing the Bush Administration's approach to governing terrorism puts it, the post-9/11 articulation of pre-emption in the (inter)national security context "is not limited to the traditional definition of pre-emption—striking an enemy as it prepares an attack—but also includes...striking an enemy in the absence of specific evidence of a coming attack" (O'Hanlon *et al.*: 2002: 3; Elmer & Opel 2008: 23-4). Indeed, precisely because the central problems of contemporary (inter)national security stem from an apparently radically uncertain present and the attendant spectre of a potentially catastrophic future, a viable anticipatory approach thereto must be premised upon the notion that "the absence of specific evidence *serves as justification* for action" (Elmer & Opel 2006: 481, emphasis added).

Generally speaking, then, the contemporary articulation of pre-emption is characterized by the inscription of radical uncertainty as the *basis for* rather than an *impediment to* anticipatory action. As Daase and Kessler put it while also describing the Bush Administration's national security strategy, "cognitive uncertainty...was not seen as a problem to be solved, but as the justification for military action" (2007: 426). Crucially, this understanding of pre-emption all but inverts the core premise of the traditional articulation developed in the canon of international legal thought and embedded in the logic of nuclear deterrence. Indeed, in the contemporary articulation of pre-emption, the temporal horizon against which the imminence of a threat (and thus the necessity of action) is measured is no longer conspicuously short and limited to the immediate future whose contours can be clearly ascertained on the basis of available evidence in the present. Rather, this horizon is effectively indefinite, since the condition of radical

uncertainty precludes the accrual of adequate information to meet such epistemic criteria before the event occurs, while the potentially catastrophic nature of such an event demands that anticipatory action nevertheless be taken—a mindset encapsulated by the smoking-gun-as-mushroom-cloud imagery of mid-2000s American national security rhetoric (Aradau & van Munster 2009: 696). Accordingly, the level of certainty regarding the nature of the threat and/or its imminence that underpins anticipatory action is not high, as it is in the traditional articulation of pre-emption. In fact, it is necessarily low, since the very condition of radical contingency that such action is designed to mitigate ensures that no informationally coherent epistemic foundation is possible. Indeed, a high threshold of certainty would preclude the very possibility of the sort of action that must apparently be taken. In short, then, the contemporary articulation of pre-emption with respect to questions of (inter)national security—which developed out of an attempt to confront the ostensibly unique security problematic of transnational terrorism—is premised upon taking anticipatory action not only in the face of, but also on the basis of radical uncertainty. From this perspective, the absence of informational certainty regarding a potential threat only enhances, rather than diminishes, the necessity of acting anticipatorily in some form.

A growing body of work has meticulously documented the discursive emergence and practical proliferation of this novel iteration of pre-emption in the context of the post-9/11 global security climate (see, for example, Anderson 2010a, 2010b; de Goede 2012, 2008; de Goede & Randalls 2009; Ehrenberg *et al.* 2010; Massumi 2007, 2005; Elmer & Opel 2006; Cooper 2005; Moreiras 2005). While addressing a wide range of practices—including, but not limited to: the indefinite detention (Ericson 2008; Butler 2006) extraordinary rendition (Mutimer 2007) and targeted killing (Kessler & Werner 2008, Leander 2011) of suspected terrorists; the widespread biometric monitoring of increasingly mobile populations (Muller 2010; Amoore 2009, 2008); the



pre-emptive detention of refugees and asylum seekers (Isin & Rygiel 2007; L. Weber 2007); the pre-emptive freezing of monies and assets suspected of terrorist ties (de Goede 2012, 2011); and the so-called “Bush Doctrine” of pre-emptive war (Ehrenberg *et al.* 2010, C. Weber 2007)—this burgeoning literature has made quite clear that the form of pre-emption that has emerged as the dominant conceptual underpinning of contemporary (in)security governance has taken on an actively *precautionary* posture (Aradau & van Munster 2007).<sup>32</sup> In this regard, returning to the themes of the preceding two chapters, perhaps the key difference between the post-9/11 articulation of pre-emption and that found in the canons of international law and nuclear strategic theory can be best understood as relating to the question of temporal control. Indeed, the conventional understanding of pre-emption—with its high threshold of certainty and its limited temporal horizon—remains essentially a reactive political rationality, since it involves responding to an acutely immediate future whose imminent emergence is all but certain. In other words, it is still about *responding to* the unfolding of time—albeit with perhaps a slight headstart over a purely reactive posture. However, the contemporary articulation of pre-emption—with its manifestly precautionary bent and concomitant inscription of radical uncertainty as the very basis for action—represents an attempt to *actively manipulate and assert control over* that unfolding. In other words, it is concerned with (re)asserting a degree of agentic control over the vicissitudes of time itself through a continuous sequence of anticipatory interventions in the lived present.

Understanding the distinction in this way begins to suggest the potentially significant implications of adopting such a pre-emptive approach to (in)security governance, as the shift from a subjective posture of relative passivity toward time to one premised upon the active manipulation of temporality implies potentially radical changes to the way security decisions are made in particular, and thus how political power is organized and exercised more generally.

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<sup>32</sup> To help flesh out this claim, see the discussion of the logic of precaution in chapter 2.

Unpacking these points is the core concern of the remainder of this study, and they will be taken up in earnest in the next chapter. Prior to proceeding in this vein, however, a series of analytical parameters and terminological clarifications must be considered to facilitate a better understanding of the arguments ahead.

### ***Conceptualizing and Analyzing Pre-emptive Security: Preliminary Considerations***

#### *On Ontology*

The first point I wish to make can be considered ontological, as it concerns how the idea of pre-emption more generally—and pre-emptive security in particular—can be understood within the conceptual matrix of political analysis. In this regard, I believe pre-emption in the sense used in this study can be best understood as what Nikolas Rose and Peter Miller, following Foucault, term a “political rationality” (Rose and Miller 1992; see also Aradau and van Munster 2007: 97). As discussed briefly in the Introduction, this concept refers to a “discursive field within which the exercise of power is conceptualised,” which combines “justifications for particular ways of exercising power by diverse authorities” with “notions of the appropriate forms, objects, and limits of politics, and conceptions of the proper distribution of such tasks” (Rose and Miller 1992: 175). Put differently, a political rationality is a discursive construct concerned with “the formulation and justification of idealised schemata for representing reality, analyzing it, and rectifying it” (*Ibid.*: 178). A political rationality thus “problematizes” a certain aspect of the social world, and offers a framework through which “programmes of government” can be developed in response to the identified problem(s) (*Ibid.*: 181-2). Importantly, because they are concerned both with framing a social problem as in need of rectification and providing a governmental framework through which it can be addressed, “political rationalities have a

characteristically moral form” that “consider[s] the ideals or principles to which government should be directed” (*Ibid.*: 178-9). In other words, political rationalities are explicitly premised upon an underlying normative claim regarding the particular realm of human affairs with which they are concerned, as they both affirm that this area requires governmental action, and offer a programme through which such action might be taken. Yet because they imply such a practical dimension whose actualization will be subject to the inexorable vagaries of social context, political rationalities “do not have the systematic and closed character of disciplined bodies of theoretical discourse” (*Ibid.*: 178). They thus do not imply a tightly bound logic within which there is no flexibility and that is not subject to situational variation upon its practical implementation. Rather, political rationalities merely possess certain “regularities,” which translate into a general logic of praxis that guides the contextual political action that results. The upshot is that even though its implementation may not take the same form in every circumstance, a political rationality does nevertheless imply a general pattern of operation that can be treated as consistent for the purpose of analysis and critique. It is thus a useful conceptual label for the logic of pre-emption in the context of this study, since the aim is to subject the notion of pre-emptive security to precisely this sort of interrogation.

Indeed, the contemporary articulation of pre-emption in the context of (inter)national security fits Rose and Miller’s characterization quite well. Consider in this respect that, just as with Rose and Miller’s formulation, the idea of pre-emptive security is premised upon a very particular representation of a social problem—namely, (in)security—which uniquely casts it in temporal terms by emphasizing radical uncertainty and the potentiality of catastrophe. As with a political rationality, it is thus also premised upon the fundamentally normative claim that actively taming this uncertainty should constitute a primary governmental imperative. Consistent with

Rose and Miller’s account, this moral imperative translates practically into a particular “programme of government”—namely, the taking of anticipatory action in the present based on imagined future potentialities. To be sure, the specific practices associated with such a programme will certainly vary contextually, perhaps quite significantly; however, such variation is also consistent with Rose and Miller’s idea of a political rationality. Finally, despite such potential variation, the underlying logic of praxis represented by this “programme of government” comprises a general pattern of operation—a set of consistent “regularities”—that can be subjected to analysis and critique. The contemporary articulation of pre-emption as outlined in the preceding section thus fits Rose and Miller’s characterization quite well, and as such, can be usefully conceptualized as a “political rationality.” Moreover, by developing an in-depth conceptual account of pre-emptive security through a critical interrogation of its own internal logic, the remainder of this study pursues precisely the sort of analysis to which Rose and Miller suggest political rationalities should be subjected. Thus, when pre-emption is referred to as a “rationality”—which it often is throughout the following chapters—it should be understood in this context and recognized that this term was deliberately chosen for the reasons discussed.

### *On Agency-Structure and Related Questions*

Approaching these ontological questions in this way also helps address two additional theoretical issues that must be considered in order to properly frame the subsequent analysis. The first of these relates to the agency-structure question in the context of pre-emptive security. While the arguments developed below do not deal directly with this fundamental meta-theoretical issue, its importance to all analysis of the social world demands that it be given some

brief consideration at this juncture, as the subsequent arguments do presuppose a certain response to the question of the relationship between agency and structure. Indeed, any conceptual elaboration of the operational character of pre-emptive security must reckon, if only implicitly, with how relevant actors are both empowered through, and constrained by, their embedment within a pre-emptive security framework. The above description of pre-emption as a political rationality gestures toward a possible response to this question in that, recalling Rose and Miller, political rationalities imply an overarching general framework through which governmental action takes place, while also allowing for significant variation at the specific level of practical implementation (1992: 178-9). Put differently, Rose and Miller's description implies an answer to the agency-structure question in the context of a political rationality, whereby agents operate within the broad confines of a particular discursive structure that directs their behaviour at the general level, while also retaining a significant degree of autonomy with respect to the particular governmental practices through which these overarching aims are implemented. In short, a discursively powerful overarching structure thus exists, but there is also much space for practical agency to be exercised within that structure.

Given that pre-emption can be considered a political rationality, this provides a helpful description of the interaction between agents and structure in the context of a pre-emptive security regime. In this respect, the latter is characterized by a resolution to the agent-structure question in which, on the one hand, the relevant agents<sup>33</sup> are conditioned by the imperative to stop the proverbial “next attack” before it occurs through anticipatory intervention. Their behaviour is thus ultimately directed by what Massumi (2007) terms “the primacy of pre-emption,” wherein the goal of all security action is, above all else, to ensure that potential catastrophes do not, in fact, come to pass. This overarching imperative both guides and

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<sup>33</sup> A more specific elaboration of precisely the sorts of actors that this refers to will be undertaken shortly below.

constrains the behaviour of relevant agents to a certain degree. On the other hand, however, such agents are also granted a significant degree of autonomy with respect to practically implementing this broader security rationality. Indeed, the practical exigencies of pursuing a pre-emptive security strategy with respect to terrorism, for example, require that considerable discretion be given to the various authorities tasked with carrying it out “on the ground.” This is because the almost infinite number of potential catastrophes inhabiting a radically uncertain future cannot be adequately confronted by a highly centralized, unitary authority alone. Rather, a comprehensive pre-emptive security strategy requires a disaggregated framework in which subsidiary authorities possess a significant degree of autonomy in terms of practically pursuing the overall goal of pre-empting potential threats. This point is highlighted by Aradau and van Munster (2007: 105), who describe how the anticipatory governance of terrorism has manifested as a “*dispositif* of risk” that “activates all the technologies imaginable in the face of uncertainty” and is thus operationalized through a broad array of agents acting to realize the overarching aims of pre-emption. Decision-makers thus retain a significant degree of practical agency vis-à-vis the discursive structure of pre-emption. Finally, the loop is closed by the way their pursuit of a pre-emptive imperative in this fashion serves to performatively reaffirm the overarching structure as the ultimate frame within which (in)security governance is prosecuted.

The mutually constitutive character of this process might initially suggest a broadly “structurationist” account of agency-structure (Giddens 1984). Indeed, in accordance with structuration theory, the primary agents are conditioned by the discursively powerful notion of pre-emption, yet retain a significant degree of autonomy whose exercise ultimately serves to reinscribe this notion as a powerful discursive structure. However, in lieu of a purely structurationist account, I believe the relationship between agency and structure in the context of

pre-emptive security is more accurately described by Judith Butler’s concept of “sovereignty within the field of governmentality” (Butler 2006: 61). To be sure, this risks mixing theoretical metaphors, since Butler’s conceptualization was not developed as a direct response to the agency-structure question. Yet it nonetheless captures the dynamic I have just described quite well, and thus usefully illustrates the nature of the agency-structure relationship in the context of pre-emptive security. Further elaboration upon Butler’s idea of sovereignty within governmentality will thus clarify the understanding of agency-structure that is presupposed in the remainder of this study. Moreover, it will also provide a useful segue into another theoretical issue that must be addressed before proceeding—namely, how the idea of sovereignty will be deployed and understood in the coming chapters.

To understand Butler’s idea, we must first consider Foucault’s notion of “governmentality” (Foucault 1991, 1980). While it is a characteristically nuanced Foucauldian idiom, governmentality refers most basically to the “diffuse set of strategies and tactics” that characterize the governance of modern liberal societies (Butler 2006: 52; Foucault 1991). In this sense, Foucault developed the concept to capture the degree to which modern governance no longer emanates from a “unified sovereign subject,” but instead operates diffusely through a variety of discursive and material institutions that collectively work to “dispose and order populations, and to produce and reproduce subjects, their practices, and their beliefs, in relation to specific policy aims” (Butler 2006: 52). Famously affirming the need to “cut off the king’s head” in political theory, Foucault conceived of governmentality in opposition to the traditional conceptualization of sovereignty (1980: 121). In particular, he suggested that governmentality emerged as the dominant mode of governance as modern processes of liberalization “devitalized” the quasi-absolutist logic of traditional sovereignty, as represented in the thought of

Bodin, Hobbes, and other prominent early modern figures in political thought (Butler 2006: 52-3).

On Butler's reading, however, this opposition between sovereignty and governmentality is merely an "analytic distinction" made by Foucault, and thus does not rule out the possibility "that these two forms of power can and do coexist in various ways" (Butler 2006: 54). Indeed, it is to precisely such a coexistence that she refers when developing the notion of "sovereignty within the field of governmentality." More specifically, in attempting to theorize the form(s) of governance that have emerged in post-9/11 America in particular, Butler formulates a broader account of political power that fuses both concepts in a manner that is quite relevant to the present analysis. In this respect, Butler follows Foucault by arguing that the proliferation of governmentality is most visibly illustrated in the current moment by the ongoing "disarticulation" of the state "into a set of administrative powers" (*Ibid.*: 55). This phenomenon is particularly characterized by the downloading of what she terms "prerogative power" to unelected agents of the state—a managerialization of governance in which appointed "officials with no clear claim to legitimacy" are endowed with what amounts to sovereign power within a particular context (*Ibid.*: 54). Conceptually, the key point is twofold. On the one hand, these officials still operate "within the constraints of governmentality," since "their power is delegated, and they do not control the aims that animate their actions" (*Ibid.*: 62). Yet, on the other hand, they are also "delegated with the power to render unilateral decisions" within the particular contextual circumstances in which they are tasked to operate, so long as these decisions are ultimately geared toward the realization of the overarching aims of the governmental regime (*Ibid.*: 56). Citing the array of officials comprising the vast American national security apparatus as archetypal examples, Butler compellingly argues that these decisions are effectively



“sovereign,” since they are in practice accountable to no higher authority than those unelected officials making them. As Butler puts it when describing the latter, “the power they wield...is a sovereign power” (*Ibid.*: 59).

Such a paradigm of political power thus functions through a “resurgence of sovereignty *in the midst of governmentality*” (*Ibid.*: 55, emphasis added). In other words, the overarching governmental aims are practically operationalized through the delegation of prerogative power to an array of bureaucratic officials, thus constructing them as effectively sovereign within their own limited domains. In this sense, “sovereign power emerges as the power of the managerial ‘official’”—a figure that is “deployed by tactics of power [s/he] does not control” but who is also able to exercise decisional power in a way that “reanimate[s] a sovereignty that the governmentalized constellation of power appeared to have foreclosed” (*Ibid.*: 65). Butler has famously labelled these figures “petty sovereigns,” and it is important to recognize that this can refer to *any* agent endowed with such capacities within the broader governmental assemblage of the contemporary state—be it a border guard, an airport security official, a customs agent, an intelligence officer, a military field commander, or otherwise. (*Ibid.*: 56, 65).<sup>34</sup> It is through these figures that Butler’s notion of “sovereignty within governmentality” is manifested.

To return to the particular concerns of this section, Butler’s figure of the petty sovereign usefully illustrates the agency-structure relation I have ascribed to the logic of pre-emptive security, while also hinting at the conception of sovereignty that characterizes the latter’s practical operation. With respect to the first of these points, Butler describes petty sovereigns as

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<sup>34</sup> However, in a very interesting modification of Butler’s framework, Roxanne Lynn Doty (2009, 2007) has extended the concept of the “petty sovereign” to include agents acting entirely outside the formal governmental apparatus. Using the case of so-called “minutemen” militia groups that have formed along the US-Mexico border for the purpose of tracking and deterring irregular migrants, Doty demonstrates how private citizens have enacted themselves as what amount to sovereign decision-makers in this particular context, arrogating to themselves powers conventionally limited to government by making decisions about inclusion and exclusion in the American polity and occasionally using violent means to enforce these decisions.

“mobilized by aims and tactics of power they do not inaugurate or fully control,” and yet also “delegated with the power to render unilateral decisions, accountable to no law and without any legitimate authority” (*Ibid.*: 56). In other words, they are ultimately constrained in their behaviour by the prevailing structure of governmentality, since they act to uphold and operationalize an overarching set of policy aims; yet they nevertheless retain a significant degree of agentic autonomy within these constraints, to the extent that they can be called sovereign within their particular domain of action. As Butler succinctly puts it, “they are acted on, but they also act” (*Ibid.*: 62). As is perhaps already clear, this depiction quite closely mirrors the relationship between agency and structure that I have posited as obtaining in the context of pre-emptive security. Again, in the latter case, the overarching governmental aims are the pre-emptive governance of a potentially catastrophic irruption of threat, and it is toward this ultimate end that those agents tasked with prosecuting a pre-emptive security mandate orient their decisions. However, given the possibly infinite potentialities implied by a radically uncertain future, this general set of governmental aims cannot dictate precisely what action should be taken in every possible circumstance that may arise. The relevant agents must thus be granted a significant degree of decisional autonomy within the broader climate of pre-emption if the latter is to be made actionable as a security rationality.

It is this productive tension between the “structure” of a pre-emptive imperative and the autonomous “agency” of those seeking to render it actionable that is key to the practice of pre-emptive security. Accordingly, just as in Butler’s formulation, relevant agents “do not fully control the aims that animate their actions”—in this case, the general idea of pre-emption—and are therefore constrained in their behaviour by this overarching discursive/governmental structure (Butler 2006: 62.). However, they also retain a significant degree of agency, since the

general idea of pre-emption can only be translated into a functional security rationality by delegating prerogative powers to various agents tasked with making it so. Accordingly, Butler's words describing the status of the petty sovereign within the post-9/11 governmental structure of the United States can also be used to describe the agency-structure relationship that obtains in the context of pre-emptive security in the abstract: "their acts are clearly *conditioned*, but their acts are judgments that are nevertheless *unconditional*" since "they are constituted within the constraints of governmentality as those who will and do decide" (*Ibid.*: 65, 62, emphasis original). A form of sovereignty is thus located "precisely within the agency of the functionary, and so, within the field of governmentality itself" (*Ibid.*: 66). It is in this sense that Butler's notion of sovereignty within the field of governmentality is a useful analogue for the agency-structure relation that prevails in the context of a pre-emptive security rationality. Agents are constrained by the structure, but preserve a notable degree of agency within the broader parameters of that structure.

### *On Conceptualizing "Sovereignty"*

This similarity between Butler's conception of sovereignty within governmentality and the agency-structure relationship that obtains under a pre-emptive security rationality is no coincidence, however. Indeed, there is an additional dimension to the connection between her paradigm of political power and the praxis of pre-emptive security governance, in that the types of agents and actors that she sees as embodying sovereignty within governmentality—the petty sovereigns—often also serve as figures through which pre-emptive security rationalities are practically operationalized. In other words, it is the wide array of bureaucratic officials, government functionaries, and executive branch surrogates to which Butler attaches the term

“petty sovereign” that are often on the front line of implementing a pre-emptive security strategy. This is because, as noted above, to be fully implemented such a strategy requires the mobilization of a broad, decentralized array of agents who operate in accordance with the general logic of pre-emption, but who are also granted a significant degree of autonomy in prosecuting this mandate “on the ground.” In light of this point, a modification to the way the concept of sovereignty is understood in the context of this study is required.

To elaborate, the first two chapters took the rather traditional approach of deploying the term sovereignty more or less synonymously with the concept of state sovereignty, with the term sovereign power being implicitly equated with the prerogatives of the titular executive. However, I believe that a more expansive understanding based upon Butler’s framework—an understanding which includes both the executive *and* the petty sovereign—better captures the way sovereignty and sovereign power operate in the relevant context. In this respect, while Butler develops her ideas with respect to the post-9/11 American national security machinery in particular, her account of political power also offers an accurate representation of how the contemporary sovereign state operates more generally. Indeed, the notion of a highly centralized governmental apparatus in which a wide array of functionaries simply follow the dictates of a central authority does not provide an adequately nuanced account of the way political power is exercised in the functioning of modern states. Rather, the latter are diffusely constituted by the networked interaction of multiple nodes of power, each exercising its own varied degree of agency vis-à-vis the ultimately sovereign centre (Rose and Miller 1992; Slaughter 2004). Butler’s notion of sovereignty within governmentality articulates this point in a compelling way. Thus, in addition to illustrating the sort of the agency-structure relation that prevails under a pre-

emptive security rationality, her framework also offers a sophisticated account of political power that is of particular relevance to the study of such rationalities.

In the remainder of the study, I therefore move away from the narrow traditional conceptualization of sovereignty and toward one based upon Butler's ideas, in which sovereignty is understood to be exercised by any number of agents depending on the circumstances. Such a shift is necessary because the overlap between Butler's petty sovereigns and the agents often tasked with implementing a pre-emptive security rationality suggests that a limited, executive-only understanding of sovereignty cannot adequately capture how what amounts to "sovereign" power is exercised in the context of pre-emptive security. Indeed, because a functional pre-emptive security strategy relies upon a disaggregation of decisional authority, what amounts to sovereign power can be exercised by a wide array of actors and agents beyond the executive branch of a particular state. A conceptualization of sovereignty that recognizes the potential diversity of sites of sovereign power is thus required. Moreover, recall that the discussion in Chapter 2 described how the broader turn to anticipatory governance has been a direct response to the perceived failings of the traditional logic of state sovereignty vis-à-vis the problem of temporal contingency. Because the resulting emergence of future-oriented governmental strategies which move beyond the basic spatial logic of state sovereignty in an effort to "tame time" are of primary interest of this study, a traditionally limited understanding of the concept of sovereignty would thus be an inappropriate basis for any attempt to critically interrogate such strategies in the security context.

Thus, an understanding of "sovereignty" that takes a more Butlerian than Bodinian approach as its basis is more apposite, and subsequent use of the term "sovereign" or any of its derivatives should be understood in this more expansive way—as referring to any agent or actor

that may be “delegated with the power to render unilateral decisions” in a particular context (Butler 2006: 56). To be sure, this certainly still includes the traditional sites of such power such as the executive branches of state governments—and in fact much of the subsequent analysis will focus upon the behaviour of the American executive and its prosecution of the War on Terror through pre-emption. The point, however, is that the understanding of sovereignty that underpins this primarily conceptual analysis *also* includes those myriad “petty” figures whom the exigencies of pre-emptive security often require to exercise their own form of sovereign power. Put differently, a core aim of this study is to analyze and unpack the idea of pre-emptive security in the abstract, particularly as it relates to the exercise of political power. As such, the arguments are developed in such a way that they should be understood to apply equally to *any* pre-emptive security decision—whether made by the President of the United States ordering a drone strike over Yemen, a Frontex official refusing to admit a North African refugee into the EU, an Indian counter-terrorist intelligence officer ordering the pre-emptive detention of a suspected militant, or a Russian military commander ordering a pre-emptive strike against Chechen rebels. Given that, following Butler, each of these pre-emptive security actors can be considered “sovereign” within the particular context of such decisions, a more expansive understanding of the term that recognizes this potential diversity is required.

#### *On Geographic Scope and Analytical Generality*

The preceding points about the conceptual generality of the analysis and the diversity of actors and agents involved in the practical implementation of a pre-emptive security rationality relate to a final consideration that must be addressed before proceeding. This concerns the question of the study’s geographic scope and the potential (in)validity of the sort of general

conceptualization to which it aspires. In this respect, I wish to address two points. The first relates to the *type* of analysis I will be conducting in the ensuing chapters. On this point, I should reiterate that the subsequent arguments are concerned with critically theorizing the logic of pre-emptive security in the abstract. The aim is decidedly *not* to catalogue particular examples thereof or conduct any in-depth empirical analysis of any such instances. I am primarily interested in expounding what is at stake with the rise of pre-emptive security in general, and not in explicitly critiquing any specific practical manifestation thereof. To be sure, as mentioned in the Introduction, I draw upon a series of illustrative examples to empirically ground the core arguments; however, it should be emphasized that these arguments are primarily conceptual in nature, as the key points are theoretical rather than empirical. The aim is to develop a critical account of the sort of politics that is logically presupposed and thus practically made possible by the adoption of a pre-emptive approach to (in)security governance, irrespective of the particular politico-geographical context in which this takes place. In other words, as indicated in the preceding section, the arguments are framed in such a way that they may be applied to *any* particular instance in which the logic of pre-emption informs the governance of (in)security. The reader is thus urged to bear the intentional generality of the analysis in mind when considering the claims advanced below, and to thus recall that the contributions I hope to make are primarily of a theoretical nature. Returning to the question of ontology as discussed above, this framing is consistent with the sort of analysis to which “political rationalities” such as pre-emptive security can be subjected, as I attempt to interrogate the general pattern of operation through which a pre-emptive approach to (inter)national security questions is practically implemented. Put most simply, then, my aim is to theorize and critically interrogate the operational “regularities” that flow logically from pre-emption’s conceptual constitution as a political rationality (Rose &

Miller 1992: 178). As such, the conclusions reached should conceivably apply to all situations in which such a rationality forms the basis for practical policy.

This relates directly to the second point I wish to make, which concerns the geographic scope of the study and the effect this may have on the validity of such analysis. In this respect, I recognize that this study's pretensions to conceptual generality are somewhat in tension with the empirical fact that the post-9/11 articulation of pre-emption upon which it is based has been largely manifested in the national security policies of Western states. Indeed, it is certainly the case that the contemporary articulation of pre-emption discussed earlier in this chapter refers primarily to the strategies developed by the US, UK, EU, and other states of the West and the Global North, in response to the threat of transnational terrorism. Moreover, the majority of the illustrative examples used to ground the conceptual arguments I develop in the remaining chapters are also drawn from the actions of Western polities. It may therefore appear that the features I subsequently describe as applicable to all cases of pre-emptive security governance in fact refer only to the parochial practices of Western states, thus suggesting that the conceptual generality of my claims is overstated at best and untenable at worst.

This is certainly a valid concern. However, I do not believe a primary empirical reliance upon the practices of Western polities is incompatible with the sort of conceptual generality to which this study aspires. There are two reasons for this. The first is that, simply put, the polities of the West offer far more examples of pre-emptive security in practice. Indeed, Western states have been at the forefront of (re-)introducing pre-emption into the lexicon of (inter)national security, as first the US under George W. Bush, and subsequently the UK under Tony Blair and the EU under its Common Security and Defence Policy adopted explicitly pre-emptive approaches to the governance of terrorism in the immediate post-9/11 era (de Goede 2008). As



such, there are simply more practical instances of pre-emptive security to be found in the actions of Western states. It thus follows that any attempt to develop a more general theorization of this paradigm of (in)security governance will inevitably be forced to draw heavily upon examples derived from the practices of the West. The subsequent analysis should thus not be accused of unwarrantedly passing off the parochial practices of Western polities as unproblematically representative of a general concept. Such accusations would miss the point, as it is my overarching interest in the general concept of pre-emption—specifically as applied to the governance of (in)security—that renders a certain West-centrism unavoidable for precisely the reasons elucidated. The illustrative examples that will be used to underpin a primarily conceptual argument developed below will thus admittedly be drawn largely from the practices of Western state security apparatuses; however, this is a function of the empirical terrain itself, rather than of methodological imprecision, since it is in the polities of the industrialized West that pre-emptive security rationalities have been most comprehensively developed and implemented in the post-9/11 era, and which therefore provide the most useful basis for conceptualizing such rationalities in the abstract.

To be sure, this is not to suggest that the sorts of pre-emptive security strategies with which I am concerned are *only* present in the West. Quite the contrary, as the “pre-emptive turn” has emerged as a truly global phenomenon, particularly in recent years (Elmer & Opel 2008: 13). However, in such instances, the pre-emptive strategies and practices adopted by non-Western governments and national security apparatuses have tended to closely mirror those of the Western states mentioned above. This is the second reason that relying primarily upon the practices of Western states need not limit the study’s potential for analytical generality, in that

the anticipatory governmental strategies adopted by non-Western states have largely embodied the same conceptual features as those prevailing in the West.

As an example, consider India, which has taken a number of steps toward institutionalizing a pre-emptive approach to the governance of terrorism over the past decade (Kalhan *et al.* 2007: 141-72; Krishnan 2004). The 2002 Prevention of Terrorism Act (POTA)—which was passed in the aftermath of both the 9/11 attacks and the December 2001 attack on the Indian Parliament, and which lapsed in 2004—along with its successors, the 2005 Unlawful Activities Prevention Act (UAPA) and the 2008 National Investigation Agency Act (NIA), all contain provisions designed to enhance the state’s capacity to govern terrorism in a pre-emptive manner. For instance, all three statutes entrenched the state’s prerogative to exercise “preventive detention” against suspected terrorists—for up to 180 days in the case of the UAPA (Mate & Naseemullah 2010: 263)—while remaining “silent on the evidence required” to activate this prerogative (Krishnan 2004: 283). Such a combination of a preventive posture and a limited evidentiary threshold for anticipatory action suggests a “precautionary” ethos that is clearly reminiscent of the contemporary iteration of pre-emption described earlier in this chapter, and which closely resembles the practices of Western states. This is no coincidence, however, as POTA was explicitly modelled on both the USA PATRIOT Act and the British Anti-terrorism, Crime and Security Act—both of which served as the legislative foundations for a pre-emptive security rationality in their respective states—with Indian lawmakers even enlisting American officials to help formulate the final draft of the law (Sasikumar 2010: 629). India’s nascent pre-emptive security regime thus quite conspicuously resembles that which has emerged in the West.

A similar observation can be made with respect to another powerful non-Western state, Russia. Indeed, since Vladimir Putin’s ascent to the Presidency at the turn of the millennium, the

Russian government and security apparatus have demonstrated an affinity for pre-emptive tactics and strategies with respect to the governance of terrorism—particularly vis-à-vis Chechnya (Elmer & Opel 2008: 13; Guertner 2007; Westphal 2003). Importantly for the purposes of this discussion, this affinity became more pronounced following the Bush Administration’s overt declaration of a pre-emptive approach to the War on Terror in 2001, as “pre-emption quickly found its way into Russian declaratory policies encompassing both domestic and international threats” shortly thereafter (Guertner 2007). This period also coincided with an escalation of the Chechen insurgency, the Russian response to which also evinced a pre-emptive turn reminiscent of that which was taken by the US under Bush. For instance, in the wake of the 2004 Beslan hostage crisis, then Chief of the General Staff Yuri Baluevsky explicitly echoed the language of the Bush Administration and “declared the right to launch pre-emptive strikes against terrorist bases worldwide,” while Russian security officials have more recently “invoked pre-emption to justify future interventions against Chechen separatists” (*Ibid.*). Moreover, having recently regained the presidency, Putin himself has re-affirmed his commitment to a pre-emptive approach to the governance of terrorism, remarking at an October 2012 press conference that Russia will continue to “pursue a pre-emptive tactic” against terrorists, and emphasizing his government’s successes in this regard by enumerating the number of “militants” that had been “neutralized” through pre-emptive targeted killing in recent months (Bridge 2012).

Russia and India’s apparent embrace of the same sorts of pre-emptive security strategies developed by Western states suggests that the global proliferation of such strategies is a key dynamic of the contemporary global security climate. However—and more importantly for this study’s purposes—it also suggests the analytical validity of using the practices of Western states to empirically ground a set of conceptual arguments relating to the logic of pre-emptive security

in the abstract. Indeed, the Indian and Russian examples demonstrate that the pre-emptive security rationalities adopted by non-Western states share the same broad conceptual contours as those that increasingly underpin (in)security governance in the West. In other words, while the proliferation of pre-emptive security is a truly global phenomenon, the non-Western manifestations of thereof are broadly modelled after the practices of the Western polities that have been in the vanguard of its implementation over the past decade. Accordingly, I believe it is valid to develop a critical conceptual account of pre-emptive security with the aid of illustrative examples drawn primarily from the practices of Western state security apparatuses in the post-9/11 era.

### ***Conclusion***

Developing such an account is the aim of the remainder of this study; and this chapter has attempted to lay the foundation for doing so. In this respect, I have elaborated upon what pre-emptive security should be understood to mean in the contemporary context, and have established some basic analytical parameters within which it can be critically interrogated. Having thus considered what pre-emptive security is and how it can be studied conceptually, the next chapter theorizes how pre-emption works as a political rationality, with a view to revealing the ways in which it radically alters the exercise of political power in the security context.

## **Chapter 4 – Timescapes of Pre-emption: Anticipatory Governance and the Manipulation of Time**

### ***Introduction***

The first section of the preceding chapter offered a historical contextualization of the idea of pre-emption as applied to questions of (inter)national security. There it was argued that the contemporary articulation is qualitatively different from its conceptual antecedents, particularly due to its explicit embrace of what amounts a precautionary logic that takes radical uncertainty as the basis for, rather than an impediment to, action. Having thus considered what pre-emption means in the current global security context, my concern will now shift to exploring how pre-emption “works” as an approach to the governance of (in)security. In other words—and to invoke Rose and Miller once again—I am concerned with theorizing the “regularities” of a pre-emption as a political rationality, with a view to developing a detailed conceptual account of precisely what mechanisms are at work in its general pattern of operation. These aims can be situated within the overarching goal of this study to explore the political implications of adopting pre-emptive security approaches in particular, and anticipatory governance rationalities more broadly. As the first of three chapters specifically devoted to these questions, the discussion of this chapter adopts a more abstract analytical perspective. What this means is that the present discussion will focus upon the political logic of pre-emption more generally, which will serve as something akin to background for the more narrowly targeted analyses of chapters 5 and 6—which focus more explicitly upon how a pre-emptive rationality modifies the way political power is organized and exercised in the security context. This does not render the arguments developed here any less important to the overall goals of this study, however. On the contrary, since a broader understanding of the concept of pre-emption as a political rationality is necessary for developing an account of both how the contemporary pre-emptive security regime operates, and

the subsequent implications of its emergence for questions of political subjectivity. It is in this context that the following discussion should be understood.

The remainder of the chapter will be thus concerned with conceptually exploring the workings of pre-emption as a political rationality. This discussion will be centred around two particular aspects of this issue, the exploration of which will be the focus of each of the two subsequent sections of the chapter. The first reflects this study's aim to bring questions of temporality to the fore in political analysis, and explores how the logic of pre-emption operates as a political rationality through the manipulation of time itself. In this respect, it is argued that pre-emptive mechanisms of governance rely upon a temporality in which the future itself is "made present" in such a way that its contingent potentialities can serve as the primary causal agents of present political action. I contend that such a temporality implies a significant re-articulation of our relation to the future, to the extent that all future potentialities—no matter their likelihood of occurrence or temporal distance from the present—must be considered potentially imminent. Indeed, only then can the future's radically uncertain contingencies trigger the sorts of affective responses required to render the merely potential practically actionable in the present. In short, the key claim of the first section is that pre-emptive modes of governance work by manipulating our subjective relation to the future in particular, and time more generally.

By focusing on the theme of temporality and touching on the question of affect, this discussion segues neatly into the second section, which explores two additional considerations relating to how the logic of pre-emption operates as a political rationality. It begins by discussing the implications of the temporal manipulations outlined in the first section for the praxis of politics. In this respect, I argue that pre-emption's radical expansion of the horizon of imminence serves to compress the timescape of political decision-making in an anti-democratic fashion.

This is because the perpetual potential imminence of catastrophe demands that pre-emptive action be taken as soon as possible, thus militating against the deliberative processes that are central to a democratic politics but invariably “take time” (Wolin 1997). Moreover, it is then argued that pre-emption’s compression of the political timescape elevates the importance of the affective to the praxis of pre-emptive security rationalities. This is because its demands for immediate action require that decisions be made primarily on the basis of “gut feelings,” as there is inadequate time for the diligent collection and deliberative analysis of empirically verifiable facts and evidence. In light of these arguments, I conclude that the adoption of a pre-emptive approach to (in)security governance has significant implications for the way political power is organized and exercised—a point that is taken up at greater length in chapter 5.

### ***Pre-emptive Security and (the Manipulation of) Time***

#### *The Presence of the Future*

Melinda Cooper concisely explains the core premise of the logic of pre-emption as articulated in the context of contemporary (in)security governance: “[i]t exhorts us to respond to what we suspect without being able to discern; to prepare for the emergent long before we can predict how and when it will be actualized; to counter the unknowable before it is even realized” (2006: 120). Perhaps the most apparent characteristic of such a political rationality is its highly temporal orientation, as its primary concern is the (re)assertion of control over the vicissitudes of time by governing its unfolding in a manner that diminishes the potentiality of catastrophe associated with a condition of radical uncertainty. This underlying normative premise of pre-emption—the assertion of control over contingency—is thus inherently temporal; and so in this sense, adopting a pre-emptive approach to governance should be understood most generally as an

attempt to “act on time” itself (Massumi 2005a: 5). More specifically, however, pre-emption is characterized by a constitutive futurity. Indeed, as is clear both from Cooper’s articulation and from the account I have developed in the preceding chapter, the logic of pre-emption is fundamentally oriented around the question of the open future and its concomitant unknowability, since it aims to confer upon human agents a capacity to govern the future’s potentially catastrophic contingency through appropriate anticipatory interventions in the present. Thus, rather than simply acting on time in general, the logic of pre-emption as articulated in the contemporary (inter)national security context might be better understood as concerned with “acting on the future” in particular (Massumi 2005a: 4).

The centrality of the future to the logic of pre-emption is thus an important departure point for thinking through how the latter functions as a political rationality. This is because such an emphasis on the future has the effect of significantly reconfiguring the timescape within which political decisions are taken by enacting a political temporality in which the unknowable future is prioritized—both in terms of the creation of knowledge on the basis of which decisions are made, and in terms of the location of the desired outcomes of those decisions—while the knowable present is instrumentally marginalized as the mere location of the requisite interventions.<sup>35</sup> In other words, under a pre-emptive framework, decisions are made primarily with reference to a potential—and thus imaginary—future that may or may not come to pass, rather than on the basis of present—and thus empirically verifiable—conditions, while the primary goal is the negative aim of eliminating that future as a temporal potentiality rather than the positive aim of constructing and charting a particular normative course. The logic of pre-emption thus shifts the temporal orientation of the political decision-making from what Brian

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<sup>35</sup> This particular point and its implications for the exercise of political power are discussed at length at the beginning of Chapter 5.



Massumi terms a “past-present axis”—concerned with “trends whose arc will continue more or less predictably into the future” and thus permit the active pursuit of a particular teleological path—to a “present-future axis”—which “wobbl[es] with uncertainty” and is thus concerned less with charting a particular course than with fending off potentially catastrophic irruptions that may or may not occur (Massumi 2005a: 4). In this sense, the crucial temporal relationship of pre-emption is between the present and future; however, this relationship is (re-)articulated in such a way that the future is no longer construed as the benign *tabula rasa* of Enlightenment thought, whose openness renders it subservient to the creative energy of the human present in a manner enabling continuous positive progress (see Koselleck 1985). Rather, within the timescape of pre-emption, the future looms large and darkly over the lived present, with its radical contingency and catastrophic potentiality shaping all decisions made therein—decisions that will be directed primarily toward preventing, rather than realizing, the possible.<sup>36</sup> In short, the logic of pre-emption rewrites the political timescape such that the *potential* future is a primary causal agent in the *actual* present, rather than vice versa; and it is in this sense that the logic of pre-emption can be understood to operate through the manipulation of time itself.

These points become clearer when we think through in more detail the specific mechanisms through which a politics of pre-emption functions. Massumi’s (2007, 2005a, 2005b) reading of such questions is particularly useful, as he emphasizes and explains how the logic of pre-emption is premised upon mobilizing merely potential events located in the depths of the unknowable future to produce actual consequences in the lived present. This phenomenon is perhaps best described, following Ben Anderson, as the “presence of the future” (Anderson 2010a: 783), in that pre-emption “brings the future into the present...mak[ing] present the future

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<sup>36</sup> This suggests an important contrast between the temporality of pre-emption and the temporality of sovereignty as discussed in chapter 1, thus indicating the degree to which the adoption of a pre-emptive rationality involves a fundamental reformulation of the practice of sovereignty.

consequences of an eventuality that may or may not occur” (Massumi 2005a: 8). Indeed, under the logic of pre-emption, a future irruption that may never actually occur—and regardless, has no ontological presence outside the speculations of those considering it—enacts very real consequences in the present through the interventions that follow from a pre-emptive act undertaken to preclude its coming to pass. Thus, the actual future occurrence of the catastrophic irruption is ultimately irrelevant, since the pre-emptive decision grants it causal and/or constitutive purchase in the present by casting it as the basis for anticipatory action that can only take place in the present. Under the logic of pre-emption, therefore, the potentially catastrophic “event is an eventuality that may or may not occur, but *does nevertheless in effect*” (Massumi 2005a: 9, emphasis added). Put differently, while the catastrophe remains always *virtual* and located in the unknowable future, the logic of pre-emption ensures that it nevertheless enacts very *actual* effects in the present. Thus, even though it “has not happened and may never happen,” it is as if it has already occurred (Massumi 2007). It is in this sense that it occurs “in effect.” The imagined catastrophic event can thus be understood as both present and absent, in that it exists only in the realm of the contingently possible, yet brings into being very tangible material consequences in the lived present of the actual.

From this discussion, it becomes possible to see how the political logic of pre-emption operates through the manipulation of time, in that it rewrites the relationship between present and future in a way that destabilizes prevailing articulations of time in the context of political decision-making. Indeed, the “presence of the future” described above subverts the conventional narrative of time as a linear unfolding—whereby the arrow of time flows from the past through the present and into the future, with causal relationships following the same direction—in that the always-to-come future is granted what amounts to causal power vis-à-vis the already-here

present. In this respect, the conventional logic of cause-effect relationships congruent with such a linear temporality is challenged, as an indefinite future event engenders tangible effects in the present without yet having happened. Pre-emption thus creates something of a “time-slip,” whereby the future in general—and any potentially catastrophic irruptions deemed to inhabit it in particular—are in effect made present (Massumi 2005b: 36). The future event to be pre-empted recursively “slips” outside of the linear flow of time, to re-enter in the present through its precipitation of anticipatory interventions therein. In other words, potential future events become “transtemporal” under a pre-emptive political rationality (*Ibid.*), taking on a dual ontology somewhat reminiscent of Heisenberg’s electron in which they possesses an effective presence in *both* the potential future *and* the actual present. By thus constructing a timescape in which the future is able to directly generate material consequences in the present, the logic of pre-emption ruptures with prevailing temporal narratives based on linear continuity. It instead inscribes its own alternative temporality in which cause-effect relationships deviate from the strictures of temporal linearity by, in a sense, reversing the causal arrow such that it doubles back against the proverbial arrow of time.

To clarify these points through an illustrative example from the security realm, consider briefly the case of the American decision for war in Iraq.<sup>37</sup> In this case, Bush administration officials constructed an account of the future in which Saddam Hussein’s Iraq *had* covertly achieved WMD capability that became verified fact only when the “smoking gun” came in the

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<sup>37</sup> While I have chosen to use this example for illustrative purposes, it is important to note that the type of pre-emptive decision-making I am discussing here is by no means limited to the idiosyncratic “Bush Doctrine” of conventional inter-state war. Indeed, while the Iraq case is perhaps the most well-known exemplar of an approach based upon the contemporary articulation pre-emption in the context of (inter)national security, the latter has been widely employed as the guiding rationality for action across the broader War on Terror (see Ehrenberg *et al.* 2010; Amoores & de Goede 2008). As such, the conceptual points I am exploring here in reference to the Iraq case are meant to be more broadly applicable to *any* circumstance in which the logic of pre-emption is adopted as a governmental framework.

form of a “mushroom cloud” (Ehrenberg *et al*: 552).<sup>38</sup> The decision was thus made to intervene pre-emptively in an attempt to assert control over the unfolding of the future in such a way that this potentiality was eliminated from the realm of possibility. This political process thus gave the potential future “event” of a hostile nuclear Iraq causal purchase in the present, subsequently generating profound tangible consequences in the form of a destructive military incursion that radically altered the geopolitical realities of that present. The virtual future was thus made actually present, and time itself was actively manipulated by the operation of the logic of pre-emption.

In this respect, the Iraq invasion shows how a pre-emptive politics functions through a reconstruction of the timescape of the political, in which the temporal-causal relationship between present and future is rewritten in a fundamental way. And while the Iraq invasion is perhaps the most well-known application of the contemporary articulation of pre-emption in the context of (inter)national security, this same process of temporal manipulation is visible across the various regimes of anticipatory governance that have proliferated since the advent of the global War on Terror—from the practice of indefinitely detaining individuals merely suspected of terrorist action or sympathy (Ericson 2008, Mutimer 2007, Butler 2006), to the pre-emptive freezing of mobile capital suspected to be headed to terrorist organizations (de Goede 2012, 2011), to the extrajudicial targeted killing of terrorist figures deemed threatening to a particular state (Kessler & Werner 2008).<sup>39</sup> Moreover—and returning to a broader theme of this study—this discussion illustrates the importance of adopting a temporal lens to properly understand how

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<sup>38</sup> This was a turn of phrase deployed repeatedly by Bush Administration officials when challenged to provide clear proof (the proverbial “smoking gun”) of Saddam’s WMD program, and pithily captures the essence of the pre-emptive ethos that underpinned its post-9/11 national security decision-making.

<sup>39</sup> In this respect, it should also be noted that the temporal manipulations described here are equally present in the pre-emptive decisions made by the “petty sovereigns” often tasked with carrying out such policies and practices as these.

the logic of pre-emption operates as a political rationality. Indeed, only by foregrounding temporality do we see that a crucial dimension of its operation consists of reconstructing the political timescape in such a way that the relationship between present and future is radically rewritten, such that the contingently potential is a primary determinant of the actual. Importantly, this represents a significant departure from prevailing understandings of the nature of time and associated relations of agency and causality that underpin conventional logics of political decision-making.

While certainly interesting on their own terms, these conceptual arguments about the logic of pre-emption in general are important background for a more targeted analysis of pre-emptive security in particular, as the latter's emphasis on the catastrophic potentialities of the future as the basis for present action has significant implications for the way sovereign power is exercised with respect to the governance of (in)security. However, before turning to such a discussion in the next chapter, the conceptual points discussed thus far must be fleshed out further. In particular, now that we have described how pre-emption operates through the manipulation of time, the question becomes, how are these processes of temporal manipulation mediated through the behaviour(s) of political decision-makers? In other words, to achieve a comprehensive understanding of the logic of pre-emption as a political rationality, it is not enough to merely describe the temporal manipulations that are inherent thereto; it is also necessary to develop an account of how these temporal manipulations can be rendered politically legitimate among authorities and publics alike. Such a discussion requires a more detailed consideration of the way humans as political subjects relate to the future, since the recursive "time-slips" through which the logic of pre-emption becomes politically operational are enabled

by the very particular way we apprehend and engage with the future from the vantage point of the lived present.

*Imminence and the Passions*

In this regard, it is useful to consider the temporal politics of pre-emption with reference Philip Fisher's typology of temporal spaces developed in his 2002 book *The Vehement Passions*. In a chapter entitled simply "Time," Fisher offers an account of the way "the passions"—meaning the affective resonances that colour and characterize the human experience—are crucial to mediating our understanding of, and relation to, temporality in general and the future in particular (Fisher 2002: 78). Of particular relevance here is Fisher's distinction between what he terms the "imminent future" and the "abstract future," and their respective relationships to the present (*Ibid.*: 79). Fisher describes the abstract future as that which is so temporally distant that it can only be apprehended through the exercise of the imagination, since it is too far removed from our existence in the present for us to possess any coherent knowledge or understanding of what it holds (*Ibid.*). As a consequence, the passions are rarely, if ever, activated by consideration of the abstract future. Indeed, for Fisher this is the latter's defining feature, since the epistemic fuzziness stemming from the abstract future's temporal distance means that "we cannot think of ourselves as acting reasonably about" it; and as such, no sense of acute urgency regarding its potentialities—which might manifest through such affects as fear, hope, dread, or desire—is felt, and thus no impetus to act is generated (*Ibid.*: 80). Put more simply, Fisher's point is that the temporally distant abstract future is insufficiently intelligible to human subjects to generate the types of affective responses that he argues are required induce us to take action in relation to it.

By contrast, the imminent future refers to the temporally proximate, about-to-be-realized moment—reflecting, for instance, the sort of all-but-certain imminent attack with which the conventional articulation of pre-emption discussed in the preceding chapter is concerned. In contrast to the abstract future, Fisher contends that the imminent future’s temporal proximity grants it an adequate degree of intelligibility to make rational action based upon our apprehension of it seem possible, which thus activates the sorts of affective resonances that generate the impetus for action in the present (*Ibid.*: 80-81). In other words, for Fisher, the imminent future is demarcated from the abstract future at precisely that point where the passions are triggered by a specific apprehension of what is to come. As Fisher puts it, “the line between the abstract future and the imminent future is drawn by the moment at which fear or yearning, hope or dread, engages” (*Ibid.*: 78). The upshot is that, unlike the abstract future, with respect to the imminent future our perception of the potential is presently actionable. Indeed, even if we remain uncertain as to the precise details of what is about to occur, Fisher suggests that its temporal proximity grants it an intelligibility that makes rational action in response appear possible, which in turn triggers the sorts of affective responses that precipitate (in)action of some sort (*Ibid.*: 78, 86).

Fisher usefully articulates the distinction between the abstract and imminent future—and the role of the passions in constituting this difference—with reference to the affect of fear:<sup>40</sup> “we

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<sup>40</sup> It is important to note that fear is by no means the only affective response capable of triggering the impetus for political action, even in relation to the question of security. For instance, a more amorphous affect of general anxiety wrought by the uncertainty of the impending future could act as the trigger, as could an affect of desire relating to the urge to bring into being one particular iteration of the future in lieu of another. Indeed, it is most likely that a combination of affective responses and resonances, unique to each circumstance, coalesces to generate the impetus to act in response to the about-to-become, thus demarcating the imminent future and rendering it politically actionable. The specificities of this question are beyond my present concern, however, though this caveat to avoid seeing the intersection of affect and security as solely related to fear applies to the subsequent section, where the importance of affect to the logic of pre-emption will be discussed in greater detail.

Moreover—and to return to the themes of Part I—it is perhaps also worth noting that early modern political theorists claimed that fear—specifically fear of violent death—is constitutive of sovereignty itself. Hobbes, for

feel fear in the face of what is just about to happen...[A] possible harm located in the indefinite [abstract] future cannot be the subject of fear (or hope), but it is precisely fear that tells us where the indefinite future leaves off and the imminent, or definite, future begins” (*Ibid.*: 72, 78). Thus, because the operation of the passions is deemed a necessary condition for action in the present, the abstract future—which is accessible only through the exercise of a speculative imagination—should not, according to Fisher, be considered actionable in the present, since it is explicitly defined by the lack of any significant affective relationship to its potentialities. The imminent future, conversely, is explicitly defined by our experience of an affective response to its potentialities, thus rendering it actionable in the present. Paraphrasing Hume, Fisher summarizes these points by asserting that “the passions are felt only for things contiguous or proximate in time”; and as such, the “neighbourhood of time surrounding the present within which the passions operate”—specifically, the immediately imminent future—is the only temporal space from which potential events can generate the degree affective resonance required to trigger some sort of action (*Ibid.*: 76).

Returning specifically to the question of pre-emption, Fisher’s framework suggests that a decision to act on the basis of that which is yet to come—that is, a pre-emptive decision—can only be made with respect to the imminent future, since only then can humans generate an intelligible enough picture to make such action appear reasonable and/or possible and thus activate the affective responses that precipitate a decision to act. In this respect, Fisher’s affectively mediated account of our relation to the future provides a psycho-philosophical grounding for the conventional articulation of pre-emption discussed in the preceding chapter, as

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instance, famously claims that a sovereign commonwealth comes into being “when men singly, or many together by plurality of voices, for fear of death or bonds, do authorize all the actions of that man or assembly that hath their lives and liberty in his power” (Hobbes 2011 [1671]: 182). This suggests that the role of the passions in shaping the conduct of political activity in the sense described by Fisher has thus long been recognized.



the latter is also premised upon a short temporal horizon and a high degree of confidence with respect to what is about to take place. In other words, the type of action presupposed by the conventional articulation of pre-emption in the context of (inter)national security concerns the taking of anticipatory measures in relation to a potentiality that is located in the Fisherian imminent future.

Conversely, the sort of potentiality that provides the impetus for anticipatory action under the post-9/11 articulation of pre-emption inhabits the Fisherian *abstract* future, since the condition of radical uncertainty that this articulation seeks to confront implies that the potentiality in question is confined to highly speculative imaginings about what may come to pass at some indefinite point. Importantly, recall that Fisher's framework suggests that this should render such a potentiality effectively inactionable in the present, since it cannot be apprehended with adequate intelligibility to generate the sort of affective response that would precipitate action. Yet it is precisely this type of ostensibly inactionable potentiality that the contemporary logic of pre-emption takes as the very basis for action. Understanding pre-emption in this way thus adds an additional layer of support to the broader claim that it functions as a political rationality through the manipulation of time, since this suggests that adopting the sort of pre-emptive approach to governance under discussion in this study radically alters the way human subjects relate to the future. Indeed, if we take seriously Fisher's compelling claim that affective resonances are crucial to precipitating any type of human action—of which political decisions regarding the anticipatory governance of (in)security are certainly an example—and that the imminent future is the only portion of the to-come whose potentialities can adequately activate the passions in this way, then it follows that the logic of pre-emption alters our relation of the future to the point where the distinction between abstract and imminent future collapses,

such that the passions can be activated with respect to *any and all* potentialities, irrespective of their temporal proximity to the lived present. In other words, the logic of pre-emption re-articulates the future in such a way that the “imminent” portion is effectively extended indefinitely. This has the effect of moving the radically uncertain potentialities of the abstract future—whose epistemic fuzziness Fisher claims disqualifies them from activating the passions and thus precipitating action in the present—into an extended imminent future, where they can now become fuel for the affective sensitivities of decision-makers and are thus capable of inducing an active political response. In this sense, the spectre of potential catastrophe—which still remains inherently imaginary and entirely virtual—no longer constitutes a mere abstract potentiality too far removed from the present to be rationally actionable; rather, it is rearticulated as an *always-imminent* threat.<sup>41</sup> Recalling Massumi’s claims discussed above, this can be viewed as another instance of the logic of pre-emption creating a “time slip” through which temporality is manipulated to make anticipatory interventions possible in the face of radical uncertainty about a potentially catastrophic future (Massumi 2005a).

The key point, therefore, is that the logic of pre-emption alters our relation to the future to the point where—at least with respect to such potential catastrophes as the “next terrorist attack”—*all* potentialities, regardless of their degree of practical intelligibility or temporal proximity, are effectively treated as imminent.<sup>42</sup> The Fisherian distinction between the imminent and abstract future thus collapses, as the former is effectively extended indefinitely into the latter. This enables all imaginable possibilities to become fodder for the passions, rendering the

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<sup>41</sup> The centrality of this move to the contemporary logic of pre-emption is highlighted in the 2002 US *National Security Strategy*, as this text makes an explicit call to “adapt the concept of imminent threat” to include those merely potential threats that may emerge at some indefinite point in the future. See: White House 2002, Ehrenberg 2010: 83.

<sup>42</sup> Here we again see echoes of the logic of precaution discussed in Chapter 2, which is premised upon taking anticipatory action under the assumption that all imaginable potentialities are possible (Ewald 2002).

radically uncertain actionable in the present—which, of course, is the ultimate normative aim of a politics of pre-emption.<sup>43</sup> These points correspond to the arguments of the previous chapter, where it was contended that the contemporary articulation of pre-emption in the context of (inter)national security extends the temporal horizon within which a potentiality can be considered adequately imminent to require anticipatory action. Indeed, the temporal sleight-of-hand described in this section—in which catastrophic potentialities are transported from the abstract future of mere imagination to the imminent future of urgency and affective resonance—is precisely what enables the logic of pre-emption to “make the future present” in the manner discussed by the likes of Massumi (2005a) and Anderson (2010a), and thus transform radical uncertainty from a *barrier to action*—as under both the conventional articulation of pre-emption and Fisher’s framework—into the *basis for action*. Mapping the logic of pre-emption on to Fisher’s affectively oriented temporal typology thus further highlights how the manipulation of time is crucial to how it functions as a political rationality.

### ***Additional Considerations: Temporal Compression and the Role of Affect***

It is thus clear that a political rationality based upon the post-9/11 articulation of pre-emption requires a radical modification of temporality more generally, and our relation to the future more specifically. Again, this is because such an approach can only be rendered politically functional if the imminent future is extended indefinitely, such that previously negligible

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<sup>43</sup> This should not be taken to imply that all such potentialities will be responded to equally, since decisions must still be made as to precisely which possible futures should acted upon and how—decisions that are highly political and reflect broader practices of threat construction informed by discourses of othering. However, the substantive character of such decisions are not the primary concern here, as my point is simply to show how the logic of pre-emption creates the *conditions for* such potentially problematic decisions by re-framing all potentialities as effectively imminent and thus rendering them capable of triggering an affective response that can provoke an intervention which will demand such decisions be made in practice. Here we see the important distinction between the conceptual *logic* of pre-emption—which is the primary concern of this study—and the practical *politics* of pre-emption—which also merit further critical scrutiny than the scope of this study allows.

affective responses to purely imaginary contingencies become adequate to trigger anticipatory action in the present. By emphasizing these points, the discussion so far has drawn attention how the logic of pre-emption's operation as a political rationality is intimately bound up with questions about the way temporality is articulated and experienced, and the role of affect in such questions. It is worth considering each of these issues in further detail, however, since there is more to their relationship to the logic of pre-emption than the preceding discussion has shown. With respect to the articulation of time, though outlining how pre-emptive governance functions through a series of temporal manipulations that alter our subjective experience of time, the above account does not address how this change in the phenomenological timescape also alters the timescape of political praxis. Indeed, while we have seen how a pre-emptive rationality changes the temporal context in which we relate to the future, we have not considered how this also radically alters the temporal context in which political decisions are actually made by compressing the timescape of such decisions in an ultimately un-democratic way. With respect to the role of affect, while the above discussion highlights the role of affect in ensuring the viability a pre-emptive political rationality, it does so in a rather general way that, following Fisher, merely affirms the importance of the affective to *all* forms of human decision-making, anticipatory or otherwise. Such a limited discussion is incomplete in the present context, since—for reasons directly related to the aforementioned modifications of the political timescape—the importance of the affective is especially acute in the case of pre-emptive political decision-making of the sort being discussed here. Thus, to proceed toward a comprehensive account of how pre-emption operates as a political rationality, both of these points must be unpacked further, since the anti-democratic compression of the political timescape that results from pre-emption's temporal manipulations and the concomitant importance of affect in the decision-

making process are both crucial to understanding how a pre-emptive political rationality functions in practice.

*Pre-emption and Temporal Compression*

A complete reckoning with the way a pre-emptive political rationality manipulates temporality must not only consider the more general point that its adoption necessarily alters our subjective relationship to time and the future; it must also consider the implications of this point for political praxis. The key issue in this respect is that, by modifying our relation to the future in such a way that *all* future potentialities are construed as imminent and thus capable of precipitating present decisions, the adoption of a pre-emptive rationality of governance has the effect of radically compressing the political timescape. This is because such a temporal reconfiguration presupposes that the potentialities against which a pre-emptive rationality seeks to act could emerge at any time—that they are always imminent. Indeed, as we have seen, treating them as such is a logical requisite for the functionality of pre-emptive governance in its contemporary articulation. Thus, if the future potentialities it seeks to govern must always be considered imminent, it follows that minimal time can be devoted to such tasks as evidence collection and democratic deliberation in the context of anticipatory decision-making, since every moment spent deciding whether and how to act in this way is a moment in which the potentiality whose avoidance is sought could emerge. This dynamic of temporal compression can thus be considered a second order manipulation of temporality that follows from the first order manipulations in which the “presence of the future” is established through the indefinite extension of the imminent future.

To elaborate upon these points, the idea of pre-emption is ultimately about taking anticipatory action; however, the timescape within which it operates—wherein the potentialities it seeks to govern are considered perpetually imminent—implies that the imperative to act in this way is informed by sense of immediacy. In other words, the logic of pre-emption dictates that not only must we act in the present to head off a potential future catastrophe, but we must act *now*, since the potential imminence of the imagined catastrophe in question means that it could erupt at any moment. In the security context, this compressed temporality of pre-emption has been recognized in both official documents that articulate a pre-emptive security strategy, and the statements of policymakers defending such an approach. For instance, the 2002 American *National Security Strategy*—arguably the foundational document of the contemporary articulation of pre-emptive security—spoke of “the risk of inaction...even if uncertainty remains as to the time and place of the enemy’s attack” (White House 2002), while we have already seen how former Vice President Cheney asserted that “the risks of inaction are far greater than the risk of action” in the case of the putative threat from Iraq (quoted in Daase and Kessler 2007: 426). Both pronouncements imply that a pre-emptive approach to security questions demands the prioritization of immediate action over extended deliberation, since the uncertainty of the future it seeks to govern means that all delays merely increase the likelihood that the threat in question will catastrophically materialize. Cheney’s words in particular were spoken in the context of arguing against giving UN weapons inspectors more time to collect evidence regarding Iraq’s alleged WMD program, since doing so “would increase the military risk posed by the Iraqi regime” (*Ibid.*). What this suggests is that the collection and evaluation of information, and subsequent deliberation about the appropriate course of action is necessarily limited under the politics of pre-emption. Indeed, there is *no time* for either, since every moment spent discussing

the proper response to an always potentially imminent catastrophe is a moment in which that catastrophe could emerge. A politics of pre-emption is thus characterised by “a collapse in time, contemplative time to be exact,” such that a priority is placed upon the taking of (anticipatory) action as such, rather than ensuring that such action rests upon a sound epistemic foundation established through careful deliberation (Elmer & Opel 2008: 14). The result is that, to use Massumi’s turn of phrase, a pre-emptive political decision “strikes like lightning” (2005a: 5),<sup>44</sup> since it is necessarily undertaken in a compressed timescape that is likely to preclude any serious deliberative activity.

This therefore constitutes another way in which a pre-emptive political rationality differs markedly from other logics of political decision-making. Indeed, as Sheldon Wolin reminds us, politics—particularly of the democratic sort—inevitably “takes time” (Wolin 1997: 2; see also Manning 2004); yet the logic of pre-emption’s constitutive impetus to act now rather than later militates against this truism, such that “the elixir of speed” (Falk 2010: 255) becomes more important than any commitment to empirically- and/or democratically-oriented deliberation about appropriate action. The spectre of perpetually imminent catastrophe that underpins a pre-emptive politics thus acts to severely compress the political timescape of the pre-emptive decision. This can have potentially profound implications for both the democratic character of (in)security politics, and the individuals against whom pre-emptive interventions are deployed. It is thus worth briefly considering each of these points in greater depth.

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<sup>44</sup> This quite useful turn of phrase suggests an allusion to Nietzsche’s vivid account of the emergence of the state, which he sees as resulting from the forceful action of those “who [are] by nature ‘master’”, in lieu of “that sentimentalism which would have it begin with a contract.” Of the former, Nietzsche writes, “they appear as lightning appears, too terrible, too sudden, too convincing, too ‘different’ even to be hated” (Nietzsche 1989: 86). Massumi’s allusion is certainly deliberate since, as will become especially clear in the next two chapters, Nietzsche’s account offers a strikingly apt description of the exercise of sovereign power in the context of a pre-emptive security regime. I thank Peter Nyers for bringing this connection to my attention.

Regarding the first, the key point is that a compressed political timescape compromises the democratic integrity of political decision-making in a pre-emptive context. The reason for this is simply that, as suggested above, the imperative to act quickly exists in tension with the deliberative processes associated with democratic governance, reliant as these are upon the extensive consultation of, and compromise between, a variety of political actors and relevant stakeholders. As Wolin argues, in “societies with pretensions to democracy,” political action must “be preceded by deliberation, and deliberation, as its ‘deliberate’ part suggests, takes time because, typically, it occurs in a setting of competing or conflicting but legitimate considerations” (1997). Seyla Benhabib makes a similar point, asserting that legitimate political action “in complex modern democratic societies must be thought to result from the free and unconstrained public deliberation about matters of common concern”—a process that can only take place over an at least somewhat open-ended period, since the strict limits of a compressed political timescape would militate directly against the “unconstrained” character of deliberation (Benhabib 1994: 26). Wolin thus concludes that a truly democratic politics “requires an element of leisure...in the sense, say, of a leisurely pace,” since its constitutive deliberative element cannot be legitimately enacted otherwise.

The temporal compression associated with a politics of pre-emption thus works to evacuate the latter of its democratic character, as the type of “lightning decision” that it demands is incompatible with the often languid processes and procedures of legitimate democratic decision-making (Massumi 2005a: 5). However, not only does pre-emption compress the time for decisions to be made, but it also limits the terms of the debate regarding potential action, as the question of whether or not to act is all but pre-decided in the affirmative. Again, this is because pre-emption’s reformulation of our relation to the future—such that all potentially



catastrophic contingencies are construed as imminent—demands that anticipatory action *must* be taken, regardless of prevailing uncertainty as to the specific character or likelihood of the threat(s) in question (Kessler and Daase 2008: 225-26). Under such circumstances, as Elmer & Opel put it, “there is little need for public deliberation and debate,” since the perpetual potential imminence of catastrophe suggests that there is no alternative but to act, and act now (2006: 479).

These points are quite clearly illustrated by the character of American political debate and decision-making in the aftermath of the 9/11 attacks and in the lead-up to the 2003 invasion of Iraq. For example, in a statement before the Senate arguing against the adoption of the USA PATRIOT Act, Wisconsin Democratic Senator Russ Feingold raised concerns that highlight precisely these issues (see Ehrenberg *et al.*, 2010: 528-535). In particular, Feingold cautioned against the highly rushed passage of such drastic legislation—whose provisions provided the backbone of the emerging pre-emptive security regime—expressing concern that “the pressure to move on this bill *quickly, without deliberation or debate*, has been relentless,” and arguing that “the pre-emptive ethos in the White House created a ‘demand for haste’ that was ‘inappropriate’” for a liberal democracy (quoted in *Ibid.*: 528, 531, emphasis added). Feingold’s statements thus highlight not only how the temporal compression inherent to a politics of pre-emption affected the American response to the 9/11 attacks, but also how this resulted in the diminished democratic character of the debate surrounding this response. A similar point could be made with respect to the (inter)national debate(s) that took place in the prelude to the Iraq War, as evidenced by Dick Cheney’s above-quoted assertion that the question of whether to act was effectively pre-given in the affirmative, while any deliberative delay in action was cast as manifestly dangerous (see Kessler & Daase 2008; Daase & Kessler 2007). The point, however, is

that the anti-democratic de-politicization evidenced in these cases is as much a structural result of the logic of pre-emption itself as it is a particular effect of the idiosyncratic policy decision(s) and political circumstances of a specific case. As such, it can be considered a particularly important effect of adopting a pre-emptive approach to governance problems of any kind.

With regard to the second issue—namely, the implications of pre-emption’s compressed temporality for those who are the targets of anticipatory action—the 2005 fatal shooting of Jean Charles de Menezes in the Stockwell station of the London Underground is starkly illustrative of what is at stake. Indeed, this incident provides a tragic demonstration of the potential consequences of adopting a pre-emptive approach and the concomitant compression of the decisional moment that this implies. In the frenzied aftermath of the London 7/7 bombings, Menezes, a Brazilian electrician living in the UK on a student visa, was erroneously believed to be a prospective suicide bomber and was pre-emptively shot multiple times in the head in accordance the London Metropolitan Police’s “Operation Kratos” shoot-to-kill anti-terror policy (see Vaughan-Williams 2007, Taylor 2006).<sup>45</sup> On the day in question, a suicide attack was perceived to be imminent, and so interventionary action aimed at pre-empting the threat was immediately authorized under that policy’s guidelines. This resulted in the death of an innocent man precisely because, in their belief that an attack was imminent, the shooters did not take the time to assess the circumstances and instead undertook a pre-emptive strike based on an imagined future in which de Menezes *had* detonated a bomb on the London Underground.

This case is instructive because the logic of pre-emption was clearly operative—as the Kratos policy was explicitly formulated to permit officers to intervene *before* a catastrophic

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<sup>45</sup> This policy authorized armed officers to fire at the heads of suspected suicide bombers without warning if the detonation of a bomb was perceived to be imminent by the senior agent on the scene. The rationale behind the policy is based on the aim of neutralizing the threat without accidentally detonating an explosive device located on the suspect’s person. See Taylor 2006.

detonation occurs—while the temporal compression inherent therein is evinced by the fact that Menezes was denied adequate time to demonstrate his innocence by the officers’ feeling impelled to make the “lightning decision” to shoot to kill. In other words, the overwhelming imperative to act *now* in order to pre-empt a catastrophic potentiality ultimately precluded the shooters from adequately evaluating the situation, since doing so would have revealed the erroneous identification of Menezes as a suicide bomber and he would not have been fatally shot.<sup>46</sup> That the incident reflected a conspicuous “lack of time” given to Menezes is emphasized by the words of his cousin, who, when interviewed after the incident, claimed that the police “judged my cousin and sentenced him, all in the space of a moment” (quoted in Vaughn-Williams 2007: 187). Indeed, as Vaughn-Williams aptly puts it, “time was quite literally ‘taken away’ from him” (*Ibid.*). The temporal compression inherent in a pre-emptive politics is thus clearly illustrated by the Menezes case, since it highlights how such an approach to (in)security governance makes it much more difficult to “take time” in the context of what are often life and death decisions. While this temporally compressive tendency is manifestly anti-democratic in theory, the Menezes case shows, how it can also have tragically violent consequences in practice.

### *Pre-emptive Security and the Role of Affect*

The Menezes shooting also suggests the importance of further unpacking the role of affect in the operation of a pre-emptive politics. In this respect, recall the argument of the

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<sup>46</sup> It is worth noting, however, that while the logic of pre-emption was a necessary condition for the Menezes shooting—in that the incident would not have occurred as it did had the Metropolitan police not been operating under a pre-emptive strategy—it alone was not sufficient. Indeed, recalling the discussion in footnote 9 above about the distinction between the logic and politics of pre-emption, it should be recognized that the ultimate decision to shoot to kill in this case also resulted from Menezes’ conformation to an imagined representation of threat in terms of both behaviour—i.e. fleeing from police—and appearance—i.e. dark hair and complexion. This again highlights the importance of racialized othering practices to the practical operation of pre-emptive security strategies “on the ground.” While this study is primarily concerned with theorizing the logic of pre-emption in the abstract, it is nevertheless crucial to remain cognizant of how its operationalization will inevitably reflect the embedded prejudices of the broader politics of threat construction.

preceding section that a radically uncertain future only becomes actionable in the present if the passions can be activated with respect to the wholly unknown/unknowable—a circumstance that requires a degree of temporal manipulation in which our relation to the future is modified by a reformulation of the notion of imminence. While making clear that affective responses are key to triggering pre-emptive action, the above discussion implies that this is only because affective responses are a necessary component of *all* human decision-making—albeit particularly so with respect to explicitly future-oriented decisions concerned with planning for the to-come. Little is thus said about either the particular character of the affective responses through which a politics of pre-emption operates, or the precise ways in which such a politics relies upon the play of affect in the context of decision-making. A more detailed exploration of these questions is thus required to complete the task of developing a comprehensive understanding of how pre-emption operates as a political rationality.

The key point in this respect is that not only are pre-emptive decisions made in a compressed timescape and thus often devoid of democratic deliberation, but—and as a direct consequence—they are also often made primarily on the basis of fundamentally non-rational “gut feelings” (Elmer & Opel 2008: 14; de Goede 2012). The Menezes shooting is again quite instructive in this respect in that, confronted with a potentially imminent catastrophe and thus deprived of the time to adequately collect and consider the evidence, the most plausible explanation for the officers’ decision to shoot to kill is that such a decision was based on little more than the *feeling* that an attack was in the offing—a feeling undoubtedly attributable to the still-fresh memory of the recently executed 7/7 bombings.<sup>47</sup> For present purposes, it is crucial to

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<sup>47</sup> This point highlights the importance of questions of memory and trauma to the affective temporalities of pre-emptive security practices. While space constraints force me to bracket out this question, it is still crucial to recognize that the affective resonances operating within a politics of pre-emption will inevitably be conditioned by

recognize that this is a direct result of the temporally compressive pressures inherent to the logic of pre-emption. Indeed, as Elmer and Opel emphasize, “gut instinct” emerges as the primary basis for action “in the absence of either time to contemplate decisions or adequate intelligence and research on which decisions are based”—a condition that describes both the context of a pre-emptive politics in general, and the circumstances that prevailed on the day of the Menezes shooting in particular (2008: 14).

This importance of “gut feeling” or “instinct” perhaps most clearly illustrates how a pre-emptive politics relies on the play of affect, as it shows how affect is crucial to the decisional logic through which such a politics is operationalized. In other words, affective resonances are not merely crucial to making the future actionable in the present—which was the point made in the above discussion of Fisher’s framework—they also provide the underlying informational basis for such interventions in the context of a pre-emptive rationality. Massumi’s concept of the “affective fact” usefully captures this idea (see Massumi 2010: 54-55, 2005: 7-8). For Massumi, the affective fact refers to a circumstance in which an “affective mechanism...exhibit[s] the certainty to which empirical facts aspire”—that is, an empirically ungroundable set of premises to which the powerful resonance of affective responses grants the semblance of veracity (Massumi 2005a: 7; 2010: 55).<sup>48</sup> The idea of affective fact can thus refer to precisely the sort of imagined potentialities upon which anticipatory action is premised, since the latter cannot be grounded in empirical data—as they exist only in the ultimately unknowable future—and yet are

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memoraic traces of traumatic experience. On this issue, see the work of Maja Zehfuss (2003) and Jenny Edkins (2002).

<sup>48</sup> In the realm of popular culture, this idea was captured quite well by political satirist Stephen Colbert’s term “truthiness”—which was coined during the October 2005 debut broadcast of *The Colbert Report* in part to describe the Bush Administration’s approach to policymaking, and has subsequently entered the popular lexicon after being selected as Merriam-Webster’s 2006 “word of the year”. Colbert himself defined “truthiness” as “truth that comes from the gut, not books.”

endowed with an adequate degree of veracity to serve as the basis for concrete interventions in the present (Massumi 2010: 68).

When applied to the particular context of pre-emptive politics, affective facts can be understood as both the “knowledge” produced through the affective responses which are triggered by the temporal manipulations that cast the imagined catastrophe as imminent, and the corresponding gut feelings regarding what action must be taken in response. In other words, affective facts are the collection of affects that colour the lens through which a perceived threat is viewed, and ultimately provide the informational/epistemic basis for a decision regarding the proper course of action. Indeed, since pre-emptive governance strategies are inevitably burdened by “the decline of the empirical fact”—as a result of their attempt to act upon the unknowable future—the affective fact emerges as the primary basis upon which anticipatory action is mobilized (Massumi 2005a: 7). The affective fact is thus crucial to the logic of pre-emption, since it fills the epistemic void created by both the irrelevance of empirical facticity in the face of a radically uncertain future, and the lack of time for deliberation about appropriate courses of action—both of which, as we have seen, are part and parcel of a pre-emptive politics (*Ibid.*). The importance of affect to the latter is thus clear, as the primary epistemic basis for sovereign decisions made in the context of pre-emption is derived to a significant extent from what William Connolly terms the “visceral register”—specifically in the form of affective facts consisting of speculative imaginings of potential futures and gut feelings about proper courses of action (Connolly 2002: 130).<sup>49</sup>

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<sup>49</sup> The next chapter returns to this issue somewhat indirectly in its consideration of how the construction of the epistemic/evidentiary basis for pre-emptive action relies upon the exercise of the imagination. While the arguments are not couched specifically in terms of the role of affect and/or affective facts, it should be kept in mind that the process of imaginary exercise that I do discuss refers to a core aspect of the production of the affective facts that form the legitimated foundation of pre-emptive action (see Massumi 2010: 54).

The aim of this section has been to reflect upon a pair of additional considerations relating to the broader argument that a pre-emptive politics of security operates through a particular process of temporal manipulation that expands the “imminent future” indefinitely. In this regard, we have seen that not only does this produce a radically altered subjective relation to the future, it also radically alters the timescape of political praxis—specifically by compressing the temporality of political decision-making to the extent that the compatibility of pre-emptive governance with the processual norms of democratic deliberation can be seriously called into question. Moreover, this compressed political timescape combines with pre-emption’s underlying imperative to govern an ultimately unknowable future to force the pre-emptive decision to rely upon the “gut feelings” of deciding authorities—upon so-called “affective facts” rather than empirical facts—as the primary basis for action. These additional considerations are vital to understanding how the logic of pre-emption functions as a political rationality.

### ***Conclusion***

The proliferation of pre-emptive rationalities in the security context has led to a significant re-articulation of what the very idea of “security” is understood to mean in the contemporary context. In particular, the post-Cold War debates about proper referents and threats have effectively been reframed in a decidedly temporal way, as a radically uncertain and potential catastrophic future has been inscribed as that which must be secured against. The practical pursuit of this understanding of security requires a political rationality that allows human agents to act upon the future through anticipatory interventions in the present. This chapter’s discussion has attempted to develop a detailed conceptual account of how such a pre-emptive political rationality actually works.

In this respect, I have catalogued how pre-emptive governance relies upon a form of temporal manipulation through which our relation to the future is radically modified. Specifically, a pre-emptive approach requires that all future potentialities be considered potentially imminent, since only then can a mere abstract potentiality trigger the sorts of affective responses among decision-makers that are necessary to make it politically actionable in the present. Building upon these points, it was also argued that there is more to understanding how pre-emption operates as a security rationality than this conspicuous process of temporal manipulation. Two points are of particular note in this respect. The first is that the perpetual imminence of catastrophe that this temporal manipulation presupposes translates into a highly compressed timescape of political praxis. This dynamic of temporal compression militates against democratic decision-making norms, since the time for deliberation about proper courses of action is suppressed by an apparent need to act *now*. The second point is that pre-emptive modes of governance depend significantly upon the role of affect, in that the “gut feelings” of decision-makers are crucial to its practical operation. This is because its underlying imperative to act upon an inherently unknowable future, combined with a compressed political timescape, precludes the taking of action on the basis of a carefully considered weighing of empirically verifiable evidence and fact. Rather, what Brian Massumi calls “affective facts”—constructed on the basis of affective responses to mere potentialities—form the primary informational foundation for pre-emptive action. In addition to explaining how the logic of pre-emption functions as a practical political rationality, however, these points provide a preliminary indication of the degree to which the adoption and implementation of such rationalities entails a radical modification of the way political power is organized and exercised in the context of (in)security governance. It is to this theme that the remaining chapters turn.



## **Chapter 5 – Pre-emptive Security and the Politics of Exceptionalism**

### *The Attorney General Speaks*

On 5 March 2012, United States Attorney General (AG) Eric Holder delivered a speech at the Northwestern University Law School outlining the Obama Administration’s legal justification for the component of its national security strategy under which suspected terrorists are targeted for assassination by American drone strikes (United States Department of Justice 2012).<sup>50</sup> Begun as a more covert element of the Bush Administration’s risk-based approach to the post-9/11 governance of transnational terrorism (Kessler & Werner 2008), the so-called “Killing Program” has been expanded under Obama, to the extent that it now constitutes perhaps the central element of American anti-terror efforts (Leander 2011).<sup>51</sup> The speech was occasioned in response to growing concerns from civil libertarians about the drone program, which reached a peak after the 30 September 2011 killing of Anwar al-Awlaki—a radical Islamic cleric with ties to al-Qaeda who was also an American citizen. This latter point in particular worried critics, who have subsequently argued that the killing of a US citizen by the American government in this manner constitutes a dangerously flagrant violation of the Due Process Clause of the Fifth Amendment to the United States Constitution (Greenwald 2011). Holder’s speech aimed to counter such charges by elucidating a legally justificatory rationale for employing the practice

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<sup>50</sup> Readers are likely to note that in February 2013, a Justice Department White Paper containing a more formal articulation of the Obama administration’s legal rationale for the targeted killing program was leaked to the press (United States Department of Justice 2013). While addressing a number of key questions in somewhat more detail than Holder’s speech, the underlying substance of the White Paper’s argument is largely identical to that of the AG’s 2012 remarks. Thus, while it may not be the most recent articulation of the administration’s targeted killing policy, I continue to utilize the text of Holder’s speech as the basis for this section’s discussion, since not only does it still accurately represent the administration’s stance on the question of targeted killing, but it also offers a clearer illustration than the White Paper of the centrality of both the logics of pre-emption and exceptionalism to this stance. It should also be noted that all subsequent quotations from the speech are derived from the source cited in the first sentence, and thus will not be explicitly referenced for the remainder of this section.

<sup>51</sup> Indeed, during the 2012 presidential campaign, the Obama re-election team repeatedly emphasized the president’s strength on foreign policy and national security by invoking the apparent decimation of al-Qaeda via the drone warfare program that has been deployed across the greater Middle East.

targeted killing as a tool in the global fight against terrorism—even if those targeted happened to be American citizens. While the jurisprudential cogence of the administration’s arguments can certainly be called into question, I shall leave such issues to legal scholars. For the purposes of this study, however, the speech is notable for the way its defence of the administration’s policy explicitly invokes a pair of tropes that have become central to (inter)national security discourse in the decade since the advent of the so-called War on Terror. These tropes are the imperative of pre-emption on the one hand—which has been discussed at length in the preceding chapters—and the idea of “exceptionalism” on the other—which has been hinted at only in passing and will be unpacked at length below.

With respect to the first of these, Holder emphatically reaffirmed the Bush-era embrace of the logic of pre-emption as the basis for governing terrorism. Arguing that “al-Qaeda has demonstrated the ability to strike with little or no notice – and to cause devastating casualties,” he claimed that the President must not be required “to delay action until some theoretical end-stage of planning – when the precise time, place, and manner of an attack become clear, [because] such a requirement would create an unacceptably high risk that our efforts would fail, and that Americans would be killed.”<sup>52</sup> This line of thinking is echoed in the leaked Justice Department White Paper, which argues that the identification of an “imminent threat” against which pre-emptive action can be legitimately taken “does not require the United States to have clear evidence that a specific attack on US persons or interests will take place in the immediate future” (United States Department of Justice 2013: 7). What Holder and the Obama Justice Department are thus suggesting, is that in the face of both radical uncertainty regarding the time and place of the seemingly inevitable next attack, and the potentially catastrophic effects of such

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<sup>52</sup> This language directly alludes to the reasoning advanced in the 2002 *National Security Strategy* in which, as mentioned in previous chapters, the logic of pre-emption was first explicitly elaborated as the basis for the conduct of the War on Terror (see Ehrenberg *et al.* 2010, especially Chapter 10).

an incident, the efforts to govern terrorism must adopt a “zero-risk” approach, which can only be made actionable through anticipatory interventions such as targeted killing (see Aradau & van Munster 2011: 41-2). Near the conclusion of the speech, Holder articulates this perspective more succinctly, asserting that, “[i]n this hour of danger, we simply cannot afford to wait until deadly plans are carried out – and we will not.”

While clearly invoking the logic of pre-emption, such language also hints at the second security trope—that of exceptionalism—that Holder invokes as a legitimative basis for this argument. Generally speaking, the notion of exceptionalism refers to a strengthening of executive authority—ostensibly in response to an acutely dangerous situation—that results in “serious distortions in the restraining effects that the rule of law and democratic representation have on the arbitrary exercise of power” (Huysmans 2004: 327). Holder’s defence of the targeted killing of citizens by the US government is rooted in precisely this idea, as he argues that the capacity to properly govern terrorism “depend[s] on expertise and immediate access to information that only the Executive Branch may possess in real time.” Accordingly, he claims that “the Constitution’s guarantee of due process...does not require judicial approval before the President may use force abroad against a senior operational leader of a foreign terrorist organization with which the United States is at war – even if that individual happens to be a U.S. citizen.” With this bold statement, Holder is suggesting that the extraordinary exigencies of the War on Terror—and the attendant imperative to pre-empt potential terrorist attacks—demands the ultimate primacy of executive authority over the judicial checks on that authority inscribed in the Bill of Rights. Indeed, with this eschewal of the juridical circumscriptions conventionally associated with the Due Process Clause, the only remaining limit to executive power in this context is the requirement that, as Holder put it, “the targeted individual poses an imminent

threat of violent attack against the United States.” In practice this amounts to something of an inconsequential restraint, since the final decision as to whether this threshold has been met *also* rests with the executive alone, and thus need not be subject to independent assessment by a federal court.<sup>53</sup> Such executive skirting of both institutional juridical constraints and prevailing legal norms, all in the name of taming the radical contingencies attributed to the current security moment, represents an archetypical manifestation of political exceptionalism—a point perhaps best captured in what became the takeaway sound-bite of Holder’s speech, where he claimed that “‘due process’ and ‘judicial process’ are not one and the same, particularly when it comes to national security.”

### ***Pre-emption and Exceptionalism***

I have begun this chapter with an analysis of AG Holder’s remarks because it provides a timely empirical frame for the broader conceptual questions that will be taken up below. In particular, the speech and its context illustrate two points that serve as the basis from which this chapter’s discussion will proceed. The first point is that the ongoing juridico-political debate around the drone warfare program in general, and al-Awlaki’s killing in particular, demonstrates that despite nearly a decade having passed since the Bush Administration radically altered the global security imagination by enshrining pre-emptive self-defence in its National Security Strategy—and despite the fact that the associated “Bush Doctrine” of pre-emptive inter-state war has been largely discredited by the imbroglio that resulted from its pursuit in Iraq—the logic of pre-emption remains a powerful strategic rationality with respect to the governance of

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<sup>53</sup> That such a decision is considered to be the sole purview of the President himself was affirmed by Defense Secretary Leon Panetta in an interview with *60 Minutes* in January 2012. In Panetta’s words, “[The] President of the United States obviously reviews these cases, reviews the legal justification, and in the end says, go or no go” (CBS 2012). As will be discussed in greater detail later in the chapter, one would be hard-pressed to find a clearer illustration of the Schmittian sovereign decision in action.

transnational terrorism. Indeed, AG Holder’s explicit invocation of what Anna Leander (2011) terms the “preventive imperative” suggests that the re-orientation of the global security imagination along pre-emptive lines continues apace. Secondly—and more importantly for the purposes of this chapter—Holder’s invocation of the logic of exceptionalism as a legitimating rejoinder to the apparent extrajudiciality of the al-Awlaki case suggests that the operational practicalities of pre-emptive security are intimately bound up with an exceptionalist politics characterized by the suspension of the prevailing juridical order, the emergence of a “decisionist” paradigm of sovereign power, and the subsequent creation of a condition in which this “power confronts...life without any mediation” (Agamben 2000: 41). Indeed, granting the executive the capacity to circumvent prevailing judicial restraints when deciding upon the killing of a US citizen is an archetypal manifestation of precisely such an exceptionalist politics. This suggests an important connection between the politics of pre-emption and the politics of exceptionalism—a connection whose interrogation will be the primary concern of this chapter, and which in turn illustrates the broader point that a politics of pre-emption involves a radical reconfiguration of the way political power is organized and exercised.

Highlighting such a connection between pre-emption and exceptionalism is no new revelation, of course, in that much recent critical literature has drawn attention to this link to varying degrees (see Aradau & van Munster 2011, 2009; de Goede 2012, 2011; Ericson 2008). However, this empirically rich and theoretically sophisticated body of work has largely limited its analysis of the pre-emption/exception intersect to observing and demonstrating that certain risk-based security regimes seem to embody many key characteristics of the Schmittian/Agambenian paradigm of exceptionalism. While such observations are certainly important, such a primarily correlational understanding of the connection between pre-emptive

security and political exceptionalism does not fully capture the originary depth of this relationship. Indeed, the existing literature demonstrates that such a connection exists without considering the conceptual reasons *why* this is so. This is the question I attempt to unpack in this chapter. In this regard, I contend that this correlation between pre-emptive strategies and exceptional politics is no coincidence, since a politics of exceptionalism can be understood as a direct function of the logic of pre-emption itself. In other words, while the *practical* link between pre-emptive security and exceptionalism has been widely chronicled and considered in the literature, what I believe to be a fundamental *conceptual* link between these two core tropes of the contemporary (in)security governance remains obscured. This chapter will thus explore the degree to which a politics of exceptionalism is logically presupposed by the sorts of pre-emptive political rationalities that characterize the global War on Terror.

In accordance with this study's broader commitment to employing a temporal analytical lens, I will consider this question by engaging with an aspect of the logic of pre-emption that has, perhaps somewhat surprisingly, been granted relatively little attention in the scholarly literature: the question of its own particular constitutive temporality.<sup>54</sup> Indeed, my attempt to think through the relationship between pre-emptive security and exceptionalism will be rooted in an explicitly temporally inflected reading of the former. In this regard, I will contend that not only are the exceptional practices associated with pre-emptive security directly traceable to the logic of pre-emption itself, but also that this link is ultimately a function of the unique political temporality presupposed thereby. Put differently, the point is that the explicitly future-oriented political temporality that underpins the logic of pre-emption has the effect of ensuring that a security

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<sup>54</sup> The relative lack of attention paid to the temporality of pre-emption is especially odd given that its contemporary popularity as a security rationality ultimately stems from its implicit promises to offer what amounts to a degree of control over the irruptive unfolding of time itself in the face of potentially catastrophic uncertainty about the future that is associated with the spectre of transnational terrorism. This point has been discussed at length in the preceding chapters.

rationality premised thereupon can only be operationalized through a political paradigm that closely mirrors that of exceptionalism. It is in this capacity, I will argue, that the practical correlation between pre-emptive security and exceptionalism is no mere empirical coincidence, but rather is something of a logical necessity stemming from the conceptual constitution of the logic of pre-emption itself.

To be sure, this may initially seem an overly ambitious attempt to develop a rather arcane, theoretically complex line of reasoning; however, in light of AG Holder's remarks and the ongoing salience of the debate over American drone warfare policy, I believe that such conceptual questions are far from irrelevant. Indeed, given the enduring global importance of pre-emptive security rationalities, the continued proliferation of political exceptionalism, and the relatively limited theorization of pre-emption's political temporality in the existing literature, I believe that an attempt to untangle the conceptual relationship between pre-emption and exceptionalism through a temporally oriented analytical lens can offer a useful contribution to ongoing efforts aimed at developing a thorough conceptualization of the contemporary landscape of global (in)security governance.

In pursuing these aims, the chapter will proceed in three subsequent sections. The first will attempt to outline what I mean by the political temporality of pre-emptive security. Here it will be argued that when applied to the realm of (in)security governance, the logic of pre-emption implies a political paradigm in which the governance of the future is normatively prioritized, while the present is concomitantly instrumentalized as the location of the anticipatory interventions required to render this priority actionable. I will contend that such a problematization of the present/future relation enacts a logic of political action premised upon speculation (de Goede 2012), conjecture (Aradau & van Munster 2011), and the exercise of the

imagination (Salter 2008a), which serves to skew the practical politics of security in a decidedly exceptional direction. This claim provides the foundation for the remainder of the chapter, and will be unpacked at length in the subsequent sections. However, prior to proceeding in this vein, the discussion takes a detour into an account of precisely what is meant by “exceptionalism” in the present context. While acknowledging the myriad meanings attributed to this notion in recent scholarship, I contend that the idea of exceptionalism can be characterized by two core components, or “pillars” as I term them—namely, the suspension of the juridical order, and the creation of a “decisionist” form of sovereign power. This discussion is crucial to the remainder of the chapter, which argues that the operationalization of a pre-emptive security rationality requires a paradigm of political authority and sovereign power that embodies these twin pillars of political exceptionalism. It is to unpacking this claim that the third section turns. Here, I engage in a more detailed exploration of each pillar of exceptionalism, emphasizing how the enactment of each is presupposed by the logic of pre-emption in general and the exigencies of the latter’s political temporality in particular. While the essence of this discussion is highly theoretical, the conceptual claims are fleshed out with extensive references to illustrative examples taken from the ongoing prosecution of the War on Terror. The chapter concludes by taking stock of the argument and preliminarily considering the political implications that follow from the intimate conceptual relationship between pre-emption and exceptionalism that has been elucidated. This lays the foundation for the next chapter, which will consider these implications in more detail.

### ***Futurity and Imagination: The Political Temporality of Pre-emptive Security***

As suggested above, any investigation into the conceptual relationship between pre-emptive security and political exceptionalism must begin by considering what I call the political



temporality of pre-emptive security. This term can be best understood as referring to how time is constitutively embedded within the logic of pre-emption in its capacity as a security rationality. To begin to unpack this idea, it is first necessary to recall why pre-emption has proliferated as a security rationality in the post-9/11 era, since the political temporality of pre-emptive security is directly related to the particular type of security problem to which it has emerged as a response. The key point here is that the rise of pre-emptive security has corresponded with the emergence of transnational terrorism as the dominant global security concern, which in turn occurred because terrorism was cast as a threat articulated primarily in temporal, rather than spatial terms. Indeed, the dominant framing of the 9/11 attacks as a radically irruptive “event”<sup>55</sup> led the specific security issue of terrorism to become identified with the broader existential issue of taming temporal contingency. This cast terrorism as primarily a temporal, rather than a spatial problem, whose governance thus requires asserting a degree control over the unfolding of time itself. As the preceding chapters have shown, the logic of pre-emption promises to grant precisely such capabilities to those who deploy it as a governance strategy. Thus, by adopting a pre-emptive rationality, the emphasis of (in)security governance shifts from the realm of the spatial—where defence of the sovereign frontier from armed incursion is prioritized—to the temporal—where governing the unfolding of time in a manner that precludes any catastrophic irruption potentially lurking in unknown future is the ultimate goal. Put more simply, a pre-emptive politics of security implies that adequately securing a particular space requires the exertion of control over the vicissitudes of time—a goal that it is explicitly premised upon making possible.

Now, this “temporalization” of (in)security governance implies a very particular political temporality that is traceable to the logic of pre-emption itself. Understanding this political temporality is crucial to the arguments of this chapter, as it is key to the conceptual link between

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<sup>55</sup> On this point see L. Jarvis (2009) and Derrida (2003).

pre-emptive security and political exceptionalism that I am seeking to untangle here. To elaborate, what I call the political temporality of pre-emptive security can be distilled down to one core idea: *the prioritization of the future over the present*. This is because the very idea of pre-emption as such is rooted in a particular normative claim—namely, that in the face of a radically uncertain, potentially catastrophic future, a “zero-risk” rationality that “require[s] the catastrophic prospects of the future be avoided at all costs” represents the only ethically legitimate orientation toward human (in)action (Aradau & van Munster 2009: 695, 2011: 42). In practical terms, this normative position translates into the overarching political imperative that some sort of intervention must be made to actively diminish, if not eliminate, the potentiality for such a future to emerge, regardless of the degree of (un)certainly with which the relevant decision-maker is confronted. Anna Leander articulates the logic of pre-emption’s normative imperative well: “the future cannot be known...but if a risk is imminent it would be irresponsible not to take the prudent, preventive, and/or precautionary measures necessary to protect oneself (and others) from it” (Leander 2011: 2256). Adopting pre-emption as the basis for (in)security governance thus implies the acceptance of this normative imperative and a commitment to act accordingly.

However, the exigencies of our being in time dictate that any practical intervention aimed at acting upon the future in this way must necessarily take place in the present.<sup>56</sup> Thus, because a pre-emptive approach requires that some sort of anticipatory action be taken to govern the future,

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<sup>56</sup> This seemingly innocuous claim is not as simple as it appears; however, a detailed explanation would require an extensive digression into the philosophical treatment of time as such, and is thus well beyond this chapter’s scope. For ‘present’ purposes, however, it suffices to justify it on the basis of a pair of related—and perhaps intuitively obvious—assertions. Firstly, the logic of temporal causation affirms that any act that seeks to enact a future effect must temporally precede the desired moment of influence. Secondly, as beings in time, human agents are only capable of taking any action in the lived present where they exist. Thus, because a pre-emptive intervention attempts to actively influence the future on the one hand, and constitutes an act of human agency on the other, it must necessarily take place in the present.

and because such action must take place in the present, the ontology of security is rearticulated in temporal terms, such that the future itself constitutes the referent that is to be secured, while the present is instrumentalized as the inexorable location of the anticipatory interventions required to pursue this end. In other words, the logic of pre-emption prioritizes of the governance of the future, which implies the legitimation of potentially disruptive acts in the lived present. It is in this respect that the political temporality of pre-emptive security can be understood in terms of the prioritization of the future over the present, since the latter must absorb the interventionary blows that necessarily accompany any attempt to secure the former from its own potentially catastrophic uncertainty.<sup>57</sup>

Importantly, this prioritization of the future at the expense of the present radically alters the epistemic foundations of political action in a way that shifts the exercise of sovereign power toward a politics of exceptionalism. The key consideration in this respect is that this future-oriented political temporality implies a practical decisional rationality that relies primarily upon “knowledge” derived from the exercise of the imagination.<sup>58</sup> Claudia Aradau and Rens van

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<sup>57</sup> In this sense, the political temporality of pre-emptive security is somewhat analogous to that which underpins the doctrine of fiscal austerity currently in fashion among economic policy-makers seeking to confront the sovereign debt crises plaguing several European states. Austerity proponents have asserted that states such as Greece and Ireland must endure an economically painful contraction of government spending in the present, since this is deemed to constitute the necessary means for adequately securing the future from financial instability caused by bond market hostility to an excess of sovereign debt. In a similar manner to the logic of pre-emptive security, therefore, the present is instrumentalized as the location of disruptive action deemed necessary for the realization of an ideally imagined future freed from instability and contingency—albeit financial rather than terroristic in this case.

<sup>58</sup> This point was hinted at in the preceding chapter, but will be elaborated here. Some terminological clarification is necessary prior to proceeding, however. The existing literature contains several terms used to describe modes of knowledge creation that could be grouped under the broader category of “imagination”—including “speculation”—as used by Marieke de Goede in her recent book on the governance of terrorist financing (de Goede 2012)—and “conjecture” as deployed by Aradau and van Munster in their excellent study of the contemporary “politics of catastrophe” (2011). The latter work provides a useful distinction between purely imaginary knowledge and knowledge derived from what the authors label, following Carlo Ginzburg, “conjectural” reasoning—which specifically refers to the use of fragmentary evidence and somewhat arbitrarily determined “clues” to develop “possibilistic” accounts of the future upon which to act in the present (*Ibid.*: 50-51). While certainly valuable, these particularistic distinctions are not of significant import in the context of this chapter’s analysis, since my concern is merely to emphasize how the logic of pre-emption operates primarily on the basis of knowledges about an ultimately unknowable future which are thus divorced from the strictures of empirical facticity. I believe this characteristic can be adequately captured by the more general term “imagination.”

Munster assert that “imagination acquires epistemic primacy in relation to the unknown” (2011: 85); and because pre-emption seeks ultimately to act upon the future, and the future is by definition ultimately unknowable, the exercise of the imagination is vital to rendering the next attack—or any analogous irruption that is to be pre-empted—politically intelligible and thus anticipatorily actionable in the present. Under the logic of pre-emption, in other words, “imagination is constitutive of security knowledge,” and any decision through which anticipatory action is taken will rely upon the exercise of the imagination to a significant degree (*Ibid.*: 84). The “epistemic primacy” of the imagination thus has significant implications for the way political power is organized and exercised in the context of (in)security governance—a point that will be taken up in greater detail below. However, for the moment it suffices to emphasize the core point that, because the futures against which anticipatory decisions are framed possess no ontological presence apart from their existence in the realm of the imaginary, a pre-emptive security rationality shifts the primary epistemic basis for the sovereign decision from the realm of empirically verifiable fact to the realm of speculation, conjecture, and suspicion (see Aradau & van Munster 2011; Anderson 2010b: 228; de Goede & Randalls 2009: 868; Salter 2008a: 243). Indeed, because they are necessarily “taken beyond the realm of certainty,” decisions regarding pre-emptive action are premised to a significant degree upon an evidentiary basis largely confined to the realm of the imaginary and thus actively constructed by the decider(s). The preceding chapter offered an account of how this process works, emphasizing the importance of “gut feelings” and reading the epistemic foundations for pre-emptive decisions in terms of Brian Massumi’s notion of the “affective fact” (2010, 2005). I will not revisit this discussion here, however, since the key point for the purposes of this chapter is simply that anticipatory interventions carried out under the guise of pre-emptive security can be understood

as little more than “ungrounded, arbitrary attempt[s] to subdue the contingency of the future” (Aradau & van Munster 2008: 32).

These conceptual points can be clarified through an illustrative example. Consider in this respect the recent case of Mohamed Hersi—a 25-year old Somali-Canadian man who was arrested by the Royal Canadian Mounted Police (RCMP) at Toronto’s Pearson International Airport on 29 March, 2011.<sup>59</sup> Like most Western states in the post-9/11 era, Canada has adopted an approach to governing terrorism premised upon the ultimate goal of “protecting Canadians from terrorist acts before they occur” (Government of Canada 2011: 32). The resulting anti-terrorism guidelines have been developed with the aim of allowing security agencies to act in such a way that threats can be “dealt with on more of an a priori basis rather than more of a post facto basis” (Svendsen 2010: 320). This explicitly anticipatory strategy has been described as “risk pre-emption”—an interesting turn of phrase, which suggests that the ultimate aim is not merely to pre-empt already existing threats, but to preclude even the possibility that such threats may develop at some point in the future; to pre-empt risk itself (*Ibid.*: 307). The RCMP was operating in accordance with this strategy when Hersi was detained prior to boarding a flight bound for Cairo via London, and ultimately charged with “attempting to participate in a terrorist activity” (Freeze and MacArthur 2011). Despite maintaining that he merely planned to study Arabic in Cairo for four months, the RCMP alleged that Hersi intended to proceed to Somalia to train as a militant with the Al-Shabaab network—a group classified as a “terrorist organization” under Canadian law. Yet in a strikingly candid admission, the RCMP readily acknowledged that there was very little concrete evidence that Hersi would, in fact, proceed to do this (*Ibid.*). Moreover, the RCMP admitted that its investigation “did not indicate that the suspect was a

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<sup>59</sup> This case is still before the courts. The following discussion is based upon information made publicly available at the time of writing.

direct threat to his country or Canadians” at the time of his arrest (Teotonio 2011). In other words, the threat posed by Hersi that was pre-empted by his arrest did not exist at the moment he was detained, since not only was the evidence used for the arrest primarily conjectural in nature, but Hersi himself was also several degrees removed from actually posing what would conventionally be considered an imminent threat. Hersi was thus subjected to an intervention by agents of the Canadian state based on an *imagined future threat* that he *may have one day* posed had he ultimately succeeded in acting upon what he was *suspected of planning* to do. The basis for his arrest thus amounted to a series of highly speculative assertions relating to a potential future that may or may not have actually come to pass. This suggests that the arresting officers relied upon a primarily conjectural construction of the future against which Hersi’s pre-emptive arrest was framed in the present. Indeed, since the lack of verifiable evidence did not prevent the RCMP from intervening, and they were operating under an explicitly pre-emptive rationality prescribed by the Canadian government,<sup>60</sup> the Hersi case provides a useful illustration of how the praxis of pre-emptive security privileges the imagination as the primary epistemic basis for action.<sup>61</sup>

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<sup>60</sup> In this respect, the RCMP were acting as precisely the sorts of “petty sovereigns” that were described in chapter 3 as being on the front lines of a pre-emptive security regime. They made the ultimate decision to pre-emptively arrest Hersi on the basis of conjectural knowledge about an unknowable future; but they were operating under the broader governmental umbrella of the Canadian state’s pre-emptive national security policy as set by the Prime Minister and cabinet (see Government of Canada 2011).

<sup>61</sup> It should be emphasized that such exercises of imagination as are necessary for the practice of pre-emptive security do not take place in a vacuum, as the process of conjectural knowledge creation upon which pre-emptive security practices rely will inevitably reflect the broader regimes of truth and discourses of threat relating to particular types of individuals that have been cultivated and circulated in the post-9/11 security climate. For example, the decision to arrest Hersi came amidst growing concern in Canadian national security circles about the apparent “radicalization” of young Muslim men of the Somali-Canadian diaspora (Canadian Security Intelligence Service 2011). While it is certainly crucial to recognize this aspect of pre-emptive security, I must once again emphasize that my concern in this study is less with the substantively racialized orientation of the contemporary Western security imagination, and more with the logical necessities of pre-emption that require the mobilization of this imagination for the purposes of governing the future through anticipatory intervention in the present—that is, with the logic of pre-emption rather than the politics.

The importance of the imagination to the decisional logic of pre-emptive security has been highlighted to an extent in the existing literature.<sup>62</sup> However, such analyses have not considered how this reliance upon speculative knowledge—which, again, stems from pre-emption’s future-oriented political temporality—reveals a crucial conceptual link between the logic of pre-emptive security and the logic of political exceptionalism. The remainder of this chapter elaborates upon this idea, ultimately arguing that the aspects of pre-emptive security discussed in this section—namely, a political temporality that prioritizes the future over the present and thus places the imagination at the core of the sovereign decision—demonstrate that the correlation between the rise of pre-emptive strategies and the prevalence of “exceptionalist” practices in the global governance of (in)security is no coincidence, as the latter follows logically from the former. Before turning to this line of the argument, however, a brief discussion of precisely what is meant by the term “exceptionalism” in the present context is required.

### ***Theorizing Political Exceptionalism***

The idea of political exceptionalism—and the related notion of the (state of) exception—has become perhaps the dominant theoretical frame for the critical study of security in the post-9/11 period. Indeed, since the advent of the War on Terror, a voluminous literature has emerged in which the concept of the exception is both unpacked conceptually (Prozorov 2005; Huysmans 2004, 2006, 2008; Lazar 2009, 2006; Strong 2005; Walker 2006, 2004) and deployed as a lens through which to theorize a wide range of specific security practices undertaken in the name of governing transnational terrorism (van Munster 2004; Nyers 2006, Amoore 2008; Ericson 2008; Aradau & van Munster 2009, Salter 2008b). Often invoking the thought of the two figures most

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<sup>62</sup> Mark Salter (2008a: 243), for instance, has asserted that “[t]he logic of pre-emption prioritizes the power of imagination over the power of fact,” while Aradau *et al.* (2008: 152) affirm that “the sovereign order is no longer simply that of decision, but also that of imagination.”

closely associated with the idea—Giorgio Agamben (2005, 1998) and Carl Schmitt (2005)—such work has emphasized the analytical utility of the concept of exceptionalism for developing critical readings of the rationalities, strategies, and tactics employed by sovereign authorities in the context of the War on Terror. While generally sympathetic to this line of inquiry, the present argument uses the idea of political exceptionalism in a somewhat different way. My aim is not to further demonstrate that exceptional modes of governance pervade the contemporary security landscape—a task that has been thoroughly exhausted by the texts cited above—but rather to emphasize that perhaps the dominant security rationality of the current moment—the logic of pre-emption—can only be operationalized through practices best described as “exceptional.” It is thus necessary at this juncture to briefly unpack precisely what is meant by political exceptionalism. While the following discussion can in no way do justice to the full range of highly nuanced and theoretically sophisticated articulations of exceptionalism developed in the existing literature, there are nevertheless certain core features of the concept that can be elucidated in the space I have available here.

To begin most basically, the idea of political exceptionalism should be understood as being located at the interstice of the political and the juridical. In particular, it is concerned with the limits of the rule of law regarding the exercise of sovereign political power, as an “exceptional” condition is said to emerge when the former is suspended and latter is thus no longer circumscribed by any prevailing normative strictures (Huysmans 2004: 327). In other words, a politics of exceptionalism exists when the prevailing legal order is annulled and an ultimately arbitrary mode of power, unconstrained by law and most often vested in the person or office of the executive,<sup>63</sup> emerges as the primary node of governmental authority. As Carl

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<sup>63</sup> Exceptionalism refers to the diminution of limits to the exercise of what can be best understood as sovereign power, and is thus conventionally associated with an empowered executive. However, in accordance with the



Schmitt puts it in his seminal text *Political Theology*, “[w]hat characterizes the exception is principally unlimited authority, which means the suspension of the entire existing order...the state remains, whereas the law recedes” (2005: 12). Historically, exceptionalism has been associated with a particular political circumstance in which the very existence of the polity is perceived to be under threat “from some grave internal or external danger” (Nyers 2006: 27, Lazar 2009: 20). The idea thus possesses a rich historical lineage in both political and jurisprudential theory, as the conceptual kernel of exceptionalism can be traced from modern liberal constitutional articulations of “emergency powers,” through late medieval and early modern conceptions of the “state of siege,” back to antiquity and the notion of the “*iustitium*” upon which the Roman Dictatorship was premised (see Lazar 2009: 113-135; Agamben 2005: 11-22, 41-51). While the congruence of such provisions with contemporary norms of liberal democracy has been a vociferously debated question among political and legal theorists this past decade—particularly since the state of emergency/exception-type argument has been regularly deployed to legitimate numerous anti-terror policies of dubious constitutionality<sup>64</sup>—the general conception of exceptionalism to which such debates refer has remained relatively constant, signifying a condition “in which decision-making cannot be subsumed by existing [legal] norms...in which norms are held open to suspension or transformation, and where programs of norm-implementation and norm-compliance cease to govern action and decision-making” (Johns 2005: 619). In short, exceptionalism refers to a political condition in which the executive—and,

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Butlerian understanding of sovereignty discussed in chapter 3, it should be emphasized that it can also manifest through the behaviour of other actors capable of exercising sovereignty. In other words, it is important to recognize that because both executives and “petty sovereigns” can exercise what amounts to “sovereign” power, both are equally capable of serving as conduits for a politics of exceptionalism in practice.

<sup>64</sup> The discussion of AG Holder’s remarks that opened this chapter suggests that this is precisely the approach taken by the Obama administration with respect to the relationship between the rule of law and executive authority in the context of terrorism governance, as the existential threat purportedly posed by transnational terrorism was deemed by Holder to not only permit, but necessitate such undoubtedly “exceptional” exercises of sovereign power as the targeted killing of a US citizen by his own government.

importantly, the petty sovereigns that act as its surrogates—are vested with an authority unconstrained by the rule of law and reminiscent of the absolute sovereigns posited by a tradition of political theorists from Bodin to Schmitt. It is thus to such an understanding of the term that this chapter refers when speaking of political exceptionalism.

Much scholarly energy has been expended theorizing exceptionalism. And while certainly important to understanding the concept, the resulting complex debates concerning whether and how the idea of the exception is constitutive of all normative order—the so-called “Schmittian idiom” (Huysmans 2008: 180, Prozorov 2005, Schmitt 2005, Strong 2005)—or whether and how the state of exception has emerged as the dominant “paradigm of government” and thus “become the rule” in the current moment—the “Agambenian idiom” (Huysmans 2008: 180, Agamben 2005)—are of limited concern here and will not be considered further. Instead, following from the general formulation of exceptionalism developed above, I will unpack the concept itself in further detail so as to lay the foundation for the remainder of the discussion. In this respect, I argue that the notion of exceptionalism as theorized by the extant canon of political thought can be understood as characterized by two core components—namely, the suspension of the juridical order, and the creation of a decisionist paradigm of sovereign authority. In addition to offering a constructive conceptual elaboration of the idea of exceptionalism on its own terms, such an understanding is particularly useful for the purposes of this chapter, since it is with respect to these two “pillars” of political exceptionalism that the conceptual link between the latter and the notion of pre-emptive security can be best elucidated. To begin moving toward this end, let us briefly consider each of these two pillars in turn.

*The Two Pillars of Exceptionalism*

The first pillar of political exceptionalism can be best described as the *suspension of the juridical order*, since the enactment of a state of exception entails the emancipation of sovereign authority from the normative circumscriptions imposed by “liberal constitutionalist” attempts to subjugate sovereign power to the rule of law (Schmitt 2005: 11; Lazar 2006: 260). The effect of this liberation of sovereign authority from its juridico-normative bonds is the *de facto* negation of the legal order with respect to the relationship between state and citizen, or sovereign and subject. Indeed, under a condition of political exceptionalism, not only is the primary node of political power no longer limited by the rule of law; the inhabitants of the polity in which this condition obtains are no longer insulated from arbitrary exercises of that power, since that task falls to the mediations provided by the law. As a consequence, the sovereign can visit what amounts to arbitrary violence upon targeted individuals or groups largely at will. This has the effect of placing political subjects in a “zone of indistinction,” in which they are confronted by sovereign power as what Agamben has famously termed “bare life,” which can be maimed or killed with impunity (Agamben 1998, Edkins 2000). In the state of exception, in other words, the will of the sovereign supersedes the normative order of law and takes on the “force of law” itself (Agamben 2005, Derrida 1990). As Agamben puts it, political exceptionalism entails “the separation of ‘force of law’ from the law...on the one hand, the norm is in force but is not applied (it has no ‘force’) and, on the other, acts that do not have the value of law acquire its ‘force’” (2005: 38). It is in this sense that the juridical order is suspended, as the declaration of the exception removes the sovereign’s obligation to abide by the law in such a way that maintains the law’s status as the overarching normative framework of societal governance.

Accordingly, “the state of exception is...a space devoid of law, a zone of anomie in which all legal determinations...are deactivated” (Agamben 2005: 50).

In such a juridico-political environment, the decisional exercise of sovereign authority takes on a decidedly purer form, since the absence of a legal order possessing the force of law invests the sovereign with an enhanced degree of decisional discretion. As Schmitt puts it, “[t]he decision frees itself from all normative ties and becomes in the true sense absolute” (2005: 12). This implies the second pillar of political exceptionalism: the enactment of *decisionism* as the prevailing paradigm of sovereign authority. A decisionist paradigm accompanies the suspension of the juridical order that characterizes exceptionalism since it denotes a political condition in which the sovereign does not simply apply the law as determined by a legislative body, but rather is “the *source* of law” (Lazar 2009: 36, emphasis original). In other words, when the juridical circumscriptions on the exercise of sovereign political power that are associated with the rule of law are removed through the declaration of the exception, every decision taken by the sovereign is necessarily purer in its absolute singularity, such that, “when looked at normatively, the decision emanates from nothingness” (Schmitt 2005: 32-33). In the vernacular of political theory, the term “decisionism” refers to an approach to societal governance that espouses the virtues of a political system organized along precisely such lines. While the details of this approach will be elaborated at length in the next section, the core of the decisionist argument is that such a paradigm of sovereign authority is necessary if any semblance of order is to be possible in the chaotic, contingent, and violent realm of human affairs (Lazar 2009: 36-42). The key point for present purposes, however, is that a “decisionist” form of sovereign authority is a constitutive feature of political exceptionalism, since the elimination of the juridical constraints upon the exercise of political power—and the concomitant ascription to the sovereign decision

the status of the force of law—brings into being a condition in which what amounts to a decisionist paradigm of sovereign authority obtains. It is in this sense that decisionism represents the second “pillar” of political exceptionalism.

### ***Pre-emptive Security as Exceptional(ist) Politics***

The concept of political exceptionalism is thus characterized by two key components: the suspension of the juridical order, and the enactment of a decisionist paradigm of sovereign authority. And while the degree to which such conditions have actually emerged in contemporary (in)security governance trends is certainly debatable, there can be little doubt that a myriad of practices undertaken in the name of governing terrorism specifically evince precisely such characteristics, and can thus be considered “exceptional.” Among the clearest examples in this regard are practices that are explicitly pre-emptive in nature, such as targeted killing (Kessler & Werner 2008), anticipatory asset freezing (de Goede 2012, 2011), and indefinite detention (Ericson 2008, Butler 2006). This section therefore attempts to show how this *practical* affinity between the logic of pre-emption and a politics of exceptionalism can, in fact, be explained at the *conceptual* level. In this respect, it will be argued that pre-emptive security’s prioritization of the future and attendant emphasis on the exercise of the imagination—both of which are ultimately traceable to its underlying political temporality—require that a pre-emptive approach to (in)security governance be operationalized through a politics that conspicuously embodies the two “pillars” of exceptionalism. I will thus proceed by considering each of the latter in turn, with each discussion consisting of both a theoretical explanation of how the particular pillar of exceptionalism can be seen to follow from the logic of pre-emptive security, and a practical example taken from the War on Terror that serves to illustrate these conceptual claims.

## **Pre-emptive Security and the Suspension of the Juridical Order**

We have seen that political exceptionalism is defined in part by the elimination of the normative constraints upon the exercise of sovereign power provided by the rule of law. Moreover, the extant literature on pre-emptive security has shown how anticipatory practices undertaken in the name of governing terrorism often embody fundamentally extrajudicial elements (see de Goede 2011; Kessler & Werner 2008, Ericson 2008). As the following discussion will make clear, a reading of the logic of pre-emptive security that foregrounds the political temporality at its core reveals that these two points are intimately connected on a conceptual level. In particular, it shows that political action compatible with the imperative to govern the future is necessarily *incompatible* with the normative requirements of a liberal legal order. In other words, precisely because it seeks to govern the future through sovereign interventions based primarily upon speculative knowledge, a pre-emptive security rationality suspends the juridical order at the very moment it is implemented and actualized.

### *Conceptual Considerations*

To elaborate upon this point, recall that the logic of pre-emption is normatively premised upon taming the future's uncertainty, and that this imperative can only be pursued through anticipatory interventions in the present framed in reference to imagined future events. As such, a pre-emptive security rationality embodies a political temporality in which the future is prioritized over the present. However, because the future events it seeks to govern have not yet come to pass and in fact may never do so, it follows that the praxis of pre-emptive security must necessarily take the form anticipatory action against individuals or groups based not upon a particular act they have already committed, nor even upon what they have clearly indicated

through concrete actions or declarations that they intend to do, but rather on the basis of what it is imagined by the relevant authorities that they might do or think about doing at some indefinite point in the unknowable future (see Weber 2007: 115).<sup>65</sup> As Marieke de Goede puts it, the logic of pre-emptive security affirms that “the unpredictable nature of the threat is not regarded as a reason for inaction,” and as such, a pre-emptive approach to (in)security governance “severs the relationship between the act of violence and the moment of security intervention, render[ing] action possible on the basis of suspicion” alone (2011: 506).<sup>66</sup>

When considered from a legal perspective, the implication of this point is that the adoption of a pre-emptive rationality entails a radical “transformation of [the] evidentiary bases for security action” that moves away from a grounding in verifiable knowledge and empirical fact and toward the juridically unbound realm of the speculative, the conjectural, and the purely imaginary (de Goede 2011: 509; Aradau & van Munster 2011). It is in this respect that the logic of pre-emptive security brings into being the first pillar of political exceptionalism—the suspension of the juridical order—since it suggests that a pre-emptive security rationality operates beyond the established rules of evidence that form the core of such an order. Indeed, when both the offence itself and the culpability of the offender exist only in a potential future imagined by the relevant sovereign authority, the prevailing judicial mechanisms for adjudicating guilt and innocence are rendered ineffective, since there is no clear way to explicitly prove a subject’s innocence once the accusatory imagination has been activated. The collection of empirically verifiable evidence and its evaluation via the appropriate channels and according to the prescribed procedures that define any juridical order is simply not possible when dealing with

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<sup>65</sup> Again, the Hersi case is an instructive illustration of this point; and it is again worth emphasizing that, as shown by the Hersi episode, the “relevant authorities” in question may also take the form of Butlerian petty sovereigns in addition to titular executives.

<sup>66</sup> This point was discussed at greater length in Chapter 3.

an imagined future event, since the necessary reliance upon speculative and conjectural knowledge inevitably lowers to the point of irrelevance any evidentiary threshold that would circumscribe the sovereign's prerogative to act upon a particular individual or group it imagines to be potentially threatening (see de Goede 2011: 501, 508). Accordingly, the rules of evidence and procedure that form the foundation of a juridical order—particularly in the case of liberal democracies—are rendered inapplicable, since an individual's demonstrable present innocence is immaterial when security threats are understood in terms of potential future acts. Questions of threat and culpability are thus instead placed under the direct purview of the relevant sovereign authority, since it alone possesses the prerogative to construct the imagined futures upon which such determinations must be based (Ericson 2008: 67; Aradau & van Munster 2007: 106).

Considered in these terms, it becomes apparent that pre-emptive security's attempt to extend the reach of sovereign power to the temporal realm brings into being a condition in which the established norms of the liberal juridical order not merely *do not*, but in fact *cannot* apply, since they are simply incapable of accommodating the extended temporal horizons and attendant evidentiary uncertainties that are involved in questions of culpability for potential future acts that may or may not ever take place (Aradau & van Munster 2009: 697, 2007: 106). In other words, the sort of anticipatory action required by the future-oriented temporality at the core of pre-emptive security must operate outside the normative framework of the juridical order, since the rules of evidence and process that underpin any such order cannot be applied when the exercise of the imagination constitutes the primary means of determining both the threat posed by, and the culpability of, the targets of intervention. A pre-emptive security regime thus serves to suspend the juridical order *by default*, as its speculative epistemic foundation—which, again, is a direct function of its future-oriented political temporality—means that its constitutive practices will



operate beyond the prevailing strictures of the juridical order, particularly with respect to rules of evidence and procedure.

As to the conceptual connection between pre-emption and exceptionalism, this point is quite instructive. This is because the argument is not merely that arbitrary pre-emptive interventions are enabled by the broader declaration of a state of exception vis-à-vis the spectre of terrorism—a point that has been made at length in the existing literature. Rather, the present argument goes further, claiming that the logic of pre-emptive security is such that it *necessarily* brings about the suspension of the juridical order *at the very moment of its actualization*. In other words, the sorts of practices required to render its underlying aims actionable *must* operate beyond any legal framework premised upon rules of evidence and process, since the orientation of such practices toward the future requires that they be based upon an epistemic foundation rooted primarily in imaginative speculation rather than verifiable fact. Thus, wherever and whenever a pre-emptive intervention takes place, the juridical order is suspended at precisely that point, since the very act of intervening in accordance with the logic of pre-emption contravenes the evidentiary and procedural norms upon which any such order is constituted. In this sense, pre-emptive security logically presupposes—and thus practically actualizes—the first of the two pillars of political exceptionalism.

*Practical Manifestations: The Rise of “Counter Law”*

To further untangle this admittedly complex line of argument, it is helpful to consider these ideas in relation to certain concrete practicalities of the global War on Terror. In this respect, a useful illustration that highlights the points developed above can be found in the degree to which a number of Western states have resorted to what criminologist Richard Ericson

terms “counter law” in the course of their adoption of pre-emptive approaches to (in)security governance (Ericson 2008). As described by Ericson, “counter law” refers to the pervasive practice of creating what he terms “law against law” as a means of conferring the illusion of legitimacy upon erstwhile extrajudicial practices in the context of governing terrorism. Importantly, Ericson contends that counter law is deployed almost exclusively to legitimate pre-emptive security practices, advancing a similar line of argument to that developed here by claiming that “pre-emptive security requires a radical reconfiguration of law” (2008: 57). Indeed, according to Ericson, “new laws are enacted and new uses of existing law are invented to *erode or eliminate traditional principles, standards and procedures* of criminal law that get in the way of pre-empting imagined sources of harm” (*Ibid.*, emphasis added). This suggests that these “laws against law” are created as a response to precisely the conceptual issues discussed above, as the aim is to retain the veneer of juridical legitimacy while circumventing the prevailing evidentiary and procedural norms with which pre-emptive security practices are necessarily incompatible.

The examples offered by Ericson in support of his argument—namely, the authorization of various pre-emptive measures provided by the USA PATRIOT Act (Ericson 2008: 62-68)—are by now somewhat dated; however, instances of “counter law” efforts to confer juridical legitimacy upon various pre-emptive practices remain legion in the current global security climate, as illustrated by several recent developments in both international and domestic jurisprudence related to the governance of terrorism. For instance, with respect to the international legal order, Tanja Aalberts & Wouter Werner document how changes in public international law are “mobilising uncertainty” in the context of the War on Terror to “create institutional mechanisms that put states under an obligation to *adapt their legal systems* in order

to prevent possible terrorist activities” (2011: 2185, my emphasis). This phenomenon directly suggests that the types of pre-emptive practices required to comply with pre-emptive anti-terror imperatives violate existing juridical orders, and thus only a “counter law” strategy that embeds erstwhile exceptional practices into that order through radical modification thereto can confer legal legitimacy upon such practices.

At the domestic level, meanwhile, Filip Gelev catalogues how the spectre of a potentially catastrophic future embodied by the seemingly inevitable “next attack” has impelled judiciaries in a number of liberal democratic states to engage in what he terms “precautionary justice”—a practice that “*adapts existing legal concepts* to fit the requirements of risk society” by instituting new norms requiring “that decision-makers should take precautionary measures...where there is uncertainty about the nature and extent of the risk” (Gelev 2011: 2238-39, emphasis added). In practice, this adaptive process has entailed “seeking ways to uphold radical laws” that “assess the present from the perspective of some possible future” and thus contravene the prevailing legal order in which “courts adjudicate the guilt of persons *after* the violation of a legal norm” (*Ibid.*: 2243-44, 2248, emphasis original). This works to inscribe “correlation rather than causality” into the juridical order, thus legitimating the key components of pre-emptive security in a way that typifies the “elimination of traditional principles” that Ericson identifies as the key aspect of “counter law” practices (Ericson 2008: 57).

Finally, both international and domestic manifestations of counter law are visible in the dynamics of governing terrorist financing (de Goede 2012, 2011). Indeed, Marieke de Goede’s excellent account of the pre-emptive character of the emerging “blacklisting” regime that has been deployed in this area makes a point of emphasizing how the erstwhile extrajudicial practices associated therewith—such as anticipatory asset freezing and arbitrarily applied

“targeted sanctions”—are becoming normalized through radical changes to the European legal order (de Goede 2011: 500). These changes have entrenched “the use of political imagination within juridical action” by explicitly lowering the evidentiary thresholds for intervention and thus removing the decision to intervene from the established judicial process and vesting it in the person of the relevant sovereign decider (*Ibid.*: 509). This is a particularly instructive example for the purposes of this chapter, since this reliance upon the imagination and the attendant contravention of established rules of evidence and due process are precisely the aspects of pre-emptive security that are at the core of its relation to exceptionalism.

It should also be noted that the rise of counter law has not been confined to the polities of the West. For instance, the legal foundations of the Indian anti-terrorism regime—discussed briefly in Chapter 3—embody many of the same characteristics as the legislation described here. In this respect, the 2002 Prevention of Terrorist Activities Act (POTA)—which has been dubbed “India’s Patriot Act” (Krishnan 2004)—and its successors, the 2005 Unlawful Activities Prevention Act (UAPA) and the 2008 National Investigation Agency Act (NIA) have all employed a counter law strategy to legitimate certain aspects of India’s emerging pre-emptive security regime. For instance, supporters of POTA—which explicitly “treated terrorist acts outside normal criminal procedure” (Sasikumar 2010: 629)—often marshalled counter law arguments to defend it, claiming “that terrorism can only be countered by quick and forceful action accompanied by *freedom from proceduralism*” (Mate and Naseemullah 2010: 264, emphasis added). Having been conceived in this spirit, POTA and its successors thus embody a number of provisions that contravene legal norms conventionally associated with a democratic polity in precisely the manner described by Ericson. One such example is found in how these laws legitimate the pre-emptive detention of terror suspects by modifying the rules of evidence to

the point of “introduc[ing] a new presumption of guilt in certain cases” (Mate and Naseemullah 2010: 175). Consider section 20 of POTA, which “presumes that an individual charged with being a member of a terrorist organization is a terrorist unless that person can show that he or she has not participated in terrorist activities” (Krishnan 2004: 274). Section 49, meanwhile, permits anyone so charged to be detained without bail or trial for up to a year, but “does not require the prosecution to meet any evidentiary threshold when making its motion” toward this end (*Ibid.*: 277). Such provisions invert perhaps the dominant norm of a liberal juridical order—the presumption of innocence—by placing the burden of evidentiary proof upon the accused rather than the accuser. This sort of fundamental rewriting of the rules of evidence is an archetypical example of counter law deployed in the service of pre-emptive security. It should be noted that POTA was allowed to lapse, and so these exact provisions are no longer in force; however, the UAPA and NIA have “resurrected significant portions of the old POTA regime,” including the overarching emphasis on pre-emption and the attendant modifications of evidentiary procedure. Regardless, the key point is that the counter-legal components of POTA were included for the express purpose of further legitimating a pre-emptive security regime.

Ultimately, both Ericson’s theoretical description of “counter law” and the illustrative examples thereof just discussed highlight the broader point that the imperatives of pre-emptive security are fundamentally incompatible with the “principles, standards, and procedures” of an established juridical order. The fact that governments intent on adopting a pre-emptive approach to terrorism must alter the prevailing legal framework in a manner that fundamentally undermines its spirit in order to maintain the veneer of juridical legitimacy is particularly telling in this regard. It is thus no coincidence that Ericson explicitly embeds the concept of counter law—and thus, by association, the pre-emptive security practices it is used to legitimate—within

the broader logic of political exceptionalism. Indeed, he argues that “counter law is officially expressed as a state of exception,” since it is enacted based on the belief that “normal legal principles, standards, and procedures must be suspended because of a state of emergency, extreme uncertainty, or threat to security with catastrophic potential” (Ericson 2008: 59). The above examples are quite illustrative of this point as well, since, in addition to demonstrating that the respective counter law policies were undertaken in the service of pre-emptive security rationalities, each case also suggests that the enactment of these policies was facilitated by a general climate of political exceptionalism precipitated by the pervasive “imagery of radically uncertain yet potentially catastrophic threats” associated with the spectre of terrorism (Aalberts & Werner 2011: 2184). For instance, de Goede (2011: 501) pithily argues that “blacklisting is an exceptional and pre-emptive measure *par excellence*”; Aalberts & Werner (2011: 2193-94) contend that “the political imaginary of uncertain yet undeniable catastrophe has informed the shift to a precautionary logic” in international law, which has manifested in the counter-legal requirement that “states [be] made responsible for taking precautions so that their country is free from any possible future terrorist activity”; while Gelev (2011: 2240-41) asserts that “because governments see any degree of likelihood of a catastrophic event as being too great to tolerate,” an exceptional political climate in which “the judiciary adopts the logic of precaution” inevitably emerges. Moreover, with respect to the Indian case, Mate and Naseemullah contend that “discussions of POTA” are best understood “within a philosophical framework of ‘states of exception’” and the “trend toward the ‘executivisation’ of law” that has characterized post-9/11 governance of terrorism worldwide (2010: 265).

The notion of counter law can therefore be understood as an attempt to disguise the exception as the norm, as it refers to a technique through which the violations of the juridical

order that have been shown to be part and parcel of pre-emptive security are brought back into that order through significant modifications thereto. The crucial point, however, is that in order to accommodate the degree of extrajudiciality demanded by the logic of pre-emptive security, these modifications must be so radical that the “principles, standards and procedures” upon which the juridical order is fundamentally premised are necessarily “erode[d] or eliminate[d]” (Ericson 2008: 57). In other words, by attempting to enfold the exceptional practices of pre-emptive security within the existing juridical order, counter law strategies alter this order to the point where it is effectively indistinguishable from a purely exceptionalist political order. The somewhat ironic consequence is therefore that the enactment of counter law as a means of obfuscating exceptionalism in fact serves to further entrench an exceptionalist politics, as the juridical order is altered to the point where it serves to actively facilitate the very practices that contravene its own foundational norms. In this respect, the phenomenon of counter law is a particularly useful illustration of the conceptual link between pre-emptive security and exceptionalism in general, and the way in which the former brings into being a central component of the latter in particular. Indeed, because any attempt to modify the juridical order in a manner that accommodates the imperatives of pre-emptive security must compromise the constitutive norms of that order, it can be inferred that pre-emptive security practices themselves are always already in violation of the juridical order and thus suspend it by default at the moment they take place. The radical modifications of counter law would not be required if this were not the case.

Put most bluntly, then, the very fact that a legislative strategy which by definition runs fundamentally “counter” to the prevailing juridical order has been widely deployed to facilitate the adoption of pre-emptive security strategies suggests that the latter can only be

operationalized through practices that directly contravene this order. This is precisely the conceptual argument that has been advanced in this section. It can thus be concluded that for reasons ultimately traceable to its political temporality—since it is the reliance upon speculative knowledge required by the prioritization of the future that leads to the contravention of prevailing legal norms—the adoption of a pre-emptive security rationality logically presupposes the suspension of the juridical order. And because such a process constitutes one of two key components of political exceptionalism, this highlights the intimate conceptual link between pre-emption and the exception. This link becomes even clearer, however, when considering how a politics of pre-emptive security also requires a decisionist paradigm of sovereign authority.

### **Pre-emptive Security and Decisionism**

Recall from the earlier discussion of exceptionalism that when the sovereign is liberated from normative constraints through the suspension of the juridical order, a very particular form of political authority is enacted, whereby the sovereign no longer simply applies the law as created by a deliberative legislative body, but instead constitutes “the *source* of law, as *diktat*” (Lazar 2006: 257). In other words, when the law no longer applies to the sovereign, it is the latter’s will rather than any set of positive legal norms that constitutes the highest authority. The sovereign decision thus comes to possess what Derrida (1990) has famously termed the “force of law” in that, with the juridical order suspended, “acts that do not have the *value* of law”—such as unilateral proclamations by the sovereign—come to “acquire its *force*,” since they replace officially legislated positive law as the primary legal foundation of the polity (Agamben 2005: 38). Such a paradigm of government thus reduces the praxis of societal governance to the



normatively unconstrained *decision* of the sovereign, and as such, is referred to in the canon of political theory as “decisionism.”

Decisionism is the form of political authority that prevails within the proverbial state of exception, and thus constitutes the second “pillar” of political exceptionalism; however, its tenets also usefully describe the paradigm of sovereignty that is required to render a pre-emptive security rationality politically actionable. Indeed, just as the imperative to act on the future requires the epistemic primacy of the imagination, which in turn implies the suspension of the juridical order, the conjectural basis of pre-emptive action implies that the latter must be actualized through the type of pure sovereign decision that characterizes the theory of decisionism. The following discussion will expand upon and clarify this latter point, arguing that, for reasons that are again ultimately traceable to its underlying political temporality, a pre-emptive security rationality logically presupposes what amounts to a decisionist paradigm of sovereign authority quite closely reminiscent of that which is associated with political exceptionalism.<sup>67</sup>

### *Conceptual Considerations*

The core of the argument can be distilled down to the point that the imperative to govern the future through anticipatory interventions in the present logically requires what amounts to a

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<sup>67</sup> Again, it should be recalled that the use of the terms sovereignty, sovereign, and sovereign power in the subsequent discussion are based upon the expanded understanding described in chapter 3, and thus can refer to both the executive branch of government and the myriad “petty sovereigns” on the front lines of contemporary (inter)national security strategies. Indeed, while the pure theory of decisionism traditionally refers only to the behaviour of the executive, the present account is concerned with demonstrating how the logic of pre-emption enacts a condition in which the *characteristics* of decisionism obtain with respect to *any* sovereign decider. In other words, the point is that a pre-emptive security rationality requires a particular sort of decision that arrogates to the decider the extensive arbitrary power of the executive described by the theory of decisionism; however, in contrast to the pure theory of decisionism, the disaggregated nature of contemporary (in)security governance means that, following Butler (2006) such decisions can be undertaken by a variety of actors beyond the executive. In short, since my concern is with the logic of pre-emption, the point is to highlight the purity of the pre-emptive decision as such, irrespective of who makes it.

decisionist paradigm of sovereign authority in order to be made actionable. This is because, as we have seen, a radically uncertain future can only be acted upon by way of conjectural decisions, and such decisions embody precisely the sort of pure decisional singularity associated with the exercise of sovereign power under a decisionist framework. To elaborate upon this point, recall the earlier point that the political temporality of pre-emption requires that the pre-emptive decision be based primarily upon speculative knowledge about a potential future that is divorced from any necessary link to empirical fact. While the preceding section showed how this places anticipatory interventions beyond the prevailing juridical order, it is also important to recognize that this “epistemic primacy” of the imagination has important implications for the way sovereign power is exercised. In particular, it confers upon the sovereign decider a markedly enhanced degree of discretionary subjectivity that leads the exercise of sovereign power under a pre-emptive rationality to closely mirror the logic of decisionism. This is because the futures against which pre-emptive decisions are framed possess no ontological presence apart from their existence in the realm of the imaginary; and as such, any decision to intervene pre-emptively must be premised to a significant degree upon elements that are actively constructed by the sovereign decider (Aradau & van Munster 2009: 496-7). The upshot is that the imperative to act on the future augments the power of the sovereign to the point where it extends beyond merely making the final decision to intervene—as is its defining prerogative—to also include actively creating the primary epistemic basis for any interventionary decision through the exercise of the imagination. In other words, not only does the sovereign decide, but the pre-emptive decision necessarily takes place “under conditions of the sovereign’s choosing” (Anderson 2007: 159).

The purity of the decision required by the logic of pre-emption is thus quite marked, since the temporal exigencies within which it operates demand that it involve not simply the weighing

of established knowledge, but the active creation of conjectural knowledge about the future to serve as the informational basis for action. Thus, precisely because the unknown future that is being acted upon constitutes something of an epistemic abyss, any sovereign decision to intervene pre-emptively “becomes in the true sense absolute,” since only such a pure decision can provide the foundation for action in the face of such radical uncertainty about that which is being acted upon (Schmitt 2005: 12). The parallels to a decisionist paradigm of sovereign authority are clear, as the pre-emptive decision embodies precisely the sort of singular sovereign subjectivity called for by “decisionist” theorists such as Schmitt. It is also important to note that these characteristics of the pre-emptive decision apply whether such a decision is made by a titular executive or a Butlerian petty sovereign, since the purity of the decision is a function of the logic of pre-emption itself, and is thus enacted whenever any figure wields effectively sovereign power for pre-emptive ends.

That pre-emptive security logically presupposes a decisionist paradigm of sovereignty should be unsurprising to those familiar with the work of Schmitt and other decisionists, since the idea that a powerful sovereign is necessary to adequately respond to the problem of irruptive contingency is, in fact, a key contention of the normative arguments put forth by decisionist theorists themselves. A brief consideration of these claims can thus serve to further illustrate the central point of this discussion—namely, that pre-emptive security’s underlying imperative to govern temporal contingency of the future requires an enhanced sovereign subjectivity—because a very similar claim is at the core of the traditional decisionist theory of political authority.

To elaborate, the theory of decisionism is premised upon a particular understanding of the human condition, in which the latter is viewed as inherently chaotic and violent, and thus defined by “the ever-present possibility of conflict” (Schwab 2005: xlii). This creates an originary

political climate defined by “uncertainty and distress” that manifests as a “permanent potential emergency” whose “precise details...cannot be anticipated” (*Ibid.*; Lazar 2006: 258; Schmitt 2005: 6). For decisionists, governing this inherent contingency is the principal task of political authority. However, they also contend that the execution of this task will be severely hindered if the exercise of political authority is constrained by the limiting strictures of a binding legal order to which the ultimate decider is subject. The putative problem with such a governmental framework—which Schmitt refers to as “liberal constitutionalism”—is that it requires that all sovereign decisions be made in accordance with the prescriptive authorizations of the prevailing order of positive law (Schmitt 2005: 11). Decisionists view such limitations on sovereign authority as perniciously limiting, arguing that the inherent unpredictability of what Schmitt calls “real life” ensures that no juridical order can provide a predetermined course of action for every possible contingency that may arise, and as such, liberal constitutionalist polities are manifestly incapable of dealing with the “exceptional” irruptions with which they will inevitably be confronted (Schmitt 2005: 14; Schwab 2005: xliii). Put more simply, decisionists claim that because “[o]ne cannot tell in advance what circumstances might arise,” governmental responses thereto cannot be limited to “a matter of [the] simple application of a rule...dictated by norms” (Lazar 2006: 259-60).

Instead, decisionist theory sees the need for an ultimate authority to make a final decision that bridges “the gap between legal norms and facts” and thus allows action to be taken *vis-a-vis* the irruptive contingencies of “real life” that are “not codified in the existing legal order” (Huysmans 2008: 168, 2006: 148; Schmitt 2005: 6). For decisionists, only a juridically unconstrained sovereign endowed with the prerogative to make a unilaterally pure—and perhaps even arbitrary—decision is capable of fulfilling this requirement, since only such a figure is

adequately liberated from the strictures of legal sanction to possess the decisional flexibility that is demanded. Accordingly, the logic of decisionism is ultimately premised upon enhancing the sovereign's discretionary power by "reintroduc[ing] a subjective competence...into a normative order that tends to focus on objectified processes" (Huysmans 2006: 149). Again, this runs fundamentally counter to the liberal constitutionalist principle of the rule of law, which is "based on the rejection of all arbitrariness" and seeks to "repress the question of sovereignty by a division and mutual control of competences" (Schmitt 2005: 11, 41; Lazar 2006: 261).

Decisionist theory holds that the unhindered sovereign discretion that such approaches seek to eliminate is vital to the proper governance of an inherently uncertain, violently contingent world. The decisionist argument is thus, perhaps somewhat ironically, a fundamentally normative one, since it is premised upon a very particular worldview in which the chaotically uncertain circumstances of the human condition simply cannot be adequately governed through an objective legalism, and instead require an absolute sovereign imbued with the prerogative to make a juridically unencumbered subjective decision (see Schmitt 2005: 55-56).

Returning to the relationship between decisionism and pre-emption, this *normative* argument at the core of decisionism—which, again, posits that a juridically unconstrained sovereign is required to govern the inexorable contingencies of human affairs—closely parallels the *logical* argument about pre-emptive security that I have developed in this section—which posits that the imperative to confront the uncertainty of the future requires what amounts to a decisionist paradigm of sovereignty in order to be made actionable. In other words, just as decisionism posits the need for an unbound sovereign authority to "cross the distance between norms...and facts...to justify an intervention" (Huysmans 2006: 148), so a pre-emptive security rationality requires such an authority to bridge the gap between radical uncertainty and

anticipatory action, since this can only be accomplished through the leap of a pure decision in the face of the unknown. In this sense, my claim here that pre-emptive security presupposes decisionism is prefigured by the claims made by the decisionists themselves, as the pre-emptive decision takes precisely the form of a Schmittian “decision in absolute purity” that is “created out of nothingness” (Schmitt 2005: 12-13, 66). The difference, however, is that the decisionist claims are decidedly normative in nature—being rooted in certain first principle assumptions about the contingent nature of human life (Lazar 2006: 257-58)—while the claims being advanced here are more purely logical—being extrapolated from the constitutive premises of the logic of pre-emption itself.

Thus, in much the same way as it suspends the juridical order by default, pre-emptive security enacts a decisionist paradigm of sovereignty out of what amounts to logical necessity, since its underlying imperative to govern the future can only be made actionable through the decisions of a sovereign exercising the same sort of quasi-absolutist power posited by decisionists as essential to any well-governed polity. This is because the ultimate unknowability of the future demands that the epistemic basis for anticipatory decision be actively constructed by the decider, thus conferring upon the sovereign an enhanced degree of discretionary subjectivity. The logic of pre-emptive security thus closely mirrors the logic of decisionist political theory in terms of both the character of the decision—which in both cases must be “free[d] from all normative ties and...in the true sense absolute” (Schmitt 2005: 12)—and the underlying political aim—which in both cases is to confront and govern the “permanent potential emergency” wrought by the spectre of contingency in human affairs (Lazar 2006: 258). And because a decisionist paradigm of sovereignty constitutes the second pillar of political exceptionalism, the conceptual connection between pre-emption and decisionism outlined here

supports this chapter's broader argument that the adoption of a pre-emptive approach to (in)security governance entails the enactment of an exceptionalist politics.

*Practical Manifestations: The "Unitary Executive" and the Practice of Indefinite Detention*

Once again, it is useful to flesh out this admittedly dense line of theorizing by considering examples from the prosecution of the War on Terror, as there are a number of cases in the Western policy response to the threat of transnational terrorism that illustrate how pre-emptive security rationalities are operationalized through a decisionist paradigm of sovereignty. Perhaps the most conspicuous example in this regard was the George W. Bush administration's development and promotion of the so-called "unitary executive" doctrine. This distinctive approach to executive authority became the linchpin of the administration's anti-terrorism programme that was itself explicitly premised upon the logic of pre-emption. It also represented a prototypical manifestation of decisionist-type governance applied to the security realm. Accordingly, it provides an instructive practical illustration of the fusion between pre-emptive security and decisionism that has so far only been discussed in the abstract.

To elaborate, the central claim underpinning the doctrine of the "unitary executive" as formulated by the Bush administration was that "the executive's 'inherent authority' to protect national security permitted it to ignore laws that constrain the president" with respect to the carrying out of this core duty of office (Ehrenberg *et al.* 2010: 520). The powers of the president were thus construed to be such that the executive branch could choose to disregard the extant legal order constructed by the legislative branch if it deemed a particular statute to unduly circumscribe the president's scope of decisional authority with respect to national security questions. This articulation of executive authority thus places the executive branch above the law

“as long as there [is] any connection to national security”—a caveat that can be (and, in practice, has been) read so broadly as to render the executive largely un beholden to any juridico-normative limitations on its decisional prerogatives (*Ibid.*: 526). A 2003 report prepared by the US Defense Department on the legality of the use of torture in the course of detainee interrogations illustrates the unitary executive argument clearly, asserting that “[i]n light of the president’s *complete authority* over the conduct of war without a clear statement otherwise, *criminal statutes are not read as infringing on the president’s ultimate authority* in this area” (quoted in Ehrenberg *et al.*: 527, emphasis added). This statement is telling, as it almost casually asserts the unchecked authority of the executive when it comes to questions of national security, the determination of which is *also* the prerogative of the executive. The doctrine of the unitary executive is based on precisely these ideas, and thus construes the prerogatives of the American president in such a way that they closely approximate those of a decisionist sovereign described the likes of Schmitt. Indeed, the Schmittian sovereign “decides whether there is an extreme emergency as well as what must be done to eliminate it,” while “no higher authority [can] review the decision” (Schmitt 2005: 7, 56). This is precisely the paradigm of sovereignty embodied in the unitary executive theory, as the president-as-sovereign can ostensibly disregard the law under certain circumstances, but is also vested with the authority to decide when such circumstances obtain.

The decisionist character of the unitary executive doctrine is further evidenced by the fact that it was institutionalized through president Bush’s unprecedented use of so-called “signing statements.” Signing statements are declarations issued by the president when signing congressional legislation into law that affirm the executive’s right to disregard that legislation should it be deemed to unduly constrain the president in carrying out his duties as Commander-



in-Chief of the armed forces.<sup>68</sup> In these addenda, Bush would routinely assert the decisionist character of the executive's authority by declaring that the law in question would be "construed in a manner consistent with the president's constitutional authority to supervise the unitary executive branch" (Bush 2006). While couched in somewhat sanitized language, the implication of this oft-repeated statement is that the new law's provisions could be disregarded by the executive branch should the latter unilaterally deem it a hindrance to the prosecution of the War on Terror, thus suggesting that "even the Supreme Court did not have the last word on legal rulings" (Ehrenberg *et al.* 2010: 514). The American Bar Association's conclusion that such practices were "contrary to the rule of law and our constitutional system of separation of powers" emphasizes the degree to which the Bush administration's performative creation of a unitary executive represented a practical manifestation of decisionism (and thus exceptionalism) (American Bar Association 2006). Indeed, it is precisely the sorts of normative constraints contained in the statutes to which signing statements were appended that are decried by the decisionist theory of Schmitt.

Moreover, the unitary executive doctrine was often explicitly defended in terms quite similar to the normative decisionist arguments relating to the proper governance of a dangerously contingent world. In this respect, proponents frequently argued that "new threats to domestic security required an extraordinary concentration of executive power," since "only unrestrained presidential power could wage the 'War on Terror' and protect citizens at the same time" (Ehrenberg *et al.*: 514, 512). This is an important point, because not only does it further emphasize that the unitary executive doctrine constitutes a clear manifestation of decisionism,

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<sup>68</sup> To highlight the "exceptional" nature of Bush's reliance upon this process, the American Bar Association Task Force on Presidential Signing Statements emphasized in its 2006 report that from the creation of the office of the President at the founding of the republic until the year 2000, sitting Presidents used signing statements to challenge the laws they ratified fewer than 600 times, whilst Bush alone did so over 800 times in the first six years of his tenure (American Bar Association 2006).

but it also hints at a connection to the logic of pre-emption. Indeed, the adoption of this decisionist paradigm of executive power can be seen as a direct outgrowth of the Bush administration's broader post-9/11 security agenda, whose defining feature was its commitment to the logic of pre-emption.<sup>69</sup> This is evidenced by the fact that administration officials regularly defended the concept of a unitary executive by invoking the overarching imperative to act pre-emptively against the possibility of future attacks, often referencing "the president's recognized authority...to *prevent further catastrophic attacks* on the homeland" to advance the claim that this could not be accomplished without a sweeping reformulation of executive power along what amounted to decisionist lines (United States Department of Justice 2006: 2, emphasis added; see also Ehrenberg *et al.* 2010: 512-14). The Bush administration's embrace of the unitary executive theory should thus be understood as a direct function of its commitment to the broader strategic imperative to pre-empt any potential future irruption of terrorist violence. As Ehrenberg *et al.* put it, "the administration's unitary vision of an executive-dominated government...was organically linked to its belief in...the pre-emptive" approach to national security (Ehrenberg *et al.* 2010: 516).

Ultimately, by developing the unitary executive theory in accordance with the logic of decisionism, and defending its necessity with reference to the logic of pre-emption, it is apparent that the Bush administration saw the adoption of what amounted to a decisionist paradigm of sovereignty as the necessary means through which to realize the end of creating a functioning pre-emptive security regime—precisely the conceptual point that is being advanced here. This conclusion is supported by Ehrenberg *et al.* who, near the conclusion of their comprehensively

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<sup>69</sup> This latter point is unambiguously illustrated by the wording of the 2002 *National Security Strategy* that has been cited several times elsewhere in this study. In laying out the governing rationality for the nascent War on Terror, the document forcefully asserted that "the United States can no longer rely on a reactive posture", and as such, "even if uncertainty remains as to the time and place of the enemy's attack...the United States will, if necessary, act pre-emptively" (White House 2002).

documented account of post-9/11 American security policy, pithily sum up the latter as defined by “a doctrine of pre-emption abroad coupled with a theory of a ‘unitary executive’ at home” (Ehrenberg *et al.* 2010: 512). This “coupling” is important, since it suggests that a pre-emptive approach to terrorism and a decisionist approach to sovereign authority were considered two sides of the same coin in much the same way as is being argued here. The Bush administration’s embrace of the unitary executive doctrine thus provides a useful illustration of exactly the fusion of pre-emptive security and decisionism—and, by extension, exceptionalism—suggested by the conceptual arguments developed in this chapter.

Indeed, given its decisionistic character, the adoption of the unitary executive doctrine led to a number of “exceptional” anti-terrorism policies that operated beyond the prevailing juridical order. One such policy—the practice of indefinitely detaining individuals merely suspected of engaging, or even planning to engage, in terrorism-related activities—provides an even more specific illustration of the link between the pre-emptive imperative and a decisionist paradigm of sovereignty than the more general notion of the unitary executive, and thus merits brief consideration for the purpose of further fleshing out this connection. The key point here is that indefinitely detaining suspected terrorists constitutes an exemplary exercise of pre-emptive security, while the form of sovereign power through which it operates is archetypically decisionist in nature for reasons directly related to this pre-emptive character. To elaborate, the practice of indefinite detention as manifested in the War on Terror refers to the incarceration of individuals whom the relevant authorities—which, in this case in particular, often constitute the sorts of “petty sovereigns” described by Judith Butler—“fear *could* pose a danger of terrorism *even if they have little evidence*” (Butler 2006: 68, emphasis added). It therefore “criminalizes suspects for *imagined future harm they might cause*, rather than past crime,” and thus constitutes

an anticipatory intervention congruent with the pre-emptive imperative to govern the potentially catastrophic future portended by the spectre of the next terrorist attack (Ericson 2008: 63, emphasis added). We have seen that such an emphasis on the potential requires that the evidentiary threshold for any interventionary decision be diminished significantly (de Goede 2011), and the decision to detain indefinitely is no exception in this respect. As Butler puts it, “conjecture is the basis of an indefinite detention” (Butler 2006: 69). We have also seen that such a conjectural basis for decision-making enhances the arbitrary discretion of the decider, since the decision must be based upon an epistemic foundation that is primarily of the decider’s own imaginative construction. Accordingly, the explicitly pre-emptive practice of indefinite detention functions through what amounts to a decisionist paradigm of sovereignty, since the inherently speculative basis of the decision to detain requires that the decider possess a degree of unilateral discretion reminiscent of that ascribed to the Schmittian sovereign.

Butler captures this point well in her argument about the centrality of the process of “deeming” to the indefinite detention regime developed by the US government in pursuit of its broader strategy of pre-emptive security (Butler 2006; see also de Goede 2012). In this respect, Butler emphasizes the degree to which indefinite detention is premised upon the exercise of pure decisional discretion, arguing that “the decision to detain someone indefinitely is a unilateral judgment made by government officials who simply deem that a given individual or, indeed, group poses a danger to the state” (Butler 2006.: 58-9).<sup>70</sup> In other words, under a security regime whose underlying aim is to pre-empt future irruptions of terroristic violence, “the ‘deeming’ of someone as dangerous is sufficient to make that person dangerous and to justify his [*sic*]

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<sup>70</sup> Again, we see the importance of the petty sovereign here, as it is these “government officials” who are delegated with what amounts to sovereign power in their capacity to make the sorts of pre-emptive decisions upon which indefinite detention practices are based. In fact, it is in specific relation to the pre-emptive practice of indefinite detention that Butler formulates her conception of the petty sovereign in the first place. See the discussion of the concept of sovereignty in chapter 3.

indefinite detention” (*Ibid.*: 59). Consequently, decisions to detain take place beyond any juridical restrictions on the decider’s discretionary prerogatives, as they “are not decisions...made by a judge, for which evidence must be submitted in the form of a case conforming to certain protocols” (*Ibid.*: 76). Rather, for Butler, the act of “deeming someone dangerous is an unsubstantiated judgment that...works to pre-empt determinations for which evidence is required,” thus conferring upon the decider a “license to brand and categorize and detain on the basis of suspicion alone” (*Ibid.*). In its capacity as a pre-emptive security intervention, therefore, the practice of indefinite detention “dispenses with conventional evidentiary procedure” by requiring a sovereign authority that has “the final say in matters of guilt and punishment” (*Ibid.*: 75, 71). Such an authority thus “assumes a lawless and yet fully effective form of power” that quite closely mirrors that of the decisionist sovereign posited by Schmitt *et al.* (*Ibid.*: 59).

The practice of indefinite detention thus constitutes an archetypical manifestation of pre-emptive security—since it is ultimately concerned with governing an imagined future threat—and yet also constitutes an archetypical manifestation of the decisionist paradigm of sovereign authority—since it relies upon the arbitrary process of “deeming” to be rendered operational. When considered in relation to the conceptual arguments developed in this section, it should be clear that this is no coincidence, and that in fact its decisionist nature is a direct function of its pre-emptive character. It is in this sense that indefinite detention provides a more specific illustration of the connection between pre-emption and decisionism, as the centrality of the inherently decisionist process of “deeming” to the explicitly pre-emptive practice of indefinite detention lends practical illustrative support to the more abstract conceptual claim that the idea of pre-emptive security logically presupposes the enactment of a decisionist paradigm of sovereignty.

Fleshing out this claim has been the aim of this section, as this conceptual link between pre-emptive security and decisionism is itself key to understanding the broader conceptual link between pre-emption and exceptionalism that is the overarching theme of this chapter. To reiterate the main thread of the argument, I have attempted to show that the type of decision required to render the pre-emptive imperative actionable can only be made through what amounts to a decisionist idiom, as the ultimate unknowability of the future against which it seeks to act requires that the sovereign decider be granted radically enhanced discretionary powers tantamount to those advocated by decisionists like Schmitt. The Bush administration's articulation of the "unitary executive" doctrine as a central component of its pre-emptive approach to governing terrorism lends empirical support these points, as does the way in which the pre-emptive practice of indefinite detention operates through the conjecturally-based decisional process of "deeming." Finally, it should be recognized that this link between pre-emptive security and decisionism is ultimately rooted in the political temporality of pre-emption, as it is the underlying imperative to govern the future through anticipatory action in the present that creates the need for the sort of speculative interventions that can only be actualized through what amounts to a decisionist paradigm of sovereignty authority.

### ***Conclusion***

The principal aim of Part II of this study is to think through what is at stake in the ongoing "temporalization" of governance practices in general by developing an in-depth theorization of a particular manifestation of this trend in the realm of (in)security governance. Toward this end thus far, Chapter 3 offered an account of what pre-emptive security can be understood to mean in the contemporary context, while Chapter 4 provided an account of how

the logic of pre-emption functions as a political rationality. This fifth chapter has sought to narrow the analysis by developing a detailed account of the sort of politics that is made possible—or, perhaps more accurately, required—by such a rationality, thus laying the foundation for Chapter 6 to critically consider the implications of adopting a pre-emptive approach to (in)security governance for the question of political subjectivity. The central aim of the present chapter has thus been to theorize how such an approach is politically operationalized. In this regard, I have argued that by placing speculative knowledge at the core of the sovereign decision, the future-oriented political temporality embedded in the logic of pre-emption requires that a pre-emptive security rationality be actualized through an exceptionalist political paradigm characterized by a suspended juridical order and a decisionist form of sovereign authority. The preceding discussion developed a purely conceptual explanation of this claim, and supplemented it with illustrative examples drawn from the ongoing prosecution of the global War on Terror.

In addition to contributing to this study's aim of developing an in-depth theorization of the idea of pre-emptive security, however, the above arguments also add to the existing literature in Critical Security Studies by providing a purely conceptual explanation for the observed empirical correlation between the rise of pre-emptive security strategies and the proliferation of political exceptionalism in the context of the War on Terror. Moreover, by demonstrating how the relationship between pre-emption and exceptionalism is ultimately traceable to the former's constitutive temporality, the above arguments further highlight the utility of employing a "temporal lens" for political analysis. Indeed, the critical insights developed in this chapter only became possible by prioritizing the question of time, thus supporting the argument for temporally oriented analysis discussed in the Introduction. The next and final chapter will continue to foreground temporal questions as it builds upon the preceding arguments by critically

considering the implications of adopting a pre-emptive security rationality for the experience of political subjectivity, particularly in the context of liberal democratic societies that have been at the forefront of this trend.



## **Chapter 6 – Pre-emptive Security, Precarious Subjectivity, Autoimmunity**

### ***Introduction***

The preceding chapter sought to show that the political temporality embedded in the logic of pre-emption requires that pre-emptive security rationalities be operationalized through what amounts to a politics of exceptionalism. This chapter seeks to build upon this argument by considering what it suggests with respect to the practical implications of adopting a pre-emptive approach to (in)security governance. In other words, having thus far considered what pre-emptive security “is” conceptually, how it “works” at the abstract level, and the paradigm of sovereign authority that it requires to be implemented politically, I am concerned in this chapter with thinking through the sorts of broader subjective conditions that are enacted by its adoption as the basis for national security policy. This line of analysis will bring Part II of the study full circle, as I take the arguments developed in the preceding three chapters to their logical conclusion. The discussion will be developed through a consideration of what the relationship between pre-emption and exceptionalism described in the previous chapter implies for the character of political subjectivity under a pre-emptive security regime. In this regard, I will contend that adopting a pre-emptive security strategy brings into being a political condition characterized by a pervasively precarious subjectivity. The subjective condition enacted by pre-emptive security is best described as precarious because the exceptional paradigm of sovereign authority that it presupposes effectively eliminates any juridico-normative mediation between sovereign and subject. This renders the latter perpetually vulnerable to unilaterally-decided anticipatory interventions by the former—a status that can be best described as precarious.

The first section of the chapter will consider this claim in greater detail by unpacking the relationship between the sorts of decisionist sovereign figures required by a pre-emptive security

rationality and the political subjects over whom they exercise political authority. It will be contended that this relationship conspicuously resembles that which obtains in the “exceptional spaces” theorized by Agamben (2005, 1998) and his followers. Following a similar pattern to the previous chapter, the second section will flesh out these conceptual claims by discussing them in terms of a particular illustrative example drawn from the ongoing war on terror—namely, the targeted killing of Anwar al-Awlaki that was briefly discussed at the beginning of chapter 5. The al-Awlaki case is particularly instructive because it represents an archetypical manifestation of the types of practices that are made possible under a pre-emptive security regime. Indeed, the extrajudicial killing of an American citizen by the US government on foreign soil illustrates precisely the sort of precarious subjectivity that is part and parcel of a pre-emptive approach to (in)security governance. In light of this discussion, the third section takes a step back and considers what the preceding arguments suggest about the coherence of pre-emptive security as an idea. Here it is argued that its coherence as such can be called into serious question, since the precarious subjectivity enacted by pre-emptive security rationalities closely resembles the sort of condition that they are normatively premised upon diminishing. In other words, I claim that the arguments developed in the first two sections—and in of Part II of this study more broadly—indicate that pre-emptive security ultimately ends up bringing into being that which it is premised upon eliminating. Accordingly, the fourth and final section considers how this aporetic incoherence of pre-emptive security can be understood in terms of Derrida’s conception of “autoimmunity” (Derrida 2005, 2003), since this idea usefully captures the sorts of deconstructive tensions that have been identified. The chapter concludes by suggesting that both the practical policy validity and abstract conceptual coherence of pre-emptive security ought to be seriously questioned—the broader implications of which are considered in the Conclusion.

***Pre-emptive Security and/as Precarious Subjectivity***

To understand the wider practical implications of adopting a pre-emptive security rationality, it is useful to consider how doing so will affect the lived realities of individual political subjects. In other words, we must think through the effects that a pre-emptive security regime has upon the character of political subjectivity. Put most briefly, the key point in this respect is that the exceptionalist paradigm of sovereign authority that such a regime requires to be operationalized brings into being a condition in which the relation between sovereign and subject is such that the latter is rendered perpetually vulnerable to the sudden irruption of an arbitrary and potentially violent intervention by the former. That is, the condition of political subjectivity enacted by pre-emptive security is decidedly precarious. To be sure, such claims may at first glance seem excessively alarmist, and perhaps even hyperbolic. However, a degree of extrapolative reflection upon the arguments developed in the preceding chapter suggests that the creation of such a precarious condition of political subjectivity is a logical consequence of adopting a pre-emptive approach to (in)security governance.

To elaborate, recall that the logic of pre-emption's concern with governing the future confers "epistemic primacy" upon the imagination (Aradau & van Munster 2011: 85). We have seen that this has the effect of radically enhancing the discretionary capacity of the relevant sovereign authority—whether titular executive or "petty" functionary—since the latter must actively construct the imagined potentialities that form the primary epistemic basis for anticipatory action. We have also seen that because the future being acted upon remains inherently unknowable, it follows that in the course of imagining possible futures against which to act in the present, no potentiality can be *a priori* excluded from consideration. This stems from the explicitly precautionary aspect of pre-emptive security, which demands that decision-makers

“take the most far-fetched forecasts seriously” because the very uncertainty they are seeking to tame precludes the summary dismissal of any imaginable possibility (Ewald 2002: 288; Daase & Kessler 2007). The result is that a pre-emptive politics of security manifests as a regime in which, by default, “everyone is suspect” in the eyes of the sovereign—and it is under such conditions of “universal suspicion” that anticipatory action must be taken (Ericson 2008: 66).<sup>71</sup> Moreover, the previous chapter has shown that such action operates beyond the juridical order and through a decisionist idiom, meaning that normative limits on the scope of decisional possibility are all but eliminated. It thus follows that, in the context of a pre-emptive security rationality, the only effective limitations on the exercise of sovereign power are the limits of the sovereign imagination itself.

Put another way, under a politics of pre-emption, the sovereign is tasked with taming the future’s radical contingency; and because the epistemic basis for any action toward this end consists of an imagined potentiality of the sovereign’s own construction, individuals are either targeted or ruled out based on the subjective discretion of the relevant sovereign authority rather than any objective juridico-normative guidelines. And since none can be *a priori* excluded, all are always already potential targets for anticipatory action. What thus emerges is a political condition in which, logically speaking, *any* individual may be subjected to what amounts to a

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<sup>71</sup> The simple and catchy language employed by the likes of Ericson is useful for demonstrating the conceptual crux of the point being made—namely, that a pre-emptive security strategy cannot in theory rule out any potential threat. However, such turns of phrase also risk oversimplification by implying a latent equality that is in practice absent from the post-9/11 politics of pre-emptive security. In other words—and to use the distinction introduced in footnote 43 in chapter 4 above—the *logic* of pre-emption implies a security climate in which *all* individuals are placed on a “continuum of risk,” since none can be *a priori* absolved of posing a potential threat in an ultimately unknowable future (Ericson 2008: 66); yet the contemporary *politics* of pre-emption—which determines *where* a particular individual is placed on this continuum—will inevitably reflect the broader discourses of threat construction that underlie all forms of social sorting in the name of security. Thus, while perhaps “everyone” is indeed suspect under a pre-emptive security regime, it is equally important to recognize that the *degree* to which one is treated as such by state security apparatuses will vary quite widely depending upon a variety of politico-discursive factors exogenous to the logic of pre-emption itself. Again, however, my primary concern here is with the latter; and as such, I devote less attention to the particularities of these discursive factors while nevertheless remaining sensitive to their importance.

unilaterally-decided intervention at any time, since the futurity of the threat means that no one can be summarily absolved from suspicion and it takes only the whim of the relevant sovereign to “deem” an individual to be a threat and thus precipitate a pre-emptive response. This has the effect of rendering all subjects perpetually vulnerable to a potentially violent intervention based on the conjectural imagining of a future that may not ever come to pass.

To be sure, this vulnerability is rarely translated into such acts of arbitrary sovereign violence, and in fact is quite unlikely to ever do so in the case of almost every individual. Yet this empirical fact is largely immaterial to the conceptual point being made here because, when considered from the perspective of political subjectivity, this ever-present *potential* for anticipatory sovereign intervention based upon speculative imaginings of potential futures implies that the subjective condition that emerges under a pre-emptive security regime can be best described as precarious. Indeed, it is this permanent state of vulnerability to such interventions that characterizes the subjective experience, because even if no such action ever takes place, the *constant possibility* that it will is the defining feature of the prevailing political condition.

It is important to recognize that this possibility is what follows from the enhanced decisional discretion that we have seen is vested in the sovereign by the logic of pre-emption. This is because, as discussed in the preceding chapter, the pre-emptive decision is placed outside the circumscriptions of the juridical order, which removes the normative barriers that protect individuals from being targeted on the basis of conjectural knowledge that they have no capacity to contest. The point, therefore, is that even if such arbitrary targeting never actually takes place—which is most likely to be the case for almost everyone—this will not be because of any normative constraints upon the sovereign’s decisional authority; rather, it will be because the

sovereign happened to decide against it. In other words, even if the sovereign never exercises the decisionist prerogatives conferred upon it by the logic of pre-emption, the mere existence of these prerogatives signifies that the *potential* for arbitrarily violent irruptions of sovereign power remains ever-present. A perpetual vulnerability to such interventions thus defines the subjective condition under a pre-emptive security regime, characterizing this condition as inherently precarious.

Returning to the relationship between pre-emption and exceptionalism, these points further highlight this connection by demonstrating that the relations between sovereign and subject enacted by the logic of pre-emptive security closely resemble those that characterize the particular spaces in which the political exceptionalism theorized by Schmitt and Agamben is manifested. For instance, in his description of one such space—that which he terms the “camp”—Agamben argues that sovereign power confronts its subjects “without any mediation,” since the sovereign’s ability to act is unbound by juridical norms while subjects are deprived of any agentic capacity to resist or contest its unilateral decisions (Agamben 2000: 41, 1998: 171). Importantly, this is precisely the sort of relation that obtains under a pre-emptive security rationality, since on the one hand, the imperative to govern the future demands a sovereign authority that must decide to act on the basis of its own imagination and thus cannot be limited by the juridical order; while on the other, those targeted for anticipatory intervention by such a decision cannot contest or resist it, since any demonstrable present innocence is ultimately irrelevant when the basis for intervention is an imagined future that may never come to pass. Accordingly, just as in the proverbial “camp,” the *possibility* that any individual may be arbitrarily subjected to potentially violent sovereign interventions is *always present* under a pre-emptive security regime. Indeed, even within the boundaries of sovereign states ostensibly

committed to the rule of law and the upholding of human rights norms, the adoption of a pre-emptive security rationality enacts a political condition characterized by the ever-present potential for anyone to be inscribed as the sort of “bare life” against which “everything is possible” (Agamben 1998: 170). The subjective experience that results from such a politics of potentiality can thus best be described as precarious.

### ***The Killing of Anwar al-Awlaki***

A useful illustration of these points can be found in the incident briefly discussed at the opening of the preceding chapter—namely, the targeted assassination of suspected Al-Qaeda operative and US citizen Anwar al-Awlaki who, in September 2011, was killed by an American drone strike as his vehicle travelled down a rural road in northern Yemen. This case is particularly instructive because it clearly illustrates both the type of action on the part of sovereign authorities that is made possible by the logic of pre-emptive security, and the concomitantly precarious subjectivity that is thereby enacted.

To elaborate upon these points, it must first be established that the Obama administration’s decision to target al-Awlaki in fact constituted an explicit exercise in pre-emptive security. This is evidenced on the one hand by the fact that the broader CIA “Killing Program” of which it is a prime example has been framed in precisely such terms by its proponents (Leander 2011, Kessler & Werner 2008). For example, in a 2012 interview with the *New York Times*, former National Counterterrorism Centre head Michael E. Leiter claimed that the practice of targeted killing via drone strike was embraced by President Obama as the most appropriate response to the “situation where he is being told people *might* attack the United States tomorrow” (quoted in Becker and Shane 2012, emphasis added). This suggests that

Obama and his administration view drone warfare as an effective way to ensure that such a catastrophic future does not come to pass—that is, in explicitly pre-emptive terms. Moreover—and with respect to the al-Awlaki case in particular—the pre-emptive character of the killing is emphasized by the administration’s *post hoc* framing of the incident. Indeed, while acknowledging the exceptional character of the act, the administration sought to legitimate the killing after the fact by specifically invoking the pre-emptive imperative. In this respect, it was simply asserted that al-Awlaki “posed *some sort* of imminent threat”—the precise nature of which was not specified—which thus justified “extraordinary measures”—in this case the due process-free killing of a citizen by his own government (Koring 2011, emphasis added). This suggests that the decision to target al-Awlaki was made on the basis of an imagined future in which that ambiguous potential threat *had*, in fact, manifested as the “next attack.” In relying upon the speculative imagination in this way, the targeting of al-Awlaki thus constituted an archetypical manifestation of a pre-emptive security rationality in action.

Besides being an exemplar of pre-emptive security, however, the targeted killing of al-Awlaki also constituted an archetypically “exceptional” act, as it exemplified both pillars of political exceptionalism described in the preceding chapter. With respect to the first pillar—the suspension of the juridical order—the act was patently extrajudicial, and thus suspended the legal order at moment and point of its occurrence. Specifically, the killing was not authorized through conventional judicial channels or in accordance with prevailing standards of evidence, and as such, was both ordered and carried out absent the due process of law guaranteed to all US citizens under the Fifth Amendment. Moreover, that killing al-Awlaki by remote drone strike would contravene the juridical order appears to have been apparent to the Obama administration in that, much as the Bush administration sought to circumvent existing legal limitations on



Presidential authority by invoking the “unitary executive” doctrine, the Obama White House sought to justify the killing through an alternative line of legal reasoning premised upon enhanced executive discretion. This is evidenced by an internal memo from the Justice Department, prepared with specific reference to the al-Awlaki case, which asserted that “while the Fifth Amendment’s guarantee of due process applied, it *could be satisfied by internal deliberations in the executive branch*” alone (quoted in Becker & Shane 2012, emphasis added).

This Bush-like circumvention of the juridical order through appeals to executive privilege hints at how the al-Awlaki case also embodies the second pillar of exceptionalism—a decisionist paradigm of sovereign authority. In this respect, the decision to target al-Awlaki proceeded from the Justice Department’s aforementioned position and took place in accordance with the Obama administration’s approach to drone warfare that “concentrates power over the use of lethal U.S. force outside war zones within one small team at the White House” (Dozier 2012). This process was chronicled in detail by an extended *New York Times* investigation published in May 2012 (Becker and Shane 2012), and is worth quoting at length to illustrate the degree to which the exercise of sovereign authority underpinning the drone campaign takes a decidedly decisionist form:

Every week or so, more than 100 members of the government’s sprawling national security apparatus gather, by secure video teleconference, to pore over terrorist suspects’ biographies and recommend to the president who should be the next to die. This secret ‘nominations’ process is an invention of the Obama administration, a grim debating society that vets the PowerPoint slides bearing the names, aliases and life stories of suspected members of Al Qaeda’s branch in Yemen or its allies in Somalia’s Shabab militia...[N]ames go off the list if a suspect no longer appears to pose an imminent threat...The nominations [then] go to the White House, where by his own insistence and guided by [chief counterterrorism advisor Jim] Brennan, Mr. Obama must approve any name.

This executive-centred approach is archetypically decisionist in nature, as the final authority regarding who is to be killed and when the strike is to take place is both excused from the

limitations of the existing juridical order, and explicitly granted to the president alone.<sup>72</sup> Indeed, operating under the presupposition that executive branch deliberation followed by the president's final decision constitutes due process of law, the administration's pre-emptive use of drone warfare liberates the executive branch from any normative circumscriptions regarding the use of violence, thus vesting within the person of the president the discretionary capacity to determine who to target, when to strike, and, crucially, what counts as evidence that someone poses a threat sufficient to merit being killed (Ackerman 2012). Such prerogatives clearly mirror those ascribed to the sovereign under the decisionist paradigm that the preceding chapter identified with the logic of pre-emptive security, as the president both decides when and where to intervene, and must also conjecturally construct the ultimate epistemic/evidentiary foundation upon which to make this decision.

The al-Awlaki case thus offers an additional illustration of the relationship between pre-emption and exceptionalism. However, with specific relevance to the concerns of this chapter, it also forcefully reveals the practical implications of this link for the character of political subjectivity in a pre-emptive security context. Specifically, it highlights the degree to which the anticipatory exercise of sovereign power shifts the relation between sovereign and subject in the direction of an unmediated confrontation, thus enacting a precarious condition of subjectivity. Indeed, in the al-Awlaki case, the nature of sovereign/subject relation was such that once the president made the pre-emptive decision to target al-Awlaki for assassination, the latter could immediately be killed with impunity by the agents of American sovereignty. In other words, the law no longer served as a mediator between sovereign and subject, since al-Awlaki, a US citizen, could nonetheless be killed purely on the basis of an executive decree. Any juridico-normative

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<sup>72</sup> Indeed, according to his former Chief of Staff, William Daley, Obama believes that his status as commander in chief requires that "his own judgments should be brought to bear on strikes" (quoted in Becker and Shane 2012).

limitations on the president's decisional authority were thus subordinated to a pre-emptive imperative with which such limits are fundamentally incompatible. What is more, the decision also deprived al-Awlaki of the capacity to contest or resist this precarious status, as the extrajudicial character of the targeting process serves to shield such decisions from the degree of judicial review that the Fifth Amendment purportedly guarantees all citizens. Thus, faced with a sovereign power that could unilaterally decide when he would be killed and against which he had no immediate legal recourse, al-Awlaki was effectively inscribed as precisely the sort of "bare life" that Agamben and others associate with the "exceptional" space of the "camp" without actually being located in such a space (Agamben 2000, 1998).<sup>73</sup>

The al-Awlaki case thus provides a clear example of the sort of exceptional intervention that is made possible by the logic of pre-emptive security, while also demonstrating that such exceptional interventions take place at the discretionary will of the sovereign. In other words, what the al-Awlaki killing shows is that, under the logic of pre-emption, the sort of violent, unilaterally-decided intervention to which he was exposed can, in fact, take place anywhere and against anyone if the sovereign "deems" it to be necessary. This is because whether such an intervention ultimately takes place does not depend upon any extant normative limitations on the authority of the sovereign—indeed, we have seen that such limitations are incompatible with a pre-emptive security rationality. Rather it depends ultimately upon the sovereign's conjectural imaginings of potential futures that may or may not come to pass. Put in terms of the al-Awlaki case, the point is that under the pre-emptive security regime being prosecuted through the drone

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<sup>73</sup> Taking this line of argument a step further, it might thus be concluded that the advent of the American drone warfare program—with its combination of rapid global reach and exceptionalist politics of operation—has the effect of turning entire countries such as Yemen, or even the globe itself, into what amounts to an Agambenian "camp." While perhaps excessively hyperbolic, such an argument nevertheless highlights the very real extent to which a pre-emptive security rationality—of which the drone program is one high-profile and sophisticated manifestation—renders the experience of political subjectivity quite precarious on a very broad scale.

warfare program, if Obama had decided *not* to kill al-Awlaki, this would not have been because of any juridical limitations on his doing so; it would have ultimately been because the president himself simply *decided* not to—a decision which, one way or the other, is rendered absolute (in the Schmittian sense) by the imperatives of pre-emption. Al-Awlaki’s killing thus illustrates the precarious subjectivity that is enacted by a pre-emptive security rationality quite well, since it shows how the law is effectively diminished as a meditative barrier between sovereign and subject, thus rendering the latter perpetually vulnerable to being unilaterally and incontestably inscribed as bare life if the sovereign “deems” it fit, irrespective of who they might be or where they might be located.

This latter point—that a pre-emptive security rationality diminishes the limitations on either who can be targeted for anticipatory action or where this targeting can occur—is an important aspect of the precarious subjectivity that accompanies a pre-emptive security regime, and can be further clarified by considering two particular details of the al-Awlaki case. The first is that al-Awlaki was an American citizen. This is significant because, as already mentioned, the Fifth Amendment to the US Constitution protects all citizens from being “deprived of life, liberty, or property, without due process of law.” Accordingly, possession of American citizenship ought to shield an individual from execution by the state on the basis of a unilateral executive decision. Yet al-Awlaki’s killing was authorized and carried out on precisely these terms. This provides a useful illustration of the point that, under a pre-emptive security rationality, there can be no effective restrictions upon *who* can be targeted for anticipatory intervention. This is a necessary component of pre-emptive security, since deference to such juridico-normative circumscriptions as the rights of citizenship would limit the enhanced discretionary authority of the sovereign, thus compromising its capacity to render the pre-

emptive imperative actionable. Indeed, the al-Awlaki case shows that, under a pre-emptive rationality, the imperative to tame temporal contingency trumps existing normative mediations between sovereign and subject, such that even the protections of citizenship can be disregarded in the present in the name of attempting to govern the future.

The second aspect of the al-Awlaki case that illustrates the unmediated relation between sovereign and subject in the context of pre-emptive security is the fact that the killing took place on Yemeni territory, and thus outside the legally defined jurisdiction of the American executive that authorized and carried it out. This shows that the decisionist form of sovereign authority presupposed by pre-emptive security operates beyond legal circumscriptions relating not only to *who* one is—such as the protections of citizenship—but also to *where* one is located—such as the jurisdictional boundaries of states. This is again because the imperative to tame the future requires a sovereign power largely unconstrained by juridico-normative limitations, which includes those associated with present spatio-political distinctions such as state borders. Indeed, the sources of potential catastrophe are defined temporally rather than spatially, and thus may not neatly correspond to present spatial arrangements. As such, efforts to pre-empt them by acting upon the future must disregard these arbitrary spatial distinctions of the present, since deference thereto would compromise the absolute decisional authority that is required to render the pre-emptive imperative politically actionable. The adoption of a pre-emptive security rationality thus presupposes the liberation of sovereign power from circumscription by the spatialized distinctions of the prevailing global political order, as it can only be effectively deployed against a fluidly indefinite future if it is able to operate across the spatio-material rigidities that constitute that order.<sup>74</sup>

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<sup>74</sup> In this context it is worth once again highlighting the important distinction between the logic and the politics of pre-emption. While in theory a pre-emptive security rationality must be unencumbered by the spatio-political

The practical result is that the precarious subjectivity associated with the ever-present potential of a pre-emptive intervention is not confined to the spatial coordinates of the state from which the intervening force derives its authority, nor to any explicitly designated “exceptional space” over which this authority exercises absolute sovereignty—such as a traditional “camp” of the Guantánamo Bay type. Rather, the logic of pre-emptive security requires that the exceptional relations between sovereign and subject that obtain in these latter spaces—in which an individual is inscribed as “bare life” and thus confronts sovereign power “without any mediation” (Agamben 2000: 41)—be enacted anywhere it is deemed to be necessary by the relevant sovereign authority, irrespective of existing spatial demarcations and the normative circumscriptions that correspond thereto. In other words, under a pre-emptive security regime, spatially constituted mediations between sovereign and subject—such as state borders, “camp” fences, or other specific delineations between an “inside” and an “outside”—are rendered effectively irrelevant with respect to determining where exceptional interventions can take place.

The al-Awlaki case exemplifies precisely this sort of spatially unconstrained sovereign power in action, as it shows that an individual unilaterally “deemed dangerous” by the American executive remains equally vulnerable to violent anticipatory intervention whether s/he is located beyond or within the legal sovereign jurisdiction of the United States. Indeed, the Hellfire missiles that killed al-Awlaki were fired from a drone aircraft remotely piloted by American personnel, and struck and killed an American citizen on sovereign Yemeni territory. The very act of firing these missiles as a pre-emptive intervention against a potential future in which al-

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boundaries of the present if it is to adequately act upon the future, the practice of pre-emptive security still largely conforms to the contours of contemporary geopolitics. In other words, though the *logic* of pre-emption demands that present spatial distinctions be disregarded, the drone program is in practice largely confined to a particular territorial area—the states of the Muslim world—thus suggesting an explicitly racialized (*geo*)*politics* of pre-emption. Thinking more broadly, this point hints at the importance of the spatial to the practice of pre-emptive security, the importance of which, as noted in the Introduction to this study, is by no means being unduly discounted here.

Awlaki had engineered the “next terrorist attack” thus served to enact the logic of the “camp” not within the boundaries of the American state or within a specifically delineated “exceptional space” subject to American sovereignty, but along a rural Yemeni road. This illustrates how the operationalization of pre-emptive security creates a condition in which *anyone* can be designated for anticipatory intervention—since the targeting process relies upon a unilateral sovereign decision based on a speculatively imagined future in which all are potential suspects—and in which those who are targeted can be subjected to a sovereign intervention *anywhere* they might be located.<sup>75</sup>

By demonstrating how the pre-emptive exercise of sovereign power transcends limiting norms relating to a targeted individual’s citizenship affiliation and spatial location, the al-Awlaki case offers both a useful illustration of the overlap between pre-emptive security and political exceptionalism, and an archetypical example of the type of unilaterally decided, corporeally violent, anticipatory action that is thus made possible by the logic of pre-emptive security. In fact, the due process-free killing of a citizen by his own government represents precisely the type of exceptional intervention that is enabled—and perhaps even demanded—by the logic of pre-emptive security, thus highlighting the precarious character of political subjectivity that accompanies the adoption of such rationalities. Indeed, so long as a pre-emptive rationality prevails, all political subjects within the reach of a sovereign authority operating along those lines are rendered perpetually vulnerable to such interventions as that which killed al-Awlaki, even if they are never actually targeted in practice. In other words, the very fact that the al-Awlaki killing *could* take place at all shows that this state of vulnerability to what Masumi

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<sup>75</sup> Of course, speaking more practically, this also requires that the intervening force possess the material capability to exercise such broad sovereign reach. However, the al-Awlaki case shows that the advent of the drone has given the US precisely this capacity. Moreover, the US is currently in the process of augmenting its drone arsenal with a view to developing supersonic drones that are “capable of striking targets anywhere on the globe within one hour” (Canadian International Council 2012).

(2005a) refers to as the “lightning strike” of anticipatory sovereign violence defines the subjective experience under pre-emptive security. To be sure, such interventions are infrequent—although the ongoing escalation of the drone warfare campaign under the Obama administration may increase their incidence. However, the point is that they are *made possible* by the adoption of a pre-emptive security rationality, and that this *possibility* enacts a highly precarious condition of political subjectivity. The subjective experience is precarious because the *de facto* elimination of juridico-normative mediation between sovereign power and political subject permits the former to confront the latter in much the same way as takes place in such overtly exceptional spaces as the Agambenian “camp” or the Schmittian state. In this sense, the logic of pre-emptive security presupposes the creation of the same sort of subjective condition that obtains in the proverbial state of exception—that is, a decidedly precarious subjectivity. It must therefore be recognized that the enactment of such a condition is what is at stake with the adoption of a pre-emptive approach to (in)security governance.

### ***The Incoherence of Pre-emptive Security?***

The core line of argument developed across both this and the previous chapters of Part II can distilled down to the following: due ultimately to the political temporality embedded in the logic of pre-emption itself, the adoption of a security rationality based thereupon entails the creation of what amounts to an exceptional(ist) political condition, with the result that the lived experience of political subjects under a pre-emptive security regime can be best described as precarious. The contradictory tensions inhering in the idea of pre-emptive security should thus already be somewhat apparent, since such a condition of precarious subjectivity is antithetical to the idea of “security” in its most elementary sense. To be sure, all security rationalities embody



certain tensions, such that the pursuit of security in accordance with their tenets also produces *insecurity* to a greater or lesser extent—indeed, shedding light upon such tensions is the primary purpose of the critical security studies project. However, with respect to the notion of pre-emptive security in particular, these tensions are especially glaring, to the extent that its conceptual coherence can be brought into serious question. Indeed, the arguments developed in this study suggest that, by virtue of its own constitutive logic, a pre-emptive security rationality in fact brings into being precisely the sort of *insecurity* that it is normatively premised upon diminishing. In other words, a pre-emptive security rationality does not merely fail with regard to its underlying normative promises to deliver a particular form of “security”; it also actively inscribes a political condition characterized by the exact opposite. In the last two sections of this chapter, I call into question the conceptual coherence of pre-emption as a security strategy by unpacking these points in greater detail.

To begin, it is useful to take a step back and more clearly enumerate the tensions inherent to pre-emptive security rationalities, as implied by the insights proffered in this study thus far. In this respect, the preceding discussions have shown how the logic of pre-emptive security demands that an effectively arbitrary, life-and-death decisional authority be granted to relevant sovereign authorities. This, in turn, creates an environment in which individual citizens are perpetually vulnerable to being “deemed dangerous” and thus subjected to a potentially violent anticipatory intervention. And while pernicious excesses where wholly innocent individuals are targeted in this way are rare, the key point is that such instances *are nevertheless made possible* by the logic of pre-emptive security. Indeed, beyond the Mohamed Hersi and Anwar al-Awlaki cases discussed above—where the question of complete innocence is less clear—one need only consider two other high-profile cases—the shooting death of Jean Charles de Menezes in 2005

(Vaughan-Williams 2007; Taylor 2006) and the extraordinary rendition of Maher Arar in 2002-03 (Mutimer 2007)—to appreciate this point. Yet the most important issue for present purposes is that the institutionalization of this immanent possibility is an originary function of the logic of pre-emption itself, as it is ultimately traceable to the operational requirements of the temporally inflected political imperative to act on the future. This is problematic for the coherence of pre-emptive security because it suggests that the adoption of a pre-emptive rationality also necessarily implies the enactment of a condition where anyone can be arbitrarily deemed dangerous and subjected to anticipatory violence at any time, regardless of the surrounding political circumstances. Indeed, precisely because it is an originary function of the logic of pre-emption itself, such an exceptional condition would emerge under a pre-emptive security regime even in the case of states ostensibly committed to the rule of law and the upholding of human rights norms, thus rendering even their own citizens perpetually vulnerable to these sorts of exceptional interventions—whether at the airport, at the border, in a London Tube station, on a rural Yemeni road, or elsewhere (see Amoore 2008: 115). Such a condition of perpetual vulnerability is incompatible with the most basic understanding of security as “a condition of being protected [and] free from danger,” thus destabilizing any claims that pre-emptive strategies are able to deliver anything that might be understood as “security” (Der Derian 2009: 152).

Moreover, these problems are exacerbated by the explicitly “precautionary” ethos that underpins contemporary manifestations of pre-emptive security. As we have seen, this leads to an emphasis upon immediate action over moderated restraint, thus ensuring that adopting a pre-emptive rationality will result in a high level of anticipatory activity and a concomitantly increased likelihood that inevitable errors will result in excessive and unjustified violence. As David Runciman (2004) asserts, anticipatory political strategies akin to pre-emptive security

prioritize action over inaction and therefore “do not take seriously enough the downside of getting things wrong.” Thus, in addition to increasing the likelihood that individuals will be wrongly targeted, the precautionary ethos also has the effect of ensuring that incidents such as the Menezes shooting—in which an innocent man was killed by petty sovereigns acting under a pre-emptive rationality—can be framed as mere “accidents” or “mistakes” that, while regrettable, are an inevitable price to be paid for the putative protections of a pre-emptive security regime (Vaughan-Williams 2007: 183). By placing the blame for such excesses on the unique circumstances of each case, this problematically obscures the crucial point that—in a manner reminiscent of Virilio’s (2007) notion of the “integral accident”—they can be ultimately traced back to the logic of pre-emption itself, since it is what ultimately makes them possible. It therefore becomes quite difficult to resist the ongoing embrace of pre-emptive rationalities by political elites, since the exceptional violence that such rationalities originally entail can be discursively papered over in these sorts of ways. The potentially deleterious implications for the experience of political subjectivity, and thus everyday life, under a pre-emptive security regime are thus quite significant—particularly in the context of the liberal democratic polities at the forefront of its institutionalization in policy circles.

These considerations seriously call into question the coherence of pre-emption as a security rationality. However, not only do they imply that the latter is incapable of delivering a condition that can be understood as “security,” but, perhaps more importantly, they also suggest that pre-emptive security rationalities in fact reproduce precisely the form of *insecurity* that they are ultimately premised upon diminishing. To elaborate upon this point, we must recall exactly what it is that a pre-emptive security rationality seeks to achieve. Most simply in this regard, it promises above all to protect human subjects against *potentially forthcoming harms*, since the

threats against which it is framed are located in a future that may or may not come to pass. Put another way, pre-emptive security rationalities are premised upon the reduction—and, ideally, the elimination—of a certain vulnerability caused by exposure to *potential violence* represented by the possible future irruption of catastrophe. The problem, however, is that by responding to an uncertain future by enacting a politics of exceptionalism in which sovereign authorities can target subjects for anticipatory intervention on the basis of speculation and conjecture, pre-emptive security actually replaces the initial form of vulnerability that it seeks to diminish—to the irruptive threat posed by a radically uncertain future—with another form of vulnerability—to the will of a decisionist sovereign authority that can unilaterally intervene suddenly and violently in an effort to govern that future. Indeed, the potential violence of vulnerability to the “next terrorist attack” is subjectively little different from the potential violence of vulnerability to indefinite detention at Guantánamo Bay, assassination by drone strike in rural Yemen, summary execution in a London Tube station, or any other such exceptional exercises of sovereign power that are necessarily made possible by a politics of pre-emption. Thus, while the latter is normatively premised upon protecting against the potential violence of an uncertain future, the mechanisms by which it does so create a lived present fraught with an alternative form of potential violence—namely, the perpetual possibility of an extrajudicially-decided lightning strike by the state security apparatus. The preceding arguments have shown that this possibility is part and parcel of pre-emptive security, which thus places individual citizens in arguably as precarious a position as does their untempered exposure to the potential catastrophes lurking in the future’s unknowable depths.

The adoption of a pre-emptive security rationality thus brings into being precisely the sort of condition that it is premised upon eliminating. Like so many governmental innovations of the

post-9/11 global security climate, therefore, the notion of pre-emptive security in fact “ends up producing, reproducing, and regenerating the very thing it seeks to disarm” (Derrida 2003: 99). This calls into question the coherence of the idea of pre-emptive security itself, and poses a serious challenge to its viability as a policy strategy for (in)security governance. This incoherence of pre-emptive security is perhaps the most important conclusion of Part II of this study, and the next section suggests that reading the idea of pre-emptive security through Derrida’s concept of “autoimmunity” is a particularly effective way to emphasize this point.

### ***Pre-emptive Security and “Autoimmunity”***

The quotation from Derrida in the preceding paragraph was deliberately chosen, as it is taken from his own critical engagement with the Western response to the attacks of 9/11—a response that includes the types of pre-emptive security strategies with which this study is concerned (Derrida 2003). In context, the quotation is part of his broader description of how the socio-political dynamics unleashed by this response represent a concrete illustration of his notion of “autoimmunity” (Derrida 2005, 2003). This concept is central to Derrida’s later “political” writings, and although it has been widely discussed across a number of disciplines, its appropriation by the International Relations literature has remained quite limited.<sup>76</sup> In this section, I consider how the idea of autoimmunity offers a useful conceptual lens through which to theorize the problematic character of pre-emptive security, since it concisely describes the sorts of internally contradictory tensions that the previous section has identified, and thus emphasizes how their deleterious practical effects are in fact an originary function of the logic of pre-emption itself. This point is crucial, since it can productively serve as the conceptual foundation for a serious policy critique of the emerging consensus around the utility of pre-

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<sup>76</sup> Two notable exceptions in this regard are Arfi 2010a, 2010b, and Vaughan-Williams 2007.

emptive security strategies in particular, and the efficacy of anticipatory governance rationalities more generally.

### *Derrida's Autoimmunity*

We must begin by elaborating upon what precisely Derrida meant when speaking of “autoimmunity.” The term itself is, of course, derived from the vernacular of medical science,<sup>77</sup> where it describes a category of disease in which the body’s own immune system “misrecogniz[es] parts of itself as other than itself and then seeks to eliminate these unrecognized and hence antagonistic aspects of itself” (Cohen 2004: 8). An autoimmune response thus constitutes “a living contradiction,” as the very mechanism whose purpose is to protect the body—the immune system—ends up turning against the body and ultimately harming it (*Ibid.*). Derrida appropriates this idea and extends its application to the realm of the social, asserting that in fact “all kinds of beings, from discourses to institutions” are subject to what he terms “a general logic of autoimmunity” (Naas 2006: 25, Derrida 2002).

In elaborating upon this “general logic,” however, Derrida modifies the meaning of autoimmunity from its original medical formulation in subtle yet important ways. In particular, he places greater emphasis on its relation to the root concept of “immunity” by specifying that *autoimmunity* only emerges subsequent to an original “immunizing gesture” (Naas 2006: 34; Arfi 2010a: 246, 2010b: 312). Thus, for Derrida, any attempt by a social entity—such as a political community—to “immunize” itself against a putatively threatening “other”—through the

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<sup>77</sup> Although, as an interesting aside, it should be noted that the medical sciences appropriated the root idea of “immunity” from the social realm, where it originally referred to those “who were in one way or another exempt from the ordinary citizen’s obligations”—a meaning that is residually present today in the notion of “diplomatic immunity.” Indeed, the entire medical metaphor of the “immune system”—so common today—is in fact derived from the social world, based as it is on the idea of foreign invaders that must be actively confronted and eliminated by an internally constituted force (see Miller 2009: 124; Mitchell 2005: 917).

construction and defence of a sovereign boundary, for example—necessarily renders that entity subject to the “illogical logic” of autoimmunity (Derrida 2005: 35-6). Autoimmunity is thus originally present in any immunizing move, as “there is no immunity without autoimmunity”—the one is part and parcel of the other (Derrida 2003: 159). Moreover, because the autoimmunitary process is precipitated by the immunizing gesture itself, Derrida asserts that it is, more specifically, the *immunity* of the entity that is destroyed by the logic of autoimmunity. In other words, the process of autoimmunity represents the destruction not of the entity itself—although this may ultimately follow—but more specifically of its own immunitary protections. This particular specification is important for Derrida, as it is made clear in two of the more lucid descriptions of his understanding of autoimmunity. In *Rogues*, for instance, he describes it as “this strange illogical logic by which a living being can spontaneously destroy, in an autonomous fashion, the very thing within it that is supposed to protect it against the other, to immunize itself against the aggressive intrusion of the other” (2005: 123); while in *Philosophy in a Time of Terror*, he describes it as “that strange behaviour where a living being, in quasi-*suicidal* fashion, ‘itself’ works to destroy its ‘own’ immunity” (2003: 94, emphasis original; see also Borradori 2003: 20).

In accordance with this formulation, Derrida emphasizes that in the socio-political context, the operation of this logic can lead an original immunizing gesture to ultimately bring into being precisely that which it is premised upon protecting, or “immunizing”, against (Derrida 2003: 99). Indeed, since it is the immunitary protection itself that is compromised, the types of condition(s) that this protection seeks to preclude are ultimately made manifest by the autoimmune process. Derrida thus asserts that any attempt to foreclose against what he calls “the coming of the other”—by which he means any “event” situated beyond the realm of

knowability/calculability—must inevitably lead to an “exposure” to precisely that “other” through the logic of autoimmunity that is always already immanent in such a move (2005: 152-53; Gasché 2004: 295; Arfi 2010a: 246).<sup>78</sup> In more concrete terms, these ideas have been deployed by Derrida himself, along with numerous others, with respect to the actions of the liberal West in the wake of the 9/11 attacks (Derrida 2005: 40, 2003: 94-99; Cheah & Guerlac 2009: 12-13; Miler 2009: 128; Naas 2006: 31; Mitchell 2005: 919). The arguments here vary in nuance and sophistication, but generally focus upon the enactment by such polities of various illiberal practices, and emphasize how the very politico-juridical elements that ostensibly “immunize” liberal democratic states and their citizens against such things as arbitrary sovereign violence and human rights violations are thus transgressed in the name of securing those very elements through an ongoing “War on Terror.” While occasionally representing rather facile applications of Derrida’s characteristically complex theoretical claims, such arguments nonetheless highlight the key aspects of the concept by emphasizing both that it is “immunity” itself which is compromised by the autoimmune process, and that the practices that trigger the process ultimately end up bringing into being the very type of condition they aspire to secure (or “immunize”) against (Derrida 2003: 94).

### *Pre-emptive Security as Autoimmune*

In light of both Derrida’s formulation and the arguments developed in this and the preceding chapters, the idea of pre-emptive security can be usefully read in terms of “autoimmunity.” Indeed, not only do pre-emptive security rationalities constitute precisely the

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<sup>78</sup> Derrida’s detailed theoretical argument as to exactly why this is so is developed at length throughout *Rogues* (2005). However, the complexity of his claims renders even a cursory summary far beyond the scope of this chapter. For usefully concise—albeit unavoidably simplified—discussions of this question, see Cheah & Guerlac 2009: 13-17 and Naas 2006: 20-26.



sort of social processes that Derrida claims are subject to the logic of autoimmunity, but the conceptual tensions identified in the preceding section are an excellent example of that logic being borne out. In this respect, recall from chapters 2 and 3 that the advent of pre-emptive rationalities of government was precipitated by an apparent need for reformulations of sovereignty aimed at more actively taming the radical uncertainty of the late-modern world. The adoption of a pre-emptive security rationality can in this sense be understood as exactly the sort of “immunizing gesture” of which Derrida speaks, since it is normatively premised upon diminishing vulnerability to potential violence by “immunizing” against the catastrophic potentialities deemed to inhabit the unknowable depths of the future. Moreover, such potentialities—typified by the spectre of the “next terrorist attack”—constitute the very type of incalculable “event” or “other” against whose coming an “immunizing gesture” as theorized by Derrida seeks to foreclose (Derrida 2005: 135, 144, 148, 152; Gasché 2004: 295). The idea of pre-emptive security as a socio-political project is thus exactly the sort of process to which the “illogical logic” of autoimmunity is claimed by Derrida to apply.

Derrida also emphasizes that this logic is activated by the original immunizing gesture itself; and the preceding discussions have shown that this description also applies to the conceptual tensions inherent to the idea of pre-emptive security. Indeed, it is the attempt to (re)assert control over temporal contingency—which, again, constitutes an “immunizing gesture”—that creates the imperative to act upon the future, which in turn prioritizes the imagination and thus enacts an exceptionalist politics that ultimately compromises the pre-emptive security project by bringing into being a condition of precarious subjectivity akin to that which it aims to diminish. In other words, just as in Derrida’s logic of autoimmunity—in which the autoimmune process is triggered by the original immunizing gesture—the incoherence of

pre-emptive security is activated at precisely the moment that it is decided to make the immunizing gesture of turning the idea of pre-emption into a practical security rationality. From this perspective, Part II of this study can be read as an extended description of how the autoimmunitary logic of pre-emptive security unfolds, since it is through the processes described above that this logic is manifested.

Finally, Derrida argues that the logic of autoimmunity ultimately leads to the creation of that which the original immunizing gesture was aimed at protecting against. As we have seen in the previous section, this is precisely what results from the adoption of a pre-emptive approach to (in)security governance, since the political exceptionalism required by the underlying imperative to act upon the future merely replaces one form of precarious subjectivity with another. Indeed, pre-emptive security rationalities are normatively premised upon diminishing vulnerability to the potential violence of future catastrophe; however, this aim is pursued by ultimately institutionalizing vulnerability to the potential violence of a radically decisionist sovereign authority impelled to intervene pre-emptively on the basis of mere conjecture and speculation. Thus, in a manner congruent with the Derridean autoimmune process, pre-emptive security's internal conceptual tensions not only preclude it from ultimately providing "immunity," but in fact lead it to bring into being precisely the sort of condition that it is premised upon mitigating.

Derrida's concept of autoimmunity therefore provides a very useful lens through which to understand the conceptual tensions inherent to the idea of pre-emptive security. Not only does it succinctly capture how the latter fails to live up to its normative promises and in fact ends up creating that which it aspires to eliminate; it also conveys the crucial point that this aporetic contradiction is fundamentally embedded in the logic of pre-emption itself. This is important because, in addition to illustrating how pre-emptive security rationalities operate through

manifestly illiberal practices that ultimately exacerbate the *insecurity* of political subjects—an argument that has been made at length in this existing literature—Part II of this study has also sought to emphasize that this is not merely due to poor implementation by specific political authorities in particular states, but rather is a function of the very idea of pre-emptive governance itself. Describing pre-emptive security rationalities as “autoimmune” conveys both of these points clearly and succinctly, as it invokes a familiar medical condition where the cohesion and integrity of an entity is compromised by a potentially fatal internal contradiction, and in which the mechanism that is supposed to protect the entity from exogenous harm in fact creates such harm endogenously.

Moreover, with respect to the broader contribution of this study, an emphasis upon both of these points together is quite important. This is because although this study is primarily conceptual in nature, these points together can serve as the conceptual foundation for a more policy-oriented critique of pre-emptive security in particular, and anticipatory governance more generally. In this respect, they suggest that the problematic practices associated with pre-emptive security rationalities cannot be remedied by simply modifying existing policies or implementation strategies. Rather, because these problems have been revealed as fundamentally inherent to the logic of pre-emption itself, they will continue to emerge whenever pre-emption is the overarching aim of a particular policy regime, regardless of the way in which it is practically implemented. This undercuts important lines of defence against critics of pre-emptive security, since, for instance, it renders untenable the claim that such violent excesses as the Menezes shooting are mere aberrational “mistakes” unique to the circumstances of a particular case, instead emphasizing that their possibility is part and parcel of a pre-emptive approach. Viewed from this perspective, an argument for further entrenching anticipatory security governance

becomes much more difficult to support, as an equally compelling argument can be advanced that the wholesale embrace of pre-emptive security will merely replace one form of *insecurity* with another. Understanding pre-emptive security in terms of “autoimmunity” may therefore lead policymakers currently enamoured with the idea to more thoroughly scrutinize its viability as a rationality for (in)security governance.

Thus, in addition to being analytically useful in terms of concisely capturing the key conceptual points developed in Part II of this study, framing pre-emptive security in terms of Derrida’s notion of “autoimmunity” creates discursive space for further critical interventions that explicitly question its practical validity and policy legitimacy—particularly in the context of the liberal democratic states whose core juridico-political tenets are challenged by the exigencies of pre-emptive security, yet whose policymaking elite remain strong supporters of it. Indeed, the al-Awlaki killing—which was undertaken by the most powerful of such states, the US—offers an archetypical example of the autoimmune process in action, since the political process through which the imagined threat he posed was pre-empted required the enactment of a form of sovereign authority whose existence poses an equally serious threat of potential violence to those it is ostensibly trying to protect.<sup>79</sup> Understanding pre-emptive security in terms of autoimmunity clearly emphasizes such tensions, thus lending greater urgency and legitimacy to attempts to resist the emerging consensus in favour of anticipatory governance strategies that characterizes contemporary liberal societies.

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<sup>79</sup> This point suggests that the fact that Derrida himself develops the theory of autoimmunity in specific reference to the broader concept of democracy is no coincidence, as the autimmunitary turn toward pre-emptive governance has been a prominent feature of contemporary liberal democratic politics (see Derrida 2005).

## ***Conclusion***

Under the broader aim of considering what is at stake in the ongoing “temporalization” of governance practices in the current (global) political moment, Part II of this study has been concerned with developing a detailed critical interrogation of the notion of pre-emptive security. Toward this end, chapters 3, 4, and 5 have considered, respectively, what pre-emptive security can be understood to mean, how it operates as a political rationality, and what paradigm of sovereign authority it requires to be institutionalized. The task of this sixth chapter has been to take stock of the arguments developed in these discussions and critically consider what they imply with respect to the practical implications of adopting a pre-emptive approach to (in)security governance. In this respect, I have argued that the reliance of pre-emptive governance strategies upon what amounts to an exceptionalist form of sovereign authority leads a security rationality premised thereupon to enact a political condition characterized by a precarious subjective experience. In particular, I argued that the types of practices that are necessarily made possible by a pre-emptive security rationality place those subjected to it in a position of perpetual vulnerability to what amounts to arbitrary, extrajudicial interventions by the agents of sovereign power. Having illustrated this point through an in-depth discussion of the targeted killing of Anwar al-Awlaki, it was subsequently argued that the creation of this status of vulnerability to such interventions—regardless of the (in)frequency of their occurrence—seriously undercuts the coherence of pre-emptive security as an idea. This is because the latter is ultimately premised upon countering precisely that sort of precarious subjectivity by insulating against the catastrophic contingencies of a radically uncertain future. It thus merely replaces one form of vulnerability to sudden, violent irruptions with another. In light of these considerations, it was concluded that the notion of pre-emptive security can be productively read through the

lens of Derrida's concept of autoimmunity, since doing so emphasizes the degree to which these contradictory tensions are originary to the logic of pre-emption itself. This suggests that the problematic practices associated with pre-emptive security can only be mitigated by diverging from the broader trend toward anticipatory governance, rather than through any modification to the way such strategies are implemented. Understanding pre-emptive security in terms of autoimmunity might therefore prove a useful conceptual departure point for developing a more policy-oriented critique of anticipatory forms of governance more generally. Indeed, the idea of pre-emptive security represents merely one manifestation of a broader global move toward "temporalized" governance based on a spectrum of anticipatory logics from risk to precaution. The critical insights developed in Part II of this study can thus be extrapolated beyond the security realm to address the more general trends that have characterized our governmental responses to the putative "end of certainty." This theme will be taken up briefly in the Conclusion.

## **Conclusion**

Recall from the Introduction that this study was concerned with undertaking three principal tasks: first, to emphasize that time ought to be “brought in” to the study of global politics, and to provide a full-study length illustration of how this might be done; second, to lay the foundation for, and begin to develop a critique of the sorts of anticipatory governance rationalities whose global proliferation is a primary reason for taking time seriously in IR; and third, to develop a comprehensive theorization of one particular example of such forms of governance—namely, the emerging regime of pre-emptive security that characterizes the prosecution of the global War on Terror. The pursuit of these tasks has not directly paralleled the preceding chapter divisions, and each has been given varying emphasis as the dissertation has progressed; however, it is my hope that at this point the reader both understands the connection between these tasks and, perhaps more importantly, considers them to have been adequately completed in the above pages. By way of conclusion, let us briefly revisit how I have addressed the aims of these tasks in this dissertation.

With regard to the first task, the key point is that all of the core arguments of this study—whether relating to the conceptual constitution of state sovereignty or the practical politics of American drone warfare—were intimately related to the question of time in general and its governance or control in particular. In other words, the above arguments can be collectively understood as an illustration of the type of (global) political analysis that results from adopting a “temporal lens,” since they were only made possible by placing time “front and centre” (Ancona *et al.*: 645). Moreover, by discussing how shifts in the broader political imagination and concomitant developments in the realm of political praxis have reinscribed time itself as a significant political problem, the analysis also made the point of reiterating why “bringing time

in” to the study of world politics was necessary. Indeed, this suggests that the continued reluctance to take time seriously in IR scholarship is untenable, since it precludes an adequate understanding of an increasingly “temporalized” global political environment.

With respect to the second task, I laid the foundation for a critique of the anticipatory governance strategies that characterize the aforementioned shifts in political imagination and praxis by demonstrating that such strategies require forms of political authority that in many ways conflict with the norms and principles of liberal democracy—a trait that, it should be recalled, stems directly from their emphasis on governing time. While these points were developed through an in-depth exploration of one particular manifestation of anticipatory governance—the pre-emptive security strategies of the War on Terror—the analysis nonetheless suggests that the logic of anticipatory governance more broadly implies a significant, and potentially quite problematic, modification to the way political power and authority is organized and exercised. As will be discussed in the next section, this point has broader implications for the legitimacy of such political rationalities.

The completion of the third task served as a vehicle for the pursuit of the second, as I developed an in-depth account of pre-emptive security that illustrates how this temporally inflected approach to the problem of transnational terrorism entails a shift toward a politics of exceptionalism—a shift that is ultimately traceable to its constitutive temporal inflection. In particular, it was emphasized that by attempting to control the potentially catastrophic future through pre-emptive action in the present, this approach to (in)security governance actively manipulates our relation to time by “making the future present,” which has the effect of compressing the timescape of political decision-making in an anti-democratic way and requiring “affective facts” or “gut feelings” rather than verifiable evidence to serve as the primary basis for



such decisions. Indeed, by prioritizing the governance of the ultimately unknowable future, such approaches rely upon speculation and conjecture about potential futures that are to be acted against, thus placing the exercise of the imagination at the core of security action. This has the political effect of conferring upon the sovereign authority—which is most often the executive but can also include mundane bureaucratized authorities, or “petty sovereigns”—a radically enhanced degree of decisional discretion. A paradigm of sovereign authority conspicuously reminiscent of that which obtains in a so-called “state of exception” thus results, where the juridico-normative mediations between sovereign and subject are diminished and a condition of precarious subjectivity is inscribed—even in the case of liberal democratic polities. This line of argument, as developed throughout Part II above, constitutes the realization of the third task, since it provides a comprehensive conceptual picture of this most conspicuous manifestation of the broader “temporalization” of the political.

With the principal tasks outlined at the outset complete, it is now possible to conclude this study with some brief reflections on the broader implications of the arguments developed in the preceding pages.

## **Concluding Thoughts**

### *On the Legitimacy of Anticipatory Governance*

A significant portion of this study was devoted to developing an in-depth theorization of the notion of pre-emptive security in the abstract. In addition to fulfilling the aims of the third principal task, this endeavour also offers an important contribution to the critical security studies literature, as it represents the first attempt to comprehensively theorize the way logics of anticipatory governance have been adopted and deployed in the context of the global War on

Terror. Indeed, although the pre-emptive character of contemporary (in)security governance has been of interest to critical security scholars, no in-depth conceptual account of its normative and operational logics yet exists in the literature. By providing such an account, this study offers a theoretical foundation upon which additional critical work relating to specific examples of pre-emptive security can be based. Moreover, by uncovering an intimate conceptual link between the logic of pre-emption and the politics of exceptionalism, this account also contributes to ongoing discussions relating to the proliferation of the latter phenomenon in post-9/11 global security politics—a central theme of contemporary critical scholarship—as it suggests that this trend can be explained at least in part by the broader turn toward anticipatory governance rationalities that has characterized our ongoing response to the putative “end of certainty.” Accordingly, this point relating to the narrower disciplinary contributions of this study also hints at the relevance of the above insights relating to pre-emptive security for the logic of anticipatory governance more generally—a question that is of particular importance when considering the wider implications of this study’s findings.

In this respect, while the myriad security practices based on the abstract concept of pre-emption that have been adopted across the globe in recent years differ widely in their specific characteristics, all can be understood to reflect an emerging consensus that the most pressing security problems can be best addressed through future-oriented modes of governance ultimately premised upon (re)asserting a degree of control over the unfolding of time itself. Importantly, this suggests that the rise of pre-emptive security is not wholly a unique manifestation of idiosyncratic post-9/11 counterterrorism imperatives, but instead can be situated within the wider “shift from responding to past events to preventing future harms” that constitutes “one of the most significant but unnoticed trends in the world today” (Dershowitz 2006: 7). As such, the

preceding chapters' arguments about pre-emptive security also carry lessons for the wide variety of anticipatory governmental rationalities being deployed in areas other than the ongoing efforts to confront transnational terrorism. The most important consideration here is, again, that such anticipatory governance strategies are manifested through what amounts to an exceptionalist politics, since this implies that their implementation entails a serious modification to the way political power is organized and exercised. Indeed, it is in this respect that the arguments developed in Part II have relevance beyond the security realm, since it is precisely this sort of anti-democratic reformulation of political power that is at stake in the broader political "temporalization" of which the rise of pre-emptive security is but one illustration.

This is not to say that the particular form of exceptionalist politics that I have identified as part and parcel of a pre-emptive approach to governing terrorism—in which the prerogative to make juridically unbound life-and-death decisions on the basis of conjectural knowledge is vested in sovereign authorities—will necessarily emerge wherever and whenever a future-oriented political rationality is implemented. The actual practices that result from adopting an anticipatory approach will vary considerably with respect to the particular issue area and the sort of problem to which it is considered a proper policy solution. Moreover, these practices may not be as ethically and politically fraught as those which have resulted from the rise of pre-emptive security in the post-9/11 era—and in fact, may legitimately constitute the most appropriate response to the governance problem in question. In the realm of environmental governance, for example, the spectre of catastrophic climate change may be interpreted as demanding a precautionary approach premised upon avoiding imagined worst-case scenarios; however, the resulting practices are likely to take the form of more stringent government regulation of emissions and pollutants rather than the assumption and exercise of the prerogative to target and

kill citizens via drone strikes. Yet the point remains that, irrespective of the particular context, governance decisions under an anticipatory rationality must be based upon imagined future potentialities. And as this study has shown, this has the effect of enhancing the discretionary subjectivity of the deciding authority in a rather anti-democratic way. Any decision relating to the adoption of anticipatory governance rationalities must thus recognize that this sort of modification to the architecture of political power will follow.

This is a particularly important point in the context of liberal democratic polities, since, on the one hand, the logic of anticipatory governance militates against their constitutive juridico-political principles, while on the other, it is precisely these types of polities that are in the vanguard of adopting such temporally inflected approaches to political problems—both in the security realm and beyond. Consider the European Union (EU) in this respect. The core political requirement of the so-called “Copenhagen Criteria” for membership in the Union is that a state possess “stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities” (European Union 2013). The preceding chapters have suggested that the first three of these in particular may be undermined to at least some extent by the adoption of anticipatory forms of governance. Yet the EU has also publicly committed to a policy-making process that explicitly includes one particular well-known iteration thereof—the “precautionary principle,” which was described at length in Chapter 2 (European Commission 2000). Indeed, “the European Union has taken a leadership role in promoting the precautionary principle as a basis for making decisions” across a range of issue areas, including environmental governance, food policy, consumer protection, and technological development (Hahn and Sunstein 2005: 1). The arguments developed in this study suggest that this embrace of a precautionary approach to governance entails significant political implications that must be

addressed if the EU is to maintain its commitment to democratic norms. For example, we have seen how such future-oriented rationalities grant greater subjective discretion to decisional authorities who are often unelected “petty sovereigns”—a condition that parallels some of the most trenchant critiques of the EU project, which are rooted in claims of excessive and undemocratic bureaucratization. Again, the point is not that anticipatory governance strategies are never legitimate in a democratic polity; but rather that the way in which such an approach alters the organization and exercise of political power must be taken seriously, since such changes can undermine the constitutive principles of liberal democracy in crucial ways.

A broader conclusion that can be drawn from this study is thus that any policy decision to implement a form of anticipatory governance must be taken with great caution, with the potential consequences for democratic principles weighed carefully against the purported benefits of ostensibly reasserting some degree of control over the unfolding of the future in this way. Such judicious reflection might, for instance, recommend a rollback of the pre-emptive security apparatuses characterized by targeted killing and indefinite detention, while endorsing anticipatory action against climate change—where intervention would not take the form of effectively arbitrary sovereign violence—and supporting risk-based mechanisms of financial governance—where private authority is of significant importance and democratic concerns might accordingly be less urgent. In short, while anticipatory rationalities such as pre-emptive security may represent an important political tool in our ongoing effort to confront the key problems of late modernity, this study has shown that such strategies carry with them significant ethico-political baggage, and must therefore be deployed with great care if this tool is to be used responsibly.

*On the Question of Time and the Study of Global Politics*

In addition to drawing attention to the more policy-relevant point that anticipatory approaches to governance entail significant modifications to the way political power is organized and exercised, this study has also addressed a more strictly academic point regarding the importance of taking time seriously in the study of world politics—with particular emphasis upon the analytical utility and critical potential of doing so. In this respect, the key consideration is that the core insights which led to the conclusions about the anti-democratic character of anticipatory governance were a direct result of foregrounding the question of time throughout the preceding analysis. In other words, the original critical arguments developed in this study were only made possible by taking time seriously. A brief revisiting of the chapters of Part II makes this point clearer. For instance, Chapter 3’s description of the post-9/11 iteration of pre-emption as applied to the realm of (inter)national security shows that the latter can only be properly understood by foregrounding the question of time. Indeed, because it inscribes radical uncertainty as the basis for, rather than an impediment to, anticipatory action, the contemporary articulation of pre-emption is not simply a mechanism for avoiding particular imminent possibilities, but a rationality for controlling the unfolding of time more broadly. Chapter 4’s attempt to develop a critical account of pre-emption’s operational logic also relies upon the foregrounding of time, since this logic is best understood by considering how it serves to actively manipulate our relation to time by effectively “making the future present.” Relatedly, the crucial link between pre-emptive security and political exceptionalism discussed in Chapter 5—which constitutes perhaps the most important original insight of this study—was revealed by unpacking the political temporality of pre-emption and considering how its emphasis upon the future requires the prioritization of the imagination in the context of political praxis. Finally, because it

enacts what amounts to an exceptionalist political paradigm, it is this temporal imperative to control the future that is the ultimate source of the precarious subjectivity that Chapter 6 demonstrates as part and parcel of adopting a pre-emptive security rationality. Put most simply, then, the critical insights relating to the logic of pre-emptive security that can serve as the basis for a broader critique of anticipatory modes of governance only became apparent by bringing the question of time to the fore in the preceding analysis. This suggests that taking time seriously is not only analytically useful, but it also productively facilitates the development of critical insights in the study of global politics.

The chapters of Part I also demonstrate these points in a more general context. Chapter 2's description of the ongoing "temporalization" of the political highlights the analytical importance of foregrounding the questions of time by demonstrating how explicitly temporal problems have been inscribed as pressing political issues, leading to the proliferation of temporally inflected political rationalities in response. This implies that adopting a temporal lens is crucial to fully understanding some of the phenomena that are of crucial importance to contemporary global politics. Chapter 1's discussion of how the concept of state sovereignty is ultimately premised upon the governance of time as well as space also makes this point by demonstrating how the question of time and its control fundamentally underpins this most elemental of global political concepts. This suggests that continued marginalization of the temporal would prove problematic at the purely conceptual level as well. Moreover, Chapter 1 also provides a clear illustration of the critical potential of taking time seriously in that, by highlighting the temporal underpinnings of the concept of sovereignty, it shows how prioritizing time can make possible innovative re-readings of fundamental political concepts in such a way

that the core critical aim of “re-open[ing] assumptions that have grounded our political thought” is realized (Edkins and Vaughan-Williams 2009: 2).

Collectively, these points lend support to the core animating belief of this study that IR’s rather unique disinterest in questions of time and temporality represents a significant shortcoming of the discipline as currently constituted. Particularly in the contemporary context of globally proliferating rationalities of anticipatory governance, this temporal blindness may lead to impoverished analysis that obscures or fails to adequately understand certain crucial dynamics of global politics. It may also foreclose a significant degree of critical possibility by hindering the emergence of the sorts of innovative conceptual readings that are the wellspring of critical scholarship. In short, this study began with the proposition that the discipline of International Relations should take time more seriously, and the subsequent analysis has provided an in-depth demonstration of why this is so. Thus, in addition to the critique of pre-emptive security strategies and anticipatory governance rationalities that speaks to questions of political praxis, this dissertation also speaks to disciplinary questions relating to the scope and framework of academic inquiry in the study of global politics by demonstrating that an approach that prioritizes questions of time is both intellectually possible and analytically productive. This suggests that IR ought to bring itself in line with most other disciplines whose subject matter is the human experience and recognize the vital importance of temporality to the constitution and operation of the social world. Doing so will only enhance the analytical and critical capacity of IR scholars to make sense of the increasingly complex realm of contemporary global politics.



*Future Directions*

It is important to note, however, that this dissertation represents only one example of the sort of scholarly intervention that is made possible by adopting a temporal lens in the analysis of world politics. Indeed, future work might productively begin where this study has left off, by exploring in further depth how anticipatory governance strategies have been adopted and deployed in other issue areas—such as global environmental, financial, or public health governance—while paying particular attention to how this has affected the organization and exercise of political power in those particular policy contexts. Such work would add further nuance and depth to this study’s claims about the anti-democratic character of anticipatory governance, since these claims have been primarily developed through the in-depth interrogation of only one manifestation thereof. Moreover, in addition to helping further carve out a niche for scholarship concerned with temporal questions within the discipline of IR, such a line of inquiry would also contribute to developing a more comprehensive knowledge base relating to the potential costs and benefits of implementing anticipatory strategies across a variety of political and policy contexts. This would help to ensure that such governmental rationalities are employed in the most responsible way possible.

However, by way of conclusion, it is also worth considering how this latter concern can be addressed through discursive efforts to modify certain aspects of the (global) political imagination that have fuelled the widespread embrace of anticipatory strategies as the most appropriate governmental solutions to some of the more pressing political problems of our time. For example, this trend might be resisted if the Machiavellian imperative to tame *fortuna* can be relaxed, and the uncertainty of the future recast not simply as a potential catastrophe that must be controlled, but as an inexorable condition of the human experience. In other words, if we can

come to terms with the ineradicability of temporal contingency and thus more fully reconcile ourselves to our ultimate inability to control the unfolding of the future, the impetus to adopt political rationalities concerned with doing just that might diminish considerably—and along with it the temptation to trade the liberal democratic principles of the present for the ostensible capacity to better control the future. Such a “politico-philosophical recognition of the fragility of modern life” need not deny all agency to humanity in the face of time’s march (de Goede and Randalls 2009: 867); however, it would help foster a political imagination that no longer views the taming of uncertainty as an imperative whose urgent pursuit can override most other concerns—including its potentially deleterious effects on the organization and exercise of political power. Interestingly, Machiavelli himself appears to endorse a similar outlook, arguing in chapter 25 of *The Prince* that, “since our free will must not be eliminated, I think may be true that *fortuna* determines one half of our actions, but that, even so, she leaves us to control the other half” (Machiavelli 1995: 44). Read in context, his implication seems to be that while it is prudent to do our best to control what aspects of the future we reasonably can, we must also accept that there are some contingencies that are beyond our capacity to tame. Political elites, policymakers, and public thought leaders might thus do well to heed such advice by judiciously limiting calls for anticipatory interventions to those problems that fit under the first category rather than the second. Indeed, perhaps the central lesson of this study is that if the “quest for time control” becomes so powerful a motivation in political thought and action that public authorities overreach in their attempts to achieve it, this may end up seriously undermining precisely those abstract principles and practical ways of life that the resulting actions are aimed at preserving.

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