The Biopolitics of the War on Terror: a critique of the 'return of imperialism' thesis in international relations

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ABSTRACT *The 'war on terror' is widely regarded as instigating a major regression within the development of the international system. Processes of globalisation are being challenged, it is argued, by a reassertion of the sovereign power of nation-states, most especially the USA. In more overt terms this regression is represented as a 'return' of a traditional form of imperialism. This 'return of imperialism' thesis challenges the claims of theories developed during the 1990s which concentrate on the roles of deterritorialisation and the development of biopolitics in accounting for the constitution of the contemporary international order. In contrast this paper seeks to detail the important respects in which biopolitical forces of deterritorialisation continue to play an integral role within the strategies of power that make the war on terror possible. Rather than understanding the war on terror as a form of 'regression' it is necessary to pay heed to the complex intertwinings that continue to bind sovereign and biopolitical forms of power in the 21st century. Such an understanding is urgent in that it provides for different grounds from which to reflect on the processes by which international order is currently being reconstituted and to help think about how to engage in reshaping them.*

The final decade of the 20th century was characterised by vast changes in the organisation of power internationally. The end of the Cold War, the development and strengthening of international organisations, intensive technological innovation, the growth and spread of practices and institutions of liberal democracy, the proliferation of non-governmental organisations and spread of a 'global' civil society, the penetration of capitalism into previously non-capitalist societies, the emergence of new systems of global governance, all subsumed within the onslaught of what came to be known both heroically and pejoratively as globalisation, were major hallmarks of the immediately post-cold war era. These forms of change served to challenge and undermine many of the most traditional assumptions made by international relations theorists as to what constitutes power internationally. At the centre of the discipline liberal conceptions of power that privileged the

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237

theorisation of forms of interdependence rapidly overtook the traditionally statist orientation of political realism. Beyond the centre, post-structuralist-informed accounts of the disseminative and biopolitical character of power relations challenged the emphases upon hegemony and imperialism in critical theory and classical variants of Marxism. By the end of that decade there was a prevailing assertion within areas of thought concerned with the international that the world we were living in was defined either by a softening or a complexification of power relations in virtually every area of politics and that this was challenging the rigidity with which power was theorised in more traditional accounts of IR.

Of the many texts in which these developments were accounted for there was perhaps none as definitive as that of Michael Hardt and Antonio Negri's *Empire*. Written at the very end of the 1990s, this text attempted to detail and account for the emergence of a new global order mediated by a new logic and structure of rule.[1] The global order of the post-cold war world was, according to the authors of *Empire*, no longer defined by the powers of nation-states but by supranational organisms. Nor was it defined by a division between centres and peripheries mediated by the imposition of imperialist forms of power. Rather, the global order was, by the end of the 20th century, defined by no established centre of power, no reliance on fixed boundaries or barriers, but by 'a decentered and deterritorializing apparatus of rule' that operates within expanding and open frontiers.[2] While Hardt and Negri chose almost curiously to maintain the ascription of 'Empire' to this form of order, they were insistent on its departure from the traditional forms of imperialism associated with nation-states. Their *Empire* was not to be defined by the existence of a nation-state at its centre, least of which the USA. Rather, as they expressed it, 'no state can today, form the center of an imperialistic project'.[3] Traditional imperialism itself had been displaced by a newly emergent decentred order, that of *Empire*.

In theoretical terms there were significant implications that were said to follow from this shift. Hardt and Negri's major theoretical claim was that we had witnessed the emergence of a 'new form of sovereignty' in the global era.[4] Contextualising the development of political modernity in terms of a struggle between the transcendental apparatus of nation-states and the immanent powers of the multitude, Hardt and Negri were quick to declare the prevalence of the powers of immanence over the apparatuses of transcendence in an era of the declining power of nation-states and the increasing mobilisation of populations across borders. The story of political modernity was that of the gradual realisation of biopolitical forms of organisation in the midst of the decline of the transcendental form of the nation-state. This was not, in spite of impressions to the contrary, a simplistically utopian narrative that they were weaving. Rather they portray the gradual dissemination of biopolitical arrangements among the dispositions of subjects as a radically 'disutopian' project by which transcendence is eliminated in order to effect the greater empowerment of immanent movements of human beings while at the same time maintaining unprecedented degrees of domination.[5] The

biopolitical can best be understood in this context as the residual forms which life assumes once sovereignty renders the labour of immanent power constituent. In this sense biopolitics is only conceivable in the context of the existence of immanent struggles against the transcendental apparatuses of sovereign power. Likewise, however, biopolitics is not reducible to immanence. Immanent power and biopower can be said to exist in a form of confrontation, yet the development of biopolitical modernity also functions as a sign of the productive labour of immanence, and equally of the dual weakening and intensification of modern forms of political sovereignty.[6] As a consequence Hardt and Negri situate contemporary political struggles in terms of an attempt to wrest back the plane of immanence from its domination via its gradual colonisation by modern sovereignty. The aim is to release, as they describe it in their own terms, the immanent powers of the multitude from the biopolitical shackles that modern sovereignty binds them with.[7]

There have been few so immediately and yet so transitorily influential texts as *Empire*. With the World Trade Center attack of 11 September 2001, the US declaration of the 'war on terror', and the subsequent invasions by the USA of Afghanistan and Iraq, the global order is now widely said to be fragmenting into a mode of organisation more anachronistic than it is innovative. Faced by vital threats to their security, the major nation-states of the Western world are, it is argued, reasserting themselves territorially, militarily and politically. Among them the USA has committed itself to a war and a strategy that has invoked descriptions and accusations of a traditional form of 'imperialism'.[8] The postmodern complexities and fluidities of the global order are, it is argued, being rent asunder by the re-imposition of a form of power and a unit of organisation enduringly modern, the sovereign and imperialistic power of the nation-state, most especially the sovereign power of the imperial USA. The 'permanence, eternality, and necessity' which Hardt and Negri attributed to the postmodern global order is claimed to be exposed for its fragility and, ultimately, its decrepitude. Consequently we are witnessing a return to a condition of international politics that some consider more consistent with models of the late 19th century.[9]

In contrast to these assertions, the central line of argument that I want to pursue here is that it is a mistake to construe the war on terror, the invasions of Iraq and Afghanistan, and the broader reassertion of US military and strategic power globally in simple terms as the 'return' of imperialism.[10] The 2001 attack on the World Trade Center did initiate some changes in the organisation of power internationally yet it did not forge a regression. Central to my discussion is the problem of how we understand the relation of sovereign power to biopower in the context of the war on terror. In essence, while there are problems with the argument that Hardt and Negri make as to the extent to which biopolitical forces exceeded the traditional sovereign power of nation-states at the end of the 20th century, their main observations on the increasingly biopolitical character of international order today still ring true. The major weakness with Hardt and Negri's account was their failure to fully theorise the intersections and oscillations between biopower

and sovereignty that constitute the *strategy of power* pursued within a late modern context.

This failing can be remedied nevertheless via the work of Gilles Deleuze and Felix Guattari, from whom the concept of deterritorialisation derives.[11] In turn, by thinking about how deterritorialisations effected by biopolitical bodies are intersecting with reterritorialisations pursued by sovereign nation-states, we can understand the contemporary war on terror in continuity with the forms of development that reshaped the international system during the 1990s. I argue that accounts which insist upon reading contemporary US strategy as a reassertion of a traditional form of imperialism that destroys the complex systems of global governance created during the 1990s are overstated in that they neglect the integral logistical and normative roles that biopolitical forces continue to play in the organisation of power internationally today. In addition, such accounts place too great an emphasis on the role and agency of government, and especially the discursive shift that has occurred within US foreign policy and in the articulation of its strategy since the declaration of the war on terror. A closer analysis of the ways in which the war on terror is being conducted, with particular focus on the war in Iraq, demonstrates the continuing importance of biopolitical forces in the constitution of power internationally today.

Following from this, I also want to think about what the consequences of such a reading of the contemporary organisation of power are for prevailing understandings of the potential for critical responses to the war on terror. In interpreting this war IR theorists are still largely trapped within the narrow confines of debate between Hobbesian and Kantian positions.[12] Can the codification of international law and the development of multilateral international institutions posit a solution to the problem of sovereignty? Or does sovereignty always, by necessity, override the potential for a cosmopolitan world order? These are the kinds of parameters that, in the face of the complex changes presaged by the war on terror, we still see being used to frame debate within international relations theory in the 21st century. Attempting to think about problems of the relations between law and force in such dichotomous terms forges the kinds of simplistic characterisations of international order in terms of anarchy *or* order that sustains the age-old dialectic of realism and liberalism which remains the motor of IR theory. One of the many contributions that a text such as *Empire* makes to IR theory is to demonstrate the collusion between sovereign and biopolitical forms in the constitution of modern power internationally. The development of international organisations, of international law, the codification of human rights, the range of liberal aggression at work in the onslaught of globalisation, are all features of a set of forces that can only superficially be distinguished from the modern institutions of sovereign state power. There is continuity between the form of sovereignty with which nation-states still today utilise force in breach *of* law and the sovereignty with which the most narrowly biopolitical account of man is enforced *through* law by humanitarian and other liberal actors in the world today. This is

240

something which IR theory still struggles to recognise. If we want to resist the reassertion of the form of sovereignty at work today in the context of the war on terror it is essential that we focus upon this complicity of law and force: in other terms the complicity of the biopolitical and the sovereign.

The rest of this paper proceeds thus. In the following section I will give a brief account of how the war on terror is being interpreted in terms of a reassertion of the sovereign and imperial power of the nation-state. I criticise that account for its over-emphasis upon the role of the shift in the discourse of government and foreign policy in the USA as an explanation for that reassertion. In the third and fourth sections I demonstrate the extent to which the actual deployment of US sovereign power in the context of the war on terror remains conditioned by features that are continuous with the forms of developments within the international system that occurred in the 1990s and which Hardt and Negri otherwise identify with the degeneration of the sovereign power of nation-states. In the fifth section I reflect on where this analysis takes and leaves us in terms of thinking about the political legacies of humanist politics, and on the necessities of avoiding the fall into the cheap humanist traps currently being set by thinkers concerned with the promotion of a global civil society as a response to the phenomenon of terror. At the very least the aim is to illustrate the extent to which the organisation of power in the 21st century remains defined by features that emerged in the 20th and the consequences of such a reading for political engagement and critique of the war on terror.

The 'return' of imperialism?

Those who assert we have witnessed a regression in the organisation of power internationally since 9/11 point to the contingencies of the global political order during the 1990s.[13] The end of the Cold War, it is said, bequeathed the USA a preponderance of power internationally. The absence of a symmetrical threat allowed it, under the auspices of the Clinton administration, to embark upon a multilateral strategy that involved the cultivation of the very forms of interdependence and connectivity that Hardt and Negri, among others, assumed to signify a permanent and necessary change in the organisation of international politics. The shift in administrative power nationally within the USA, coupled with the World Trade Center attack, provided the grounds, it is now said, for a change of direction in US foreign policy and the consequent return to a more traditionally unipolar and, ultimately, imperialist world order.[14] As Michael Cox describes it, the intellectual groundwork for a reassertion of US imperialism had been carried out some years in advance of the 9/11 attack. As early as 1997 the neo-conservative think-tank, 'Project for the New American Century', dedicated to the reframing of the Republican agenda, was arguing for the 'restoration of a foreign policy of American leadership' based on 'the three M's of American foreign policy...Military strength, Morality, and Mastery'.[15]

Not only was it the case that the increasingly multilateral character of international politics during the 1990s was perceived to threaten the 'national interest' of the USA. There was also a sense in which a more fundamentally normative commitment to the defence of the international state system was at stake. The war on terror itself has been conceived within the USA in terms of an attempt to defend the very form of the nation-state and the international state system from the incursions of a threat shaped and conditioned by globalisation. 'International terrorism is not dangerous because it can defeat us in a war, but because it can potentially destroy the domestic contract of the state by further undermining its ability to protect its citizens from attack' wrote Audrey Kurth Cronin after the 9/11 attack.[16] The form of threat posed by Al-Qaeda as well as by other international terrorist organisations appears to have been interpreted by the Republican right within the USA as that of an advanced expression of the deterritorialising forces of globalisation. The war on terror has been articulated within areas of the US foreign policy establishment as a commitment to defence of the traditional values and institutions of the nation-state against that deterritorialising threat. The current strategy of the USA is articulated in these terms as an attempt to force a regression within the international system to an older more reliable form of order. A regression that secures and re-enforces boundaries against the encroachments and malign insecurities forged through processes of globalisation.

One of the most appealing ways to account for 21st century US strategy as initiating a return to imperialism is to consider the copious amounts of imperialist rhetoric surrounding the current Bush administration. One of the most remarkable features of the current articulation of US foreign policy is the apparently naked commitment to imperialism. The USA has throughout much of its history been accused of pursuing an imperialist agenda.[17] Customarily its foreign policies have been accompanied by discursive commitments to democratically anti-imperialist ends. Yet the current reassertion of American power is, it would appear, avowedly imperialist.

'Mastery' is a positive term of reference within the current foreign policy lexicon and its concomitant condition of possibility—'enslavement'—an inferred aim of US strategy. Traditionally, international relations theorists are used to dealing with orthodoxies that either discount the role of structural economic and political inequalities within the international system as unimportant for our understanding of how that system functions (realism) or which account for those inequalities as contingencies that the system itself is in the process of overcoming through the development of democratisation (liberal internationalism). In turn we are traditionally accustomed to critiques of those orthodoxies which demonstrate how essential the production of inequality and unevenness is to the existence of the international system. At the turn of the 21st century we appeared to witness a puzzling reversal in the order of these debates. Neo-conservative discourses on the international system appeared to be naked in their ambitions for the possibility and pursuit of imperialism, while the definitively critical account of international politics

242

was still insisting upon the permanence and necessity of the 'post-imperialist' order.

The current state of world politics has made, from the perspective of many, Hardt and Negri's claims about the permanence and necessity of the post-imperialist moment in international politics look naïve. Critical appraisals of the war on terror continually make reference to the discourse of the neo-conservative wing as if it were an unproblematically descriptive account of the deployment of US power.[18] Yet such critiques of the war on terror that buy into the regime's own account of it as a return to imperialism ignore the vital roles played in its conduct by agencies, practices and discourses of biopolitical form. The discursive attempts among the Republican right to qualify US foreign policy today in terms of imperialism are, in a certain sense, curiously out of synch with the actual deployment of the sovereign power of the USA internationally. The assertion of the USA's sovereign power occurring amid the war on terror remains conditioned by the continuing roles of the agencies and practices that Hardt and Negri identified in the 1990s with the deterritorialisation of nation-state sovereignty and the advance of biopolitics. Here I am thinking chiefly of the roles of the United Nations and the range of non-governmental actors who defined the shifts in power that Hardt and Negri otherwise describe. These agencies and their practices remain crucial both to the logistical efficacy and the assertions of legitimacy accompanying the reassertion of US sovereign power. It is fair to say that Hardt and Negri's account of *Empire* placed too large an emphasis on the prevalence of biopolitical and deterritorialised forms and forces at the expense of the traditional units of sovereign power. Nevertheless, in order to comprehend the strategy of power at work in the organisation of power internationally today it is necessary still to pay heed to the role of these agencies and their practices. This paper seeks to redress this imbalance.

Rethinking sovereignty amid the war on terror

There can be little doubt over the temerity of Hardt and Negri's assertions as to the degree and necessity of the forms of change that their analysis in *Empire* describes. The apparent reassertion of the USA's sovereign power that has occurred since 11 September 2001 would appear to compromise the starkness of their claims. Even Negri himself has intimated so.[19]

There were always likely to be problems with a form of analysis that, in spite of their attempts to deny it, reads like a teleological account of political modernity.[20] Their insistence upon the prevalence of trends towards a deterritorialisation of power over the reterritorialising capacities of nation-states, of the immanent powers of the multitude over the transcendent powers of sovereignty, and of the expansive over the retractive tendencies of the international system, in some important respects do an injustice to the traditions of political thought that they derive their ideas from. Gilles Deleuze and Felix Guattari, whose influence hangs heavy over Hardt and Negri's text in some important regards, actually provide us with a more coherent way of approaching the forms of change at work. Rather than

243

claiming that the forms of deterritorialisation provoked through globalisation are eternal or necessary, Deleuze and Guattari argued throughout their work that processes of deterritorialisation always by necessity occur in relation to allied responses of reterritorialisation.[21] The international state system, according to Deleuze and Guattari, oscillates continually between two opposing tendencies that are inextricably bound up with one another: the schizoid revolutionary tendency and the paranoiac fascistic tendency. As they describe it:

> The social axiomatic of modern societies is caught between two poles, and is constantly oscillating from one pole to the other. Born of decoding and deterritorialization, on the ruins of the despotic machine, these societies are caught between the Urstaat that they would like to resuscitate as an overcoding and reterritorializing unity, and the unfettered flows that carry them toward an absolute threshold. They recode with all their might, with world-wide dictatorship, local dictators, and an all-powerful police, while decoding—or allowing the decoding of—the fluent quantities of their capital and their populations. They are torn in two directions: archaism and futurism, neoarchaism and ex-futurism, paranoia and schizophrenia. They vacillate between two poles: the paranoiac despotic sign, the sign-signifier of the despot that they try to revive as a unit of code; and the sign-figure of the schizo as a unit of decoded flux, a schiz, a point-sign or flow-break. They try to hold on to the one, but they pour or flow out through the other. They are continually behind or ahead of themselves.[22]

Deleuze and Guattari's theorisation of the necessary intertwinement of processes of deterritorialisation with those of reterritorialisation provides a more helpful framework for comprehending the apparent reassertion of the sovereign power of nation-states in the context of what was an increasingly decentred global order. There is no predestined certainty committing the international system to a decentred and deterritorialized form of rule, as argued throughout *Empire* by Hardt and Negri. Rather we can understand the contemporary moment in the development of the organisation of power internationally as the articulation of this fundamental oscillation in the balance between deterritorialising and reterritorialising forces. This act of reterritorialisation, by which the nation-state reinstates its sovereignty, redrawing its boundaries in constitution of a milieu of interiority, necessarily draws upon and requires the existence of deterritorialising flows. Indeed we can only understand the global scope with which the reterritorialising force of sovereign power is being asserted today in the context of the global flows through which the deterritorialisation of power was rendered during the 1990s. The global assertion of state sovereign power that is occurring in the context of the war on terror assumes as its condition of possibility the existence of spaces, practices and discourses created by the very bodies that deterritorialised sovereignty during the 1990s. This is an important element of the war on terror that tends to be ignored in those accounts of it as a return to a traditional form of imperialism. In spite of the discursive commitments to an imperialism that revokes reliance on allies, champions the national interest, neglects the importance of norms, and eschews moral and ethical underpinnings, the

244

war on terror is conditioned by flows, agencies and practices of biopolitical form.

We can start to think about this problem concretely in the context of the war in Iraq. One of the major features of the immediately post-cold war era was the expansion in the aims and ambitions of the UN. There was a new optimism about the potential of the organisation to fulfil the humanitarian tasks of its Charter.[23] There was a widespread belief that the UN's burgeoning strength and scope represented a shift away from an international system predicated on the sovereignty of nation-states to a supranational and decentred global system that would enfranchise a deterritorialised humanity against the sovereign power of nation-states.[24]

The most immediate and major initiative of the UN at the end of the Cold War was the imposition of a comprehensive sanctions regime upon the state of Iraq on humanitarian grounds.[25] The Iraqi state was targeted on account of 'the repression of the Iraqi civilian population in many parts of Iraq', most especially Kurdish people.[26] Perversely, the maintenance of the sanctions regime throughout the 1990s itself created a more general humanitarian crisis throughout the Iraqi population. This led ultimately to the creation of the oil-for-food programme that mediated the sale of Iraqi oil in return for economic assistance to Iraq up until the war in 2003. The oil-for-food programme developed from the provision of economic and basic humanitarian assistance to the involvement of the UN in the wholesale redevelopment of the infrastructure of the Iraqi state.

From its inception in 1995 it expanded gradually beyond an initial emphasis on aiding the provision of food and medicine to incorporate, by 2002, infrastructure redevelopment in a vast range of different sectors: food, food handling, health, nutrition, electricity, agriculture and irrigation, education, transport and telecommunications, water and sanitation, housing, settlement rehabilitation, de-mining, assistance for vulnerable groups, oil industry spare parts and equipment, construction, industry, labour and social affairs, youth and sports, information, culture, religious affairs, justice, finance, and banking.[27] The programme was regarded as effective in so far as it disciplined the Iraqi state to dedicate funds deriving from the sale of oil to its population rather than to military investment.[28] In important senses it appeared to represent a biopolitically defined programme in so far as it aimed at an increase of the welfare of the Iraqi people at the expense of the sovereign will of the Iraqi state.

The US-led war in Iraq was widely held to represent a direct challenge to the agency, practice and normative framework underlying UN involvement there. The humanitarian elements of UN policy, always hotly contested, were swept away, it was said, by the flagrant pursuit of US security and economic interests. Consequently we witnessed in the run up to the war a new and significant split between the USA and the UN, as well as the broader community of ngos dedicated to biopolitical ends.[29]

Yet the development of the UN oil-for-food programme ultimately played a fundamental role in the organisation of the war in Iraq. The USA's conduct of the war was predicated logistically on the existence of the dense

infrastructures created by the UN in Iraq through the oil-for-food programme for humanitarian ends.[30] The adoption of resolution 1483 led to the official establishment of relations between the UN and the occupying forces in Iraq and the transfer of responsibilities for oil-for-food activities to the provisional authorities representing the occupying powers.[31] Indeed, the broader framework of the war in Iraq was fairly consistent with the development of so-called 'liberal' or 'humanitarian' warfare during the 1990s, in which the UN often played a major role. The Bush administration went to inordinate lengths to secure the support of a range of different non-governmental and humanitarian actors in advance of the actual conduct of the war. Having established an inter-agency group for the planning of post-war relief and reconstruction in Iraq, it then held multilateral and bilateral meetings with ngos in order to pre-plan the reconstruction effort. Financial aid was provided to enable the UN High Commissioner for Refugees (UNHCR) and humanitarian agencies to pre-position humanitarian aid. Warehouse spaces were paid for in neighbouring Gulf states in which to store humanitarian supplies.[32] The practices of social reconstruction were integrated as fully as possible within the military operation of intervention in ways continuous with guidelines as to 'best-practice' developed in recent years by the UN itself.[33] The war in Iraq was, in important senses, a conflict fought along biopolitical lines.

In this sense we can see that the conduct of the war was not defined in simple terms by the naked expression of the sovereign power of the USA that has frequently been attributed to it in critical responses. The verbalisation of disputes between the USA and the international community draws a thin veil over a thick set of logistical relations that continues to combine the sovereign power of the United States with a range of biopolitical bodies and forces. In spite of the ways in which the US use of force circumvents traditional UN norms, in logistical terms relations between the USA, the UN and the broader realm of global civil society remain very strong. Contrary to popular perceptions of a USA that is 'operating in the world on its own terms',[34] US strategy remains predicated in important respects on the securing of logistical support from a range of biopolitical bodies and agencies, among which the UN is central. The claims that, in pursuing a 'neo-imperial agenda', the USA was neglecting the need to build coalitions of states and multilateral agencies to orchestrate aid and assist in rebuilding states are wide of the mark.[35] The invasion that took Iraq by storm in the spring of 2003 was a complex amalgam of forces combining the sovereign power of the USA with the biopower of a range of deterritorialised actors.

The support of forces of deterritorialisation for the war on terror is not merely logistical. It is born from a shared normative commitment to the conduct of the war too. Throughout the 1990s those at the forefront of liberal political thought, humanitarians, as well as various non-governmental organisations concerned with pursuing a humanitarian agenda, lobbied for a more forceful approach to human rights abuses in states such as Iraq and Afghanistan. Leading humanitarian thinkers and commentators such as Michael Ignatieff bemoaned the 'extraordinary gap between rhetoric and

performance' within the human rights policies of Western powers. Humanitarians may object to what they perceive to be strategic limitations that nation-states impose upon the forms of militarised interventions they pursue in the name of human rights. This was a continual feature of the liberal critique of the character of the development of humanitarian war during the 1990s.[36] They may also object to the failure of nation-states to pursue humanitarian causes in cases of conflicts that emerge outside the realm of their material self-interests.[37] Yet, ultimately, when liberal humanitarians target specific nation-states for their chastisement, such as Iraq and Afghanistan, when they demand a more forceful approach to the problems of human rights abuses, they create the normative and discursive conditions for the reassertion of sovereign power that we have witnessed in the cases of the US-led wars against Afghanistan and Iraq.

So many of the current critical appraisals of the war in Iraq point to its supposedly 'unilateral' character. Yet in doing so they ignore the vital roles that humanitarian-based forms of argument played in legitimising the war and most especially the continual citation of UN resolutions in support of the war. In waging war on Iraq the US and British governments were able to make recourse to the perceived failures of Iraq to implement specific UN security council resolutions 678, 687 and 1441,[38] no matter that there may have been no direct authorisation from the UN for the use of war. The USA was able to draw on an indirect or implied form of authority through its interpretation of edicts directed at Iraq by the UN throughout the 1990s.

Sovereignty and biopolitics in the 21st century

What does this tell us, then, about the organisation of power internationally amid the war on terror? Does the war on terror represent an increasingly unilateral expression of the sovereign power of the USA? How can we understand the ways in which the sovereign power of the nation-state relates to the prevailing powers of biopolitical bodies such as the UN, the NGO community and the broader bases of global civil society in this context? Are those latter powers, so definitive of the developments of the 1990s, now simply on the wane? Are we witnessing the abuse and subordination of biopolitical agencies and discourses to the self-interested strategies of state sovereignty? How can we theorise the interrelation and co-development of sovereign and biopower in the conditions of the 21st century?

Currently within IR theory this debate is being articulated in terms of competing conceptions of the possibilities for a biopolitical global order in which a universalised humanity is enfranchised against the sovereign power of nation-states. The reassertion of the sovereign power of particular Western states amid the war on terror is being variously interpreted as either: a) an attempt to defend an already existing, biopolitically grounded system, in exceptional circumstances that demand a suspension of the biopolitical principles which define the system itself; or b) confirmation that commitments to the development of a global biopolitics that challenges state sovereignty are doomed to fail. Either sovereignty is seen to be tragically

suborning the biopolitical or it is seen to be enacting a transgression of the development of biopolitics in paradoxical defence of it.

Either way, Hardt and Negri's claims that biopolitical forces are prevailing over the sovereign agencies of the nation-state in the constitution of the contemporary order look to be challenged. It is in this context that it makes more sense to turn to Deleuze and Guattari's more contingent theorisation of the strategy of power in order to comprehend what is occurring within the current international order.

Deleuze and Guattari pitch the relations of biopolitical and sovereign bodies, what he calls the forces of deterritorialisation and reterritorialisation, in terms of a permanent and agonistic tension that renders it facile to imagine an assertion of one without a re-assertion of the other. Deterritorialisation is, by necessity, inseparable from correlative processes of reterritorialisation.[39] Yet he also compels us to think about this set of relations between forces of de- and reterritorialisation, the sovereign and biopolitical, in terms of *strategy*. That is to say, in terms of relations that are organised in the name, development and sustenance of the constitution of political sovereignty.[40] Forces of deterritorialisation are continually being set in movement by a form of sovereignty that operates strategically by recombining and entering into new relations with these forces in the constitution of novel assemblages.[41] Indeed, it is important in this context to draw a distinction between processes of deterritorialisation and reterritorialisation on the one hand, and the constitution of the sovereign and the biopolitical on the other. We can say that it is only through a consequent process of reterritorialisation that forces of deterritorialisation are rendered biopolitical. The constitution of biopolitics is what defines the strategy of sovereignty. Its reterritorialisations are the tactical effects by which deterritorialising forces are brought back within the realm of sovereign control. The biopolitical is never a naïve representation of a deterritorialising movement but is defined primarily by the imprint of a reterritorialising manoeuvre.

In this sense, the distinction that Hardt and Negri draw between movements of deterritorialisation and reterritorialisation, the biopolitical and the sovereign, the immanent and the transcendent, or constituent and constituted power, does insufficient justice to Deleuze and Guattari's original theorisation of the strategy of power. The movement of immanence always functions within a Deleuzean framework not of simple opposition to the transcendent powers of political sovereignty but in reconstitution of it. Immanence is haunted by the forms of transcendence that it attempts to ward off.[42] The biopolitical functions as the figuration of that haunting. When we speak of biopolitics, therefore, we are speaking of political agencies and practices that reconstitute the problem of political sovereignty. The key institutions and actors that comprise Hardt and Negri's account of the biopolitics of *Empire*—the UN, the NGO community and global civil society—are to be understood in this context.[43] They are agencies that do not simply enact a deterritorialisation of sovereignty, but rather which figurate the reterritorialisation of deterritorialising flows of immanence in the name of political sovereignty. Yet in this context it remains essential to pose

248

the question of how these strategic relations between immanence, biopolitics and sovereignty are affected. What is it that is being deterritorialised and how is the reterritorialisation of these agencies enabled?

The defining feature of the modern international system has been the ongoing conflict between the sovereign powers of its constituent nation-states and the development of biopolitical organs generated in pursuit of an ethical commitment to the enfranchisement of a universalised humanity. Yet the account of humanity rendered in the institutionalisation of biopolitical practices and through the creation of agencies for the defence of the rights of humanity in universal terms is itself a statically imperial one. Defining humanity in accordance with internationalised laws, reducing it to another imperial injunction, biopolitical modernity plays into the hands of modern sovereignty. Co-ordinating its global deterritorialisations of humanity via a concomitant universalisation realises the conditions for the imposition of a new form of transcendent sovereign power, also on a global scale. Global deterritorialisations beget global reterritorialisations. The idea and pursuit of a universally coded and legally enfranchised humanity necessarily invokes the idea and pursuit of a universal state. It is for these reasons that we cannot account for the global way in which the sovereign power of the USA is asserted today other than in the context of a global biopolitics.

Contesting sovereign power

What are the implications of this argument about the intimacy of relations between sovereignty and biopolitics for political engagement with the reconstitution of international order in the 21st century? In what ways does underlining the biopolitical underpinnings of that order help us think about reshaping it?

It suggests not only that we ought to be sceptical of the capacities of biopolitical agencies to impose normative restraints on the exercise of sovereignty. We also need to think more closely about how the articulation of the problems of *what human life is* and *what human life is for* among modern biopolitical agencies itself constitutes a form of sovereignty that does injustice to the original implications of humanism for the organisation of sovereign power. In the midst of a conflict where we see the headquarters of the International Committee of the Red Cross deliberately targeted it is time to recognise the limits of a humanism that asserts itself transcendentally, and imposes itself in the dogmatic style of the traditions of religious thought which previously attributed power over nature to God. This is not meant to be another pronouncement of the last word on humanism. Instead it is to demand a return to the question of how to enact a humanist politics that does not fall party to the universalisation of its values or to attempts to secure them within institutionalised or procedural frameworks such as those created within the biopolitical context of the contemporary international order.[44]

In many senses this is to instigate the thought of a Deleuzean politics that otherwise, in spite of their failings, inspires Hardt and Negri's account of the multitude within *Empire*.[45] Is it possible to pursue a politics that

249

deterritorialises the sovereign power of the state without being reterritor-
ialised by it? Can we deterritorialise humanity from the sovereignty of states
without humanity itself being rendered biopolitical? To pose the problem in
these Deleuzean terms is urgent and it is distinct from the many attempts
emerging from the war on terror to push forward the project of a 'global civil
society' as if that were the only alternative by which to salvage modern
secular and humanist ideas from the wreckage of their hostilities.

In the wake of the 9/11 attacks, Mary Kaldor, one of the key exponents of
the idea of a global civil society, called for the further extension and
strengthening of international humanitarian law.[46] Global civil society is
pitched according to Kaldor in a direct struggle with both the Bush
administration and Al-Qaeda to 'bring the "inside" of human rights and
democracy home'.[47] Douglas Kellner, another leading advocate of the global
civil society approach, calls for the establishment of a 'global campaign
against terrorism' and a reorientation of the agenda of the 'anti-capitalist
globalization movement' to fight terrorism, militarism and war.[48] Benjamin
Barber argues that the creation of 'a just and inclusive world in which all
citizens are stake-holders is the first objective of a rational strategy against
terrorism'.[49] Incredibly, in the context of a war in which the West finds itself
pitched against an enemy whose hostility is articulated in terms of an attempt
to retrieve the integrity of the possibility of *another* response to these
problems of the ontology and teleology of the human, Western dissidence
expresses its yearning for a yet more incessant pursuit of its secularised ideals.
In the midst of the rejection of the sovereign imposition of Western
humanism, dissident voices within the West call forth the greater extension of
the central principles of the selfsame humanist project. In the midst of the
rejection of law the demand is to pursue the law more rigorously. The actions
of the enemy are deemed 'predominantly the consequence of pathology and
yield neither to rational analysis nor understanding',[50] and 'dialogue' it is
said 'is not possible with such groups'.[51]

Just as the birth of modernity constituted itself in the form of a crisis
whereby the discovery of the immanent powers of humanity came to be
appropriated by the transcendental powers of the nation-state, so, at the start
of the 21st century we see the biopolitical account of human beings through
which modern sovereignty is rendered being challenged by another, radically
hostile account of *what life is* and *what life is for*. This rival account is itself
attempting to exercise another form of sovereignty over the constitution of
life. In doing so it presents us with the possible alternative of something
anachronistic and arcane. Within a struggle of competing sovereign
impositions, each of which do a different form of injustice to the life of
human beings, the question of the possibility of another form of humanism is
posed. Not another identity politics, masquerading as *the* authentic
humanism, which seeks to overcome the resistances and affront of the others
by eliminating or excluding their differences, either by converting difference
into identity, or suborning the play of difference to some banal code by which
it can be policed. The thought comes into being of another humanism that
does not seek security through identity, through the development of a world

society the security of which is fostered by the annihilation of all values except for the value of security itself. The possibility of a life lived beyond identity, security and law.

Notes

1 Michael Hardt & Antonio Negri, *Empire*, Cambridge, MA: Harvard University Press, 2000, p i.
2 *Ibid*, p xii.
3 *Ibid*, p xiv.
4 *Ibid*, p i.
5 For a more expansive account of the violence of these processes, see Julian Reid, 'War, liberalism and modernity: the biopolitical provocations of *Empire*', *Cambridge Review of International Affairs*, 17 (1), 2004, pp 63–79.
6 Hardt & Negri, *Empire*, pp 83–87. For an elaboration of the concept of disutopia see their earlier work *Labor of Dionysus: A Critique of the State-Form*, Minneapolis, MN: University of Minnesota Press, 1994, pp 310–313.
7 The concept of immanent or 'constituent' power is developed in *Labor of Dionysus* and is close to Marx's concept of 'living labour'. The Foucauldian concept of biopower is only developed in the later part of Hardt and Negri's *Empire*. The distinction between immanence and biopower remains heavily under-theorised in their work, leading to several lines of critique of their theoretical case. This article is an attempt, in part, to address that lacuna by developing a more authentically Deleuzean account of relations between immanence, biopolitics and political sovereignty.
8 Ivan Eland, 'The empire strikes out: the 'new imperialism' and its fatal flaws', *Policy Analysis*, 459, 2002, pp 1–27.
9 Michael Cox, 'The empire's back in town or America's imperial temptation—again', *Millennium: Journal of International Studies*, 32 (1), 2003, pp 1–27.
10 Tariq Ali, 'Re-colonizing Iraq', *New Left Review*, 21, 2003, pp 1–19.
11 For a further elaboration of the ways in which Deleuze's concept of deterritorialisation informs Negri's theory of immanent power, see Julian Reid, 'Deleuze's war machine: nomadism against the state', *Millennium*, 32 (1), 2003, pp 57–85.
12 For example, see Robert Kagan, 'Power and weakness', *Policy Review*, 113, 2002, available at http://www.policyreview.org/JUN02/kagan.html.
13 Cox, 'The empire's back in town', pp 13–14.
14 David Hastings Dunn, 'Myths, motivations and "misunderestimations": the Bush administration and Iraq', *International Affairs*, 79 (2), 2003, pp 279–297.
15 www.newamericancentury.org.
16 Audrey Kurth Cronin, 'Rethinking sovereignty: American strategy in the age of terrorism', *Survival*, 44 (2), 2002, pp 119–139.
17 The denouncement of the imperialism of US foreign policy can be traced back at least as far as the formation of the American Anti-Imperialist League in 1899.
18 See, for example, Ronald Bleier, 'Invading Iraq: the road to perpetual war', *Middle East Policy*, IX (4), 2002, pp 35–42; Cox, 'The empire's back in town', pp 13–14; Eland, 'The empire strikes out', p 5; and Ali, 'Re-colonizing Iraq'.
19 See 'The imperial backlash on empire: Antonio Negri interviewed by Ida Dominijanni', at http://www.16beavergroup.org/mtarchive/archives/000487.php.
20 Hardt & Negri, *Empire*, pp 51–52.
21 For two excellent and nuanced accounts of Deleuze's theorisation of the relation of state sovereignty to processes of deterritorialisation, see Ronald Bogue, 'Apology for nomadology', *Interventions*, 6 (2), 2004, pp 169–179; and Ulrike Kistner, 'Raison d'état: philosophy of and against the state', *Interventions*, 6(2), 2004, pp 242–251.
22 Gilles Deleuze & Felix Guattari, *Anti-Oedipus: Capitalism and Schizophrenia*, London: Athlone Press, 2000, p 260.

23 As discussed in Dirk Messner & Franz Nuscheler, 'World politics—structures and trends', in Paul Kennedy, Dirk Messner & Franz Nuscheler (eds), *Global Trends & Global Governance*, London: Pluto Press, 2002, pp 125–155.

24 See Hardt & Negri, *Empire*, pp 4–6 on this point.

25 Abbas Alnasrawi, 'Iraq: economic sanctions and consequences, 1990–2000', *Third World Quarterly*, 22 (2), 2001, pp 205–218.

26 As laid out in Resolution 688 (5/4/91). Discussed in Peter Malanczuk, 'The Kurdish crisis and allied intervention in the aftermath of the second Gulf war', *European Journal of International Law*, 2, 1991, pp 114–132.

27 http://www.un.org/Depts/oip/background/fact-sheet.html.

28 Judith S Yaphe, 'America's war on Iraq: myths and opportunities', *Adelphi Papers*, 354 (1), 2003, pp 23–44.

29 G John Ikenberry, 'America's imperial ambition', *Foreign Affairs*, September–October 2002, p 81.

30 Roger MacGinty, 'The pre-war reconstruction of Iraq', *Third World Quarterly*, 24 (4), 2003, p 606.

31 http://ods-dds-ny.un.org/doc/UNDOC/GEN/N03/368/53/PDF/N0336853.pdf?OpenElement.

32 MacGinty, 'The pre-war reconstruction of Iraq', p 606.

33 Ibid, p 607.

34 Ikenberry, 'America's imperial ambition'.

35 *Ibid*.

36 Mary Kaldor, *Global Civil Society: An Answer to War*, Cambridge: Polity, 2003, pp 133–134.

37 Michael Ignatieff, *Virtual War; Kosovo and Beyond*, London: Vintage, 2001, p 201.

38 Adam Roberts, 'Law and the use of force after Iraq', *Survival*, 45 (2), 2003, pp 31–56.

39 Gilles Deleuze & Felix Guattari, *A Thousand Plateaus*, London: Athlone Press, 1999, p 509.

40 *Ibid*, pp 351–423.

41 Paul Patton, 'Future politics', in Paul Patton & John Protevi (eds), *Between Deleuze & Derrida*, London: Continuum, 2003, p 21.

42 Here I am paraphrasing Kistner's formulation whereby 'nomadism is haunted by the state that it attempts to ward off'. Kistner, 'Raison d'état', p 250.

43 Hardt & Negri, *Empire*, pp 35–37.

44 A demand more substantially made by Paul Gilroy in his recent *After Empire: Melancholia or Convivial Culture*, London: Routledge, 2004, pp 13–21.

45 *Ibid*, pp 91–92.

46 Kaldor, *Global Civil Society*, p 156.

47 *Ibid*, 159.

48 Douglas Kellner, 'September 11, social theory and democratic politics', *Theory, Culture & Society*, 19 (4), 2002, p 158.

49 Benjamin Barber, 'The war of all against all: terror and the politics of fear', in Verna V Gehring (ed), *War After September 11*, New York: Rowman and Littlefield, 2003, p 88.

50 *Ibid*, p 76.

51 Kellner, 'September 11, social theory and democratic politics', p 158.