#### …We have a new type of rule now. Not one man rule, or rule of aristocracy, or plutocracy, but of small groups elevated to positions of absolute power by random pressures and subject to political and economic factors that leave little room for decision. They are representatives of abstract forces who’ve reached power through surrender of self. The iron-willed dictator is a thing of the past. There will be no more Stalins, no more Hitlers. The rulers of this most insecure of all worlds are rulers by accident inept, frightened pilots at the controls of a vast machine they cannot understand, calling in experts to tell them which buttons to push.”[[1]](#footnote-1)

#### In the current political controversy over the War on Terror, Baudrillard puts it aptly…

IT IS THEIR LIVES AND DEATHS that the terrorists are laying on the line, at the highest possible cost. It is everything by which a human being retains some value in his own eyes that we (the West) are deliberately sacrificing. Our potlatch is one of baseness, shameless, obscenity, debasement and abjection. This is the whole movement of our culture – it is here that we raise the stakes. Our truth is always to be sought in unveiling, de-sublimation, reductive analysis – it is the truth of the repressed, of exhibition, of confession, of laying bare. Nothing is true if it is not de-sacralized, objectivized, shorn of its aura, dragged on to the stage. Our potlatch is the potlatch of indifference – an in-differentiation of values, but also an indifference to ourselves. If we cannot lay our own lives on the line, this is because we are already dead. ¶ And it is this indifference and abjection that we throw out to the others as challenge, the challenge to debase themselves in their turn, to deny their own values, to lay themselves bare, to make their confessions, to own up – in short, to respond with a nihilism equal to our own.[[2]](#footnote-2)

#### Baudrillard continues…

BAUDRILLARD: You've only to take the 'zero deaths' formula, a basic concept of the security order. It's clear that this equates mathematically to 'zero lives'. By warding off death at all costs (burdensome medical treatment, genetics, cloning), we're being turned, through security, into living dead. On the pretext of immortality, we're moving towards slow extermination. It's the destiny of maximum good, of absolute happiness, to lead to a zero outcome. Illusion, that is to say, evil, is vital. When you exchange this vital illusion for the unconditional promotion of Good, then you're heading for a blowback from the accursed share. This is how things are getting better and better and, at the same time, worse and worse. ([[3]](#footnote-3))

#### The current dominant political logic surrounding drones and the war on terror is rooted the politics of (in)security – This is a logic with an intrinsic temporal element, judging suspects on the sovereign’s imagination of future crimes – A Minority Report without the psychics and only the tool of speculation – This is a paradigm of political power that prioritizes action over inaction and places the population in a state of exception, where juridical order is suspended and the executive becomes judge, jury, and most importantly, executioner

Stockdale 13 [Liam P.D. Stockdale, Department of Political Science, McMaster University (2013) Imagined futures and exceptional presents: a conceptual critique of ‘pre-emptive security’, Global Change, Peace & Security: formerly Pacifica Review: Peace, Security & Global Change, 25:2, 141-157,]

It is thus fitting that Person of Interest premiered within days of the tenth anniversary of the 9/ 11 attacks, since its narrative quite accurately reflects a dominant way of thinking about (inter) national security in the post-9/11 era. Indeed, over the past decade, perhaps the most notable development in this area has been the proliferation of strategies premised upon the ‘logic of pre-emption’.3 Under such strategies, anticipatory interventions are undertaken in the present for the purpose of protecting against potentially catastrophic dangers located in the unknown – and ultimately unknowable – future.4 This inflects the politics of (in)security with an explicitly temporal component, since the fundamental imperative is to ‘police the future by anticipation’ through the anticipatory exercise of political power in the present.5 In this sense, the very idea of ‘security’ itself is (re)conceptualized through a temporal rather than spatial lens, as it is identified with successfully acting on the future in precisely this way.¶ Of course, the idea of ‘security’ has always been infused with a fundamentally temporal element. As Foucault reminds us in his Collège de France lectures, ‘the specific space of security refers then to a series of possible events ... to the temporal and the uncertain’.6 It is thus important not to overstate the novelty of the future-oriented, anticipatory turn in the post-9/11 governance of (in)security. However, a growing number of International Relations (IR) scholars have explicitly identified and taken an analytical interest in this trend, as illustrated by the recent proliferation of scholarship documenting and theorizing the rise of risk technologies and pre-emptive rationalities in the global War on Terror.7 This still-nascent disciplinary focus suggests that the emergent ‘tem- poralization’ of (inter)national security constitutes a distinct phenomenon, and that its constitutive practices diverge from other security rationalities in important ways that require critical attention. It is in this context that this article can be situated, as I seek to contribute to the burgeoning literature on what is at stake in the ongoing shift from primarily spatialized to more temporalized understand- ings of security, and the concomitant move from reactive to pre-emptive security strategies.¶ Put most simply, this article seeks to develop a comprehensive conceptual critique of such strategies – which I collectively term ‘pre-emptive security’.8 Given the widespread proliferation of anticipatory approaches to (inter)national security problems, such an exploration is key to developing any broader understanding of the evolving security dynamics of the current global political moment. In taking up this task, the article will proceed in three sections. The first devel- ops a detailed account of how the logic of pre-emption is manifested in the context of post-9/11 (in)security governance, offering a critical exploration of precisely what pre-emptive security can be understood to mean in the present context. The second section considers what is politi- cally at stake with the proliferation of pre-emptive security strategies and tactics. Here it is argued that the logic of pre-emption prioritizes the role of imagination in political decision- making. This implies a potentially radical shift in the way political power is exercised, since it enhances the discretionary authority of state decision-makers to an extent that suggests a theoretical link between the logic of pre-emption and a politics of exceptionalism. The third section builds on these arguments, contending that they raise serious questions about the demo- cratic legitimacy of pre-emptive security. Moreover, I argue that the very notion of pre-emptive security itself can be seen as conceptually incoherent, since its underlying temporal presupposi- tions ultimately compromise its capacity to deliver ‘security’ as defined under its own normative framework. Instead, it can be seen to construct the present – which is where any experience of security must occur – as inherently insecure. Indeed, it merely replaces the type of precarious subjectivity that it is premised upon mitigating with another. I conclude with a brief reflection on the continued prominence of pre-emptive security strategies – particularly among liberal democratic polities – despite the passage of a decade since the 9/11 attacks which precipitated their (re-)emergence, and the significant conceptual and political problems highlighted in the article.¶ Pre-emption and (in)security governance in the post-9/11 era9¶ ‘Everything is happening as though the future could no longer be imagined except as the memory of a disaster which we only have a foreboding of right now.’¶ – Marc Augé10¶ A growing body of work has meticulously documented the emergence of pre-emption as a prominent security rationality in the post-9/11 era.11 While addressing a wide range of practices – including, but not limited to, the indefinite detention,12 extraordinary rendition,13 and targeted killing14 of suspected terrorists; the widespread biometric monitoring of increasingly mobile populations;15 the pre-emptive detention of refugees and asylum seekers;16 the anticipatory freezing of monies and assets suspected of terrorist ties;17 and the so-called ‘Bush Doctrine’ of pre-emptive interstate war18 – this burgeoning literature has collectively highlighted the impor- tance of temporally inflected, future-oriented strategies in the global security climate. The follow- ing discussion seeks to both tie together and build upon this literature’s insights, so as to move toward a comprehensive conceptual account of pre-emptive security as it has (re-)emerged in the contemporary context. I hope also to begin to demonstrate how this emergent ‘primacy of pre-emption’19 entails significant, and potentially problematic, implications for the way political power is exercised with respect to questions of (in)security – a point which will be considered in greater detail in the next section.¶ To begin, it is useful to consider how and why the logic of pre-emption has come to dominate the post-9/11 global security climate. The key point here is that its rise has been largely coeval with the emergence of transnational terrorism as the dominant issue. This is because in the after- math of the 9/11 attacks, which the prevailing narrative cast as an out-of-the blue evental irruption, the specific security problem of terrorism became identified with the broader existential problem of temporal uncertainty.21 From the outset, therefore, the post-9/11 governance of (in) security was effectively ‘temporalized’, as the terroristic event was framed as ultimately ‘unpredictable in occurrence, characteristics, and effects’. Importantly, such a characterization rendered conventional security logics such as deterrence or containment largely inapplicable in the context of terrorism, since these are essentially ineffective in circumstances where the threat in question is defined by its radical incalculability.23 The global security environment thus became increasingly framed in terms reminiscent of Ulrich Beck’s ‘risk society’ thesis,24 with established practical certainties and techniques of control appearing to break down in the face of apparently novel threats.25 Political authorities thus became ‘much less certain of whether and when they [were] secure, and how – and to what extent and at what price – security [could] be achieved’,26 and terms such as ‘extreme uncertainty’,27 ‘radical contingency’,28 and other such expressions of perniciously excessive ambiguity came to pervade accounts of the global security environment. However, it is in precisely such a context that the logic of pre-emption proves compelling, since it explicitly delineates a programme for action that actively confronts uncertainty by ostensibly enabling decision-makers ‘to counter the unknowable before it is even realized’. Since the spectre of terrorism in particular appears to require precisely such a capability if it is to be governed, the proliferation of pre-emptive strategies, mechanisms, and technologies of security has been a central feature of the post-9/11 global security climate – to the extent that one commentator has aptly referred to the latter as a ‘state of pre-emption’.31¶ The logic of pre-emption as manifested in the security strategies of the post-9/11 era is thus best understood as a political rationality that allows action to be taken in the face of apparent radical uncertainty. Normatively speaking, it is premised upon mitigating the potentially pernicious effects of that uncertainty by (re-) asserting control over the unfolding of the future through anticipatory interventions in the present. Yet because the future can never be known absolutely, a certain ‘objective uncertainty’ is at the core of the logic of pre- emption.32 As a result, the decisional rationality of pre-emption differs markedly from other logics of political decision-making. Indeed, more conventional logics such as rational calculation and cost–benefit analysis – as well as other, more temporally inflected security logics such as deterrence and prevention – all assume at least some degree of certainty with respect to the substantive basis for action.33 This is not to imply that these decisional logics require complete knowledge and/or total certainty; but rather that they are generally premised upon inductive processes and rooted in the use of verifiable knowledge to develop actionable assumptions with a certain degree of empirically rooted confidence. This diverges importantly from the logic of pre-emption, which takes radical uncertainty precisely as its departure point, as the mere potential of future danger provides the basis for anticipatory intervention in the present.¶ This location of radical uncertainty at the core of the logic of pre-emption thus gives its decisional rationality a highly speculative character. The potential futures against which pre-emptive decisions are framed possess no ontological presence apart from their existence in the realm of the speculative. It is therefore not verifiable empirical fact that forms the primary basis of a pre- emptive decision, but conjectural articulations of potential (and potentially dangerous) futures.34 As Claudia Aradau and Rens van Munster put it, ‘what counts is a coherent scenario of catastrophic risk and an imaginary description of the future’. Accordingly, a pre-emptive security decision is effectively freed from any necessary link to verifiable knowledge or empirical fact. Rather, decision-makers are encouraged ‘to take into account doubtful hypotheses and simple suspicions ... to take the most far-fetched forecasts seriously’, since the Cartesian ‘malicious demon’ of catastrophe might emerge at any time.37 Through its ‘appropriation of uncertainty as the basis for action’ rather than an impediment to action,38 pre-emptive security thus creates a political climate in which decision-makers are induced to ‘break free from the “tyranny” of [the] plausible’.39 Indeed, the indefinite future is precisely that which is being acted upon; and so any necessary tie to empirical fact would too heavily constrain the scope of decisional possibility, since no such ‘facts’ exist in relation to a future that exists beyond the realm of the wholly knowable. The logic of pre-emptive security thus resembles the so-called ‘precautionary principle’ more familiar to theories of environmental governance, as the eviden- tiary circumscriptions of the decisional process are diminished considerably.40 Of course, pre-emptive decisions do not necessarily constitute entirely arbitrary exercises in speculation – although they can manifest as such. The point is rather that the role of the speculative and the conjectural is significantly higher than is the case under other political rationalities. In fact it must be, since the logic of pre-emption seeks to act upon a future that necessarily remains ulti- mately unknowable and thus ‘beyond the horizon of certainty’.41¶ This reliance on speculative and conjectural knowledge suggests that there are significant political implications to adopting a pre-emptive approach to (in)security ¶ pre-emptive politics of security hinges on the exercise of the imagination by relevant decision-makers, since this is the only way politically actionable ‘knowledge’ about the ultimately unknowable future can be generated. The next section explores the implications of this point in greater detail, and specifically considers how such a prioritization of the imagination suggests a crucial conceptual link between the logic of pre-emptive security and the logic of political exceptionalism.¶ Imagination and exception: political implications of pre-emptive security¶ ‘It would be contrary to all principle for a man to be punished, not for what he has already done, but¶ for what he may hereafter do.’¶ – Lord Justice Alfred Denning42¶ In considering the epistemological dimensions of the ‘politics of catastrophe’ that animate the contemporary global security climate, Aradau and van Munster claim that the ‘imagination acquires epistemic primacy in relation to the unknown’.43 Since pre-emptive security as discussed in this article is explicitly concerned with governing the inherently unknowable future, it follows that any pre-emptive decision will be premised to a significant degree upon the exercise of the imagination. Indeed, that ‘the logic of pre-emption prioritizes the power of imagination over the power of fact’ is crucial to consider when thinking through the political implications of adopting a pre-emptive approach to (in)security governance.44¶ In this respect, perhaps the most importantly corollary is that, under a pre-emptive security rationality, anticipatory action can be taken against individuals or groups not merely on the basis of what they have done, or even on the basis of what they have indicated through concrete actions or declarations that they will do, but rather on the basis of what it is imagined by the relevant authorities that they might one day do. Consider the status of ‘unlawful enemy combatant’ that was developed at the outset of the War on Terror to be applied to suspected terrorists captured by American and allied forces. This specific designation was created in large part to enable the pre- emptive detention of individuals merely suspected of engaging, or planning to engage, in terrorist activities. As criminologist Richard Ericson notes, a defining feature of this status is that detainees so designated may be held indefinitely on the basis of mere suspicion regarding ‘imagined future harm they might cause, rather than past crime’.46 In other words, the potential act for which they have been targeted exists only in a future constructed in the imaginations of the relevant decision-makers. This archetypical example of pre-emptive security thus demonstrates that the imagination is not merely one element of the pre-emptive decisional rationality;47 rather, it is the vital component, since it is imaginary constructions of the future that fill the empirical knowledge void which invariably plagues any attempt to act on the ultimately unknowable future.48¶ The centrality of the imagination to any pre-emptive decision thus has significant implications for the way political power is exercised in the context of (in)security governance. In particular, it enhances the discretionary subjectivity of state decision-makers operating under a pre-emptive strategy. The key point here is that the ‘epistemic primacy’ of the imagination ensures that any decision to intervene pre-emptively will be premised to a significant degree upon an evidentiary basis that is actively constructed by these figures. Again, this is because the future is ultimately unknowable, and thus can only be made actionable through the exercise of the imagination. Put differently, under a politics of pre-emption, the discretionary authority of those tasked with deciding when and how to act is radically augmented, extending beyond merely making the final decision to intervene. Such authority also includes the prerogative to actively construct the epistemic basis for action by imagining a future against which anticipatory interventions can be mobilized in the present. Moreover, this prerogative must be exercised if pre-emptive action is to be made possible at all, since the unknowability of the future upon which it is acting precludes the decision from being grounded in empirically verifiable fact.¶ Judith Butler captures these ideas well in a discussion of what she calls ‘deeming’ in the context of post-9/11 (in)security governance.49 Referring specifically to the indefinite detention of suspected terrorists – but describing a practice that is characteristic of pre-emptive security more generally – Butler emphasizes how, under pre-emptive security strategies, a decision- maker needs merely to ‘deem’ an individual or group to be ‘dangerous’ to trigger a potentially violent intervention such as indefinite detention.50 As Butler puts it, ‘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’.51 In other words, under a security regime whose primary aim is to pre-empt future acts of terrorist violence, ‘the “deeming” of someone as dangerous is sufficient to make that person dangerous’.52 The practice of deeming therefore constitutes ‘an unsubstantiated judgment that ... works to pre-empt deter- minations for which evidence is required’.53 This implies that the ‘dangerousness’ of those who are ‘deemed’ so exists only in the particular future actively imagined by the decision-maker. An individual may thus be rendered subject to a violent anticipatory intervention such as indefi- nite detention simply ‘because some official “perceives” a potential difficulty’.54 In this sense, state authorities are granted a ‘license to brand and categorize and detain on the basis of suspicion alone’.55 The adoption of a pre-emptive rationality thus entails, in Marieke de Goede’s words, ‘the transformation of evidentiary bases for security action’, since it moves away from a grounding in verifiable fact and toward the realm of the speculative, the conjectural, and the purely imagin- ary.56 The task of creating this imaginary basis for action inevitably falls to those endowed with the authority to make security-related decisions. This enhances their discretionary subjectiv- ity quite markedly, thus highlighting a key political implication of adopting a pre-emptive security strategy.¶ To better clarify these points through an illustrative example, consider 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 2011.57 In what was described in the media as a ‘new kind of terrorist case’, Hersi was detained prior to boarding a flight bound for Cairo via London and was ultimately charged with the newly created offence of ‘attempting to participate in a terrorist activity’.58 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 did, in fact, plan to train with Al-Shabaab as speculated.59 This highlights the explicitly pre-emptive nature of the arrest, since the decision to act was nevertheless made in the face of the empirical knowledge deficit that characterizes anticipatory action. Moreover, the RCMP also admitted that its investi- gation ‘did not indicate that the suspect was a direct threat to his country or Canadians’ at the moment of his arrest.60 In other words, the threat posed by Hersi that was pre-empted by his arrest did not exist at the moment he was detained. Indeed, not only was the evidence primarily conjectural, but Hersi himself was several degrees removed from actually posing an imminent ter- rorist threat. The basis for his arrest amounted to a series of highly speculative assertions relating to a potential future that may or may not have actually come to pass. That his arrest took place at all therefore suggests that the RCMP made the decision to act based primarily upon the exercise of the imagination. Butler’s formulation of ‘deeming’ thus provides a good analogue for this case, as Hersi was ‘deemed dangerous’ enough to be pre-emptively arrested, despite the fact that he had committed no terrorist act at the time of his arrest, and it was openly admitted by the authorities that he posed no immediate threat to the Canadian state.¶ Mohamed Hersi was thus arrested on the basis of 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 case therefore illustrates both of the key points discussed so far in this section – namely, that a pre-emptive security strategy requires that decisions be made through the exercise of the imagination, and that this accordingly vests within the relevant state authorities an enhanced degree of discretionary subjectivity. With respect to the first, the lack of verifiable evidence of guilt did not prevent the RCMP from acting, suggesting that it relied upon the imagination to construct a potential future against which Hersi’s pre-emptive arrest could be framed in the present. With respect to the second, the fact that the RCMP could legitimately act upon such a speculative epistemic foundation shows how a mandate to pre-emptively govern terrorism significantly enhances the decisional discretion afforded to state security authorities. This latter point is especially important for understanding the broader political implications of adopting a pre-emptive security strategy. In particular, the enhanced discretionary subjectivity granted to state decision-makers by a reliance upon the imagination suggests an innate conceptual link between the logic of pre-emptive security and the logic of political exceptionalism. In other words, it implies that pre-emptive security operates through a paradigm of political power resembling that which obtains in the so-called ‘state of exception’.¶ As theorized by the likes of Schmitt and Agamben, a political ‘state of exception’ obtains when the prevailing legal order is annulled and an arbitrary form of power, unconstrained by law and vested in a particular person or office, emerges.62 Exceptionalism is thus characterized by two core components: the suspension of the juridical order, and a ‘decisionist’ incarnation of political authority.64 With respect to the first, a state of exception emancipates the highest form of legitimate political authority – usually the executive – from the circumscriptions imposed by the rule of law.65 The executive’s actions thus take a more arbitrary form, since the absence of any effec- tive legal constraints invests it with an enhanced degree of decisional discretion. This logically implies the second component, which refers to a political condition in which the executive does not simply apply the law, but rather is effectively ‘the source of law’.66 Under a state of exception, therefore, every decision taken by a dominant authority is purer in its absolute singularity, such that it effectively ‘emanates from nothingness’. As is perhaps already apparent, such a paradigm of political power bears a conspicuous resemblance to that which the preceding dis- cussion has associated with the logic of pre-emptive security. Indeed, the latter’s prioritization of the imagination and concomitant expansion of discretionary authority suggests that it can only be operationalized through what amounts to a politics of exceptionalism.¶ To elaborate, consider first how the adoption of a pre-emptive security rationality presupposes the suspension of the juridical order. In this regard, the upshot of pre-emption’s normative impera- tive to govern the unknowable future is that no imaginable potentiality can be a priori dismissed as a possibility that may have to be acted against.68 This implies, more specifically, that no individ- ual can be a priori absolved of suspicion in the present.69 Indeed, a security regime under which the imagination constitutes the primary means of determining both the threat to be countered and the culpability of those to be targeted can become a regime of ‘universal suspicion that spells the end of innocence’, where all individuals are placed upon a ‘continuum of risk’ within the unlim- ited realm of the imaginary.70 Under these conditions, there is no clear way to prove an accused person’s innocence once the imagination has been activated, since the accusation relates to an act or thought which has, by definition, not yet occurred. In other words, an individual’s demon- strable present innocence is rendered all but irrelevant when questions of security relate primarily to imagined futures that may or may not ever come to pass.71 Crucially, this undermines the very basis of the liberal democratic juridical order, since the collection of evidence and its evaluation via the appropriate judicial channels is rendered largely impossible when dealing with an entirely imagined future event. Indeed, under the logic of pre-emption, the power to adjudicate an indi- vidual’s (future) guilt or innocence – and thus also to subject her/him to potentially violent (present) interventions – will be transferred from the mechanisms of the juridical order to the whims of a designated political authority. The practice of pre-emptive security therefore brings about a condition where the established norms of the liberal juridical order not only do not, but in fact cannot apply, since they are simply incapable of accommodating the extended temporal horizons and attendant evidentiary uncertainties involved.72 Prevailing legal norms – particularly in a liberal democratic context – are thus not merely suspended arbitrarily; they are manifestly inapplicable when the logic of pre-emption informs security policy. In this respect, the adoption of a pre-emptive approach to security suspends the juridical order almost by default, as questions regarding threat and culpability in the context of security become the purview solely of the desig- nated political authority.¶ Regarding the second component of exceptionalism, the particular type of decision required to operationalize a pre-emptive security strategy suggests that the latter demands what amounts to a ‘decisionist’ form of political authority to be made actionable. In this respect, recall the argument developed earlier that the future potentialities against which pre-emptive decisions are framed possess no ontological presence apart from their existence in the realm of the imaginary. As already discussed, this means that any decision to intervene pre-emptively must be premised to a significant degree upon elements that are actively constructed by the deciding authority. The purity of the decision required by the logic of pre-emption is thus quite marked, since it involves not simply the weighing of verifiable fact, but the active creation of conjectural knowledge about the future to serve as the primary basis for action in the present. Thus, precisely because the unknown future that is being acted upon constitutes some- thing of an epistemic abyss, any decision to intervene pre-emptively ‘becomes in the true sense absolute’, since only such a pure decision involving a degree of arbitrary, imaginative creativity can provide the foundation for action against a future that can never be known with certainty.73 Just as it implies the suspension of the juridical order by default, therefore, pre-emptive security also enacts a decisionist form of political authority by logical necessity. Indeed, its underlying imperative to govern the unknowable future can only be made actionable through the ‘pure’ decision of an ultimate authority – a condition fundamentally associated with a state of exception.¶ As with the preceding points about the imagination, this link between pre-emptive security and political exceptionalism can be clarified through an illustrative example – in this case, the targeted assassination of suspected Al-Qaeda operative and US citizen Anwar al-Awlaki, who was killed by an American drone strike on 30 September 2011 as his vehicle travelled down a rural road in northern Yemen. This example is instructive because the Obama administration’s decision to target al-Awlaki for assassination constituted both an explicitly pre-emptive exercise, and an archetypical example of political exceptionalism in practice. That the incident was an exercise in pre-emptive security is evidenced by the fact that the broader CIA ‘Killing Program’ under which it took place has been repeatedly framed in precisely such terms.74 Moreover, the administration sought to legitimate the killing after the fact by specifically invoking the pre-emptive imperative, asserting that al-Awlaki ‘posed some sort of imminent threat’, the precise nature of which was not specified.75 This framing suggests that, much like the Hersi case, the decision to target al-Awlaki was based primarily upon an imagined future in which that ambiguous potential threat had actually manifested as the ‘next terrorist attack’. However, the incident also constituted a clearly ‘exceptional’ act, since it exemplified both core components of political exceptionalism described above. In this regard, the killing was patently extrajudicial, as it was not authorized through conventional juridical channels or in accordance with prevailing standards of evidence. Rather, it was both ordered and carried out without the due process of law guaranteed to all American citizens under the Fifth Amendment of the US Constitution. The juridical order was thus suspended at the moment the decision to kill al-Awlaki was made. Moreover, the way in which this decision was made was highly decisionist, since it accorded with the Obama administration’s broader approach to pre-emptive drone strikes that explicitly ‘concentrates power over the use of lethal US force outside war zones within one small team at the White House’. 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 unconstrained by the rule of law and vested in the person of the president.¶ The al-Awlaki case thus represents a useful illustration of the conceptual points developed above, since it shows how pre-emptive security is operationalized through what amounts to a poli- tics of exceptionalism. However, it also highlights the serious consequences of adopting a pre- emptive security rationality, particularly with respect to the relationship between state authorities and those being governed thereby. Indeed, the al-Awlaki killing shows how, even in liberal democratic states, a pre-emptive security strategy radically enhances the power of state authorities vis-à-vis citizens by minimizing the extent to which the law provides a normative mediation between them. For instance, once the executive branch made the effectively arbitrary decision to target al- Awlaki for pre-emptive assassination, he could thenceforth be killed with impunity by agents acting on behalf of the executive, even though the law says his citizenship ought to have insulated him from precisely such state action. Moreover, al-Awlaki was deprived of the capacity to contest this precarious status, since the extrajudicial character of the targeting process insulates any such decisions from the judicial channels through which such contestation could be pursued. In short, the American constitution states that all citizens are protected against being ‘deprived of life, liberty, or property, without due process of law’, meaning that an individual cannot be executed based upon a unilateral executive decision; yet al-Awlaki’s killing – an archetypical manifestation of pre-emptive security in action – was authorized and carried out on precisely these terms. What the al-Awlaki case therefore shows is that the possibility of such action on the part of state authorities is a primary consequence of adopting a pre-emptive security rationality. In fact, the link between pre-emption and exceptionalism implies that maintaining such possibilities is a necessary condition for any viable pre-emptive security strategy.¶ These points begin to hint at the potential incoherence of such strategies, since it is questionable whether the resulting political condition is compatible with the idea of ‘security’ in any meaningful sense. This point will be taken up on a more abstract level in the final section; however, it is worth discussing here in the context of the preceding arguments. In this respect, the above discussion has shown how the logic of pre-emptive security demands that an effectively arbitrary life-and-death decisional authority be granted to state security decision-makers. 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. To be sure, pernicious excesses where wholly innocent individuals are targeted in this way are rare; however, the key point is that such instances are nevertheless made possible78 by the logic of pre-emptive security and its inherent link to the logic of exceptionalism. Indeed, beyond the Hersi and al-Awlaki cases, where the question of innocence is less clear, one need only consider two additional high-profile cases – the shooting death of Jean Charles de Menezes in 200579 and the extraordinary rendition of Maher Arar in 2002–0380 – to appreciate this point. It is this imma- nent possibility that is problematic, however, since it signifies that even in states ostensibly com- mitted to the rule of law and the upholding of human rights norms, the adoption of a pre-emptive security rationality always implies the potential for anyone to be arbitrarily deemed dangerous and thus subjected to state violence – whether at the airport, at the border, in a London Tube station, on a rural Yemeni road, or elsewhere.81 The implications for political subjectivity, and thus every- day life, in the democratic polities at the forefront of pre-emptive security governance are thus quite significant – a point that is starkly evidenced by the pervasive embrace of such practices as pre-emptive detention, extraordinary rendition, and targeted killing by the security apparatuses of such putatively liberal regimes.82¶ These potentially problematic aspects of pre-emptive security are exacerbated by the fact that its underlying precautionary imperative to actively confront radical uncertainty leads its praxis to favour the path of action over that of restraint. As former Vice President Dick Cheney asserted with respect to the potential threat posed by Saddam Hussein’s Iraq, ‘the risks of inaction are far greater than the risk of action’.83 This proactive dimension ensures that adopting a pre-emptive strat- egy entails both a high level of activity and a concomitantly increased likelihood that errors will be made. Indeed, as David Runciman asserts, anticipatory political strategies akin to pre-emptive security prioritize action over inaction and thus ‘do not take seriously enough the downside of getting things wrong’. The result is that such incidents as the Menezes shooting can be easily framed as mere ‘accidents’ or ‘mistakes’ that, while regrettable, are an inevitable aspect of pre-emptive security. The blame can thus be placed on the unique circumstances of each case, obscuring the fact that – in a manner reminiscent of Virilio’s notion of the ‘integral accident’86 or Derrida’s idea of ‘autoimmunity’87 – it can actually be traced to the logic of pre-emption itself, since this is what ultimately makes such incidents possible.¶ In this sense, pre-emptive security’s inexorable focus on the future offers a built-in justification for any violent excesses that may take place in the present. When so framed, it offers a helpful segue into the discussion of the inherent conceptual incoherence of pre-emptive security, and so provides a useful way to conclude this section. To elaborate upon this point, we must return to the question of temporality and recognize that the logic of pre-emption presupposes a very particular political relationship between present and future, in which the governance of the latter is prioritized while the former is construed in instrumental terms as the location of the anticipatory interventions required to make this priority actionable. This political temporality has a normative corollary, in that, taken to its logical conclusion, it implies that any action in the present can be cast as a legitimate means for achieving the overarching end of pre-empting a future catastrophe. In other words, it suggests that such ‘exceptional’ acts as the shooting of Jean Charles de Menezes or the targeted killing of Anwar al-Awlaki can be legitimated for no other reason than that they take place in the present. Returning to the idea of exceptionalism more specifically, the logic of pre-emptive security thus inscribes the present as an ‘exceptional temporal space’ where all anticipatory action – regardless of its extrajudiciality or arbitrary violence – is originarily legitimated. To put it another way, pre-emptive security is characterized by the enaction of a temporalized state of exception, in which the present is effectively ‘taken hostage’ for the purpose of ensuring that the future unfolds in a particular way. Indeed, the exceptionalism of pre-emptive security is applied in specific relation to the dimension of time, with the present constituting the ‘exceptional space’ where juridically unbound state action takes place.¶ It is the emergence of such a temporal exceptionalism that is at stake with the proliferation of pre-emptive security rationalities in response to the threat of transnational terrorism. When considered alongside the illiberal paradigm of political authority that it also presupposes, this seriously calls into question the coherence of pre-emption as a security rationality, since any experience of security must take place in a lived present that is always already constructed as an inherently insecure ‘state of exception’. This tension is particularly acute with respect to the self-identified liberal democratic states that are paradoxically at the vanguard of this pre- emptive turn,88 since the very principles that pre-emptive security strategies are mobilized to protect in the future are thus necessarily compromised in the present by the prosecution of a pre-emptive security strategy.89 These points suggest a more fundamental conceptual tension at the core of pre-emptive security that goes even beyond its problematic political implications and renders the very idea of pre-emptive security all but incoherent. The final section explores this point in more detail.¶ Toward a conceptual critique of pre-emptive security¶ ‘Nothing is so wretched or foolish as to anticipate misfortunes. What madness is it to be expecting evil before it comes.’¶ Seneca90¶ In this last section, I seek to call into question the coherence of pre-emption as a security strategy from a purely conceptual perspective. The hope is that this analysis will offer an augmentative supplement to established lines of critique by illustrating how the problematic political implications discussed above are symptomatic of more originary tensions within the logic of pre-emption itself. The discussion will begin by continuing on the theme of temporality, as the conceptual incoherence of pre-emptive security stems to a significant degree from its particular relationship to the question of time.¶ While the logic of pre-emption’s ostensible political radicality is rooted in its apparent capacity to ‘act on time’ itself,91 it is important to recognize that it still presupposes a rather conventional understanding of time as a continuous flow in which past, present, and future constitute discrete temporal spaces that can be affected by one another as time passes. In other words, the very idea of pre-emption is premised upon the Western/Enlightenment assumption of a linear temporality, as it relies upon corresponding cause and effect relationships through which action taken in the present will have a predictable effect on a future that will eventually become the present, and so on.93 The conception of time that underpins the logic of pre-emption is thus one of continuous linearity, which assumes both a clear and enduring temporal ordering – in which the temporal spaces of past, present, and future remain distinctly separate at any given instant – and a continuous temporal flow – in which the passage of time leads presents to become past, futures to become present, and new futures to emerge from the indefinite horizon of the to-come.¶ While fundamental to the logic of pre-emption, these temporal presuppositions destabilize its coherence as the basis for a viable security rationality. To understand why, it must first be recalled that the logic of pre-emption is premised upon the normative imperative that prioritizes the governance of the future above all else. Furthermore, as we saw in the previous section, the only way such an imperative can be rendered actionable is through anticipatory, potentially ‘exceptional’ interventions in the present that produce a political condition in which the present is effectively ‘taken hostage’. The constitutive tensions within the logic of pre-emptive security begin to emerge when these points are considered alongside the fact that a linear temporality – which is inherently presupposed by the logic of pre-emption – invariably leads what was the future to become the present, while also ensuring that a new future emerges on the temporal horizon.95 This latter consideration is crucial, because this new future will inevitably embody the same unknowabilities and threatening contingencies as all futures, consequently requiring what is now the present to in turn be ‘taken hostage’ for the purpose of governing these new future uncertainties. Thus, so long as the logic of pre-emption holds – and so long as time continues to flow – this process will continue ad infinitum. Indeed, the exigencies of linear time imply that an uncertain future will always be threateningly located on the temporal horizon of political subjectivity, while the normative imperative of pre-emptive security mandates that action be taken to govern this future through anticipatory interventions in the present. Thus, even if an impending catastrophe is successfully pre-empted, this will always be offset by the passage of time’s inexorable production of a new, uncertain future whose own uncertainty will cast a shadow over the new present, requiring that it be subjected to another round of anticipatory action, and so on. The upshot is that the lived present – where human beings invariably exist and thus tangibly experi- ence anything that might be understood as ‘security’96 – can never be(come) fully insulated against the pernicious contingencies of the unknowable future. This ultimately suggests that the praxis of pre-emptive security is by definition somewhat aporetic, since the actualization of its own conception of security as protection from potential dangers is kept perpetually out of reach by the exigencies of the linear temporality it presupposes.¶ To be sure, all security rationalities are ultimately incompletable processes in a similar sense, since ‘perfect security’ – however it might be defined – is impossible. As such, this apparent lacuna in the conceptual logic of pre-emptive security need not by itself compromise the latter’s coherence as a security rationality. However, further reflection reveals additional tensions that prove far more damaging in this regard. The key point in this respect is that pre-emptive security’s capacity to deliver the form of ‘security’ implied by its normative framework is seriously compromised by the components of its own constitutive logic. Put more simply, a com- pelling argument can be made that not only is pre-emptive security aporetically unrealizable, but it actually serves to bring into being the very type of insecurity that it is normatively premised upon diminishing.¶ To explain how this is so, we must first consider how ‘security’ is understood within the normative framework implicit in the logic of pre-emption. In this respect, recall from the introduction that adopting a pre-emptive rationality modifies the ‘conventional’ meaning of ‘security’ – as ‘a condition of being protected [and] free from danger’97 – by adding an explicitly temporal dimen- sion. In particular, a pre-emptive approach aims to protect against potentially forthcoming harms, since the ‘threats’ against which its associated action is framed are necessarily located in the future. Under the normative terms of pre-emption, therefore, ‘security’ refers to the reduction – and, ultimately, elimination – of a certain precarious subjectivity caused by a vulnerability to potential violence. With this point in mind, a serious conceptual problem begins to emerge. The point is that by responding to a threatening future by inscribing the present as an exceptional temporal space where state authorities can anticipatorily act on the basis of the imagination alone, pre-emptive security actually replaces the initial form of precarious subjectivity that it seeks to diminish – vulnerability to the threat posed by a radically uncertain future – with another form of precarious subjectivity – vulnerability to a state security apparatus that can act arbitrarily and violently in an attempt to govern those uncertainties. Put differently, the immanent potentiality of being targeted by such state action – of being ‘deemed dangerous’ – is part and parcel of pre-emptive security; and this places individual citizens in arguably as precarious a position as does exposure to the potential catastrophes lurking in the future’s unknowable depths. Pre-emptive security thus enacts precisely the sort of precarious subjectivity that it is normatively premised upon diminishing. Accordingly, its capacity to create a political condition congruent with its own understanding of ‘security’ can be seriously questioned, and its coherence as a security rationality seriously compromised.¶ Now, it might be rejoined that even if such arbitrary violence is inherent to the logic of pre-emptive security at a purely conceptual level, this is of little importance since it has proven uncommon in practice. While empirically correct, this does not diminish the key conceptual point – which was also discussed in the preceding section – that such state action is necessarily made possible by the logic of pre-emptive security and thus can occur anywhere at any time when the latter is in force. It is thus precisely this potential that is most conceptually problematic, since it illustrates how pre-emptive security replaces one form of precarious subjectivity with another. Indeed, it shows that in attempting to diminish the precarious subjectivity of exposure to the unknown future, the paradigm of political power required by the logic of pre-emption in fact brings into being an alternative precarious subjectivity in the form of immanent vulnerability to arbitrarily violent state action. This point is affirmed by Brian Massumi, who argues that a pre-emptive decision ‘strikes like lightning’ because the imperative to act on the future requires that authorities be granted the prerogative to intervene as rapidly as possible whenever and wherever they see fit.98 The Menezes shooting and the al-Awlaki killing are again typical examples here. Moreover, as Judith Butler’s discussion of ‘deeming’ illustrates, this lightning strike of pre-emption can be both exceedingly violent and extraordinarily difficult to resist, since the futurity of the threat that the targeted subject is deemed to pose precludes any exculpatory demonstration of innocence in the present.¶ Accordingly, pre-emptive security inscribes precisely the opposite of that which it normatively promises, since 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, extraordinary rendition to face torture, assassination by drone strike in rural Yemen, or summary execution in a London tube station. And while such incidents may not be common, the point is that all individuals subject to a pre-emptive security regime are perpetually vulnerable to these sorts of actions. Indeed, a politics of pre-emption is ultimately premised upon precisely this possibility. It is this point that fundamentally compromises the coherence of pre-emptive security. The latter is normatively premised upon protecting against the potential violence of an uncertain future; yet the mechanisms by which it does so create a lived present fraught with an alternative form of potential violence – namely, the immanent possibility of an arbitrarily decided lightning strike by the state security apparatus. The application of pre-emption to the realm of (in)security governance is thus incapable of delivering ‘security’ as defined under its own normative framework. Instead, it brings into being a variation of the subjectively precarious condition upon whose mitigation it is ultimately premised. Like so many of the governmental innovations of the post-9/11 era, therefore, the notion of pre-emptive security ‘ends up producing, reproducing, and regenerating the very thing it seeks to disarm’.[[4]](#footnote-4)

#### The status quo discourse surrounding drones policy operates by concerning itself with only questions of legality and efficiency – This is a whitewashing of the violence committed through drones that disregards particular lives as grievable – This rhetoricoviolence justifies and allows for ongoing killing of innocents

Hayes 13 [Heather Ashley Hayes, Asst Prof of Rhetoric, Whitman College. “Violent Subjects: A Rhetorical Cartography of Bodies, Spaces, and Technologies in the Global War on Terror.” A Dissertation SUBMITTED TO THE FACULTY OF UNIVERSITY OF MINNESOTA BY Heather Ashley Hayes IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF DOCTOR OF PHILOSOPHY Ronald Walter Greene, Adviser, April 2013]

Another line of argument over drone production and use centers around whether or not U.S. drone strikes are counterproductive in terms of diminishing adherence to and recruitment for militant groups in the Pakistani and Afghani regions. As Owen Bowcott, a legal affairs correspondent with The Guardian explains, “the CIA’s programme of ‘targeted’ drone killings in Pakistan’s tribal heartlands is counterproductive, kills large numbers of civilians, and undermines respect for international law.”139 He goes on to note that the research he cites is particularly powerful, namely because “coming from American lawyers rather than overseas human rights groups, the criticisms are likely to be more influential in U.S. domestic debates over the legality of drone warfare.” Additionally, Leila Hudson, Colin S. Owens, and Matt Flannes, all affiliated with the School of Middle Eastern and North African Studies at the University of Arizona note that drone use can be critiqued in another realm: military efficiency. As they note, “the erosion of trust and lack of clarity in U.S. drone policy produces strategic and tactical confusion within U.S. defense and intelligence agencies. This confusion proves unhelpful as exit strategies for the Afghan war are debated and continuing evaluation of U.S.- Pakistani relations are assessed behind closed doors.”140¶ Yet another interesting approach to drone critique comes from Daniel Klaidman, former Newsweek journalist and author, who, in June of 2012, gave an account of how President Barack Obama was first informed of a newly emerging (and now common) practice of “signature striking.” Signature strikes target groups of suspected militants, without determining identity. These stem from different procedural norms than targeted strikes, which identify individuals with ties to militant organizations and aim for a surgical missile launch against the individual rather than the group. Klaidman recounts the moment that the president was informed about the nature of signature strikes:¶ Sometimes called “crowd killing,” signature strikes are deeply unpopular in Pakistan. Obama struggled to understand the concept. Steve Kappes, the CIA’s deputy director, offered a blunt explanation. “Mr. President, we can see that there are a lot of military-age males down there, men associated with terrorist activity, but we don’t always know who they are.” Obama reacted sharply. “That’s not good enough for me,” he said. But he was still listening. Hayden forcefully defended the signature approach. You could take out a lot more bad guys when you targeted groups instead of individuals, he said. And there was another benefit: the more afraid militants were to congregate, the harder it would be for them to plot, plan, or train for attacks against America and its interests...Obama remained unsettled. “The president’s view was ‘OK, but what assurances do I have that there aren’t women and children there?” according to a source familiar with his thinking. “How do I know that this is working? Who makes these decisions? Where do they make them, and where’s my opportunity to intervene?”141¶ As per Klaidman’s depiction, further developed in his recent book-length treatment of the subject,142 President Obama remained the voice of concern and dissent in many of the discussions about ~~unmanned aerial vehicles~~ [drones] and their deployment, particularly over the killing of women and children and over the legal and procedural mandates necessary for the program to “be legal”. This is a sharply contrasted position to Obama’s chief counterterrorism advisor, now CIA Director, John Brennan, quoted as replying to Obama’s misgivings about the program: “We’re killing these sons of bitches faster than they can grow them.”143 Additionally, this new discourse supplements the growing idea of legal drone processes by making a distinction among various genres of strikes. Overall, dissent and critique around the program has come from many sites, ranging from Obama’s own concerns about legality and particular “innocent bodies” (i.e. women and children) to academic qualms with international law and United States military efficiency. Yet few, if any, voices indict the program beyond its legality and its judicial and processual implications. Even in Obama’s concern over signature strike action, innocent life is reconfigured as young in the body of a child and feminine in the body of a woman. His own authority as president in making decisions is a primary rationale for interrogating strike deployment. A discourse of reasonability is normalized, even in dissent. Journalists, politicians, and academics harp on the drone program’s effectiveness in targeting the terrorists it is supposed to target and its legality in adhering to an always already established system of transnational legal norms. When leading American news outlets publish forums on the topic (e.g. The New York Times forum of September 2012, cited above) these mechanisms for objection are further embedded in the circulation of knowledges and practices with regard to drones. The January 2013 announcement of John Brennan’s transition from counterterrorism advisor into a more legally articulated role of CIA Director points to the very practices of this normalization.¶ Yet, while forms of dissent against drones become normalized in particular discourses and practices, others evaporate from view. Circulatory exploration, with a look to the rhetoricoviolence of the space of drone warfare, allows several longtime drone activists to emerge, who are/have been organizing in the regions most affected by unmanned aerial vehicle attack. Among these activists is Pakistani politician and former cricketer Imran Khan.¶ Pakistani drone activist and leader of the Tehreek-e-Insaf party (Pakistan Movement for Justice), Imran Khan, leading a drone protest in Pashtun Tribal Lands of Pakistan, Khan has remained mostly ignored by Western media, politicians, and academics discussing the implication of drone attacks, despite being an ardent opponent of drone use since 1998, before the American election of George W. Bush and before the September 11, 2001 attacks by al-Qaeda against U.S. targets. His only mentions in U.S. and British media came after Khan led a protest against drone use in the tribal region of Pakistan in October of 2012. While Khan had led more than a hundred similar protests in the same region since 2002, this one was halted by the Pakistani government, due to the fact that Khan allowed leaders from the United States anti-war organization Code Pink to be a part of the protest, namely vocal anti-drone activist Medea Benjamin. Expressing fear that a￼￼￼ large rally featuring American protesters could safely be held in the South Waziristan region, the Pakistani government blocked access to the protest, and shut it down. Benjamin, Code Pink’s founder, hailed the trip as a success directly as a result of American involvement rather than Khan’s organizing efforts, noting the value as: “to show the face of the American people that believe that the lives of Pakistanis are as valuable as the lives of any American.”145¶ Khan becomes an even more fascinating case study in the normalizing power of everyday practice and discourse over drones when looking to his few remarks in English on the drone program. In two interviews with American media (one on a CNN video logged program and one on a CNN program airing at 8am EST), Khan offered powerful critiques of the unmanned aerial vehicle program that differ from the normalized discourses I have discussed. In an interview with Jim Clancey on CNN’s News Stream (now cancelled due to low ratings), Khan remarked, “According to many international reports, only 2% of high level targets are killed. So who are these 98%?...I just do not understand how anyone can sit in front of a computer screen, press some buttons, and kill people...this is inhuman.”146 Khan went on to expand his position on drones in an interview with Elliot Spitzer on CNN’s In the Arena (also cancelled in late 2011 due to¶ low ratings): “Look, I’m sitting in Pakistan. I’m telling you the impact drone attacks are having in this country. And I’m telling you that the more drone attacks the more anti- Americanism, the more anti-Americanism the more radicalization. The more radicalization, there is only one beneficiary, and that’s al-Qaeda.”147¶ While Khan adheres to the discourse of effectiveness in his comments about drone attack’s ability to boost membership in militant Islamic organizations found in some Western sources, he also cites his positional authority as a member of the Pakistani population as a primary vantage point. And, the differences in his tone between 2011 and 2012 are notable, where he grows much more hostile to drones from a human, rather than legal, perspective, venturing to call their very use inhuman. Additionally, Khan’s political efforts in Pakistan have been in the name of an Islamist republic. Throughout the 2000s, while protesting the increasing use and development of U.S. drone technology, Khan also sided with Muttahida Majlis-e-Amal, a coalition of theocratic parties in Pakistan, on a number of controversial anti-American positions. These included strong opposition of U.S. military presence in Pakistan and the abolition of corporate use of any Pakistani lands so that there could be a redistribution of that wealth back to peasant populations of the tribal regions. For all practical purposes, his prominent disagreement with al-Qaeda appears to be over their mass scale violence, not over violence more generally. In fact, in May of 2005, when Khan learned of a case of Qur’an desecration at the United States’ Guantánamo Bay’s detention facility, he made a sweeping appeal to Islamic journalists that Islam was “under attack” by the United States, a claim which has been credited with the deaths of over 16 people in anti-American riots in the neighboring Afghanistan. Khan defends the violence, arguing “To throw the Qur'an in the toilet is the greatest violation of a Muslim's human rights...When you speak out, people react. Violence is regrettable, but that's not the point.”148 In this sense, it is clear that the violence of the drone attacks are not what Khan necessarily opposes but rather the particular type of constituted violence against human beings. In this case, the violence is perpetrated against Pakistani citizens. With both Western critique of drone attacks and Khan’s position in mind, what does this normalization of some and exclusion of other forms of protest and dissent mean for understanding the circulation of drone warfare and its relationship to rhetoricoviolence? Judith Butler has offered one frame for consideration here, in her fundamental question about what human life is grievable. As she argues, “lives are supported and maintained differently, and there are radically different ways in which human vulnerability is distributed across the globe. Certain lives will be highly protected, and the abrogation of their claims to sanctity will be sufficient to mobilize the forces of war. Other lives will not find such fast and furious support and will not even qualify as ‘grievable’.”149 To return to Jackson’s opening arguments about remaking the world in particular ways, Butler’s claims are realized in the circulation and culture of drone warfare through the United States. Khan finds the lives lost in drone strikes highly grievable, and a compelling piece of the map that should operate to end their use in his view. Most Western critics of the program find the same lives lost grievable only insofar as they represent violations of international law and/or the standards of military operational efficiency.¶ I argue that more than being a materialist rhetoric, the U.S. drone program has generated a new set of everyday practices, institutions, and subjects that flow through a larger network of power within the global war on terror. This flow has endless directions and functions to not only open up available spigots but also to close some of them off. In other words, the program allows for subject positions to appear on a map in one place, while simultaneously possessing the power to move those subject positions into other available spaces. In this case, the two available subject positions could be understood as grievable or not grievable. The drone program demonstrates the falsity and impotence an oppositional binary between rhetoric and violence offers in helping explicate increasingly complex problems of the global war on terror, particularly in transnational contexts. As a materialist rhetoric, rhetoricoviolence lends itself to working outside of the bounds of this binary, particularly in its assumptions that rhetoric and violence are most potent when they travel together, indistinguishable from one another.¶ So if Butler’s precarity of life is well reflected in the revelations and concealments within the circulation of the drone program, how does that precarity get extended to the technological politics of governance in which the U.S. drone program is steeped? As she notes, “when we think that others have taken themselves out of the human community as we know it, is a test of our very humanity.” This test of humanity strikes at the heart of many discursive moves about drones’ legality and processual articulation, and echoes another argument by Martin Luther King, Jr. In discussing the Vietnam War, King predicted, “When machines and computers, profit motives and property rights are considered more important than people, the giant triplets of racism, militarism and economic exploitation are incapable of being conquered.” While the concealing capability found in the rhetoricoviolence of drones begins to articulate one possible realization of King’s claims in practice, next I look to the ways technological warfare (in this case, the drone program) uses these revelations and concealments to reconfigure modes of governance.[[5]](#footnote-5)

\*revised for gendered language

#### Current discussions on drone policy are limited to the “technical sphere” of the disposition matrix as opposed to being in a public sphere open to public deliberation – This secrecy from public deliberation is what allows for the targeted attacks on Muslim populations or any who are deemed a threat – Opening the space for deliberation on drones is key

Hayes 13 [Heather Ashley Hayes, Whitman College, “Don’t Fear the Reaper: The Disturbing Case of How Drones Reconfigure Technologies of Deliberation,” Forthcoming in *Disturbing Argument: Selected Papers of the 18th Biennial Conference on Argumentation*, edited by Catherine Palczewski, pages to be determined. New York: Taylor and Francis Group, 2013. <https://www.academia.edu/5957129/Dont_Fear_the_Reaper_The_Distrubing_Case_of_How_Drone_Reconfigure_Technologies_of_Deliberation> da 2-8-14]cd

Arguing Drones: Reconfigured Technologies of Argument and the Disposition of Terrorist Bodies¶ The capture and kill list was the first document generated by the Obama administration to catalogue possible terrorist targets around the world and determine when an armed drone would be deployed (Miller, 2012). The list was just that: a physical list, to which targets’ names would be added and removed as deemed appropriate in security strategy meetings. As a result of the increasing technological burden of integrating drone body maintenance, drone pilot readiness, and administrative tracking and oversight, the capture and kill list evolved between 2008 and 2010, replaced by the “disposition matrix.” Almost no information about the matrix has been declassified, so the best intelligence about the database stems from exposé style journalism or inferences from recent statements and documents the Obama administration has authored about drone use, including President Obama’s 2013 National Defense University address as well as the declassified Department of Justice White Paper concerning the drone program’s targeting of U.S. citizens.¶ In journalistic discourse, the matrix has simply been described as the lynchpin in the drone program “playbook” created by CIA Director John Brennan. News reports describe the disposition matrix as containing “the names of terrorism suspects arrayed against an accounting of the resources being marshaled to track them down, including sealed indictments and clandestine operations” (Miller, 2012, para. 2). One reporter describes the matrix this way:¶ The matrix is more than. . .a capture-or-kill list. It is a sophisticated grid, mounted upon a database that is said to have been more than two years in the development, containing biographies of individuals believed to pose a threat to U.S. interests, and their known or suspected locations, as well as a range of options for their disposal. (Cobain, 2013, para. 9)¶ Discussed as a technical database, administration officials have argued, “The database is designed to go beyond existing kill lists, mapping plans for the ‘disposition’ of suspects beyond the reach of American drones” (Miller, 2012, para. 2). ¶ This matrix, and a map of its features, is a key exemplar of a new technical sphere of argument by which the state identifies certain targets for attack, and death. Even after the Obama administration’s declassification of information about drone strikes in the wake of the Defense University address, the disposition matrix still remains markedly outside of public deliberation about the drone program. As best as can be surmised, ¶ The “playbook,” as Brennan calls it. . .will cover the selection and approval of targets from the “disposition matrix,” the designation of who should pull the trigger when a killing is warranted, and the legal authorities the administration thinks sanction its actions in Pakistan, Yemen, Somalia and beyond. (DeYoung, 2012, para. 2)¶ It appears from these same accounts that Brennan and Obama often make decisions alone together regarding strikes, informed by the logics of the matrix. The field of experts charged with authorizing the disposition matrix’s decision to strike is widely considered to be no more than two or three individuals, none of whom are known outside of Obama and Brennan.¶ The technical sphere of argument is marked by three distinctive components (Rowland, 1986). First, it focuses on questions of fact as opposed to value or policy. Second, its audience is comprised of specialized “scientific communities.” Third, the technical sphere focuses on issues in the technical arena. As a result of these criteria, calls have been made to “identify standards that can be used to determine when it is appropriate for members of the public to defer on factual claims concerning issues of public concern to the technical sphere” (Paliewicz, 2013, p. 233). Some suggestions for these criteria include finding consensus among scientific experts and ensuring scientific experts “produce research uncontaminated by insincere motives” (Paliewicz, p. 233). By producing a logic authorizing the certainty of particular names, locations, technical capabilities, and chance of kill success, the matrix has overtaken the work of human experts by generating a new logic of technical argument near impenetrable even by the few humans with whom it is intended to interact. The technology itself generates its own motives, as well as manufactures its own consensus.¶ This visible work of the matrix points to its function as a new technology of deliberation. As Greene (2009) notes, “the materiality of rhetoric as a ‘technology of deliberation’ [informs] governmental judgments to remake reality” (p. 50). Those technical arguments generated by the disposition matrix have the effect of identifying “particular populations, behaviors, and situations” as “visible for the purpose of intervention and calibration” (p. 52). The most dangerous consequence of this particular technical form of argument is that it authorizes the subjection of Muslim populations for interventions that end their lives, and often the lives of those around them. ¶ The articulation of particular populations as killable permeates the Obama administration’s defenses of the drone program as well as news accounts of the matrix. Representing the administration’s approach to drones, Clarke’s position is representative of the Obama administration more generally. Clarke’s claims are expanded in the declassified Department of Justice White Paper (2013), one of the few open documents produced by the administration concerning drones. It notes:¶ As detailed in this white paper, in defined circumstances, a targeted killing of a U.S. citizen who has joined al-Qa’ida or its associated forces would be lawful under U.S. and international law…Were the target of a lethal operation a U.S. citizen. . .that individual’s citizenship would not immunize him from a lethal operation. (para. 2-3)¶ The paper now expands the killable terrorist body beyond bounds of citizenship.¶ In addition to these administration defenses of drones, President Obama has dodged significant opportunities to expand deliberation about the program. In his National Defense University speech in May of 2013, he notes:¶ I’ve asked my administration to review proposals to extend oversight of lethal actions. . .the establishment of a special court to evaluate and authorize lethal action has the benefit of bringing a third branch of government into the process, but raises serious constitutional issues about presidential and judicial authority. . .the establishment of an independent oversight board in the executive branch. . .may introduce a layer of bureaucracy into national security decision-making, without inspiring additional public confidence in the process. . .despite these challenges, I look forward to actively engaging Congress to explore these and other options for increased oversight.¶ While Obama notes the need for amorphous “oversight” of the drone program, the matrix is invisible in his discourse. While technical decisions perhaps used to butt up against public argument, in this case no argument is authorized, or able, to occur. Rather, the processes of producing logics that are ongoing are assumed to be deliberative when they are merely overseen, rarely held accountable or interrupted by competing logics. Obama’s statements are based in an assumption of need for quick action rather than deliberative decision-making.¶ The Dawn of a New Era in Technical Argument: Drones and the Foreclosure of Dissent¶ In his original formulation of the spheres of argument, Goodnight (1982) notes the need for critique of alternative modes of invention in argument. For Goodnight, the primary focus of argument and the potential for democratic deliberation lie in the public sphere, a forum to which all citizens have access and “share in the construction of the future” (p. 214). The technical sphere, in contrast, evokes expectations of a limited community of experts who can advance special types of understanding. Here, I’ve argued that the disposition matrix, existing in the technical sphere of argument, represents one of the most limited forms of technical argument to date as a result of both the extremely limited human expertise it utilizes and the new technology of deliberation it imposes, always with life-ending consequences for those deemed disposable. As a result, it represents a significant threat to public deliberation on the issue of drone use in the global war on terror.¶ The disposition matrix functions not only to avoid deliberation about the ethics of drone use (which would be typical of technical arguments generally), but more importantly to materially deploy circumstances of violence without either public deliberation of ethics or human expert consensus. The matrix does its work by aligning a number of categories and producing a judgment that is then accepted or rejected by a remarkably small number of human interlocutors. These human assessors (most often Obama and/or Brennan) do not constitute deliberators in the process, but are relegated to judges of the argument skill of the matrix itself, dramatically limiting expert disagreement within the technical sphere. The sole purpose of human “experts” becomes verification rather than invention of argument. To our current knowledge, the matrix’s logics are rarely, if ever, rejected. ¶ E. C. White (1987) describes kairos as “a passing instant when an opening appears which must be driven through with force if success is to be achieved” (p. 13). Perhaps no better description could be made of what the administration seeks to achieve with the technical work of the disposition matrix. Understood as an active database tracking a kairotic intersection between a target, a place, a time, and a technological action, the matrix functions as a technical subject that not only makes its own arguments, but manufactures the parameters of human consent within its logics. We are to assume that technical consensus has been achieved when the matrix verifies someone as killable. The work of the matrix here is self-fulfilling; it has come to have its own subjectivity in which it stands as its own arguer, its own dissent, and its own warrants and impacts. The matrix’s existence as a purely technical mode of argument is further demonstrated through its continued classification as well as its invisibility in the public discourse of the administration.¶ The rising uncertainty expressed in Western journalism about the legality of the drone program has at its center one prominent argument, primarily about the killing of U.S. citizens without due process of law guaranteed by the U.S. Constitution. This heavily restricted public discussion avoids the ethical problem of a new technical normalization (via the disposition matrix) that functions by documenting subjects as killable, surveilling them, and ultimately disposing of them in a kairotic fashion -- relying on its technical assessment of that kairotic moment as its strongest warrant for foreclosing dissent. Examining the processes of technical argument associated with the disposition matrix, we can begin to map the dynamic process by which productive work may occur in empowering deliberation in the public sphere about drone use. This work points us to the ways in which argument scholars must remain vigilant in closely examining, and perhaps creating, new avenues of deliberation within the global war on terror.

#### Professor Jason Adams of Evergreen State College explains how…

*…technology, … is always developed for someone and for some purpose, namely that of the military, the media, the state and other centers of power. …technocracy as the totalitarian replacement of participatory politics … has come about because the instrumentalism that was born with what we call 'technology' has exceeded the machinic bounds of the term … with the result that today it necessarily includes any standardized complex of procedures that transform nature, animals or humans into a means to an end, such that reflective and deliberatory decision-making are replaced, as seen for example in the way in which both the machinic technology of the nuclear bomb and the economic technology of neoliberalism involve the transformation of billions of living beings into either hostages or consumers rather than political actors in their own right.* Thus, politics and technology can no longer be separated in a time when the latter forms the very framework within which the former takes place, to such an extent in fact, that deliberation is often subsumed by technique altogether; … this occurs because "technology encompasses not just nuclear power stations and computers. It extends… hedgerows, trees and walls. The row of trees outside the American Embassy in London was not planted out of commitment to natural beauty, but to break up student demonstrations, just as the Paris streets were designed to frustrate revolutionary mobs"*…almost all of the most important decisions in regard to overall design are made not by the people directly affected by them, much less by their elected representatives in government, but rather by technicians who not only exclude the public from the decision of whether or not a particular form of technology should be introduced, but even design them from the start so as to preclude the very possibility from ever occurring at all."[[6]](#footnote-6)*

#### We affirm the crash-site of the wayward drone within this year’s resolution:

#### Resolved: The United States Federal Government should substantially increase its statutory and/or judicial restrictions on the war powers authority of the President of the United States in one or more of the following areas: targeted killing; indefinite detention; offensive cyber operations; or introducing United States Armed Forces into hostilities.

#### The crash-site of the drone offers us a unique location outside of the connections and correspondence between the various conspirators and cohorts – actors, objects, spaces, events, and places – that are excluded from view by the traditional end-oriented perspective of pre-emptive action, positioned above and from the end of history. Our response to the topical hail returns the gaze, and theorizes this year’s resolution from a position below that of sovereign power.

#### The crashing drone shows through relational space within the resolution, a trace of distance produced by the networked drone and its symbiotic connection to a mode of decision making founded upon virtual excess.

Crandall 12 [Jordan, Professor in the Visual Arts Department at University of California, San Diego. ‘Drone Desire’ Rhizome, Mon Feb 20th, 2012 10:05 a.m. <http://rhizome.org/editorial/2012/feb/20/drone-desire/>]

Perhaps the doomed drone performs a more vital function than the exultant one. It destabilizes the coherency of the vehicle and embroils it in a politics that was heretofore invisible or diminished. At the onset of the crash, the drone and its component material and discursive actors, occasioned by the reverberations of the event, are catapulted into a more public space, rendered newly exposed and available for affiliation. A twisted geometry of spilt forms and unmasked roles, of networks sought and broken, the drone now offers itself to connection, continuity, and salvage. The agential components of event and drone become newly active in their negotiations. The catastrophe reveals an agential dispersal: the network of the negotiation. ¶ Yet at the same time, revealing the elements with which actors and events affiliate in order to maintain their centrality and force, the catastrophe orchestrates a consolidation. It stabilizes relatively coherent or consistent forms that embody or heighten the specifics of the crash site, the actor, the part, rendering it singular, bounded, and unique. The drone crash, both materially and discursively, is an event that both disrupts and congeals the dynamic. It provides an exception, but also an amplification. It dislodges conventional associations, allowing hidden infrastructures to be revealed and new ontological frameworks to take shape. All kinds of novel players enter the scene. The drone cannot be reassembled in quite the same way. [[7]](#footnote-7)

#### Our view from below is key to examining the network connections of the state - The institution of the state is radically incompatible with thinking; operating from within a framework of political organization which seeks to maximize and rationalize the imperatives of power.

Beistegui 07 (Miguel de Beistegui, Professor of Philosophy University of Warwick, Coventry. Questioning Politics, or Beyond Power. *European Journal of Political Theory* 2007; 6; 87. Sage Publications)

Let me now turn to the more political effects of power, and by that I mean the various regimes that follow from the metaphysics of subjectivity underlying modern politics. All regimes, on Heidegger’s reading, are regimes, or modalities, of power. ‘One day’, he writes, ‘the common sense of democracies and the rational method and planning of the “total authority” will be discovered and recognized in their identity.’12 This, Heidegger believes, can be achieved only by looking at the structure they have in common, and that is the State. **The State**, on Heidegger’s reading, **turns out to be the mode of political organization best equipped to maximize and rationalize the imperatives of power**, and it is characterized primarily by its **inability to call itself into question** as an institution, that is, **to bring into question its own metaphysical principles and imperatives of organization, domination and control.** It is characterized by what Heidegger calls its *Fraglosigkeit*. It is *fraglosig* in connection with the nature of the relation to beings that characterizes it:¶ The fundamental modern form in which the specifically modern, self-framing self-consciousness of **human beings orders all beings is the state**. For this reason, the ‘political’ becomes the definitive self-certainty of historiographical consciousness. The political is determined in terms of history grasped according to consciousness, that is, experienced in a ‘technical’ manner. The ‘political’ is the way in which history is accomplished. Because the political is thus the technical and historiographical fundamental certainty of all action, **the ‘political’ is marked by an unconditional failure to question itself** [*Fraglosigkeit*]. The failure to question the ‘political’ belongs together with its totality.¶ This means that **the political in modernity is essentially totalitarian**, that is, **driven by a logic and a demand of total power over which it itself has no power, a drive it itself cannot call into question. ‘Totalitarianism’ is a direct consequence of the lack of questioning, that is, of thought in the most fundamental sense, which characterizes the logic of the will-to-power.**

1. William S. Burroughs, “Ah Pook the Destroyer” Transcribed 8/22/2013 [↑](#footnote-ref-1)
2. Baudrillard 2010 (Jean Baudrillard, ‘Carinval and Cannibal’ 2010) [↑](#footnote-ref-2)
3. Baudrillard and Noailles 2008 (Jean Baudrillard and Enrique Valiente Noailles, Translated by Chris Turner, Exiles from Dialog, Polity Press, Pages 33-34) [↑](#footnote-ref-3)
4. Stockdale 2013 (Liam P.D. Stockdale, Department of Political Science, McMaster University (2013) Imagined futures and exceptional presents: a conceptual critique of ‘pre-emptive security’, Global Change, Peace & Security: formerly Pacifica Review: Peace, Security & Global Change, 25:2, 141-157,) [↑](#footnote-ref-4)
5. Hayes 2013 (Heather Ashley Hayes, Asst Prof of Rhetoric, Whitman College. “Violent Subjects: A Rhetorical Cartography of Bodies, Spaces, and Technologies in the Global War on Terror.” A Dissertation SUBMITTED TO THE FACULTY OF UNIVERSITY OF MINNESOTA BY Heather Ashley Hayes IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF DOCTOR OF PHILOSOPHY Ronald Walter Greene, Adviser, April 2013) [↑](#footnote-ref-5)
6. Adams 2003 (Jason, The Evergreen State College, POPULAR DEFENSE IN THE EMPIRE OF SPEED: PAUL VIRILIO AND THE PHENOMENOLOGY OF THE POLITICAL BODY. THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF MASTER OF ARTS - In the Department Of Political Science - SIMON FRASER UNIVERSITY - November 2003) [↑](#footnote-ref-6)
7. Crandall 2012 (Jordan, Professor in the Visual Arts Department at University of California, San Diego. ‘Drone Desire’ Rhizome, Mon Feb 20th, 2012 10:05 a.m. <http://rhizome.org/editorial/2012/feb/20/drone-desire/>) [↑](#footnote-ref-7)