

# Sovereign Power After September 11



**Emre Barca**

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*To the beloved memory of*

*Mehmet KAPAN*

## **Declaration**

This thesis has not been submitted in support of an application for another degree at this or any other university. It is the result of my own work and includes nothing that is the outcome of work done in collaboration except where specifically indicated. Many of the ideas in this thesis were the product of discussion with my supervisor Bülent Diken.

Emre Barca

Lancaster University, UK

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## Abstract

The day of September 11, 2001 has been widely acknowledged as a day on which a major historical event took place. The reason behind the grandiosity of this certain date was the ‘unexpected’ terrorist attacks against the US, causing the death of almost 3,000 people and the following wars as well as the changing social and political policies in one direction: War on Terror.

Post-September 11 did not only cause literal wars but also domestically ruined the so-called balance between freedom and security in favour of a more powerful, unaccountable, interventionist, lawless and violent state. This was nothing but the sign of sovereign power at work in many states, which does not only opportunistically utilise the post-September 11 conditions to gain more power and weaken their opponents but also use it as a government technique sometimes against their own society.

Nearly two decades after the event, this research tries to look at post-September 11 responses and how those responses changed our world. In this regard, this is a research about near history; not a historical research but a theoretical one about a continuing past, a past that is present in several ways: either as a residual or an active wound. It's about the history of the present.

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I was a full-time worker in a creative industrial company during my research and this



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# 1 Introduction

For Jacques Derrida, it is impossible to detect an exact starting point for a writing since that point cannot simply be the moment when the practical writing process starts. The text should have a longer and deeper history for it starts being written some time even before the conscious decision of writing. This also paves way to claim that a writing is not only the product of consciousness and intention, but the unconscious is always at work in the text including the starting decision. Therefore, the ‘real’ starting point of a text is undecidable for several reasons, some empirical and some textual. I believe that this is true not only for the literary texts but also for the so-called ‘scientific’ or scholarly writings. In this regard, I consider it is possible and worthwhile reflecting on and telling ‘the story’ of a research.

One of the beginnings of the story of this research is the encouragement of a colleague who more than one and a half decade ago in Yapı Kredi Publishing (Istanbul) insisted that I should translate Giovanna Borradori's *Philosophy in a Time of Terror* into Turkish. The book was consisted of two long interviews on September 11, made with Jürgen Habermas and Jacques Derrida, and two commentaries written by Borradori, accompanying the dialogues. I was particularly anxious about translating Derrida's meticulous, inventive and difficult language but at least I have finished the translation and it was published in 2007 in Turkish.

It must be obvious that being the translator of Habermas and Derrida's interviews on September 11 had certain impacts in my following studies and research. This is not only about a thematical similarity between that translation and the research at hand. Translating that book also led me to make an implicit choice about the analytical-continental divide of contemporary thought. Writing my MA thesis on Jacques Derrida (not Habermas) and autobiography in the Cultural Studies department, I finally decided to pursue a doctoral research on post-September 11.

In this research, my preliminary readings were again Jacques Derrida's and his devoted and hardworking disciples' works. I was quite sure that Derrida will be at the centre of my research; but I must have not considered the fact that this was not only a theoretical 'work' but a 'research.' I discovered that in a real research, in pursuit of new questions

and answers, you cannot exactly know where you are heading to and where you will find yourself. Or to put it more paradoxically, you have to know and unknow it at the same time.

In the course of this research, I had the chance to read and review several other philosophers like Giorgio Agamben, Judith Butler, and Michel Foucault, to name a few. And surprisingly enough, as I was approaching to some conclusion, if there is one, I found myself walking with Michel Foucault instead of Jacques Derrida whom I started thinking post-September 11 with. There are many reasons of this ‘new’ companionship which the reader will hopefully appreciate but perhaps the most significantly, it will be seen once again that Foucault is the most suitable if not most brilliant guide for the “history of the present.”

## **1.1 History of the present**

The day of September 11, 2001 has been widely acknowledged as a day on which a major historical event took place; major, not only in terms of the history of politics but also for the world history in general. The reason behind the grandiosity of this certain date was the ‘unexpected’ terrorist attacks against the US, causing the death of almost 3,000 people and the following wars as well as the changing social and political policies in one direction: War on Terror. If it were mistakenly asked whether the attacks or the

War on Terror as a whole created a greater change all around the globe, the answer would be more likely the latter. That is, what developed as responses to September 11 attacks did not only consist of military operations but also of serious social and political changes.

Nevertheless, it is impossible to clear-cut separate the post-event responses from the 'original' event itself. In the first view, it would seem that the question of what happened after September 11 as a response -chronologically as well as historically and to a certain extent, logically- would follow the question of what happened on September 11. The simplistic causal understanding would proceed from the previous to the latter in a before-after timeline. Yet, what allows us to construct and give a meaning to the 'original event' has something to do with the later responses. Indeed, what we will call as post-event, and in this case post-September 11 is the real home for the narrations, actions, justifications as well as criticisms, resistances and counter-narratives about the original event. This is a point where 'post-event' memorises, re-inscribes the event and makes it a realm of knowledge/power: a point where a linear conception of eventuality becomes more circular and much more complex.

Nearly two decades after the event, this research tries to look at post-September 11 responses and how those responses changed our world. At least it is possible to say that this is the first step towards a proper research question and delimitation of the scope of

the research at hand. “Sovereign Power After September 11” is not about the attacks of September 11 but the world after the attacks. In this regard, it is a research about near history, not a historical research but a theoretical one about a continuing past, a past that is present in several ways: either as a residual or an active wound. It’s about the history of the present.

### **1.2 The Scope: Post-September 11**

In the aftermath of September 11, it was widely discussed that if the attacks were unexpected and unforeseeable or not. This is important from different perspectives but most significantly, it would give an idea about how much the world is prepared to such an event, not from a military or security perspective but in terms of ethics and politics. Looking from now, even if it was not expected by the ordinary people, it appears that the US intelligence had some information about a possible attack against the US in its own territory. For Jacques Derrida, this practical information as well as the Cold War past and ongoing “mondialisation” do not allow one to define the September 11 attacks unexpected and unforeseeable event in a philosophical sense. (Derrida, 2003, pp. 91-2) That is, September 11 was not an ‘event’ par excellence, an unforeseeable as well as unappropriable occurrence, or a pure rupture or break in history. Jean Baudrillard, however, offers the contrary in his book dedicated to September 11 and defines the

attacks as “the mother of all events”. (Baudrillard, 2002, p. 4) Echoing those philosophical discussions, the global public, too, sought for an answer since the early days of the aftermath: Is it true that ‘Nothing will be the same again’ or ‘Nothing is going to change’? Alongside some other questions that will be introduced throughout this chapter, this research tries to approach that question of change after a certain date, that is, September 11.

It was indeed obvious for many that September 11 -or 9/11 as most of the English-speaking world name it- signs a break in the course of history. The generally accepted narrative confirming ‘the theory of break’ tells us that the event took place right after the announcement of ‘the end of history’ following the resolution of the bipolar world of post-World War II with the collapse of the USSR. That is, September 11 took place in a kind of celebratory atmosphere where the victory of liberal democracies -at least against the communism threat- was seemingly assured. At the time, globalisation was seen as the major trend of the world’s state of affairs with a new conception of nation-states’ borders porous to goods and services as well as finances and cultural products. Even if it was not a heaven yet, those were the times when the all-time winners of the game were optimistic about the globe’s future.

There is no doubt that there were varying criticisms against this narrative dominating the mainstream media and academy. Yet, neither of the parties could expect such a

violent and spectacular terrorist attack targeting the symbolic headquarters of global economy politics, that is, World Trade Centre, New York. Four US passenger airliners were hijacked targeting the North and South towers of the World Trade Centre in Manhattan; the US Department of Defence, Pentagon in Virginia; and finally, White House in Washington D.C. arguably —which turned to be a failed attempt. While the first three planes hit the target, causing great damage, the other plane was forced down by its passengers, in the vicinity of Pennsylvania. This prevented further damage from the intended attack strategy.

No matter one follows the ‘theory of break’ or else, the ‘theory of continuum’, September 11 is a definitive date that caused a series of other events and responses, which are the foci of the research at hand. In this regard, our intention is not to approach and question the reasons or underlying conditions preparing September 11, but to reconsider the post-September 11 responses of the attacked US as well as the other states which were allies of the US in the War on Terror.

With the participation of an extensive coalition, the US launched a global War on Terror with the priority of deposing the Taliban from Afghanistan that was held responsible for the birth and development of Al-Qaeda, the real perpetrator of September 11 attacks. The invasion of Iraq (2003) with the accusation of harbouring terrorism and possessing nuclear weapons followed the Afghanistan War (2001), not to mention other military



operations executed all around the world. Finally, War on Terror was said to be over in the Presidency of Barack Obama, leaving the troops as well as civilian deaths and injuries behind.

Nevertheless, the only fronts of the War on Terror were not overseas lands: Following the US, most of the states reconfigured their domestic security policies by legislating new laws, first of all expanding the definition of terrorism, enlarging national and foreign surveillance, and explicitly limiting the civil rights of both citizens and immigrants in the name of security. Subsequently defined as and criticised for becoming 'security states,' the US and European democracies preferred to keep their borders tighter against the refugees, ignore the rights of migrants and allow a serious dose of Islamophobia and xenophobia performed by either extreme right or ordinary officials and citizens. Forgetting the pre-September 11 winds of globalisation and unsurprisingly ignoring the inheritance of democracy and human rights rooted back in Ancient Greece and the Declaration of Human Rights, European democracies addressed the September 11 problem with extraordinary measures of security, including the state of exception.

All in all, even if everything has not changed as the famous post-September 11 motto predicts, something dramatically changed and left a disgraceful mark in history. This mark is the main problem of the research at hand. Indeed, this is not the mark left by the terrorists planning and executing the September 11 attacks but rather, the mark of the

democratising forces waging a “just war” for the sake of bringing democracy to “rogue states.” If the War on Terror is the code name for the responses performed in the international realm, then the domestic responses of nation-states were securitisation, limitation on civil rights and even, state of exception.

For that very reason, Judith Butler stated that “the United States was missing an opportunity to redefine itself as part of a global community when, instead, it heightened nationalist discourse, extended surveillance mechanisms, suspended constitutional rights, and developed forms of explicit and implicit censorship” (Butler, 2004, p. xi). Indeed, that opportunity was missed not only by the US but also by other liberal democracies that responded the original violence of terrorism with a competing violence. Thus, creating a spiral of violence both domestically and internationally, post-September 11 responses did not only leave a mark in near history but also in the current state of affairs.

### **1.3 The Scope II: States and Sovereignty**

One of the beginnings of this research was the intention to critically approach the sovereign states’ responses to September 11 in a period called post-September 11. Those responding states would possibly be classified in several ways and in a suppositional classification, the US would be the first-degree responder as the attacked

while the second-degree responding states would be its possible allies, and then, the neutral states would follow the enemy or enemies. This hypothetical classification, however, was invalidated in a most rapid way with the declaration of the US President George W. Bush when he repetitively asserted, “You’re either with us or with the terrorists.” The meaning and feeling this sentence conveyed did not only eliminate a probable neutral stance but also became the spirit of the fight against terrorism. Indeed, the “either/or” announcement meant that ‘You have to join, follow, obey, approve and support our response without any condition and reserve.’

Following the aftermath, the first response was nothing but waging war against an enemy. But which one? War on Terror started with an aggression against Afghanistan’s Taliban regime, even though the US originally held Osama bin Laden and his ‘network’ organisation Al-Qaeda responsible from the attacks. No matter how much it is impossible to detect and capture those terrorist fighters who were scattered around the different parts of the Middle East, North Africa, Middle Asia, Afghanistan, Pakistan as well as Europe and the US, that is, the whole world, Afghanistan was chosen as the first target and the first major front of the War on Terror. Whatever the reasons of this decision were, there was no time for mourning in any case, let alone reflection or forgiveness, as philosophers Jacques Derrida and Judith Butler would invite the US as well as the whole world (Derrida, 2003, p. 120).

In the War on Terror, the other major front was the own territories of the US and its allies. Even if the anti-terror measures taken by each state vary, the agenda was common if not the same. The pattern in those security policies definitely ruined the so-called liberal balance between freedom and security in favour of a more powerful, unaccountable, interventionist, lawless and violent state. It could easily be observed that the main aim of the new security measures was nothing but empower the state against its own society. Any citizen was a suspect and could be the invisible enemy, the monstrous and the spectral terrorist so much so that the apparatuses of security as well as the other executive branches of the state should be equipped with extraordinary authorisation, bypassing any necessary recourse to law, international agreements or international law. The immunity of security forces, continuous surveillance, indefinite detention and an official language feeding hatred and xenophobia were some of the common features of the time.

What directed the gaze of this research on the concept of sovereignty was all those reappearing characteristics of sovereign states and the same pattern encompassing almost all over the globe, which has formed after September 11. In an encyclopaedic sense, in old French, sovereignty means “to rule over” while first of all it denotes the “supreme authority within a territory” (Philpott, 2020). This simple definition seems to cover ancient, medieval and modern states and historically speaking, the sovereign can

be a God, a king, the church, a council, a party, a dictator and in democracies, *demos*, that is, people. In this regard, R.B.J. Walker reminds us that sovereignty can be simultaneously understood as “a principle, an institution and a practice” (Walker, 2004, p. 242).

What was at stake after September 11 was the crisis of sovereignty in all three senses: sovereignties were in crisis and there was a crisis of sovereignty in the sense that the uses and abuses of power (sovereignty as a principle) under the guise of a reckless empowerment of state (sovereignty as an institution), and irresponsible authorisation and securitisation of executive branches (sovereignty as a practice). How did the attacks of September 11 cause such a crisis of sovereignty, then? First of all, the US and its allies felt their sovereignties threatened in the face of attacks, since unlike the ordinary crimes, terrorist attacks and threats seemed to target not only one or several person(s) or place(s) but also the *raison d’etre* of the state, that is, as Thomas Hobbes claimed, the protecting, ordering power of the state.

Revealing the vulnerability of the US, the so-called super-power and gendarmerie of the world, September 11 caused the world order to be felt under threat. Even the Cold War with its bipolar structure had a certain predictability and balance in itself. The feeling September 11 created was, however, of a catastrophe threatening not only one state but the ‘Western civilisation,’ as the US President George W. Bush argued that what is

under attack is not one country, but the civilisation achieved in thousands of years. Yet, this so-called engagement with the civilisation did not withhold the US and its allies from undermining the international law and institutions, and disregard other countries' sovereignties with violence, such as Afghanistan and Iraq.

Unilateralism thus became the keyword to understand the international relations of the period of post-September 11. In their relationship with the others, however, sovereign states constitute a network-like relation, swinging with mostly small movements, tactical or strategic. This restrained and conditioned but always in change relation network is like a constellation of stars, in which all parties take a position towards or against the movements of the others. Even though the familiar courtesy of foreign affairs seems to leave the scene with the rise of populisms from the US to Russia, and from Turkey to Hungary, the basic structure of the constellation is preserved.

For our purposes, there are two significant aspects in this analogy of constellation: First of all, September 11 attacks were felt from the very deep by all the sovereign states, like a meteoroid threatening the biggest and central star of the constellation, which would definitely affect them in one way or another. And secondly, it created a harmony in the moves of those stars which are not in the periphery of the constellation itself. That is, they did not only become the 'natural' allies of the US in the War on Terror but also made similar regulations in their domestic affairs. To demarcate the scope of our search

more clearly and leaving the constellation analogy aside, however, it is necessary to focus on those countries closer after giving the first clue of centre and periphery.

Simply put, well in the centre of the system, those states are the real parts of the world, always in line with “the worlding of the world.” Those states are sometimes called as “Western countries”, sometimes “the US and the EU countries”, or “Western liberal democracies” in accordance with the writer’s priorities. For several reasons, however, I prefer not to use those definitions, for instance, to include countries like Turkey and Russia, or to simply avoid orientalism by automatically differentiating East and West. In any case, to speak about the countries outside the box (that are not ‘part of the world’) may help us defining the states that are inside, that are the major part.

It is a fact that some countries are isolated from the world, embargoed and labelled such as “rogue,” “failed” or part of “axis of evil” as is experienced after September 11. Afghanistan, Iraq, Iran, Syria, Sudan, North Korea and so on are some of those countries that are not parts of the world. In one way or another they are in conflict with the “central” states, not respectable members of the UN or IMF, and frequent villains in the global media machine. Indeed, all these countries have a history of being counted as anti-world and political, economic and even, military interventions seen required from time to time.

Apart from those countries mentioned, it is probably much more striking that a whole

continent, that is, Africa is not indeed part of the world. Even if Africa is not anti-world, it is out of the game, ignored by the global political and economic agenda, and forgotten and left alone with its severe problems such as famine. China, on the other hand, presents an interesting exception in the recent decades: Even though it is not counted as “rogue,” “failed” or part of “axis of evil” in terms of domestic politics it is obviously outside “the democratic world”. Yet, it is also more and more inside the world system because of its expanding economic and political power. In a different way, Saudi Arabia and some other Gulf states, too, present such a paradoxical view with their theocratic and authoritarian regimes providing huge amounts of oil for the world.

To sum, the research at hand takes into account the sovereign states which we tried to delimit above by being the member of the ‘world’ and War on Terror coalition. Admittedly again, it should be stated that this is not an analytical distinction, putting various sorts of states and sovereignties in one box. This box, however, collects the sovereignties which do not only opportunistically utilise the post-September 11 conditions to gain more power and weaken their opponents but also use those conditions as a government technique, strategically utilising their sovereign power against their own society. Utilising securitisation as well as the state of exception, sovereign power signs the uses and abuses of sovereign privilege in ‘abnormal’ times and at this very point, it becomes a more relevant and convenient concept than sovereignty.



## **1.4 The Focus: Sovereign Power**

It must have been already noticed that the title of this research prefers the term “sovereign power” instead of sovereignty. There are certainly some reasons behind this choice, but in any case, this is not to make a kind of analytical distinction between the two. Rather, reminding R. B. J. Walker’s wise triune definition, one of the reasons is to prefer a focus on the practice of sovereignty while the other is keeping a sociological or social theoretical perspective more than an international relations approach. In this regard, it can be stated that the research at hand does focus more on the domestic abuses of sovereign power and conceptual discussions around them than the abuses of sovereignty in the international realm after September 11.

As a matter of fact, the concept of sovereignty signifies both the international and domestic authority of the sovereign, and since the ever-increasing interaction in the world after the waves of globalisation following the end of the Cold War it is quite hard to isolate domestic power relations from the international relations. In other words, the influence of more powerful countries over the weak ones, the relatively thin but still binding authority of international institutions, the existence of an international law, and the financial and economic influence of international corporations and global finance as well economy, all damage the supposedly absolute sovereignty of states over their own territories.

As it is impossible to speak about an isolated domestic relations or sovereignty, the research at hand tries not to neglect the inter-national aspect relevant in this research. There are already common points between the performances of the sovereign states of the world: In very brief, the main strategy seems to be increasing the control over society (security state) on the one hand and silencing the inner opposition (Turkey and Russia using anti-terror laws against their “internal enemies”) on the other. Another powerful apparatus for the consolidation of sovereign states has also become the declaration of state of emergency. In 2016, “at least 203 million people were living in a national state of emergency every minute” according to *Quartz* (Mohdin, 2016). It should also be added that a great effort was invested for the coordination and cooperation of sovereign states against terrorism. Even if at least some part of this effort was wasted because of the conflicting interests of states, they altogether invested in their sovereign muscles against their own society. This is why the title of this research includes sovereign power as the ‘subject’.

Apart from these preliminary comments, it should be highlighted that the concept of sovereign power is used in a very enlightening and specific way in the works of French philosopher Michel Foucault. For Foucault, sovereign power is one and the first of the three modalities of power in the history of Western politics. The others being disciplinary power and governmentality, sovereign power is the pre-modern one,

through which the power relations of the society rely on a ‘transcendental’ ruler who is above and beyond the law himself while his main sovereign performance is his decision over the subject’s life and death. Defined as discursive-legal by Foucault, sovereign power works through law and in particular, prohibition. In this regard, sovereign power is defined “negative” by Foucault while he insists on “positive” versions of power (disciplinary and biopower) that are modern and contemporary (Foucault, 2007, p. 11).

Even this brief account which will be elaborated in the final chapters of this research reflects how Foucault approaches the question of power. Throughout his writings and Collège de France lectures, Foucault focuses on power both institutionally and as a practice, just like his very famous concept “discourse” signs not only texts and words but also any material and practice from architecture to bodily discipline. Nevertheless, the very brief account of sovereign power above describes the sovereign power as pre-modern, that which belongs to the princes of medieval times and the question arises as to how post-September 11 can be understood with this older form of power. Indeed, the predominant modality of power in post-September 11 is not sovereign power but governmentality. Nevertheless, what this research specifically offers is the seemingly ‘anachronic’ ‘revival’ of sovereign power in post-September 11 even if the governmentality is predominant at the time.

For Foucault, the three forms of power successively follow each other in the history of

the West. Nevertheless, a form of power does not replace the other but all those forces does not exist in peace but with serious conflicts over the change. “So we should not see things as the replacement of a society of sovereignty by a society of discipline, and then of a society of discipline by a society, say, of government. In fact we have a triangle: sovereignty, discipline, and governmental management, which has population as its main target and apparatuses of security as its essential mechanism” (Foucault, 2007, pp. 107-8). Yet, Foucault warns about these successive forms which actually do not cancel the previous one(s) consumingly. Instead, all these forms of power can survive together even though one of them is the definitive, identified with that particular period of time in history. It is in this regard possible to speak about the sovereign power in post-September 11, which is originally defined with an era governed by the kings and princes.

Even if governmentality is the dominant modality of power in the age of September 11 sovereign power is still there. Nevertheless, this is not simply a theoretical affirmation: sovereign power was already there well before September 11 but what happened after September 11 was its strategic use particularly under the guise of War on Terror. It was the sovereign power that allows the states acting outside and above the law, unrecognising the law; damaging the check and balance between legislation, jurisdiction and execution in favour of execution as well as securitisation, the state of exception and

the rebirth of citizen as a potential enemy. Those were nothing but the work of the use and abuse of sovereign power and all these post-September 11 governance trends are also the symptoms of sovereign power at work in the contemporary.

After defining the spatio-temporal scope of the research (sovereign states - after September 11), and an introduction to Foucault's relevance to this research, a research question can be introduced: 'How did September 11 change the power relations within the state and society in the globalised world?' No doubt that this preliminary question will guide us throughout our research but still there is much to clarify about it. First of all, the type of question, the 'how' of the research question draws attention, particularly with its unclarity, extensiveness and lack of focus. Nevertheless, considering that Foucault is known as the philosopher of power, who asks 'how' of power, the question makes more sense and loses its unclarity to a certain extent. Since Foucault offers a genuine theoretical toolbox from methodological devices to useful concepts, the question 'how' also acquires a critical characteristic.

The second point needs to be clarified is the phrase of "power relations within state and society," which has the risk of being interpreted more like the liberal supposition positing a contradictory relationship between state and society. First of all, sovereignty does not only consist of state sovereignty. Even if the state has the leading role in post-September 11 sovereign performances, for Foucault state is neither at the centre of

## Sovereign Power After September 11

power relations nor power relations are dictated from the heights of the state, from top to bottom. State, however, is a practice rather than a sublime institution at the heart of power. In any case, it is possible to speak about a state which gains more and more power and control after September 11 and this is a power that is punitive, corrective, exclusionary and marginalising; that is sovereign power. And society must be defended against the violence of this power.

The third point is the expression of “the globalised world” which does not mean that ‘World is globalised as a whole’ but ‘the part of the world which is globalised’. A further explanation about this approach was given above in the states and sovereignty part. Leaving behind all those remarks, throughout this text we will be focusing on media and spectacle, globalisation and the world, democracy and law, biopolitics and life, power and society, and so on. To end this introduction with the beginning, we can claim that “Sovereign Power after September 11” tries to focus on near history in order to approach more and more to the history of the present: “The problem of sovereignty is not eliminated; on the contrary, it is made more acute than ever (Foucault, 2007, p. 107).”



## 2 Spectacle after “9/11”

What happened in September 11? Was it just a matter of security or terrorism, or a clash between civilisations and barbarism, good and evil, and so on? The psychosocial tendency that obliges us to find an explanation in the series of dichotomies seemed to leave both the “absolute” security measures following the attacks and the enigmatic attacks of September 11 themselves unquestioned. What still keeps this enigma alive after nearly twenty years is not only the shock or the resulting trauma but also the media spectacle spreading all over the globe. Nevertheless, by imposing us “the impression of being a major event,” global politics of the twenty-first century seems to be partly shaped or even, regulated by the shadow of what is peculiarly called 9/11 (Derrida, 2003).

Securitisation of everyday life and the sovereign violence at work both in domestic



realm and international arena following the attacks entail us to question what “really” happened in September 11, 2001 and what is still happening after the attacks. Even if it is impossible to separate the attacks from their mediatisation, it is at least necessary to critically reflect upon the ways in which the event is constructed through image and discourse on a global scale. The focus of this chapter is the spectacle that “cannot be understood as a mere visual deception produced by mass-media technologies,” but “is a worldview that has actually been materialised, a view of a world that has become objective.” (Debord, 2005, p. 7)

## **2.1 9/11 as a Work of Art**

On September 16, 2001, five days after the September 11 attacks, the famous avant-garde composer Karlheinz Stockhausen held a press conference in Hamburg on a series of concerts featuring some of his works. In response to a question about the attacks, Stockhausen described the attacks as “the greatest work of art that has ever existed” (Hänggi, 2011). His remarks paved the way for a very rapid decision on cancellation of his upcoming shows by the sponsor of the concerts. Stockhausen eventually became a *persona non grata* and gained an unexpected notoriety in a day following his infamous remarks about September 11 (Hänggi, 2011). Comparing his and other composers’ and artists’ pieces of art with the attacks of Al-Qaeda, Stockhausen found it fascinating to

get prepared to a single ‘performance’ for ten years, drive five thousand people to “resurrection” in one single moment and die during the performance itself (Hänggi, 2011). For Stockhausen, this is what makes September 11 attacks “the greatest work of art”: “That spirits achieve in one act something we could never dream of in music, that people practice like mad for ten years, totally fanatically, for one concert. And then die. And that is the greatest work of art that exists for the whole cosmos. Just imagine what happened there. These are people who are so concentrated on this single performance—and then five thousand people are driven into resurrection. In one moment. I couldn’t do that. Compared to that, we are nothing, as composers that is” (Hänggi, 2011).

A year after the attacks, Damien Hirst, a well-known contemporary artist, also stated in a BBC interview that he believed that September 11 attacks are artwork in their own right (Allison, 2002). He further argued that the terrorists should be congratulated for achieving something “nobody would ever have thought possible” on artistic level. In response to the public outrage following his remarks, Hirst issued a statement and apologised for any upset he has caused “particularly to the families of the victims of the events on that terrible day” (BBC, 2002).

The remarks of these two significant artists are neither scandalous comments nor slips of tongue; but they are in fact insightful responses of two ‘professional spectators’ of the September 11 attacks. As the ‘witnesses’ and spectators of an event televised real-

time to millions around the globe, Stockhausen and Hirst seem to be fascinated by the spectacular character of the attacks to a degree that they even forgot politically correctly cursing the evil of attacks. Pointing out the fact that how it is prohibited to further reflect on the attacks if the reflection in question does not fit into the good vs. evil, us vs. them, hero vs. terrorist dualities of the global discursive consensus, both artists refer to the performativity of the attacks before anything else.

Both of these distinguished artists as well as critics of their age were well aware of the fact that the terrorist attacks were not only aiming to kill thousands of people but also seeking to capture the global live cam of international TV stations for hours, which would be impossible in any other case. They had to find the most ‘creative’ way to transmit their messages to global audience and for Stockhausen and Hirst, they achieved their goal in a highly artistic way. Nevertheless, in the Manichean dualistic perspective of the post-September 11 media, these comments themselves would be interpreted as ‘evil’ in the sense that they ‘blessed’ the attacks with one of the honorary remarks of the day: work of art. Nevertheless, what the comments of the two artists revealed was nothing but the spectacular aspect of the attacks. From hijacking planes to taking hostages of the Olympic team members, terrorist act has become a performance in the age of spectacle and it seemed to have reached its ultimate form in the case of September 11. The terrorist act that is admittedly not just a political violence but also a

form of symbolic action, a performance or a counter-performance enabled Stockhausen and Hirst to see and acknowledge the artistry and creativity behind the attacks. s

September 11 attacks were terrorist ‘acts’ par excellence in the sense that they did not only aim to kill but also to gesture with an illocutionary force by the way of these killings (Alexander, 2004). In this gesture, Al-Qaeda turned the terrorist act into a counter-performance on the world stage by commanding the means of symbolic production in a very skilful way. Since theatricalisation plays not a contingent but a strategic role for the necessary relationship between terrorism and spectacle, September 11 is not only one of the major world historical events in political terms, but also as a spectacular image-event, a counter-performance against the spectacle of consumer culture, if not a work of art of terrorist-martyr-actors of the attacks.

“Inappropriate” admiration of Stockhausen and Hirst, however, is accompanied by a kind of envy that is not only about the skilful mastery and success of the attacks. Both artists also seemed to admire and envy the imagination behind the attacks. How could one imagine, think about and plan such an unbelievable act? For Jean Baudrillard, what makes September 11 attacks not an accident, not an arbitrary act but a perfect event or “mother” of all events is also our hidden, latent imagery and desire to destruct and see the collapse of the “omnipotent.” Their admiration and envy, in this sense, must have been ours in our desire to see the collapse: “It is because it is there, everywhere, like an

obscure object of desire. Without this deep-seated complicity, the event would not have had the resonance it has, and in their symbolic strategy the terrorists doubtless know that they can count on this unavowable complicity” (Baudrillard, 2002, p. 6).

Baudrillard claims that we are, “without any exception,” accomplices of the terrorists behind the attacks in our hidden desire and dream of such an event since any of us can avoid dreaming the symbolic collapse of such a hegemonic power. Nonetheless, as the public outrage following Stockhausen and Hirst’s remarks on the attacks reveals, the recognition of this desire is utterly unacceptable in Western moral conscience (Baudrillard, 2002, p. 5). Yet, it is there, everywhere and here, the terrorists behind the attacks invest strategically in their efforts to create an ultimate counter-spectacle utilising the spectacle machine against itself. For Baudrillard, the hatred towards the hegemonic power is not limited to the terrorists or the disinherited, exploited or the subaltern but it reaches to those who are on the side of the dominant world power; this hatred and malicious desire is also felt by the ones who benefit from being on the “right side.” This would not be a surprise for Baudrillard, who already asserts that the allergy to a definitive order or power is universal. To him, this universal allergy can be observed in many disaster movies in which we aim to exorcise with images produced with special effects (Baudrillard, 2002, p. 7).

Nevertheless, one could argue that what is scandalous about the statements of

Stockhausen and Hirst is the very fact that what happened in September 11 is not fiction but real in effect. The crash of the hijacked planes and the collapse of the two towers of World Trade Centre were not parts of a computer game and the death of almost three thousand people was real and immoral as Baudrillard as well as Stockhausen and Hirst would acknowledge. However, what these immoral and the “wicked” attacks also aimed was harming the symbolic structure of the global order by attacking the symbolic architectural buildings which do not only belong to the United States but also to the global order to a certain extent. In this sense, Hirst, not as a theoretician but as a visual artist, claimed that “it was devised in this way for this kind of impact. It was devised visually” (Allison, 2002). Since it is not allowed to reflect on the taboo of evil attacks, Hirst’s simple reference to the visual design of the attacks was deemed an unnecessary indiscretion as well as a scandalous remark. Nonetheless, Hirst went further to suggest that the collapse of two towers with the crash of hijacked planes has also changed our visual language: “I think our visual language has been changed by what happened on September 11: an aeroplane becomes a weapon –and if they fly close to buildings people start panicking. Our visual language is constantly changing in this way and I think as an artist you're constantly on the lookout for things like that” (Allison, 2002).

By and through these words, Hirst did not refer to the change in security policies or politics following a major terrorist act but to a significant shift in our visual language.

His words underline not only the reach of a terrorist act in the age of spectacle but also the ways in which our understanding of the world in general is constituted through visual representations. And for the planners of the September 11 attacks, this latter point seems to be a very well-known fact. Indeed, the new type of visual language and the spectacle born after the attacks were not inaugurated by the attacks but the video images of the hijacked planes crashing into the two towers of World Trade Centre (Giroux, 2006, p. 20). The image-event of 9/11, hence, signals a transformation in the political and ideological power of the image and spectacle. This is the beginning of a new age of spectacle: “the spectacle of terrorism.” It is not a simple and neutral transformation in our visual language but also signifies emergence of a new and powerful force central to the emergent forms of cultural politics following September 11. (Giroux, 2006, p. 19)

To Debord, the image replaces the commodity as the basic unit of consumer capitalism whereas the media stands as the quintessential space for it. Since the spectacle is the magic word that can possibly bind political violence and image together with the media investment in the terrorist act, the counter-spectacle was created against the spectacle machine by utilising it against itself. Indeed, what constitutes the memory of 9/11 for the global audience as well as our individual selves is the images of the attacks. The terrorists did not only transform the planes into powerful missiles against the two towers; they also turned the images of the attacks into weapons by exploiting the ‘real

time' broadcast and their worldwide transmission through the network of global media outlets. The images of the attacks did not only celebrate the victory with the collapse of two towers, but they also took the spectators hostage in front of their screens forcing them witness the so-called victory. Regardless of the fact that the resultant revenge of the hostage also took the form of a war of images as well as a global war on terrorism, the attackers managed to abuse and exploit the media system.

In the case of spectators around the globe, the events of 9/11 have been consumed through the images of attacks and the attacks became image-events where the reality and fiction are indissociable in their totality. The author of *The Gulf War Did Not Take Place* (1991), Jean Baudrillard, in this sense claimed that “we had seen (perhaps with a certain relief) a resurgence of the real, and of the violence of the real, in an allegedly virtual universe” (Baudrillard, 2002, p. 28). Within the fiction, within the theatre of the terrorist attacks of September 11, the image was reinforced with the real and it took its maddening horror and energy from the real itself. The real has itself become a fiction and the contest as well as the cooperation between them resulted in the most unimaginable of events. Indeed, Baudrillard claimed that the attacks combined the two elements of mass fascination within the image-event: “The white magic of the cinema and the black magic of terrorism; the white light of the image and the black light of terrorism” (Baudrillard, 2002, pp. 29-30). The attacks resembled violence-saturated



Hollywood movies; but their reach went beyond these movies by being available to and intended for an infinite display from web entertainment to the news outlets of the spectacle machine.

Here, it is important to note that bin Laden had the idea of attacking the US with this kind of *mise en scène* during the 1982 Israeli invasion of Lebanon, in which towers of Beirut were targeted by missiles and collapsed (Arak, 2004). In addition to providing training and weapons for the mujahedeen of al-Qaeda in Afghanistan, the enemy inspired bin Laden who was in front of the screen, watching the televised images of collapsing towers and buildings of Lebanon. In this sense, one can claim that the terrorists have taken over all the weapons created by their enemy against themselves. They abused not only the US and European technology and aeronautics but also the spectacle machine and media networks. Similarly, they exploited and assimilated the heritage of the images of Western domination. The elements of September 11 attacks such as inspiration, imagination, revelation of our most secret desires, planning, design, act, theatricality, spectacularity and exploitation of the giant image machinery of media brought into being the attacks called “9/11” and turned it into a kind of a work of image, if not art.

In his “Requiem for the Twin Towers” (Baudrillard, 2002, p. 35), Baudrillard examines the symbolism of the two towers, their graphism, perfect twin-ness and duplication with

a lack of origin, and he reminds the reader the symbolic importance of the twin towers not only for New York and the United States but also for the global economic system. To further explicate the specific symbolism of the attacks, he asserts that the fact that the terrorists did not target White House but twin towers displays not only the relevant insignificance of politics in our age, but also shows how the terrorists aimed at the global techno-economic system instead of political centre of the US. For him, the symbolic attacks against the towers created its own symbols and interrupted the course of our visual language in three ways: Firstly, the use of hijacked planes as weapons, as Damien Hirst indicates; second, the falling man as it becomes the title of one of the significant novels of post-September 11; and the third, the collapse of the two towers reminding us the vulnerability of the global system as well as the US. (Baudrillard, 2002) For Baudrillard, this symbolism is almost worse than its reality since “only symbolic violence is generative of singularity,” whereas violence could be banal and unaggressive in itself. (Baudrillard, 2002, p. 29)

Just like the specific place of the work of art in the exchange system, the symbolic violence not only distorts the banal exchange between violence and counter-violence but it is also worse than the real. What makes all this exchange much more complicated is the role played by death. The suicides of the attackers disrupted the exchange system with what cannot be calculated and valued easily, that is, their own death. Baudrillard

goes further to assume that the collapse of the twin towers, their death, was a response of towers to the suicide of attackers. (Baudrillard, 2002, p. 43) The collapse of the two towers is a symbolic response just as the attacks. Indeed, Baudrillard claims that the major symbolic event unpredictable by the attackers themselves is the collapse of towers. By committing suicide and collapsing on their own, the collapse of the twin towers symbolises the collapse of a whole system. Though it is the architectural object that is seemingly attacked, the very symbolism of the collapse of the two towers is much more significant in its effect. For Baudrillard, the physical collapse followed the symbolic collapse, not the other way around in September 11 attacks (Baudrillard, 2002, p. 44).

The system that can assimilate any visible antagonism into its exchange order could not respond to the suicide attacks of September 11 for the terrorists came with a definitive act and an ultimate gesture that is not available for exchange. The collapse of the two towers was inevitable because the terrorists attacked to the heart of the exchange system with an irreducible singularity, that is, with their own deaths. It is because death can be exchanged only by an equal or greater death, the two towers responded to the suicide attacks with their own death. (Baudrillard, 2002, p. 43) Nonetheless, the symbolism of this type is worse in its absoluteness and irrevocability for it is sacrificial in the appearance of a real-time event. Interestingly enough, Baudrillard's interpretations of

September 11 attacks remind us Damien Hirst's one of the most recognised and important works: Speaking about "For the Love of God," a platinum skull set with diamonds, Hirst says about death: "You don't like it, so you disguise it or you decorate it to make it look like something bearable – to such an extent that it becomes something else" (Hirst, 2012).

## 2.2 9/11 as a Historical Event

In an interview held a few weeks after the attacks, a reporter asked Jacques Derrida if it is true that the September 11 attacks give "us" "the impression of being a major event" (Derrida, 2003, p. 88). Defining "us" as the ones "who never lived through a world war," the interviewer Giovanna Borradori seemed to weigh the attacks of September 11 with two world wars. Unlike Baudrillard, however, for Derrida September 11 is not an 'event' in the philosophical sense of the word. This is because, according to Derrida, an event is always defined with "the unappropriability, the unforeseeability, absolute surprise, incomprehension, the risk of misunderstanding, unanticipatable novelty, pure singularity, the absence of horizon" (Derrida, 2003, p. 91).

In contrast to an event, Derrida thinks that the US military and intelligence apparatuses have simply both the means and reasons to foresee these attacks. For Derrida, the world after the end of the Cold War and the auto-immune logic governing the world do not

point out to an eventual rupture or a pure singularity but to a lack of ethico-political responsibility in the face of global regime of violence and death. Derrida's caution and hesitation about defining the attacks as an event does not mean that the attack was an ordinary occurrence or a simple accident. Rather, that caution is crucial in questioning the attacks and reflecting on whether or not they constitute an event. Along these lines, Derrida first of all focuses on the language that enables one to think and reflect on the event: The call to consider the event as a historical occurrence, as a source of historicity comes from a certain language, that is, English, the language of the US as well as the globe. And second, Derrida insists on the naming the event with a date (Derrida, 2003, p. 86). A few weeks after the attacks, it was obvious that the global community would call the attacks with a certain date, with no other thing but a date: 9/11 or September 11. Naming the attacks with only a date seems to be a sign of the fact that the attacks left a certain mark on ordinary language that hints at the historical force of the attacks.

Yet, Marc Redfield points out that "name-dating in general tends to be a modern phenomenon, associable with what Benedict Anderson calls the "homogenous empty time of the nation-state" (Redfield, 2008, p. 222). Accordingly, the sovereign nation-state needs significant dates to build a coherent history, unite the nation and constitute a sublime meaning for its sine qua non presence. In the examples of foundation, unification, victory, remembrance and celebration days, the date mostly is accompanied

with a title designating the significance and the meaning of the date. The power of the rhetoric of date stems from the blankness of the date since an “empty date suggests itself as a zero-point,” a day when “everything changed” and a new history began (Redfield, 2007, p. 58). Before 2001, interestingly, September 11 was the “9-1-1 Emergency Telephone Number Day.” After the attacks, however, on October 25, 2001, the US Congress declared September 11 as the “National Day of Prayer and Remembrance” and on September 4, 2002, President George W. Bush changed its name into “Patriot Day” (Redfield, 2009, p. 17). This sheer change itself gives us an idea about the divergent political investments into the name-date via words and inscription through the media-theatricalisation of events.

Hence Derrida’s caution about the historical scale and scope of September 11 is also about the aporia of the differentiation of ‘the event’ and its mediation through a giant machine of media-theatricalisation. That is to say, “the event is made up of the “thing” itself (that which happens or comes) and the impression (itself at once “spontaneous” and “controlled”) which is given, left or made (Derrida, 2003, p. 89). This is a warning about the impressions we get from the spectacle, or in Derrida’s words, global information system: “We could say that the impression is “informed,” in both senses of the word: a predominant system gave it form, and this form then gets run through an organised information machine (language, communication, rhetoric, image, media, and

so on). This informational apparatus is from the very outset political, technical, economic” (Derrida, 2003, p. 89). This is why the shock waves created after the attacks can never be deemed purely neutral or even spontaneous, since they inevitably depend upon a complex machinery of spectacle.

Indeed, the sovereign investment and its partially uncontrollable discursive dissemination is not limited with the efforts to give impressions or simply manipulate. The name-date blessed by the US Congress as the day with prayer and remembrance in a quasi-theological fashion should be repeated again and again like a mantra to assure the sovereignty of the traumatised self. “We repeat this, we must repeat it, and it is all the more necessary to repeat it insofar as we do not really know what is being named in this way” (Derrida, 2003, p. 87). The continuous repetition of the name-date works to make sure that sovereignty of the self is guaranteed by reminding that everything has passed. Paradoxically, however, the reason behind the repetition of attacks is the future repetition of attacks. Here, Derrida speaks about “a language that admits its powerlessness and so is reduced to pronouncing mechanically a date, repeating it endlessly, as a kind of ritual incantation, a conjuring poem, a journalistic litany or rhetorical refrain that admits to not knowing what it’s talking about” (Derrida, 2003, p. 86). This drive to repeat and remember has something to do with forgetting itself: inscription of the event to a calendar paradoxically but necessarily involves the

effacement of the event. In this juncture, however, the decisive move for the oscillation between inscription and effacement belongs to the machinery of spectacle.

The attacks signed by a single name-date are consequently reduced to a thing resisting comprehension, castrating the symbolic system. Reminding the symbolic targets of the attacks, Marc Redfield claims that the act of naming an event with a date seems to suggest that the attacks also did some damage to the process of symbolisation itself (Redfield, 2007, p. 56). Redfield, in this regard, quotes Dominick LaCapra's reflections on Shoah, who speaks about a "silence that is not mere mutism but intricately related to representation" (Redfield, 2008, p. 221). As Judith Butler suggests, this impossible work of mourning haunted by a crisis of sorrow and grief is ready to turn into a rage (Butler, 2004, p. 17). In this context, a date itself can become the easy and ready-to-use justification for patriotic crimes. This is because what is inflicted with the real and symbolic attacks is not only the personal identity but also the national identity of the self. The sovereign investment thus finds its target in a paradoxical way and the victimised nation is inflicted by the media discourses, if not directly by the terrorist attacks. Moreover, in the case of the US public, this investment obviously is not only for the sake of the existence, unity and survival of the nation but also of "the humanity" in a global sense. It is in this regard almost impossible to detect the limits of not only the shock caused by 9/11 but of the national territory or national interests of the United



States. The vulnerability of the “omnipotent” super-power is thus felt all over the globe since the world order in general depends upon the guarantor role of the super-power of the US. Butler in this context speaks about the loss of the grandiose fantasies of the First Worldism in the face of attacks (Butler, 2004, p. 10).

Derrida insists on English in his interview not only because the injunction of naming the event with a date comes from the US media or from a place where English dominates. Rather, he asserts, English is the language predominating the globe in a very substantial way (Derrida, 2003, p. 88): In academy as well as popular culture, in international institutions as well as international law, and in economy and politics, English is the main source of all referential materials which we rely on in our daily and intellectual exchange. Leaving aside the other implications of this linguistic domination, he claims that the global political discourse itself is clearly linked to the Anglo-American idiom (Derrida, 2003, p. 88). This is not only about the traditions and conventions of the diplomatic, economic and military institutions depending upon the historic power of British Empire and the US. English is the source of a system of interpretation with its lexicon, logic, rhetoric and terminology, allowing the global public to understand and evaluate the attacks. Like it is the case in any other event that gives us the impression of a major event, world’s public space is predominated by this system in an overwhelmingly hegemonic fashion.

One could claim that even the adversaries of the prevailing discourses, the critical voices need to be articulated in this system if they need to be heard by the global public. Because it is this system in which the media discourses and the rhetoric of politicians circulate, the very authority of this system legitimizes the words, logic and rhetoric, hence the norms about violence, crime, war and terrorism. As the “critical essence” of the US hegemony, English defines the supposed differences “between war and terrorism, national and international terrorism, state and non-state terrorism,” and hence definitive in its judgement of any apparently meaningful phrase. (Derrida, 2003, p. 88)

In this respect, it is interesting to note that this whole system of interpretation gives us the impression that September 11 is a major event in the course of history whereas it leads us to forget, efface or unknow another September 11 of 1973 when Salvador Allende was overthrown in a US backed coup that caused “one of the worst reigns of terror in the twentieth century” (Redfield, 2008, p. 224). There can be many other examples of mass murders and crimes that were not even recorded, not counted as unforgettable major events. Yet, as the product of this global information system, September 11 or its numerical version, 9/11 becomes sublimated, tabooed and elevated above other ordinary crimes against “humanity.”

For Derrida, such a system cannot be self-existent but it depends upon an international system that he would call *mondialisation* in French instead of the term’s English version

‘globalisation’. This system is what determines the limits, the scale and scope of the influence of any major historical event as well as September 11. In this regard, focusing on what makes an event a major one in the course of history is not only a question of historiography or history of philosophy but also of media and information systems. In the case of September 11, Derrida draws attention to the US’s special and peculiar place and role in this system: Even the adversaries of the US are influenced by September 11 just because the US has a guaranteeing role, the role of a guarantor in the world order (Derrida, 2003, p. 93). Though vulnerable from various aspects, the relative stability of the world order largely depends on the credibility of the power of the US not only in economic, political or technical levels but also in terms of discursive logic and axiomatic of juridical and diplomatic rhetoric in a global extent. The role of the US in the world order is “in principle and in the last resort, is supposed to assure credit in general, credit in the sense of financial transactions but also the credit granted to languages, laws, political or diplomatic transactions” (Derrida, 2003, p. 94). The US acquires this role not only due to its wealth or its technological or military power but also through its role as an arbitrator in international and even sometimes domestic conflicts as an outcome of its dominant presence in international institutions such as UN. In this regard, Derrida defines the US as “the sovereign among sovereign states” (Derrida, 2003, p. 94).

This is why the attacks of September 11 “touches the geopolitical unconscious of every living being” in a global sense (Derrida, 2003, p. 99). To destabilise the guarantor of this prevailing world order means to risk destabilising the entire system including the well-known enemies of the US. The transgression of the US soil with a terrorist attack, then, would be interpreted as a transgression and violation of the world order, that is, an attack against the world-ing of the world: “I am keeping the French word *mondialisation* in preference to ‘globalization’ or *Globalisierung* so as to maintain a reference to the world -*monde*, *Welt*, *mundus*- which is neither the globe nor the cosmos” (Derrida, 2002, p. 23). *Mondialisation* is about the very possibility of a world acting as a world, a world that renders any worldwide effort from a universal language to world market and from international law to any worldwide movement. The worldwide influence of September 11, then, is derived from the *mondialisation* and the specific role of the victimised US in this particular world-ing of the world.

The wound opened by the terrorist attacks of September 11, however, does not only belong to a past but remains open before the future and it is this future that determines the unappropriability of the event (Derrida, 2003, p. 97). The wound is the sign of what might or perhaps will take place, which will be worse than what has taken place. It is the risk and threat expected from a future haunting the present. The temporality of the trauma does not proceed from the present or a past left behind but from an

unappropriable future in the sense that ‘the thing’ opened the wound and left it forever open in the unconscious of the identity (Derrida, 2003, p. 97). The traumatic experience thus wounds the future as well as the present no matter how much we repeat the name-date as a mantra to keep the individual as well as the national and even, global identity and identifications safe.

## **2.3 Global Spectacle after September 11**

The notion of spectacle as it was introduced in the *Society of Spectacle* (1967) of Guy Debord is mostly associated with fascist culture of 1930s and the consumerism of late capitalism. In his writings dating back to 1967, Debord analysed two forms of spectacles: Concentrated spectacle and diffused spectacle. In *Comments on the Society of the Spectacle* (1988), however, he emphasised a third, contemporary form that incorporates the elements of both concentrated and diffused spectacles. That integrated spectacle combines features of concentrated spectacle which is mostly associated with bureaucratic capitalism and fascist culture, and diffused spectacle that designates the later stages of consumer capitalism. Despite the distinction he introduces between the concentrated and diffused spectacles, in *Comments*, he warned his readers that at the times of crisis the techniques of the former can also be adopted by the late capitalist systems. In the same book, Debord reserved a whole section for terrorism as part of his

reconsiderations of spectacle of the contemporary age. After readdressing the spectacle and introducing the new type of spectacle to his readers, Debord wrote a considerable deal on terrorism and its place in contemporary democracies. What he offers in his books still seems to be in effect particularly after the September 11 attacks. This is why, following Debord, some critical scholars tend to define the contemporary with “the spectacle of fear” (Kosovic, 2011) as well as “the spectacle of terror” and of terrorism (Giroux, 2006).

For Henry Giroux, a new type of spectacle, the spectacle of terrorism “has emerged in the post-9/11 world, inaugurated by the video images of the hijacked planes crashing into the World Trade Centre” (Giroux, 2006, p. 20). Reminding Baudrillard’s comments on the radicalisation of the relationship between the image and reality, Giroux claims that September 11 attacks designate a structural transformation in the power of the image, constituting a new space for a novel kind of cultural politics. The spectacle of terrorism is an expression of this new cultural politics largely constructed around fear, violence and terror. In this regard, Giroux distinguishes older Debordian notions of spectacle from the spectacle of terrorism of our age, even though he is cautious in stating that “the terror of the spectacle and the spectacle of terrorism are neither completely divorced from each other nor suggestive of a complete historical break in that they overlap and coexist” (Giroux, 2006, p. 23). The older accounts of spectacle,

for Giroux, appeal to a sense of unity that serves integration of populace into state power with racial, nationalistic or market-based references. In doing so, the concentrated and diffused spectacles as well as the integrated spectacle downplay the role of politics and power in creating a society-to-come in harmony with the society's consent. In these older accounts, even if they are not eliminated, appeals to politics and power relations are concealed under the mask of solidarity and conformity. However, the spectacle of terrorism requires a politics in which terror is the central word for the definition and justification of sovereignty as well as for the creation of a new subject constructed around fear and terror with overabounding daily images of both security and insecurity (Giroux, 2006, p. 22).

In this way, the spectacle of terrorism legitimates a notion of sovereignty that has the power and capacity to semi-officially declare "who is safe and who is not, who is worthy of citizenship and who is a threat, who can occupy the space of safety and who cannot, and ultimately who may live and who must die" (Giroux, 2006, p. 22). The success of the spectacle of terrorism not only lies in the fact that terrorist counter-spectacles go hand in hand with the mainstream spectacle of terrorism but also that it works with its powerful "image added with the thrill of the real." Combining terror and security in itself, all these elements of this new type of spectacle, for Giroux, give rise to new antidemocratic social relations since the spectacle is "not a collection of images"

but “a social relation between people that is mediated by images” (Debord, 2005, p. 7). In the global society of the spectacle of terrorism, where a politics of consent covering almost all aspects of life is being constructed by new as well as traditional communication technologies, the spectacles of fascism and of consumer culture merge into one dominant spectacle of terrorism particularly after September 11. Giroux wonders how Debord would react to this new spectacle that combines the elements of consumerism and securitisation, since the spectacle of terrorism affirms a sort of politics in a perverted way with its continuous references to terror, violence, war and death (Giroux, 2006, p. 27). The social consensus once created around the nation, race and the market is now built upon fear not only for oneself but also for the society and the future to a large extent.

According to Nicholas de Genova, however, a spectacle of security accompanies the spectacle of terrorism even though Giroux does not differentiate the two (De Genova, 2011, p. 142). Therefore, Debord’s critique should be furthered considering the fusion of commodity fetishism with the fetishism of the state. De Genova claims that the fetishism of the image of the commodity is accompanied by a fetishism of state since the force of the spectacle should always refer to the coercive force of the state. In this manner, the spectacle of terrorism is inseparable from the spectacle of security in which the message is the same: “Be scared.” No matter how much we are scared, however, we



should not abandon our duties as citizen-spectators of the events: “Watch, be scared, share, consume, obey and enjoy.” To ensure that each title in this list is checked, what is needed is heightened insecurity to be convinced that the state is the most precious and necessary organisation before the threats we face. In this manner, more sovereign power is pre-emptively assured by securitisation and militarisation of everyday life at the expense of the freedoms and rights that have a history to be forgotten.

What is common in those narratives of spectacle is the inevitable reference to the reappearance of evil in our age. Unlike the evil of the Cold War period, the source of post-September 11 evil is the fundamentalist terrorist whom we should be afraid of and protected against. Unsurprisingly, however, the fear of evil produced by the spectacle posits the state as the only friend and saviour against the evil. In this way, the securitisation of everyday life at the cost of freedoms and rights is automatically justified as inevitable, if not already good in its essence. For Debord, in order to be judged not by the outcomes of its dominance but by its enemies, the perfect democracies construct an inconceivable foe (Debord, 2011, p. 24). By this public enemy in the eyes of the populace, the state justifies itself in a magical effect affirming its very existence as absolute and necessary against the evil. This is a spectacle particularly produced by the state and therefore highly informative in its construction of the enemy and the self. What is interesting is that the states reach a supplementary spectacle about

themselves as well as the original spectacle of the evil itself. As Baudrillard claims, however, the Manichean understanding of the war between good and evil only amounts to the cease of being ‘good’ in order to thwart the evil (Baudrillard, 2002, pp. 13-4). This is in fact what happens after the September 11 attacks: “seizing for itself a global monopoly of power, it gives rise, by that very fact, to a blowback of proportionate violence” (Baudrillard, 2002, p. 14). A spectacle of terrorism accompanies the domestic and global violence, through which the spectators know only something about terrorism ensuring that they must know and see enough to convince them that anything else is acceptable but terrorism. For Debord, this is the basic logic of spectacle of terrorism: The task of it is not only to fight against the counter-spectacle of terrorism but also to consolidate the current position of sovereign power (Debord, 2011).

The images accumulated in the form of spectacle of terrorism invest in creating emotions, particularly fear against the evil with historical references to barbarism and inhumanity. In a more negative way, however, it also tries to assure the control over the image via secrecy and censorship that is effectual not only for famous artists but also for the members of the academy or press. All in all, for Debord, ignorance and instruction in the spectacles of terrorism are not antagonistic factors but complementary to each other both in their isolation and display. In this regard, the spectacle has its own paradoxical dialectic between remembrance and forgetting in order to isolate what “it

shows from its context, its past, its intentions and its consequences” (Debord, 2011, p. 28). Starting with the rational information and commentary on the recent past, the spectacle’s aim is to organise and manage the ignorance of what happens. Yet, for Debord, “spectacular domination’s first priority is to eradicate historical knowledge in general” (Debord, 2011, p. 13). It is not surprising, then, the anti-spectacle philosopher Noam Chomsky begins his narrative about September 11 with a long history of crimes and atrocities perpetrated by the US globally. This is because the blank references to a name-date can only serve the politics of forgetting which aims at suppressing the political imagination by abrogating the history as part of a possible social critique. Indeed, all the efforts to suppress history try to ensure the forgetfulness of “the spirit of history” within the society as a whole. To hide the potential relations between the political crimes and social critique, all types of criticism are rapidly reduced to a complicity with terrorism. Because only in this way can the spectacle hide its own complicity.

The spectacle presents itself as “the reality” that should be the agenda of the whole society for an indefinite period of time that is impossible to measure. As the image should flow in a speed imitating the reality of the world within a virtual fluidity, the spectacle always posits and imposes itself as a positivity in substitute of life itself. For Debord, this can never be questioned since “what appears is good,” and “what is good

appears” in the eternal machine of the spectacle (Debord, 2005, pp. 9-10). Without allowing any response in its fluidity, the spectacle dominates the realm of appearances in a sort of flat and positivistic precision which does not assume the historical choices but undeniable facts. When only what is immediate has a social significance, the society is always under a noisy in-significance of events, always one replacing the other, but always without leaving a mark, being recorded in neither memory nor history (Debord, 2011, p. 15). It is the parade of spectacles that makes the societies of the spectacle inconsiderate in the face of unverifiable conspiracy theories, uncheckable statistics and irrational discourses about terrorism as well as anything else. Security or other kinds of experts are always ready to serve in order to offer a reassurance in the face of any seeming crisis which does not deserve the name of crisis considering the very crisis of forgetting the recent past.

Inasmuch as the history is the knowledge for understanding, at least in part, what is happening, what is possible and what is to come, it is also the measure of novelty in that particular age. Suppressing history gives the spectacle the chance to designate what is novel according to its own aims and conceal the progress of its novel ways to dominate. “It is in the interests of those who sell novelty at any price to eradicate the means of measuring it.” (Debord, 2011, p. 15). The spectacle of terrorism in this sense justifies the conditions of the existing securitisation regime and the goals of the state and the

corporate power in both form and content. Since the spectacle monopolises the time outside the production, this justification becomes omnipresent, strictly separating the possible from the permitted. Hence, it does not only inherently attack and assimilate the history but also the future by delimiting the political imagination with “undeniable” facts and “necessities” of survival.

For Debord, the spectacle is a global phenomenon since the states are the parts of the same game. Even though they are presented as fundamental antagonisms, the seeming struggles for control among the states as well as different powers of an existing system actually reflect the unity of the system both internationally and within each nation. The archaic oppositions such as regionalism, racism and nationalism can be revived by the spectacle (of terrorism) but not at the expense of the existing socio-economic system. This is why, for Debord, the spectacle is “the map of this new world, a map that is identical to the territory it represents” (Debord, 2005, p. 27). In this regard, the lack of consensus about the definition of terrorism on a global scale is not about the nature of the phenomenon as the security experts would suggest, but because of the states’ abuse of their power of monopolising the right to define who is terrorist according to whose agenda. The comedy of defining terrorism in the conflicts such as Russia-Chechenia or Israel-Palestine, as well as in Syria extends to a level whereby non-violent opposition groups are labelled as terrorists in cases such as Turkey (Eleftheriou-Smith, 2016).

Nevertheless, “history itself haunts modern society like a spectre,” whereas “pseudo-histories have to be concocted at every level of life-consumption in order to preserve the threatened equilibrium of the present frozen time” (Debord, 2005, p. 110). The history of the inequalities and atrocities in both national, regional and global level is this history haunting the modern societies of our age. In this regard, the spectacle is not a metaphysical or transcendental obstacle but subjection of social life to the hegemony of images of terror and security which leads to a form of cultural politics of the day. The distinctive form of politics of today is the formation and organisation of the state and spectacle in compliance with securitisation of everyday life. The tension between the fear and enjoyment finds a unique blend in today’s spectacle which tries to combine consumerist enjoyment with the sado-masochistic enjoyment of images of terror, violence and death.

### **2.4 Counter-Spectacle after September 11**

What was manifested in the sacrificial image-event of September 11 was not just death but a spectacle created with the death of the self and the others in one single ‘real-time’ event. The televised and globally transmitted image exploited the media machine of the system that is, for Baudrillard, nothing but a pool of free floating, autonomous signifiers, simulational models and artificial codes (Wilcox, 2006, p. 90). Transcending

this system in an artistic way, the terrorists of 9/11 responded to this regime of infinite images, exchange of sign and spectacle in a tremendously spectacular way. This is, for Baudrillard, “the spectacle of terrorism against the terrorism of the spectacle” in our virtual age.

In the novel *Mao II* by Don DeLillo (DeLillo, 1992), the protagonist, novelist Bill Gray, complains about the fact that in this age it is not the novels or artworks that “alter the inner life of culture” but terrorist acts “making raids in human consciousness” (Wilcox, 2006, p. 89). Bill Gray laments not only about the terrorist acts but about the age in total, in which “modernist” novels cannot be popular whereas the terrorist act is more effective than the art in its intervention to the system of exchange. DeLillo, thus, parodies the romantic modernist nostalgia of the novelist who is helpless in the face of the spectacle of terrorism of our contemporary age. Even though written ten years before September 11, 2001, the *Mao II* portrays the world after September 11 in which the spectacle of terrorism haunts the course of our daily life in various images disseminated by the spectacular machine of affect. For Baudrillard, this age must have begun with September 11 for it is the most spectacular terrorist act in the history as well as the initiator of a new era in which the spectacles of terrorism and fear abound (Baudrillard, 2002, p. 12). In the post-September 11, the spectacle of terrorism continued to intervene the exchange of signs in the system with a seemingly pre-modern

brutality but through ultra-modern instruments and media as exemplified in the use of some short videos disseminated through social networks.

More than a decade after the September 11, on 19 August 2014, a video lasting 4 minutes and 40 seconds appeared on one of the social media platforms related with the Islamic State of Iraq and the Levant (ISIS). Entitled as “A Message to America” the short video was displaying the beheading of an American photojournalist by a black-clad militant and warning the US president about the air strikes made. The video concludes with the reappearance of the black-clad militant, this time with another kneeling hostage in his hands. Despite the efforts to censor the images, the videos have spread quickly on social media platforms and created a significant effect not only for the individual spectators but also for the political decisions followed the video-events (Friis, 2015, p. 726). Hanna Kozłowska from New York Times described the video as “a modern guillotine execution spectacle, with YouTube as the town square” (Kozłowska, 2014). Display of cropped screenshots from the videos in both traditional and the new media established a new image that became a symbol for the new brand terrorism of the ISIS: The images of the kneeling orange-clad hostage with a black-clad ISIS militant have become the predominant visual icon in the service of war against the ISIS.

The great deal of attention devoted to these videos displays the ways in which visual imagery and media play a significant role in contemporary warfare and how the



spectacle machine itself is exploited by the terrorists in brand new ways. This is a legacy of Al-Qaeda for the new brand of transnational terrorism, namely the ISIS. Nonetheless, the IS interpreted the legacy of Al-Qaeda in its own way: Unlike Al-Qaeda which does not have claims for sovereignty over a territory, declaring the caliphate and imitating a state, the IS played the role of the sovereign. Its methodology of spectacle, too, was diversified and institutionalised in the form of social media marketing. In this respect, the ISIS was one of the most well-known brands of our age with a minimum of investment but a maximum effort in brutality and death. Taking its main force from death, the ISIS was an enviable success for any to-be-brand body striving for establishing a 'real' presence in social media networks, creating a brand, and producing an affect among its followers. An expert working for the social analytics company Brandwatch argues "ISIS' strength lies in the recognisability of its brand, the reach of its network, and its capacity to boost its Twitter presence through a combination of carefully crafted "official" messages, as well as the buzz and volume of fans sharing content across the globe" (Speri, 2014). Their basic method in marketing their brand was combining death, revenge and the collective fears many centuries old with the modern production and distribution techniques to create a powerful method of communication. Using a modern medium in an advanced level and blending a pre-modern form of punishment such as beheading, the ISIS did not only give a message to its audience but also tried to recruit young Muslims from all over the world to join its

cause in the name of an authentic and original Islam (Speri, 2014). In this sense, the ISIS video marketing was quite different than the spectacle of September 11 attacks. Yet, both goes in the same direction in their seemingly pre-modern, inhumane brutality with ultra-modern instrumentalization of death.

What is worth noting in this theatre of violence as spectacle is that it actually mimics the visual politics of ‘officially declared’ war of sovereign states in both primitive and contemporary ways. Even though it finds its unique methods and ways to perform effectively, the counter-spectacle of terrorism works against the spectacle by imitating it in several ways. What is common in both spectacle and counter-spectacle is their particular reference to the ‘real’ in its extremity and to moral absolutes in the form of dichotomies, such as hero *vs.* terrorist, believer *vs.* infidel. In both cases, a friend/enemy distinction apparent in the audio-visual representations aims at wiping out “any sense of uncertainty, need for thoughtful debate, and reason itself” (Giroux, 2014). Either in the name of an original and authentic Islam or democracy and human rights, these distinctions do not leave an open door for further reflection but only aim at consolidating and empowering the status quo. This is both valid for the video productions of the ISIS as well as the established global media networks.

Indeed, after September 11 attacks, image-based mass media as well as the new media have acquired a novel and powerful force reconfiguring the nature of politics and

cultural production. Un-neutral images of terror and violence, and the audio-visual representations of spectacular violence have not only challenged the domestic politics but also the global power relations, since “audio-visual mode has become our primary way of coming in contact with the world and at the same time being detached (safe) from it” (Giroux, 2006, p. 17). These audio-visual representations radically transformed the relationship between the locality and specificity of a particular event and its public display and reception by opening the event to a global audience via visual mediation. In this sense, the counter-spectacle of September 11 is inevitably a multiple-spectacle since it is recorded, re-conditioned and re-distributed by the spectacle itself. As designed and carried out as a counter-spectacle if not a work of art the response of the spectacle machine to the counter-spectacle is recording, representing and redistributing, hence re-constituting it in its own terms. It is, thus, a war of spectacles professionally carried on in contemporary warfare, even if there is no winner of this harsh contest of miscommunication through violence and death.

# 3 Globalisation and Sovereignty after September 11

In 2002, a year after September 11 attacks, Kofi Annan, the former General Secretary of the United Nations, listed the abuses committed by the nation-states since the beginning of the war on terror: “To demonize political opponents, to throttle freedom of speech and the press, and to delegitimize legitimate political grievances.” Then he added “we

are seeing too many cases where States living in tension with their neighbours make opportunistic use of the fight against terrorism to threaten or justify new military action on long-running disputes. Similarly, States fighting various forms of unrest or insurgency are finding it tempting to abandon the slow, difficult, but sometimes necessary processes of political negotiation, for the deceptively easy option of military action” (Acharya, 2014, p. 128). The list by Annan covers not only the abuses of states that are part of the coalition of the willing but also the other states that are “unrelated” with September 11 attacks. Therefore, this list is in need of a great deal of extension given that approximately 650,000 were killed in Iraq, 110,000 in Afghanistan and the thousands have been detained, tortured and injured across the globe. Within this context, this chapter focuses on the questions of state and sovereignty after September 11. It seeks answers to the questions how and in what ways do diverse states react and respond to the attacks in relation to pre- and post-September 11 global conjuncture?; How did they utilise the grievous attacks in order to gain more power in their own territory as well as in the international political realm?

### **3.1 Empire after September 11**

In their well-known book *Empire* (Hardt & Negri, 2000), Michael Hardt and Antonio Negri made a claim also shared by some other scholars focusing on globalisation in

harmony with the days academic fashion. Accordingly, as nation-state sovereignties were in decline, a new formation on global scale was on rise: They called this new formation “Empire” with reference to the imperial history of the West. Drawing on this claim, they argued that a new era has begun while the old one is in decay; the global order was structured by a new logic and rule that is not dominated by the powers of nation-states but by supranational organisms. Old imperialist forms of domination such as divisions between centres and peripheries, and reliance on fixed boundaries were left behind with the post-Cold War period. In accordance with this line of thought, in the Empire, nation-states were not anymore at the centre of the global political order and even the United States was not an exception, they claimed: “No state can today, form the centre of an imperialist project.” (Hardt & Negri, 2000, p. xiv). Nevertheless, in *Multitude* (Hardt & Negri, 2004), which was published a few years after September 11, they had to reconsider their claim as the Empire thesis was challenged by a new and challenging development in the global realm. That was nothing but the consequence of the first years of post-September 11 and the War on Terror: The unilateralism and exceptionalism of the United States after September 11 and the rising arguments about “the reassertion of nation-states” forced them to construct a new defence of the *Empire* with the re-awakening of old imperialism or neo-imperialism theses.

Indeed, following the attacks of September 11, diverse scholars interpreted the

declaration of War on Terror, the invasions of Afghanistan and Iraq and the strict security measures taken at the cost of repressing the populations as the return of the imperialism (Reid, 2005). It is widely claimed, in the Left as well as in the Right, that Western nation-states are reasserting themselves not only militarily but also politically since September 11. As particularly the United States has been associated with and accused of applying a traditional form of imperialism with the war on terror, the insufficient postmodern criticisms focusing on decentralisation, fluidity and complexity have been overruled. In sum, the September 11 attacks were claimed to cause a regression in international politics, whereby new fashion interpretations were disregarded as the old imperialism thesis revived.

In *Multitude*, they tried to respond to the challenges and criticisms addressed above by reserving a whole chapter to the question of war. Hardt and Negri's comments in that book -particularly significant for the defence of their original thesis of Empire- are also illustrative of the complex relationships of sovereignty and power characterising the post-September 11. Repeating their original claim stated in *Empire*, they resisted the idea that sovereignty and nation-states are back in power in international politics, and they noted that the conditions and the nature of war have also been changing in the Empire. Along these lines, they defined innumerable armed conflicts in the international political realm not as wars but rather as civil wars (Hardt & Negri, 2004, p. 3). Drawing

from the idea that the war, in traditional terms, is waged against a sovereign state by another sovereign state, they formulated contemporary conflicts the states are involved as civil wars. Different than traditional wars, the war on terror, after all, has been waged against the non-sovereign combatants beyond a single territory. In this light, Hardt and Negri offered that the wars in question are not isolated wars but designate a new condition of global war that erodes the distinction between war and peace.

In this global warfare, nowhere is in peace for the war is not waged in a single territory and the new conditions of sovereignty pull the war into the public realm unlike the old wars. The old wars, traditional international relations literature suggests, were expelled from the internal national social field. Accepted as an exception, wars were limited to sovereign nation-states whereas the internal conflicts were resolved politically (Hardt & Negri, 2004, p. 6). According to this definition of the wars, the enemy was outside the sovereign state and the inside-outside distinction was what determined the means that can legally be used in internal and/or external conflicts. Wars, in this regard, were isolated in space and time in line with the traditional conceptions of modern sovereignty. As this conception is challenged by the new global forces, the character of post-modern wars has also changed. Rather than being exceptions outside the borders of nation-state territories, in post-September 11 world, wars became a rule pervading both international relations and the homeland. In this sense, war became a permanent social



relation, the primary organising principle of the society and the regime of biopower (Hardt & Negri, 2004, p. 8).

For Hardt and Negri, this new form of war is a war that not only brings death but also produces lives. As a form of rule, this war aims at controlling the population by producing and reproducing the social life (Hardt & Negri, 2004, p. 13). Mobilising various social forces, this war suspends and limits ordinary political exchange for it was claimed to be indeterminate both temporally and spatially. The first consequence of this war is, thus, to create and maintain a social order with recourse to different types of violence. The second consequence of the new form of war is the emergent and increasing resemblance between foreign relations and internal politics of the nation-states (Hardt & Negri, 2004, p. 14). Along these lines, a vague conception of security brought military and police activity closer to each other and the distinction between the inside and outside has been blurring. A third consequence is the changing conditions of enmity and friendship: The definition of enemy is now abstract and unlimited whereas friendship is expansive and potentially universal (Hardt & Negri, 2004, p. 43). All these consequences convinced Hardt and Negri that the warfare state of post-September 11 aims at complete control of the society which itself turned into a society of war. Under these conditions, even the professedly most democratic societies have become authoritarian, violent and lawless.

In 2004, Hardt and Negri tried to respond to criticisms and the return of the imperialism thesis with these vivid illustrations of post-September 11 world. However, in *Commonwealth* (Hardt & Negri, 2009) after the obvious failure of invasions of Afghanistan and Iraq, they were much more self-assured about their original thesis. So much so that they named the fourth chapter of their book as “Empire Returns” (Hardt & Negri, 2009, pp. 203-60). In this chapter, they defended their original thesis much more confidently and this time they were the ones calling history to the witness against the revival of imperialism and nation-state theses. For them, recent developments of the time were proving them right whereas they seemed to be more defensive about their thesis during the first years of the war on terror when the *Multitude* was published. Hardt and Negri described this particular period of time as an attempt of coup d’état in the formation of Empire and announced the failure of primal attempter, the United States (Hardt & Negri, 2009, p. 205). Reiterating their original thesis, they claimed that at the end of the millennium, a new global formation has emerged, yet some global forces, particularly the United States government, have resisted and attempted to repress this formation. Instead of confronting the empire head-on, they tried to revive the ghosts of the last millennium such as imperial conquest, national glory, unilateralism and exceptionalism (Hardt & Negri, 2009, p. 203). Even though this attempt led to a great deal of violence and pain throughout the globe, it failed dramatically not only militarily but also politically and economically.

Hardt and Negri defined this failure as one of the most significant events of the first decade of the new millennium. This failure did not only show that it is impossible to repress the new global formation called *Empire*, but it also revealed that no single nation-state including the United States can unilaterally reverse this process (Hardt & Negri, 2009, p. 209). This statement also means that there is no return to old systems and/or imperialisms which rely on the ‘absolute’ sovereignty of nation-states. After the failure of the invasions of Afghanistan and Iraq and the following financial crisis, Hardt and Negri was now sure that the US-led coup d’état aiming at transforming the Empire into an imperialism was buried in the history. More significantly, however, they also claimed that something catastrophic triggered this attempt to legitimize the toppling of power. This something catastrophic was obviously September 11 attacks on the World Trade Centre and Pentagon. In the narrative of Hardt and Negri, September 11 attacks provided justification for the application of state of emergency within the global system. Only after these attacks, the United States was able to reclaim the imperial role it wants to play. Nevertheless, this dangerous attempt of the United States government, which was impossible to succeed, inevitably failed.

Following up *Empire*, *Multitude* and *Commonwealth*, Hardt and Negri published another book called *Assembly* (Hardt & Negri, 2017). Unsurprisingly, the authors of *Assembly* once again evaluated the latest developments in the Empire and directly

responded to the criticisms that assert the return of old sovereignty and imperialism theses. Referring to the out of control appearance of the new regime of Empire, this time they claimed that many from both Right and Left prematurely stated that nation-state sovereignty is back after the attacks of September 11. In rush to respond the terrorist attacks and threats, globalisation, porous borders and waning sovereignty of the nation-states were openly blamed. The temptation to see the attacks of September 11 as a consequence of the global condition undermining traditional state sovereignty by allowing the porous borders and promoting multi-culturalist and liberal values seems to create a wish for regression. In this regard, the multiple-targeted war on terror was also supported, if not performed, as a defence of the nation-state sovereignty as well as the international system relying on it.

Nevertheless, as the authors of the *Assembly* offer, the global hegemony of the United States is in a terminal crisis which cannot be overcome, and the original hypothesis that after the collapse of the Soviet Union even the United States cannot be a unilateral power on a global scale was confirmed by the historical facts. Instead, an Empire composed of “nation-states, supranational institutions, the dominant corporations, nonstate powers, and others” (Hardt & Negri, 2017, p. 264) is in power, though incomplete. In its incompleteness, resembling the capitalism, Empire contains within itself various forms of traditional social and economic orders. The idea that the older

forms of domination can survive with the newer ways of Empire explains the conjectural roaring back of nation-state sovereignty as well as the endurance of the Empire. Indeed, Hardt and Negri clearly state that the nation-states and globalisation are not mutually exclusive and thus, it is possible to think of a “mixed” structure combining the *Empire* and the sovereign nation-states (Hardt & Negri, 2017, p. 264). For them, however, if the return of the nation-state were real its consequences would be more catastrophic than the current state of affairs. That displays the hope they see in Empire, a hope that constitutes a significant aspect of their original thesis.

### **3.2 Walling Sovereignty**

A 2004 article written by Mark Laffey and Jutta Weldes may exemplify the above-mentioned criticisms towards Hardt and Negri’s conceptions of Empire and sovereignty (Laffey & Weldes, 2004). In this article, the authors insist heavily that borders, boundaries, barriers and fortifications are the signs of empowerment of sovereignty of nation-states. Drawing on examples from Europe and South Africa, they claim that despite Hardt and Negri’s thesis, “borders continue to matter” in different parts of the world. Nevertheless, in 2010, Wendy Brown would claim the opposite asserting that the walls and barriers in question are the utmost signs of the waning sovereignty of nation-states (Brown, 2010). Examining walls and barriers around the world, in *Walled States*,

*Waning Sovereignty* (2010), Brown states that more walls are on the way: Barrier around the Spanish enclave of Melilla in Morocco, US-Mexico border, the Israeli wall in Jerusalem, India-Bangladesh border fence, Indian-Pakistan border fence, Saudi barrier at the border with Yemen, barriers in Baghdad and so on (Brown, 2010, pp. 19-20). For Brown, all these walls built recently are the signatures of an explicit dissonance. The walls' physicality, obduracy and pre-modern appearance is highly remarkable and paradoxical in an age defined by networks, virtuality and liquidity. This contradiction, Brown argues, is immanent in globalisation which hosts competing features such as physical and virtual power, secrecy and transparency, and territorialisation and deterritorialisation. Hence, Brown, from the very beginning, challenges a vision that is positing a final erosion of nation-states by globalisation but rather she refers to a period of time in which the conflicts between national interests and global market as well as the nation and the state prevail (Brown, 2010).

Focusing on the walls and barriers all around the world, Brown claims that these particular practices of nation-states to empower national borders display the fact that nation-states are seeking concrete ways to defend and claim their abstract and waning sovereignty. Finding these efforts characteristic to a certain period of time, that is, post-September 11, she states that in the face of transnational flows of capital, people, ideas and so on, nation-states performatively build walls and barriers. In this regard, she

argues, all these walls are not built against traditional sovereign states but against transnational actors. Unlike the old walls built against an invading army of a sovereign state, these walls react transnationally, rather than internationally (Brown, 2010, p. 21). Indeed, in the official discourses trying to gain popular support for these walls, terrorists, criminals and refugees are the primary targets. Thus, Brown argues that these walls belong to a post-Westphalian world in which sovereign nation-states are threatened by not other states but transnational actors. Within this perspective, she asserts that the monopoly of nation-states is largely compromised by transnational flows tearing the borders of them. Yet, neither she does claim that sovereignty is eliminated from the political map, nor she comfortably declares the beginning of a post-sovereign age. Brown's message is rather nuanced in its extent: "As nation-state sovereignty wanes, states and sovereignty do not simply decline in power of significance, but instead come apart from one another" (Brown, 2010, p. 23). In Brown's account, states persist as important actors, but they are non-sovereign in their acts. On the other hand, she finds the traces of sovereignty in two other domains of power: Political economy and religiously legitimated violence. Defining sovereignty with certain characteristics such as supremacy and autonomy, Brown claims that political economy and God-sanctioned violence do not bow to any other power, resembling a sovereign. They are both indifferent to national and international legal frameworks and transcend the juridical norms (Brown, 2010, p. 23). Therefore, Brown's approach detects sovereignty

in a place other than nation-states but still insists that the conception of sovereignty is persistently at work in world politics.

Zygmunt Bauman, too, makes a similar statement in an article where he defines the current situation of the world as a “time of interregnum” (Bauman, 2012). Referring to the period of time when the throne was left empty after the death of a sovereign emperor, awaiting its new successor, Bauman claims that the new successor long awaited is not coming and will not come. The reason behind that interregnum which seems not to pass easily is the separation of sovereignty and the state. Bauman claims that supposedly unbreakable marriage of power and politics is coming to an end with important consequences. One such significant consequence, according to him, is emergence of a new form of sovereignty that is unanchored and free-floating in global space. While the distribution of sovereignty was rendered according to a “triune” principle of territory in the old order, nation and state are now dying and territorial nation-state is not the sole operating agent in the contemporary world politics.

While Bauman speaks of rising numbers of competitors for sovereignty, Brown detects two of them as indicated above. Accordingly, the walls and barriers of this post-Westphalian and post-September 11 world are built against these two newly emerged sovereigns: global capital and religious violence. Against these new transnational sovereigns, sovereign states are actually in defence: The frenzy of wall building of these



times aims at the recreation of the image of sovereign state in the face of its undoing. Giving a false impression of protection, containment and integration, Brown argues the walls and barriers “generate what Heidegger termed a “reassuring world picture” (Brown, 2010, p. 26). Since this is a world where horizons blur and a sense of insecurity prevails, the walls, barbed wires, fences and barriers supposedly respond to the emerging sovereign powers of religious violence and global capital, and they are the consequences of the desire for security in an insecure age.

Particularly focusing on the US-Mexico border, Brown emphasises the inefficiency of these barriers that are made of a suspended rule of law and fiscal unaccountability (Brown, 2010, p. 37). She argues that these barriers even multiplied and intensified the criminal activity. Moreover, they are the signs of rising nationalism and xenophobia alongside the erosion of sovereignty. For Brown, there is a strict relationship between the popularity of these walls and the rise of right-wing in Western societies. In this regard, it is important to note the performative and symbolic effects of these walls and barriers upon the citizen subjects. The political imaginary reproduced by the walls and barriers intensifies the well-known distinction between us and them: By separating the others and us with fences and barriers, the walls materialise the difference in spatial terms.

Here, Brown sees a parallelism between state policies and subject desires which are

challenged by the very same forces of globalisation. Alongside the sovereignty of the state, sovereignty of the subject is eroded by these forces for the subjects are tended to identify themselves with the state. As Brown underlines, in liberal tradition, political sovereignty is assumed to protect the sovereignty of the citizen subject. The liberal ontology defining the subject vulnerable and powerless before the state leads to this parallelism in which decay in state's sovereign power puts the subject in threat (Brown, 2010, p. 79). It is, then, impossible to secure the sovereignty of subject while the "original" sovereignty, the nation-state, is endangered. In this way, Brown describes how sovereignty of both states and subjects are in threat and how they react against the forces of globalisation in the face of such threats. These reactions, however, cannot possibly reverse the processes in which the nation-state sovereignty is in decay. Nor can the newly built walls and barriers provide a secure shelter for the nation-states. They do nothing but symbolise the deepening ungovernability and the crisis of the state.

Even if she does not refer directly to post-September 11, Brown's intervention can be interpreted with regard to securitisation prevailing during this period of time. From building walls to increasing surveillance, from declaration of state of exception to suspending civic rights and the security measures which are supposed to protect the subjects do not function as intended by the nation-states. Rather, they unmask an original deficiency in the conception of sovereignty and its use by sovereign states. In

other words, the walling practices which aim the protection of the nation-state from the evils of global capital and religious violence are emblematic of the crisis of sovereignty that is haunting the politics in the post-September 11.

### **3.3 Interlude: Crisis of Sovereignty**

Hardt and Negri's Empire thesis as well as Brown's waning sovereignty approach allow us to remember a common narrative that is at work in the political discourse regarding the questions of nation-state and sovereignty in the era of globalisation. The Peace of Westphalia of 1648 is in this sense a basic point of reference as the official birth of sovereignty of states both domestically and internationally. While this treaty deemed nation states capable of pacifying their population and taking binding decisions within their respective territories, it also guaranteed them independence from outside interference in their internal decisions. With this narrative, which is still in effect in international politics, these two internal and external authorization and protection mechanisms have been accepted as the basics of state sovereignty. The narrative, however, has been evolved with an emergent presupposition about the relative decline of states' power after the collapse of the Soviet Union and the end of the Cold War. Whereas the bipolar dimension of this post-World War II period gives some sort of an assurance about describing international order in the way it has been defined by

Westphalia, the post-Cold War accounts of the international order develop with a recourse to globalisation, interdependence and depreciation of nation-state borders.

In this regard, the discourses on “the crisis of sovereignty” have already been proliferating by the earlier post-Soviet accounts of the world politics pre-dating September 11. Labelled with globalisation, the new era was defined by ends as well as novelties, with ‘post-’s and ‘neo-’s. In this new, emergent discourses, the new era was defined post-modern, post-colonial, post-national and post-sovereign referring not only to the demise, death and end but also to the afterlife –of a spectre of the left behind (Buck-Morss, 2008, p. 23). Indeed, the spectre would haunt the world and the rumours of its reappearance would pave the way for the discourses of ‘return’, such as ‘return of the nation-state’ and ‘return of imperialism’ after September 11. On the other hand, the terms such as neo-liberal, neo-imperial and neo-fundamentalist would refer to the reborn, renewal and a restart. It is as if a spectre is resuscitated and this time appeared in a new disguise, if not a new body. Whereas the prefix “post-” dwells on the left and tries to pursue a critical negation, the “neo-” represses the past and its disappointments and attempts to bring the old up to date (Buck-Morss, 2008, p. 23).

In line with this discourse, the crisis of sovereignty was easily transformed into ‘the end of sovereignty.’ There were several symptoms detected for this final diagnosis: The strengthening of international organisations, the proliferation of non-governmental

organisations, appearance of a 'global' civil society, the emergence of new systems of global governance and so on (Reid, 2005, p. 237). All these developments exposing the nation-state to both external intervention and internal fragmentation were interpreted as the loss of the Westphalian order of state sovereignty. In other words, these have been interpreted as the weakening of nation-states in the face of international law; depreciation of the image of nation-states in the face of international organizations; and consequently as the loss of Westphalian privileges of sovereign national states. International Relations theorists in this context found it necessary to revise the notions of nation-state and sovereignty. As the nation states have been losing power in the face of international organisations and infra-state bodies, what these theorists have observed were nothing but the diffusion and fragmentation of the authority of nation-states. So much so that, their argument followed, “all” states transformed into a newly formed “quasi-state” (Falk, 1999, p. 43). In a globalising world of this sort, interdependence became one of the most explanatory concepts, with a certain emphasis on the expanding constraints on nation-state sovereignty. The contradiction between trans-national global forces and Westphalia-based nation-states was found fundamentally structural, no matter some states would appeal to both. This is the paradoxical sign of oscillation between one and the other, mourning for one’s death while celebrating the coming of the other.

Susan Buck-Morss describes this phenomenon as a post-partum depression that results from the birth of something disappointing following a long period of pregnancy (Buck-Morss, 2008, p. 23). What was born is nothing new given that the condition of globalisation has actually been present for almost five hundred years and/or the origins of neo-imperialism are at least two hundred years old. At this specific juncture, however, celebrating the elimination of the persistent obstacle of the USSR and its allies, some commentators found that the world was getting much closer to become 'One' by the disruption of multiplicity. This was what made it possible to announce the end of the history or call for a new clash between 'the civilisation' and its enemies.

Etienne Balibar here warns us against the presumption that the development of supranational, transnational, or post-national political spaces would inevitably lead to a crisis of sovereignty that is strictly identified with its national form. In this regard, he offers that "we need to avoid simplistic dichotomies between national and post-national eras, between sovereignty and the withering away of the state" (Balibar, 2009, p. 135). For him, sovereignty's genealogy is not illuminated but rather masked by the dichotomy of national sovereignty and the subsequent post-national constellation. Along these lines, those others who are also suspicious about the discourses of the crisis of state sovereignty draw attention to sovereignty's resilience in the face of challenging contemporary developments of interdependence and fragmentation (Krasner, 1999).

Indeed, despite the general consent about its crisis and the associated hopeful or fearful future expectations, state sovereignty in its national form seems to have the capacity to transform itself.

This does not mean, however, that the crisis of sovereignty is pure fiction and did not take place. Rather, both fantasies of death and return of the sovereignty can be seen as the effects of the crisis itself. In Balibar's words, even if it turns out that the old omnipotent (sovereignty) is impotent in the face of global challenges, what is at stake is not the end, death or demise but the nullity of traditional representations of sovereignty. In this regard, Negri points out that "the concept of sovereignty is in crisis because it is no longer dominant with respect to other sources of social legitimacy, to other constituent processes and forces" (Negri, 2010, p. 208-9). This remark is important firstly because it reveals that sovereignty shares its power with some other forces and secondly, that it no longer holds the greater share in this partitioning. Balibar, too, refers to this shared authority and emphasises the "growing autonomisation of the theological and the economic with respect to political regulation" (Balibar, 2009, p. 149).

These comments indeed provide a different portrayal of sovereignty in comparison to its "absolute," "unitary" and "undividable" definitions throughout the history of political philosophy (Derrida, 2003). Along these lines, with reference to George Dumézil's analyses of mythology, Deleuze and Guattari claim that political sovereignty has two

heads: the magician-king and the jurist-priest. In this picture, despot and legislator come together and constitute the political sovereignty in the form of the state. Although there is an opposition between the two, because one is obscure and violent whereas the other is clear and calm, this opposition is only relative. They are the pairs of the One (Deleuze & Guattari, 2010, p. 3). There are “two poles of sovereignty: the imperium of true thinking operating by magical capture, seizure or binding, constituting the efficacy of a foundation; a republic of free spirits proceeding by pact or contract, constituting a legislative and juridical organization, carrying the sanction of a ground (logos)” (Deleuze & Guattari, 2010, p. 35).

The king prepares for the jurist and the jurist uses and retains the first. Here, while thought gains gravity, a centre that can be called state, state-form gains a whole consensus on its universality. In the state form one of them cannot be thought without the other, since sovereignty requires indivisibility and unity. Here, Deleuze and Guattari do not only emphasise the definitive aspect of sovereignty as indivisibility and unity but also give an important clue for the “mystical foundation of authority” which guarantees and secures the unstable union of politics and law in the garments of magician-king and jurist-priest. A traditional account of sovereignty cannot stand against these claims for it would lose its distinguishing trait if the sovereignty is shared (Witte, 2006, p. 518). What the traditional accounts foresee is the affirmation of the One in the body of



Leviathan, in a world where only a unitary power can overwhelm social anarchy. A divided, shared, split or partial sovereignty is seen impossible by definition, for these couplings would not only be wrong but also oxymoronic. However, what is at stake in the crisis of sovereignty, Deleuze and Guattari warn us, is that very principle of indivisible unity: Coupled with it, absoluteness was, too, originally and for a long-time trademark of sovereignty.

Following Deleuze and Guattari, Hardt and Negri's conception of "multitude" may also be read as a response to these traditional definitions of sovereignty. Reduction of sovereignty to One ahistorical form of sovereign territorial nation-state goes hand in hand with reinforcement of the images of One people, One state and the amalgamation of the notions of people and state into One concept of 'nation'. In this sense, the monist understanding of sovereignty calls for a unitary people whereas unity of the state is guaranteed. Against this, Hardt and Negri's conception of multitude recognises the reality of social division, sheds light into the dynamics of disagreement and conflict, and breaks with the long tradition of casting sovereignty unity that can be traced back to Thomas Hobbes. "The multitude is a multiplicity, a plane of singularities... The people, in contrast, tend toward identity and homogeneity... Whereas the multitude is an inconclusive constitutive relation, the people is a constituted synthesis that is prepared for sovereignty" (Hardt & Negri, 2000, p. 103).

Yet, sovereignty is always already in crisis in its hurry to hide its incompleteness and divisibility. Its unity is always under the threat of ‘other’ inner forces as well as external interventions. This is why Negri claims “sovereignty can only, from its origins, be defined as the (determinate) overcoming of crisis” (Negri, 2010, p. 214). Furthermore, he describes the so-called contemporary crisis not only with sovereignty but also with “the entire episteme, and all the events deriving from this” (Negri, 2008, p. 336). Indeed, for Negri, the concept of sovereignty may be considered to be in crisis from at least three perspectives. To begin with, what Michel Foucault calls the biopolitical transformation of the sovereignty is the first of the reliable perspectives from which one can detect the crisis. The crisis, whereby the paradigms shifted from the context of laws and rules to norms and systems, and the law transformed from a disciplinary machine to an apparatus of governance (Negri, 2010, p. 206). The second perspective is crystallised in the works of Niklas Luhmann and his followers: Their insistence on the fragmentation of law and analyses of the “functional processes of the legal structures outside state normativity”. And the third, the weakening of nation-states in the face of international law and diminishing power of nation-states in the face of international organisations and transnational forces. Those are the keys to understand the crisis of the normative representations of sovereignty for Negri.

It was under these conditions prevailing in the international politics, the September 11

attacks took place. Questioning the gigantic outrage boomed in the global public after September 11 attacks despite the silence accompanying the murder of larger numbers of people in other parts of the world, John Milbank claims that the threat posed against the sovereign power and the very idea of sovereignty are the reasons behind the global outrage following September 11 (Milbank, 2002, p. 305). September 11 attacks, in this regard, have been perceived worse than a declaration of war since the attacks endanger the very system which can easily embrace war whereas it is vulnerable to this type of attacks. In this regard, the attacks were experienced as an offence against the international order of sovereignty that is led and regulated by the United States.

The attacks in this regard doubled the perception of crisis in the sense that they intensified what one may call the original crisis of sovereignty preceding the attacks or any other attack. Nevertheless, for crisis also means opportunity in the lexicon of governance, attacks provided an opportunity for the United States as well as the other states to consolidate their power and reassert themselves. By means of media-theatricalisation of the event and through repetition, heroism and securitisation as well as a “just war” discourse, the violent responses against the attacks were presented within the framework of the old-dated blackmail: either sovereignty or anarchy. The US President George W. Bush’s infamous phrase “you are either with us or with the terrorists” was an explicit threat and command foreclosing any third option that may

offer a refusal of a vengeful recourse to state violence including war, exceptional security measures or suspension of the rule of law. Represented as a threat not only against the state but also civilisation, September 11 attacks and the post-September 11 terrorism enabled states to reclaim themselves as the fighters of civilisation against barbarism, i.e., fundamentalism.

Within this context, while the United States found the excuse for and opportunity to act unilaterally in the international realm and declare war without recourse to international law, the other states abused the global context of war on terrorism in order to empower their authority. Although problematic in their assumption of a previous death, the narratives of return, reassertion or reawakening of sovereignty have some credibility in this context: As Bauman suggests, the nation-states indeed showed their muscles in domestic affairs as well as internationally (Bauman, 2016, p. 45). Nevertheless, like Wendy Brown, it is reasonable to interpret this show off and physical manifestations of power as a sign of waning. In this regard, it is possible to provisionally distinguish the traditional concept of sovereignty from contemporary sovereign power in order to unpack the post-September 11 reassertion of the nation-states. In the sense that Foucault makes a temporalisation and comparison between (the ancient) sovereignty and (the modern) biopower, it is possible to claim that sovereign power can be the name for the contemporary manifestations of traditional sovereignty as the consequence of the

inevitable continuity of this mode of power in a biopolitical age. Within this line of thought highlighting historical continuity of older modes of power, it is theoretically possible to detect the novel or age-old manifestations of sovereignty in the contemporary without falling into discursive trap of a supposed end and a following resuscitation.

In sum, even if a decline in sovereign power of nation-states did take place following the end of the Cold War in the face of global challenges, this does not mean that a terminal crisis was at stake as it is proposed in some millennial discourses. Inherent rather than conjectural, the crisis of sovereignty was more about the traditional conception of it that presupposes a unity, absoluteness and indivisibility as characteristic traits. The crisis in this regard is not one that is to be solved with opportunistic reassertion of nation-states after September 11. Rather, it is the reason behind the post-September 11 manifestations of sovereign power such as the state of exception and securitisation. As Brown suggests, however, neither walls nor fortification of borders would rescue sovereignty from its inherent crisis, no matter how much the states invest in the sovereign power against the religious violence and global capital gaining more and more autonomy. And as Hardt and Negri claim, in the age of Empire, there is no possibility of turning back to the good old days of sovereignty, even if sovereign power is still in effect in a Foucauldian sense.

### 3.4 Securing Sovereignty

Despite the discourses of death, end or demise of sovereignty, sovereign power is still able to manifest itself through the state of exception and securitisation in the post-September 11 period. After the attacks, Western liberal democracies did not hesitate to use the idea of state of emergency to enforce measures that exceed their constitutional authority as well as democratic principles that are supposedly at the core of the legitimacy of their sovereign power. Thus, the sense of emergency resulting from the terror attacks has become the excuse for diverse manifestations of sovereign power. The states accumulated an unprecedented power that was not only intensified within the intelligence and security apparatuses but also felt in ever depths of the society.

The question of state of exception in the way it was reinvigorated in the post-September 11, is to a large extent discussed in the contexts of law, legality and legitimacy. In this context, the law is paradoxically used to suspend and weaken itself either by the way of enactment of new laws or negligence of fundamental rights in the context of state of exception. Losing its ordinary character, then, in state of exception law increasingly loses its potential to impose constraints on the sovereign power and therefore turns into an explicit instrument of it. When the law embodies its own suspension, there occurs the

paradox of the coexistence of the rule of law and lawlessness. Hence, through state of exception, sovereign power does not simply operate outside the law but creates an unclear zone in which the distinction between law and lawlessness blur (Agamben, 2005).

For Carl Schmitt, sovereign states including liberal democracies, which claim they constrain the sovereign power by law, actually operate with state of exception. Sovereign is the one who has the unilateral right to declare, define and describe the state of exception at the expense of abrogating the law it claims to depend. In this regard, Schmitt does not formulate the state of exception simply in terms of some extraordinary decisions taken in emergency situations. Rather, he claims, the legal order itself as a whole depends on the state of exception at the very base of its foundation (Schmitt, 1996). The state of exception in this regard cannot be regarded as a temporary concept which occurs now and again but as the foundation of the nature of the sovereignty of state. For Schmitt, the state of exception is the very basis of sovereignty in the sense that sovereign becomes sovereign through its ability of decide on and declare the exception. Famously, he states “Sovereign is he who decides on the exception” (Schmitt, 2005, p. 5). Because the sovereign decides on whether there is a state of exception and what shall be done in order to eliminate it, he is the one who is able to stand outside the legal system (Schmitt, 2005). Schmitt claims that all other

characteristics of the sovereign such as declaring war and making peace, appointing civil servants, right of pardon and final appeal derive from its right to declare the state of exception and suspend the law. It is the decision over the state of exception what frees the sovereign from the so-called normative boundaries of the legal system and makes it absolute in true sense (Schmitt, 2005, p. 15). Moreover, the state of exception is a necessity for any sovereign to manifest its right to self-preservation: To ward off an existential threat to order, the legal order can be suspended in emergency situations and this is obviously preferable than the overwhelming threat of anarchy or the demolition of the state.

In this regard, state of exception cannot be just temporal -specific for a certain period of time- or it cannot be limited to a particular sovereign, but it is essential to any regime claiming sovereignty in a certain territory. Since the foundation of the political requires a sovereign decision that is prior and superior to the norm, no sovereign regime can escape this but can only disclaim its foundation and deceive its subjects. Schmitt, in this context, criticises the liberal regimes for denying their very own foundation since the exceptional decision is the basis of any political order (Erlenbusch, 2012, p. 366). This denial enables liberal regimes hide the foundational sovereign moment and claim a normative structure which is against the political. Schmitt calls this moment de-politicisation that results in “the most horrendous forms of re-politicisation through a



moralisation of previously political concepts” (Erlenbusch, 2012, p. 367). In this manner, liberal regimes are able to justify their violence no longer bound by political considerations with the creation of a monstrous enemy “that must not only be defeated but also utterly destroyed” (Schmitt, 1996, p. 36).

In his book titled *State of Exception*, Giorgio Agamben examines what he calls the normalisation of state of exception in both external and internal affairs after September 11. For him, the state of exception as a technique of government, which has powerful roots in the history of politics, reached a new level with security politics in the beginning of twenty-first century. From the legacy of French Revolution to the First World War, Agamben emphasises the efforts to define the state of exception within the limits of law, though he insists that the state of exception is neither external nor internal to juridical order (Agamben, 2005, p. 23). Instead, state of exception creates a zone of indistinction like a threshold where the boundaries between inside and outside blur. In this sense, it is not illegal, but rather signifies a space devoid of law. This area, where human activity is not subject to law, attracts Agamben’s primary attention. For him, this space seems to be essential for the juridical order to the extent that “it must seek in every way to assure itself a relation with it, as if in order to ground itself, the juridical order necessarily had to maintain itself in relation with an anomie” (Agamben, 2005, p. 51).

Agamben traces the uses of state of exception as far back as the French Revolution when a state of siege was differentiated from state of peace. English martial law and suspension of *habeas corpus* in American Civil War are two other significant examples of the history of state of exception. Nevertheless, state of exception in liberal democracies reaches a maturity after the First World War, during the period between 1914-1945 (Agamben, 2005, p. 12). The fundamental novelty of this period is the total transfer of power from parliament to the executive. For Agamben, this is one of the significant characteristics of state of exception: All the functions of politics are entrusted to the executive government in order to maintain the order again. Eventually, state of exception frees itself from its war context and re-presents itself in peacetime to deal with any other social disorder or economic crisis. It is not surprising, however, that sovereign power dominates the public realm with the discourses of war in states of exception: From war on drugs to war on terror, the discourse of war helps the executive power to totally mobilise the society and legitimise extraordinary but so-called inevitable measures. Agamben, here, notes the fictitious character of state of exception through which a vocabulary of war is enabled, opposition is silenced, and a sense of decisive danger is created. Within this context, state of exception becomes a “technique of government” aiming at political regulation of a whole society (Agamben, 2005, pp. 6-7).

For Agamben, state of exception has become the dominant paradigm of government in contemporary politics with a maximum worldwide deployment in the context of post-September 11. The normalisation of state of exception in which the governmental violence is still in the claim of applying the law should be unmasked for there is no return to the state of law with the eclipse of politics: For Agamben, this is not a sign of new political situation but it signifies emergence of a pure apolitical regime replacing the state of law (Agamben, 2005, p. 88). Security state is the provisional name for this new regime prevailing in Western liberal democracies. In an article written for French daily *Le Monde*, after the extension of state of emergency in France, Agamben not only warns French government and public but also the global society living under the shadow of security state (Agamben, 2015). Giving familiar examples of Weimar Republic and Third Reich as well as the French Revolution, he acutely proclaims the damages of state of exception in any political regime resembling democracy.

What is at stake here is the de-politicisation of Western democracies and the evolution of former states of law into security states. In this context, Agamben claims that the term security has become so prevalent in political discourses that the reasons for achieving security has replaced the existential reasons of state (Agamben, 2015). Referring the readers to Thomas Hobbes, he reminds that the function of state in Hobbesian theory deeply influenced Western political imagination: A contract, that

binds all, gives sovereign the authority to stop the fear and war of all against all. However, security state reverses this schema, in which the state is the source of fear for it finds its essential function and legitimacy in it. Security state is the state's reassertion of itself in a new disguise fabricated with fear and security. The concept of security that becomes widespread across Western democracies after September 11 attacks does not actually aim to prevent the possible terrorist attacks but constitutes a new relation of generalised and unlimited control among men and women. To Agamben, this is a new regime that should be further examined by scholars, but he himself at least displays three contours of this emerging security state: "the maintenance of a generalised state of fear, the de-politicisation of citizens and the renunciation of all legal certainty" (Agamben, 2015).

The consequence of this new form of government is the erosion of politics in general. Encompassing all areas of social life, security replaces any other political notion to the extent that there is no space left for an active political life. Referring to Greek origins of politics, Agamben states that security does not only blur the distinctions between public and private spaces but also pacifies and transforms the citizen-subject into a being that should be secured by police and even, military. This is, for Agamben, a situation exceeding the risks of state of exception for in security state a formal declaration of state of emergency is not even needed. In this regard, security state is nothing but the

normalisation of state of exception in which the excessive security measures are regarded as the instances of ordinary daily life. This devastating change on the level of government by no means depends on an overnight decision but rather is an ‘achievement’ of a process. This process operating in the ever depths of the society is called securitisation.

The term securitisation is coined by some critical scholars of security, who are widely recognised as “Copenhagen School” of Ole Wæver, Barry Buzan and a range of other researchers. Interestingly, however, two decades after the first appearance of the term in 1995, Zygmunt Bauman announces that the word securitisation has become a neologism frequently used by politicians as well as journalists after September 11 (Bauman, 2016). Preceding this date, however, securitisation thesis seems to await to be discovered for a long time, even if it is known in the academic circles of security studies. Without going into detail of the original theory, Bauman concisely explains in what meaning this word is used frequently. He asserts that the word denotes “ever more frequent reclassification of something previously thought of as belonging to some other phenomenal category, as an instance of ‘insecurity’; recasting followed well-nigh automatically by transferring that something to the domain, charge and supervision of security organs.” (Bauman, 2016, p. 41)

To the scholars of Copenhagen School, in this sense, security does not only consist of

the necessary measures to tackle a risk or threat but also of a discursive practice through which an identity formation and a constitution of inter-subjectivity are established (Neal, 2010). In such a discursive process, political community is called to action in the face of a threat, and it is convinced to take urgent and exceptional measures to deal with the so-called threat. In this self-referential practice, not only a risk or threat is produced but also the measures to be taken by the security agents of the state are legitimised in advance. For the theorists of securitisation, this process is realised in compliance with an act resembling the “speech act” in language theory (Neal, 2010, p. 102). In speech acts, the signification process does not depend upon a sign referring to something real but it is the utterance itself that constitutes the act. Accordingly, in the first stage of this process the threat, the threatened and the fighters -against the so-called- threat as well as the source of threat are identified with a certain rhetoric, and the public is directed to consent for the necessary and exceptional further steps. In other words, the securitisation move is followed by the presentation of emergency actions against the threat, which inevitably break the ordinary rules in order to deal with this existential threat. Here, securitisation becomes the move that brings politics beyond the present rules of the game and determines a special kind of politics, if not an apolitical game.

In this discursive process through which a threat is created and represented, ‘real’ existence of a threat is not a necessity. Unlike the mutism of the spectacle, the

discourses of securitisation call the subjects into an action through media and state experts, and it expects a certain response in this act. Thus, the discourses of securitisation create the reality of the threat and legitimise the so-called necessary measures to be taken by the state. This is not only an attempt to change the behavioural patterns of the populace but to constitute a new subjectivity against the threat. In this sense, the processes of securitisation are self-referential in their formation of identity in the face of the other, or in other words, the source of threat. As the identity is formed through the boundaries framing the self, the outside, the foreigner and the other, these boundaries should be demarcated with reference to an insecurity. This is why securitisation and insecurity are like two faces of a coin that require each other in their co-existence. Insecurity is the necessary product of securitisation processes, and both are in a dependant relationship whereby any securitisation measure creates insecurity in itself. Even if securitisation presents itself for the sake of the protection of citizens from terrorist attacks, it provokes a feeling of fear, vulnerability and insecurity. Securitisation, thus, requires and starts with the production of an insecurity regardless of the presence of an original risk or threat. In any case, securitisation underlines, intensifies and concentrates on insecurity to legitimise the sequent measures and policies of security (Beck, 2000).

Summarised under the infamous title of “war on terrorism,” the main discursive

response to September 11 attacks has been the immediate securitisation of the event, elevating it above normal politics not only in the US but also within the global system. In this regard, the attacks of September 11 have become the source of both micromanagement of everyday lives and a “world-organizing macro-securitisation” in a global extent. What enabled this world-organising response discursively has been securitisation, which turned into dominant performative discourse positing terrorism as an existential threat to the identity of “us”, our fundamental values, civilisation and way of life. Thus, ever-expanding concerns of security, which have been framed with reference to democracy, human rights, freedom and civilisation, have been abused to such an extent that these referent concepts are increasingly associated with state violence, war and imperialist objectives. The paradox of using violent and extra-legal security measures as assurances for the maintenance and promotion of democracy and human rights could only be overcome by a thorough application of securitisation.

Michael Dillon argues that security is always violent towards the very thing it claims to secure. In the sense that “securing is an assault on the integrity of what is to be secured” (Dillon, 1996, p. 122), the citizen’s freedoms and rights as well as the privacy of their lives are violated while they are also being surrounded by a feeling of risk and insecurity. Turning the citizens into vulnerable and powerless subjects who are dependent on the state just like in a child-parent relationship, securitisation engenders a



relation between the state and society in which citizens become potential targets to be protected as well as potential enemies who may present a risk for the state. In this sense, the citizens should be subject to a constant surveillance, in a liminal position that requires both protection and suspicion of the state. Nevertheless, a more targeted approach is also at work against certain groups in society: As the discourses of security constructs the citizens as subjects of risk, particular groups such as Muslim communities are assumed to present a greater risk particularly in Western societies. Thus, they have become subject not only to open ethnocentrism and xenophobia but also to police harassment and surveillance (Cox, Levine, & Newman, 2009). Terrorism has become the negative ideograph of Western identity, through which the figure of the terrorist as well as the Arab/Muslim have become the ultimate human other. The inclusion and exclusion barrier between the self and the other is thus reconfigured with regard to Arab/Muslim who is the potential terrorist.

A precarious sort of social unity is thus achieved against an unknown enemy called “terrorist” who can be both external and internal, and whom should be fought against both at home and abroad. Creating an even greater demand for government intervention and control in the face of an all-pervasive sense of risk, securitisation against both an external and internal enemy erodes the conception of citizenry. The imaginary liberal balance between freedom and security has already changed in favour of security with

more intense control, regulation and policing of the society. This was rendered possible by elevation of security to an almost metaphysical level, which seems to define the central function of state as protecting citizens from a terrorist attack. Though paradoxical, this conception of state has also served neoliberal expansion by paving the way for abandonment of some of the traditional functions of the states such as provision of services and welfare. As discussed above, within this new security paradigm the insecurity, the sense of threat and construction of enemy within and outside the society allowed the states gain power and extend their reach to a level that is unexpected in liberal agenda (Cox, Levine, & Newman, 2009, p. 17). Meanwhile, the states, which have already been leaving public services on education, health, wealth equality and so on a side, managed to shift attention away from these serious and pressing concerns to an all-encompassing and metaphysical concentration on security.

By way of this metaphysical concentration, from central left to right and from social democrats to conservatives a consensus over the primacy of securitisation has taken hold. And the new “normal” has turned into nothing but a permanent state of exception. In this ideological chimera of normality, what was previously considered exceptional and unthinkable has now assumed an everyday acceptability (Cox, Levine, & Newman, 2009, p. 4). This new and paradoxically amorphous political agenda shaped by securitisation has achieved normalcy by a discourse neoliberal at economic level while

deeply conservative in the political, social and ideological levels. In this way, a neoliberal discourse driven by market expansion and global capitalism has been accompanying the authoritarian and highly regulatory measures of security. In this paradoxical logic, the fear of terrorism and the anti-terrorist state is intertwined with each other. As Agamben argues, counterterrorism and terrorism mutually incite and provoke each other in a deadly circuit in which terrorist attacks provoke even more violent responses from the states which in turn provoke terrorist attacks (Agamben, 2006).

### **3.5 Rogue States**

September 11 attacks provided a perfect opportunity not only for the US but also for other sovereign states which have been losing power in the face of globalisation. Under the influences of forceful and violent market expansion and financial globalisation, even the weaker sovereign states of the world system found new opportunities in the current wave of global war on terror. The same states which are at the forefront of globalisation race, after September 11 attacks tried to reassure the control of the transnational flows of finance, people and ideas. Trying to delimit and control the emancipatory and egalitarian possibilities offered by a globalised world and with the aim of regaining the 'old omnipotence,' the sovereign states turned their faces to the old archives of

sovereigntist logic. Holding globalisation responsible for making the nation-state more vulnerable to terrorist threats, the war on terror also functioned as a defence of the traditional conception of the nation-state.

Homeland security doctrines, border controls as well as fortification of borders in the face of an indefinite enemy have been used as tools to reassert nation-state sovereignty. In addition to war, policing of international relations and strict regulation of border politics accompany securitisation in global affairs. The suspension of rule of law, police control and surveillance in domestic affairs also serve a greater aim: Re-inscription and reassertion of sovereign power as well as perpetuation of the world order within the dominant frame of nation-state system. Even if this is not the originally declared aim of the war on terror, states all around the globe transformed it into an opportunity for the consolidation of the 'older' claims of the state. Though not all of them were active in the wars in Iraq and Afghanistan, most of them participated to the global campaign of securitisation and as Kofi Annan asserts, they did not hesitate to abuse the global wave of securitisation in their 'own' wars against their 'own' enemies. In return of a cooperation against the new 'common' enemy, that is, terrorism, these states did not refrain from demanding their 'own' adversaries to be labelled as terrorists (Acharya, 2014, p. 128).

The restriction of freedoms and rights, the undermining of due process of legitimate

trials, and intrusions into the ‘private’ lives of citizens were only possible when the governmental power has become unaccountable by the way of an all-encompassing securitisation. From immigration and border control to detention without charge, sovereign states as well as the “petty sovereigns” became more and more unaccountable in their activities by justifying such acts as attempts to protect the security of the homeland. All in all, the sovereign power has been reasserted after September 11 with an obsessive emphasis on security, and the measures merging the police and politics in declared or undeclared states of emergency have been implemented. For Jacques Derrida, those illiberal measures of so-called liberal regimes or the undemocratic acts of so-called democratic governments do not represent a simple paradox but the original roguishness of the sovereign state in general (Derrida, 2005, p. 101). Even if the states, and as a leading figure among them the US, try to monopolise the power to announce which state is “outlaw,” “outcast,” “renegade” or “rogue,” it is impossible for them to conceal their own roguishness in effect.

In *Rogues: Two Essays on Reason* (2005), Derrida states that the denunciatory expression of “rogue state,” which was rarely used by the United States governments before Bill Clinton’s presidency, became a powerful discourse in the international realm particularly between 1997-2000 (Derrida, 2005, p. 95). Before that, in its less frequent use, the term was simply referring to the states which are undemocratic and

disrespectful to the rule of law in their internal affairs. In the presidency of Clinton, however, rogue states were defined not in relation to internal affairs but in terms of international behaviours of the states: With a reference to international terrorism, Clinton government's rogue states were the ones which do not act according to the spirit or the letter of the international law (Derrida, 2005, p. 95). In 2000, however, Clinton government declared that the US will use the more neutral and moderate expression of "states of concern" instead of "rogue states." This more diplomatic and less demonising choice, however, does not conceal the significant role of the US in defining the official global enemies not only for itself but for the rest of the world. This role and the use of the expression rogue state have something to do with the end of the Cold War. In this new world following the bipolar international politics of balance, the US took the role of a guarantor in a global extent and it undertook the power and privilege to cast out some states according to its own "vital interests."

The question here is neither the US's own apparent disrespect for the international law nor the variations in the ways in which the US interests identify the outlaw, outcast, renegade or rogue states such as North Korea, Iran, Iraq, Libya, Sudan and so on. What is at stake here is the fact that after September 11, the denunciatory words chosen to delineate the enemy in a concrete manner, in state form, with a territory, name and sovereignty were buried in history. Even if George W. Bush too occasionally used the

expression rogue state, September 11, 2001 is the definitive date, for Derrida, since when the efforts to define the enemy in state form come to naught inarguably: “Along with the two towers of the World Trade Center, what visibly collapsed is the entire apparatus (logical, semantic, rhetorical, juridical, political) that made the ultimately so reassuring denunciation of rogue states so useful and significant” (Derrida, 2005, p. 103). For Derrida, since September 11, the efforts to identify the “terrorist” or “rogue” states are just rationalisations in denial of the fact that the threat no longer comes from an enemy identifiable with the state form. The panic or terror experienced by the US as well as other sovereign states in the face of this unidentifiable threat paved the way for the war on terrorism, permanent state of exception and security state.

As described above in detail, those responses themselves are the signs of the fact that the most rogue of the rogue states is the one (or the ones) that assumes the power to declare which state is rogue. This is not only Derrida’s but also Noam Chomsky’s main argument with regard to the usage of the expression rogue state. Referring to Chomsky, Derrida states “the first and most violent of rogue states are those that have ignored and continue to violate the very international law they claim to champion, the law in whose name they speak and in whose name they go to war against so-called rogue states each time their interests so dictate” (Derrida, 2005, p. 96). What makes them more rogue than ‘the original’ rogue states is their distinctive ability to name the rogues. The power they

assume by doing so, is so pervert to that that they do not only ignore and violate the international law they claim to champion but also, they legitimise waging war or carrying out police or peacekeeping operations in the name of it. The US and its allies abusing their power in this way are not only criminal in their particular violent acts but also the most rogue of all in harming the very spirit of the international law they claim to depend. In this regard, “the states that are able or are in a state to make war on rogue states are themselves, in their most legitimate sovereignty, rogue states abusing their power” (Derrida, 2005, p. 102).

Derrida’s emphasis on sovereignty in this phrase is particularly significant because in the current lexicon of international relations as well as international law, the so-called “legitimate sovereignty” equips the nation-states with certain rights and abilities including waging war against other states. At this point, Derrida declares that in their most legitimate sovereignty and as a matter of fact particularly in their most legitimate sovereignty these states become rogue states. In their unilateral, unshared sovereignty relying on the “reason of the strongest” and the age-old principle of “might is right,” any state is always already a rogue state (Derrida, 2005, p. 104). In this regard, a so-called “legitimate sovereignty” is not the legal or whatsoever basis that can save the state from “roguishness” but it is the very source of it. “As soon as there is sovereignty, there is abuse of power and a rogue state. Abuse is the law of use; it is the law itself, the



"logic" of a sovereignty that can reign only by not sharing" (Derrida, 2005, p. 102). This leads Derrida to conclude that there are only rogue states. Any state relying on sovereignty is rogue, potentially or actually. Stating that every state is rogue also means that there is no rogue state. This is not only a logical necessity but also the sign of the fact that "the concept will have reached its limit and the end -more terrifying than ever- of its epoch" (Derrida, 2005, p. 106). In the context of post-September 11, both on national and international levels, and indeed by abolishing the difference between those levels, states tremendously abused their power relying on their sovereignty. Even if "the state power is *originally* excessive and abusive" as Derrida states this excess and abuse reached a new extent that now "there are (no) more rogue states."

# 4 Democracy and Sovereignty after September 11

Almost all the rogue states, that is, all the states including the more rogues, claim to be democratic at the same time. In fact, Derrida points out that there are only a few states on the political scene that do not present themselves as democratic. Apart from those few openly relying on a theocratic origin, all the other states more or less claim to follow the Greco-Christian tradition of democracy (Derrida, 2005, p. 28). What is important to note here is the coextension and coexistence of aforementioned roguishness and democracy within the same conception of political that dominates the

globe. The fundamental but paradoxical relationship between democracy and sovereignty, which became all the more apparent in the context of post-September 11, is the focus of this chapter. If the sovereign power returns with a securitising mission in the context of post-September 11, what are the outcomes of this for democracy? If democracy is at risk after September 11, as some democrats would claim, what is it that put democracy at risk in post-September 11 statecraft? (Haddad, 2004, p. 29) Is democracy really *at risk*? Or else, is democracy *a risk*?

## **4.1 Autoimmunity after September 11**

In an interview held right after September 11, 2001, while answering a question about this very particular event, Jacques Derrida reintroduced one of his earlier neologisms (Derrida, 2003). Borrowed from biology and riddled with geopolitical connotations, the neology in question was ‘autoimmunity’. Speaking about invaders, defenders, borders, aliens and identities, the language of autoimmunity allowed Derrida to address the attacks of September 11 as well as the early post-September 11 policies of the US and the European countries (Mitchell, 2007, p. 282). The limits, borders and boundaries of the body and its relations of friend/foe, inside/outside, self/other that are operative in the metaphor of immune system work in a similar manner in our political systems. In “autoimmune diseases,” the body inexplicably generates auto-antibodies against its own

cells assuming that they are foreign objects (Derrida, 2003, p. 188). That is to say, the body attacks itself for protection and security as a result of an inability to distinguish the self and the other. Attacking itself, the body aims to provide protection in a misdirected kind of hyper-active immune response. This situation is defined as a serious physiological anomaly of the body's (politic) system. The confusion or inability of the immune system to discern the self and the other results in a disease that is harmful for the body since the immune system is what protects the body against the outside threats (Johnson, 2012, p. 107). In this sense, 'good health' presupposes immune system to work 'perfectly' in a manner that it must separate the self from the other, be alert to bodily dangers, but must not be excessive towards them as it is in the case of autoimmune diseases. Yet, to Derrida, this is an impossible task for the body as well as for the politics (Derrida, 2003). Derrida uses the term autoimmunity to refer to this phenomenon, when systems of protection and security generate its own risks and hazards attacking the body it aims to secure.

For Derrida, any community like a nation-state has an inherent and incurable tendency to destroy itself and he calls this suicidal act as "auto-co-immunity" (Miller, 2008, p. 238). Just like the body's immune system attacks its own cells, a nation-state's security organs may turn its protective mechanisms against itself in an attempt to protect its borders and achieve the homeland security. Whereas the immune system (as well as the

security systems) depend on the ability to discern the difference between the self and the hostile foreign, the systems in question mistakenly, if not systematically, confuse the two in a case of anxiety. W. J. T. Mitchell states that “when the nervous system is in a state of panic, anxiety, depression, or, even worse, psychosis, generating hallucinations and paranoid fantasies, the immune system has a tendency to respond inappropriately as well” (Mitchell, 2007, p. 285). Within this logic, Derrida claims that the attacks of September 11 triggered an autoimmune reaction that becomes particularly visible when the sovereignty of the state is ‘felt’ to be threatened. As discussed above, in its inability to discern the internal-external and friend-enemy, the immune system reacts but inevitably fails to secure: Since the attacks provoke the immune system to an auto-hyper-immunity, the body politic attacks itself. What makes terrorism more threatening than any other threat for state sovereignty is its unidentifiable and unlocatable character. In this regard, not just a part, a region or a fraction of nation-state is ‘felt’ under attack by this spectral threat, but it is felt, presented and experienced as if the whole existence of the political authority, that is, the sovereignty of the state is endangered. Under this very condition, Michael Naas claims that “something is clearly happening today not just to sovereign nations but to the very notion of sovereignty itself” (Naas, 2008, p. 123). If the old sovereignties were threatened by the new ones as a result of globalisation after the end of the Cold War, the attacks of September 11 added a new dimension to this threat with autoimmunity reactions.

Derrida's first intervention about autoimmunity focuses on the US democracy's quasi-suicidal tendencies in a historical context: "Immigrated, trained, prepared for their act in the United States by the United States, these hijackers incorporate, so to speak, two suicides in one: their own (and one will remain forever defenceless in the face of a suicidal, autoimmunitary aggression –and that is what terrorises most) but also the suicide of those who welcomed, armed, and trained them" (Derrida, 2003, p. 95). With reference to the end of the Cold War, Derrida claims that what happened in September 11 is a historical trace or a remainder of the Cold War (Derrida, 2003, p. 98). To him, the Cold War has not ended since the old heroes of Afghan War have now become the new enemies of the US.

Nevertheless, the attackers in question in September 11 are difficult to detect (define, discern, distinguish). What poses a threat against the sovereign state is not another recognised body politic, it is some enemy who is not institutionalised, but organised like a web. In this regard, the nation-state does not find an official enemy, another nation-state or a terrorist organisation who has stable and concrete political ambitions before itself. Instead, it is exposed to an unknown, unseen and unpredictable enemy which transcends the political, immune and security imagination of the Cold War. This is the 'second moment' of autoimmunity for Derrida, in which the overall political logic of Cold War is not adequate to address the politics of post-Cold War terror attacks

(Derrida, 2003, p. 96).

In the ‘third moment,’ Derrida speaks about the autoimmune logic hidden in repression both in political and psychoanalytical sense: “For we now know that repression in both its psychoanalytical and political sense –whether it be through the police, the military, or the economy– ends up producing, reproducing, and regenerating the very thing it seeks to disarm” (Derrida, 2003, p. 124). In a quasi-suicidal fashion, then, the more a democratic state defends/attacks the more it works for the terrorist cause, and the more it violates the freedoms and rights with security measures the more it harms the meaning of and the belief in democracy. The democratic state in this way can be both self-protecting and self-destroying with its security policies such as closing and controlling its borders, excluding and repressing the others and resorting to violence. This is, for Derrida, a *pharmakon*, at once remedy and poison. And autoimmunity is the new name for this strange behaviour of states (Derrida, 2003, p. 124).

This self-destructive, quasi-suicidal tendency of democracies mostly take place in times of crisis, particularly during the crises of security. Sovereign power in democracies “sometimes reflexively reaches back to the violence that secretly founds and subtends it, in order to secure its own survival” (Johnson, 2012, p. 117). These are obviously defined as states of exception or of emergency no matter how frequently they become norms and leave ineradicable anti-democratic marks in the history of democracy. That

is, state of exception works as an activation code for ‘democratic autoimmunity’ through which democracy is under attack by itself. Giving the example of Algeria where he was born and grown, Derrida claims that democracy carries the risk of welcoming an undemocratic regime, and this is the *aporia* of democracy, which necessitates the alertness of democratic forces. As in the case of Algerian coup d’état of 1992, the measures implemented for the security of democracy can bring an end to some of the constituents of democracy such as legitimate elections, human rights, civic and personal freedoms, and thus may easily turn into a self-destroying act for democracy (Derrida, 2005, p. 33). Although this double bind of security and insecurity is inevitable in democracy, for Derrida, it is malignant to lose the democratic sensibilities against state terrorism, torture and violation of human rights in the face of security crises. During such crises, even the most vocal democrats sometimes find themselves considering the utilitarian advantages of anti-democratic practices in order to achieve a supposed homeland security. For the survival of the whole of democracy, they would claim, some parts of the democracy may be sacrificed unfortunately.

Nevertheless, for Derrida, the conceptualisation of autoimmunity does not only engender political criticism but rather opens up a process of deconstruction. As deconstruction is not a criticism or a method but a process always already at work, Derrida sees autoimmunity as a structural phenomenon in modern democracies as well



as in any self or community. In this regard, autoimmunity is not a completely negative concept, but it denotes an inevitable and necessary process for the development of democracy (Derrida, 2003). Hence, Derrida's conception of autoimmunity including its critical application in the context of post-September 11 does not imply a total failure of democracy. Rather, what he does is highlighting the aporetic nature of the concept of democracy and the "constitutive autoimmunity" that allows democracy to be rethought and reinscribed endlessly even if it presents risks for itself.

Not submitting its sovereignty to any other authority apart from the demos, the meaning and the power of democracy depend on the decision that is not made by one but the many. It is sovereignty in this sense that puts at risk its integrity in order to ensure its potential for life and growth, and to realise the openness. Even if this openness also counts for a vulnerability in its acceptance of others as is dramatically seen in the case of September 11, this vulnerability is necessary for democracy's commitment to freedom and openness: In Derrida's words, the instability of democracy is its "pervertible" "perfectibility" (Derrida, 2003, p. 121). Through its autoimmune character, democracy undermines any possibility of being proper to itself and this is the very possibility of democracy. That is, autoimmune process is not only a process by which democracy attacks a part of itself but also the sign of the fact that democracy might not coincide with itself radically.

## 4.2 Aporia: Democracy and Sovereignty

Even if democracy is axiomatically considered as the best antidote against terrorism, and the Western media and academia common sensically recognised it as the most well-suited form of political governance to combat, prevent and pre-empt aggression both nationally and globally, it is destined to autoimmunity: Derrida defines this not as a simple anomaly but rather as a phenomenon constitutive of democracy (Johnson, 2012, p. 119). The structural vulnerability of democracy starts from the very beginning when the community is constituted by identifying who belongs and who does not to community. That is, betraying their own and first axiom of ‘commonness’ or being-in-common in their very constitutions, the communities’ ultimate aim of common good is just from the start delimited and unevenly shared (Johnson, 2012, p. 108). This inevitable closeness of community to its others for the sake of self-identification also appears as an obstacle for the survival and development of community. Nevertheless, an openness is also necessary for the communities since a relation with the other is part of the constitution of community’s identity. Even if the closeness enables community to create its own identity, it can never be self-identical since it necessarily bears the trace of the other in itself. Despite the inner forces dictating an absolute closeness in several fictitious ways such as nation’s unity and indivisibility narratives, it is always an option to be more open in democracies and this is the very chance of democracy.

Consequently, democratic communities are the ones which claim to be more open, pluralistic and respectful to the others of the community.

Nevertheless, in the post-September 11 context, modern liberal democracies seemed to betray their own foundations in order to secure themselves against the threats posed by terrorism. Within a language of *Realpolitik* imprisoned in securitisation, democratic norms and anti-democratic practices have somehow been mutually contaminated and implicated in each other. For Derrida, creating their own insecurity and destabilising themselves in unimaginable ways, anti-democratic practices prevalent in post-September 11 democracies displayed the autoimmunitary logic of democracies in more fundamental ways than the democratic normativity. The aporetic structure of democracy in fact lies at the heart of its necessary relation with sovereignty. In order to be a –cracy, a realised political regime, democracy has to be sovereign: Considering the rule of law in democracies, sovereignty is the only force that would enforce the law in the name of demos, and democracy can only be a mere utopia without sovereignty. Nevertheless, even if democracy requires sovereignty in order to be ‘democratic,’ the problem is that sovereignty is by definition above and beyond the law of democracy. This is not only a sign of the basic contamination of democracy with sovereignty but also the paradox that operates within the logic and mechanism of autoimmunity: Since the sovereign would irreducibly seek for the continuation of its sovereignty above and beyond any other

principle, including the law, the principles of democracy inevitably contradict with the demands of sovereignty. In this picture, “democracy gives itself to be violated by sovereignty in order to be effective. But this also means that democracy is never fully present in and reducible to sovereignty” (Cheah, 2009, p. 88).

Therefore, sovereignty and democracy are incompatible in the sense that both appear to be unconditionally excluding each other even though they desperately in need of one another. This aporia, for Derrida, is inevitable as well as irreducible since democracy is impossible without the authority and capacity of sovereignty whereas democracy’s tendency to share ability and subjectivity contradicts the indivisible unity and totality of sovereignty. The aporia is that democracy cannot totally renounce sovereignty if it wishes its mission to be actualised but it risks the same mission by submitting itself to sovereignty (Cheah, 2009).

In order to approach more closely to this aporia, Derrida insists on autoimmunity and its other, if not original, manifestations in self-identity. For him, neither autoimmunity nor the paradoxes of sovereignty are limited to the democratic or political realm. Rather, the question of autoimmunity and sovereignty is part of a more general field, that is, metaphysics (Cheah, 2009). *Autos* is the Greek word for the self, and it is often translated to Latin as ‘*ipse*’. Derrida reminds that *ipseity*, self-ness, self-sameness or self-identity is necessary for all beings and what is to be protected and secured before

anything else is the very origin of the self as *ipseity*. Drawing on this line of thought, in *Rogues*, Derrida claims that sovereignty is reducible to *ipseity* that is “an a priori sovereignty necessarily precomprehended by any positive case of political sovereignty” (Cheah, 2009, p. 77). Before any sovereignty of state or nation-state, *ipseity* is the name of legitimate sovereignty of any power or –cracy. No matter it is impossible, the self aims to be self-same and protects its *ipseity* from any alterity for an *autos*, an automatism is necessary: The self must be able to use the ability to return to or assert itself countlessly to be the self definitively. Drawing from Derrida, Michael Naas claims that “the self is autonomous only to the extent that it is automobilic and autotelic, that is, only to the extent that it can of itself, by itself, give itself its own law with its own self...” (Naas, 2008, p. 126)

A self, identical with itself is also a necessity for the logic that aims to comprehend it, and for the self-comprehension, the self-image of the self should be stabilised and concretised in one image no matter how much the other blurs this image with its own sameness and difference. This game of identity, Derrida points, is also at work for the body politic that seeks its self-sameness in its own image under the conception of sovereignty. As seen in nation-states, sovereignty is at once absolute and united in the image of body politic. This is the ambiguity of sovereign identity in which the *ipseity* and self-sameness is both a necessity and an illusory fiction at the same time.

Democracy thus requires a power that inheres in people's *ipseity* but the very magic of democracy is the plurality of people that does not allow self-sameness demanded by sovereignty.

For sovereignty is always exercised over a closed community such as a nation-state, under the auspices of sovereignty, democracy would always remain conditional. Historically speaking, this is why democracy has been limited to the likewise citizens enclosed within a certain territory. Instead of being extended "to the whole world of singularities, to the whole world of humans assumed to be like me, my compeers – or else, even further, to all nonhuman living beings, or again, even beyond that, to all the non-living" (Derrida, 2005, p. 53), democracy in nation-state form is limited by fraternity. From *Iliad* to French Revolution, Derrida points out, the political theology assuming a familial bond among fellow citizens claims that this paternalistic and patriarchal bond designates the very limits of democracy in its current forms. The inevitable exclusion of non-citizens, practices of exile and delimitation of demos to only male (not female), free (non-slave) local residents (non-*metic*) begs the question: "How far is democracy to be extended, the people of democracy, and the "each 'one'" of democracy?" (Derrida, 2005, p. 54)

The aporia of democratic sovereignty thus lies in its commitment to two incompatible things at once: to welcome only men, on the condition of citizenship, excluding non-

citizens and rogues; and at the same time remaining open to all the others and the excluded. For Derrida, democratic nation-states oscillate between these two and by doing so, they do not respond to the call for hospitality that is necessary for any democracy. The impossible task of hospitality, that is, unconditionally welcoming the other would mean putting the *ipseity* of democracy at risk. Without this risk, however, the life of the self (*ipse*) would turn into an automatic, life machine. And without this risk, democracies would be no different than autocratic and authoritarian regimes (Derrida, 2005, pp. 30-1).

For that reason, democracies have to and do undertake these risks in several ways. Even though it seems impossible in the face of aforementioned aporias, democracy is the only political option that can undertake these risks. In this context, Derrida not only mentions how terrorists behind the September 11 attacks were in fact accepted, trained and hosted by the United States, but also lists the institutionalisation of human rights, international organisations such as United Nations, international law and the creation of International Criminal Court as the disputers of nation-state sovereignty (Derrida, 2005, p. 87). In all these relatively novel structures, for Derrida, the sovereignty of nation-states is challenged with an emphasis on human rather than the citizen. Even if those efforts do not finally undermine the nation-state sovereignty, and they do not aim to do so, they more or less and on different levels have the potential to surpass the nation-state's

borders and boundaries. Extending the democratic beyond the nation-state and citizenship, human rights discourse, for Derrida, is a case for the invention of “new distributions and forms of sharing, new divisions of sovereignty” (Derrida, 2005, p. 87).

This is, for Derrida, a sign of the deconstructibility, or even the ongoing deconstruction, of the conception of sovereignty. Even if these structures do not limit sovereignty of nation-states, and even if they set one sovereignty in place of the other, their presence reveals the autoimmune character of sovereignty. In this regard, and in line with Derrida’s usual invitation to deconstruction, the task of the post-September 11 as well as of the twenty-first century would be deconstruction, and in particular, deconstruction of sovereignty. Even though democracy is always in need of sovereignty to be effective, it also deconstructs sovereignty. Its universalism and orientation towards freedom and equality have the potential to undermine the monopoly of the sovereign power. Indeed, democracy is the structural deconstructibility of sovereignty: “Just as presence can renew itself only by being ruptured by the gift, democracy always exceeds and destabilises sovereignty” (Cheah, 2009, p. 88).

For Derrida, democratic citizenship and state sovereignty can even be the guardians against the international violence and economic exploitation even if the sovereignty itself monopolises a certain violence in democracy. “Nation-state sovereignty can even itself, in certain conditions, become an indispensable bulwark against certain



international powers, certain ideological, religious, or capitalist, indeed linguistic, hegemonies that, under cover of liberalism or universalism, would still represent, in a world that would be little more than a marketplace, a rationalisation in the service of particular interests” (Derrida, 2005, p. 158). Nevertheless, Derrida’s account of hospitality and nationalism explicates that this guardianship cannot be achieved without any abuse by any sort of nationalism: “Nationalism, today, is always state-nationalism, a zealous, that is, a jealous and vindictive vindication of a nation constituted as a sovereign state” (Derrida & Roudinescu, 2004, p. 93-4).

For it is an instrument of the state and a sheer mystification, nationalism is an irrational and relativistic regime of thought that has “no future” and “can promise nothing.” By excluding the noncitizens, with its emphasis on fraternity and familial bonds, nationalism suppresses democracy’s potential openness to the other. Therefore, for Derrida, it cannot be a final response to globalisation of the market forces in the twenty-first century. For this reason, Derrida’s hopes lie in democracy and worldwide-isation (not globalisation but *mondialisation*) of the world: A democracy, which transcends the limitations of sovereignty in its nation form, would entail questioning and share of sovereignty and bring up the possibility of unconditional hospitality. In this sense, worldwide-isation of the world does not mean globalisation of neoliberal market structures but instead, it refers to the worldwide transmission of institutions of human

rights. For globalisation, which reduces the world into a global marketplace, is in fact *anti-world* and *world-less*, Derrida invests his hopes in democracy, international law and the empowerment of international institutions (Derrida, 2003).

In this context, Derrida claims that sovereignty must be dissociated from democracy unconditionality. Reflecting on the possibility of a conditioned and conditional sovereignty, Derrida's deconstruction aims at questioning the absolutist and unconditional heritage of sovereignty. As such, it looks for an opening to the possibility of a democracy to come rather than barbarism of both state and non-state terrorism (Brown, 2009). To achieve this aim, Derrida does not try to reconcile traditional features of sovereignty with the rule of demos, but rather he tries to think about a shared, divisible and conditioned sovereignty that would be necessary for an effective democracy. De-constitution of sovereign nation-states by globalisation does not guarantee such a procedure. On the contrary, it could actually facilitate and exacerbate the symptoms of today's political problems. In this conjuncture, for Derrida, reconsidering sovereignty with respect to its relationship to democracy is an ethico-political responsibility. And his own response to this responsibility is a recourse to deconstruction of sovereignty. According to him, the inseparable but incompatible couple of sovereignty and democracy should live together not in a so-called balance in the present but with a certain reference to futurity. Derrida calls this futurity as

democracy to come for democracy is always to-come against the unconditional a-temporality of sovereignty (Cheah, 2009).

### **4.3 Democracy to Come**

To Derrida, democracy cannot be thought without reference to what is to come since it does not present itself in the present, but it is always ‘to come’ (Derrida, 2005). This futurity, which draws from the idea that democracy cannot be present at any time since it is not identical with itself temporally, is captured in his conception of “democracy to come.” Since we cannot speak about a finished, completed or achieved democracy neither in the past nor present, we still do not know what democracy is or what it means (Derrida, 2005, p. 9). Nevertheless, even though democracy’s meaning is obscured and reserved, for Derrida, it is not an empty signifier since it certainly has a history and a legacy that we should inherit. This legacy, however, is not the main reference point in political realm since democracy is presentable neither as a word nor as a thing. What allows us to think about democracy, use this concept and endlessly refer to it despite all its indiscernibility is, however, its futurity. Lacking a coherent meaning as well as an unequivocal history, democracy would always look towards a future, with an endless reference to a future in the form of a promise.

Yet, this future does not guarantee the coming, becoming or, in the end, a final presence

of democracy. Derrida in this regard differentiates ‘to-come’ from the future anterior: Whereas the *future anterior* denotes foreseeability, in a way an automaticity, an expectability of the future, *to-come* signifies the unforeseeable, unknown and unexpected aspect of future (Derrida, 2003, p. 97). That is, democracy to come does not point to a certain future of democracy or a future date when the rule of demos will reign eventually. Rather, democracy to come “must have the structure of a promise –and thus the memory of that which carries the future, the to-come, here and now” (Derrida, 2005, p. 86).

Derrida tries to approach democracy and democracy to come in a manner that is peculiar to negative theology; he focuses on what democracy is not instead of what it is. As this choice has a lot to do with his deconstruction of the philosophy of presence, democracy would always *be* “is not” instead of an “is.” For Derrida, this is neither an abstraction nor a negation but a necessity in any genuine discourse on democracy since the aporetic structure of democracy does not allow one to speak on it in the present. This aporetic structure is both the weakness and chance, both the critique and promise of democracy. Derrida lists some aporias that democracy suffers as follows: “force without force, incalculable singularity and calculable equality, commensurability and incommensurability, heteronomy and autonomy, indivisible sovereignty and divisible or shared sovereignty, an empty name, a despairing Messianicity or a Messianicity in

despair, and so on” (Derrida, 2005, p. 86). Even if democracy to come with all these aporias points to the unrealisability of democracy in the present, it is still the very source of the needed insistence on democratic demand. This insistence derives from the future as a possibility even though it is not guaranteed to take place.

Right at this point, Derrida warns the readers that democracy to come is not a regulative *Idea* in Kantian sense (Derrida, 2005, p. 90). It does not propose an ideal, prefigure a program or presume a prescription for democracy but designates the perfectibility and universalisability of democracy. Since Derrida does not rely on ethical or political values in their fixity, stability and persistence, and rather insists on ethico-political responsibility in the face of the event that is undecidable, unforeseeable and unappropriable, he claims that it is not possible to expect an automaticity, a mechanical reproduction from democracy (Derrida, 2005, p. 85). Instead, he calls for the continuous vigilance of the democrat since democracy’s call is always urgent and that call cannot be delayed or postponed with reference to futurity. The futurity of democracy to come, in this sense, does not entail a justification of undemocratic politics with an excusatory reference to future perfection. Rather, it presupposes an unconditional injunction, a singular urgency and a here and now “that does not await an indefinitely remote future assigned by some regulative *Idea*” (Derrida, 2005, p. 90). In this respect, democracy to come does not form a democratic ideal to be reached at some point in the future but

constitutes the very horizon of democracy as well as politics.

A democracy without democracy to come, without a certain force from the future, from the possibility of impossible is not only unthinkable but also not worth thinking, for even the possibility of a criticism of de facto democracies depends upon to-coming of democracy. Moreover, democracy to come determines the horizon of politics in general not only because the vast majority of nation-states claims to be democratic but also because of the coextension and coexistence of politics and democracy. For Derrida, what allows democratic realm to become constitutive of the political realm in general is “the in-determination and the "freedom," the "free play," of its concept” (Derrida, 2005, p. 28). Embracing its autoimmunity in the forms of self-critique and perfectibility, democracy is the only system that assumes “the right to criticize everything publicly, including the idea of democracy, its concept, its history, and its name” (Derrida, 2005, p. 86). This free play of democracy allows it to take different forms throughout the history and displays the potentiality and openness of democracy.

Democracy in this regard cannot be only the name of a “political regime” for it somehow transcends this definition by welcoming the possibility of being contested, criticised and hence, improved (Derrida, 2003, p. 121). This unique character of democracy makes Derrida uncertain about whether it is possible to separate the political and the democracy (Derrida, 2005, p. 44). What is certain, however, for Derrida, is that

there is something “ultrapolitical” about democracy and this is nothing but its “seeking its place only at the unstable and unlocatable border between law and justice” (Derrida, 2005, p. 39). That is to say, unlike other political regimes, democracy plays its game at the border between possibility and impossibility.

Derrida reminds that justice always remains impossible whereas law’s playground is the possible even if the latter always aims, or at claims to aim, the justice (Mansfield, 2011, p. 233). In this regard, by opening its law and itself to discussion and by continuously searching for an impossible perfection from the future, democracy is possibly impossible. Nevertheless, defining two regimes of the possible, Derrida distinguishes the democratic from the political in the sense that unlike the democratic, the political is possibly possible (Derrida, 2005, p. 46). In this regard, Derrida claims, “it is not certain that “democracy” is a political concept through and through” (Derrida, 2005, p. 39). There is something in democracy transcending the limits of the political and that is its particular relation with the impossible.

The concept of democracy to come is in this sense inseparable from democracy, for it is the very concept that designates its relationship with the possibly impossible. In this regard, Derrida says, “Democracy will never exist in the present; it is not presentable, and it is not a regulative idea in the Kantian sense. But there is the impossible, whose promise democracy inscribes –a promise that risks and must always risk being perverted

into a threat” (Derrida, 2003, p. 120). Democracy to come is what undertakes this impossible promise without any guarantee of realising it or immunity. Without this risk opening to the future, to the event and the other, neither democracy nor responsibility would be possible for Derrida. Within this deconstructive regime of possible-impossible, the possibility of a democracy that deserves this name, for Derrida, is its (possible) impossibility in the sense that this impossibility is not privative and does not designate an ultimate inaccessibility. Rather, it is real like the other, similar to the reality of the irreducible difference of the other. The impossible, in this sense, “is announced to me, sweeps down upon me, precedes me, and seizes me here now, in a nonvirtualizable way, in actuality and not potentiality” (Derrida, 2003, p. 134).

In the context of post-September 11, the impossible, that is “announced to us, sweep down upon us, precedes and seizes us,” is the possibly impossible thought of hospitality which is essential for any democracy in Derrida’s thought. Hospitality in this context both displays one of the foundational characteristics of democracy for Derrida exemplifies the way in which the impossible plays a role in the face of contemporary problems of our societies. Unlike tolerance that is conditional on a particular religious and theological origin, Derrida calls for a pure and unconditional (impossible) hospitality particularly after September 11 attacks (Derrida, 2003, pp. 128-9). Unconditional or pure hospitality opens itself or is open in advance to wholly other that



is irreducibly nonidentifiable and unforeseeable in its otherness. Whereas conditional hospitality, tolerance, only accepts the other under the condition that the other should follow our rules, our way of life or even our language, pure hospitality is open to the other without any condition even if it means risking its own life, integrity or comfort.

Such an unconditional hospitality is impossible in the sense that it cannot have a law or political status, but it is still necessary for any possible experience of hospitality. As observed in the relation between democracy and democracy to come, a conditional hospitality is not thinkable without the possibly impossibility of pure and unconditional hospitality. “Without this thought of pure hospitality (a thought that is also, in its own way, an experience), we would not even have the idea of the other, of the alterity of the other, that is, of someone who enters into our lives without having been invited. We would not even have the idea of love or of “living together (*vivre ensemble*)” with the other in a way that is not a part of some totality or “ensemble.”” (Derrida, 2003, p. 129)

In Derrida’s lexicon, then, the thought, and hence the experience of the impossible, are the conditions of the possible. In their very opposition, conditional hospitality and unconditional hospitality require each other: They are both heterogeneous and indissociable. “I cannot open the door, I cannot expose myself to the coming of the other and offer him or her anything whatsoever without making this hospitality effective, without, in some concrete way, giving something determinate. This

determination will thus have to re-inscribe the unconditional into certain conditions. Otherwise, it gives nothing” (Derrida, 2003, pp. 129-30). These sentences do not only explicate Derrida’s aporetic views about hospitality and tolerance but also points at the inevitable relation between heterogeneous regimes of the possible and the impossible.

Any political, juridical or ethical responsibility would take place on this transaction between these two regimes of possible and impossible. Since there is not any regulative idea or program preceding and determining this transaction, the transaction would be unique each time it takes place, just like an event. Thus, in this unique sense, democracy to come is the impossible of any possible, which allows it to criticise its law and itself endlessly in an autoimmune way with an unfulfillable promise of justice, hospitality, forgiveness and openness to the other. What is ultimately ‘undemocratic’ is, in this sense, to forget, give up or disregard the possible impossibility of democracy to come either due to a supposed guarantee, program or idea, or because of disappointment, failure or trauma.

Triggering and inciting an already existent autoimmune reaction in democracy, September 11 attacks inaugurated a period marked with undemocratic politics. Because the very openness of democracy was blamed for the shortcomings of security in the face of the terrorist threats, undemocratic practices took hold. These practices that vary from migration and refuge policies to border control and walling practices, implemented in

the name of security, unity or greatness of the nation. Particularly at this point where the other is excluded, exiled or not welcomed, Derrida reminds the promise of democracy: “On the horizon without horizon of this semantic disturbance or turbulence, the question of the democracy to come might take the following form, among others: what is "living together?" And especially "what is a like, a compeer [semblable]," "someone similar or semblable as a human being, a neighbour, a fellow citizen, a fellow creature, a fellow man," and so on? Or even: must one live together only with one's like, with someone semblable?" (Derrida, 2005, p. 11) These interminable questions regarding living together and coexistence with the other, for Derrida, are not limited to ethical realm but they are genuine questions about democracy and politics in the sense that democracy to come intersects the ethical and the political. In this way, democracy to come enables him to think on a democracy beyond the bond of citizenship, of nation or any other social bond including a supposed contract (Derrida, 2003, p. 120).

Last but not least, democracy to come, for Derrida, is a “militant political critique”, “a weapon aimed at the enemies of democracy”; the enemies nearby or far away, at home or some other place in the world. This critique beyond doubt includes the democracies, particularly at a time when they become more rogue than “rogue states.” And it applies to democracies particularly where they become “obscene alibis” for “the terrible plight of so many millions of human beings suffering from malnutrition, disease, and

humiliation, grossly deprived not only of bread and water but of equality or freedom, dispossessed of the rights of all, of everyone, of anyone” (Derrida, 2005, p. 86). Yet, the source of the democratic critique of democracies is not any established institution or practice, but it is the restless thinking of democracy to come in every aspect of life beyond geopolitical boundaries. This is why democracy always remains to be rediscovered, rethought and reinscribed again and again. It is an unfinished and unfinishable project.

### **4.4 Deconstruction of Sovereignty**

The needed and ongoing deconstruction of sovereignty can be seen as Derrida’s very contribution to the thought and promise of democracy. As illustrated above, the couple of democracy and sovereignty is both inseparable and incompatible in an aporetic way. For “the metaphysical concept at the heart of democracy is sovereignty,” it stands as both democracy’s chance and fragility (Cheah, 2009, p. 77). Indeed, among other characteristics of democracy, the ones mentioned above such as freedom (Derrida, 2005) and hospitality (Derrida, 2003) would require and presuppose a sovereignty, an *ipseity*, a self-identical and same with itself as well as the identity and the subjectivity, all of which are bound with the metaphysics of sovereignty. In this regard, it is possible to claim that the first step of the deconstruction of sovereignty is to reveal that it is not

merely a political concept but a metaphysical; one not only part and parcel of the sovereign but also, among others, of the self, reason, subject and God (Derrida, 2009). Therefore, in order to be able to deconstruct democratic sovereignty in its specific use or delimited meaning in the context of politics and democracy, it is firstly necessary to deal with the metaphysical and thus, generalised conception of sovereignty.

Wendy Brown in this regard claims that, well before its declaration, sovereignty's deconstruction had already begun in the earlier works of Derrida, in which the very characteristics attributed to the sovereign such as unity, indivisibility, self-sufficiency and decisiveness have been deconstructed (Brown, 2009, p. 114). With vast references to Aristotle, Thomas Hobbes, Jean-Jacques Rousseau, Machiavelli and Carl Schmitt, Derrida, in his lectures published under the title of *The Beast and the Sovereign* (2009), demonstrates that all the qualities of the sovereign are also the qualities of the subject, reason and the self. And the deconstruction of the latter has always been in the agenda since the first, presumably 'non-political', text *Of Grammatology* (1967). As Vincent B. Leitch puts, this generalisation of sovereignty is not because the concept of sovereignty pops up in unexpected areas but rather because it is a principle that continuously finds itself "in struggle of contending sovereignties" (Leitch, 2007, p. 236). In this sense, the effects of sovereignty are also the effects of the self, reason, subjectivity and identity: "the drawing and policing definite boundaries, the production of determinate identity,

the establishment of clear lines between insiders and outsiders, life and death, friend and enemy, familiar and foreigner.” (Brown, 2009, p. 114)

In this regard, the metaphysics of sovereignty has an ineffaceable mark on the self, reason, subjectivity and identity, which makes them in effect and effective. Hence, they reciprocally illuminate each other’s operation in metaphysics and ethics as well as in politics and democracy. Even if it is intertwined with the deconstruction of the self, reason, subjectivity and identity in this way, deconstruction of sovereignty does not overlook its ‘own’ realm, that is, the theory and practice of politics and democracy. If one looks for a description of political sovereignty in the narrower sense of the term in Derrida’s oeuvre, one sees repeated references to “monopoly on violence”, “death penalty,” “the right of the state”, “the right of the sovereign to punish by death”, (Derrida, 2002, p. 268) “controlling borders”, “excluding noncitizens”, “protection from outside threats”, (Derrida, 2003, p. 124) “a certain power to give, to make, but also to suspend the law”, “being-outside-the-law” (Derrida, 2009, pp. 34-5) and so on. In all these references, it can be said that Derrida’s deconstruction of sovereignty certainly targets what we call state sovereignty, sovereignty of the state, sovereign state or sovereign nation-state.

On the other hand, decoupling the understanding of sovereignty from that of nation state, Derrida also asserts that “it would be imprudent and hasty, in truth hardly

reasonable, to oppose unconditionally, that is, head-on, a sovereignty that is itself unconditional and indivisible. One cannot combat, head-on, all sovereignty, sovereignty in general without threatening at the same time, beyond the nation-state figure of sovereignty, the classical principles of freedom and self-determination” (Derrida, 2005, p. 158). What lies behind this reservation is Derrida’s argument that, as a “quasi-transcendental” concept, the phantasm of sovereignty does haunt both the *ipseity* and freedom of the self, the subject and the citizen, and the state with its laws and regulations as well as its crimes and terror. That is to say, it is not possible to attack or vanquish sovereignty directly without risking the very reasons behind the initial intention of the attack, that is, for Derrida, democracy. Deconstruction, on the other hand, is never a destructive attack or an attack at all. Just like autoimmunity, deconstruction is not an overall negative concept, it is not a destruction in the Heideggerean sense of the term since it also implies affirmation (Derrida, 2005, p. 173). Derrida’s response to the double bind of sovereignty is thus “a rational deconstruction that will endlessly question their limits and presuppositions, the interests and calculations that order their deployment, and their concepts –beginning with the concepts of law and of duty, and especially the concept of the human, the history of the concept of the human, of what is proper to humankind, to the human as *zoon logon ekhon* or *animal rationale*” (Derrida, 2005, p. 151). Therefore, the deconstruction of sovereignty would question and destabilise some other concepts such as human,

humanity, reason, animality and so on, alongside the sovereignty.

One of the effects of deconstruction is denaturalisation of the concepts, limits, laws, functions and calculations surrounding what is being deconstructed. This is why deconstruction of sovereignty displays the historicity and artificiality; it reveals construction of sovereignty and works against so-called self-evident and “natural” appropriations of sovereignty. In a conjuncture where sovereignty informs both the nation-state and international relations and gains a ‘universal’ currency that almost appears natural to political life, its deconstruction reveals how sovereignty is not natural in contrast to what its history suggests and shows how sovereignty is not stable despite its contemporary manifestations suggesting otherwise. If the contemporary manifestations associated with sovereignty are globalisation, destatification or deconstitution of nation-states and post-September 11 autoimmune reactions, the history of sovereignty, for Derrida, is always a history of theology, a political theology, an onto-theology or onto-tele-theology (Derrida, 2005, p. 87). Indeed, for Derrida, from Ancient Greeks to modern democracy, sovereignty has been inscribed by a tradition of political theology that connects ancient conceptualisations to contemporary ones. In *Rogues* (2005) and particularly in *The Beast and the Sovereign* (2009), Derrida focuses on a wide range of philosophers to display this filiation and affiliation.

For Derrida, Thomas Hobbes’s *Leviathan* (1651), which is considered as a master piece



that marks the birth of a modern, secular or non-theological understandings of state and politics, is particularly significant (Derrida, 2009, p. 53). What Derrida aims to show by citing Hobbes, however, is the artificiality and divineness sovereignty modelled in *Leviathan*: “Art goes yet further, imitating that Rationall and most excellent work of Nature, Man. For by art is created that great LEVIATHAN, called a COMMON-WEALTH or STATE which is but an Artificiall Man; though of greater stature and strength than the Naturall, for whose protection and defence it was intended” (Derrida, 2009, p. 27). Hobbes claims that Leviathan is in fact a human artefact in the logic of an imitation of the divine art: Whereas nature is the art of God in his creation and governance of the world, man is the most eminent creation of God. The art of man, in this regard, is unable to create a natural being even if it imitates the art of God. What he creates is an artificial animal that is called Leviathan. According to Derrida, by claiming that Leviathan is a creation of human art, Hobbes admits that sovereignty is artificial, unnatural, historical and thus, de-constructible.

Furthermore, Derrida goes on to suggest that Hobbes follows the age-old theological tradition by claiming that Leviathan is created as a result of imitation of the art of God. In a very similar manner, Derrida takes issue with Jean Bodin, who also relies on a divine model in which the sovereign is shaped on the basis of God’s image. In *Six Books of Republic* (1576), Bodin states that “For if Justice is the end of law, law of the

work of the prince, the prince the image of God; then by this reasoning, the law of the prince must be modelled on the law of God” (Derrida, 2009, p. 48). Just like Hobbes, Bodin asserts an image of a sovereign that is created by man imitating the art of God and defined by an unconditional unity and indivisibility.

Even more interestingly, Derrida detects the same theological lineage in Alexis de Tocqueville’s *Democracy in America* (1835) where he states that “The people reign over the American political world as God rules over the universe. It is the cause and the end of all things; everything rises out of it and it is absorbed back into it” (Derrida, 2005, p. 14). For Derrida, this sentence goes beyond the limits of rhetoric and reveals the theological origins of democracy. In this theological understanding, even if democracy is characterised by an institutional divisibility, there is a supreme sovereign, either in the name of God or ‘people’. Well before these modern thinkers, Homer, in *Iliad*, refers to Zeus who wins over his father Cronos and claims his sovereignty as the god of all kings. In *Rogues*, Derrida takes up this Homeric theogonic mythology and insists on its influence on Aristotle citing his words “no good thing is a multitude of lords; let there be one lord, one king” (Derrida, 2005, p. 16). This phrase, for Derrida, displays that the attributes of unity and indivisibility have been central to early politico-theological conceptions of sovereignty, and he finds that modern nation-state’s references to one nation, one state or one leader can be traced back to these early

conceptions.

Another line of thought that Derrida addresses in this Homeric tale is the articulation of Freudian parricide and the share of power by brothers. According to Derrida, this articulation designates the origins of fraternity and equality, and marks the filiation and affiliation between modern concepts of democratic sovereignty and ancient Greek mythology. More precisely, in the fraternalistic interpretation of democracy, an egalitarian contract is achieved by rival but equal brothers, and this “parricidal theogony” belongs to a long tradition of political theology that is “phallo-paterno-filio-fraterno-ipsocentric” (Derrida, 2009). This tradition of political theology, Derrida argues, has been revived and taken over by modern thinkers of sovereignty (Derrida, 2005, p. 17). In this regard, Derrida states that: “Today, the great question is indeed, everywhere, that of sovereignty. Omnipresent in our discourses and in our axioms, under its own name or another, literally or figuratively, this concept has a theological origin: the true sovereign is God. The concept of this authority or of this power was transferred to the monarch, said to have a “divine right.” Sovereignty was then delegated to the people, in the form of democracy, or to the nation, with the same theological attributes as those attributed to the king and to God.” (Derrida & Roudinescu, 2004, pp. 91-2)

These attributes of politico-theological tradition that is still in effect are purity,

unconditionality, indivisibility and unshareability that are all posited in an absolutist and purist manner striving for resisting time, space, language and the other (Naas, 2008, p. 127). What deconstruction aims to do is not only to denaturalise this fiction at the heart of politics and metaphysics, but also to reveal that sovereignty cannot and does not possibly resist time, space, language and the other. What is at issue in this regard is not an absolute sovereign, such as a king, God or people. Rather, the problematization is about the manifestations of sovereignty which assume that the sovereign can and should resist any share of power, any limitation on the duration of sovereignty, any discussion on its legitimacy or any openness towards *the other* of the community. This is why Derrida first and foremost refutes the claims to the purity of sovereignty: “But since this happens all the time, pure sovereignty does not exist; it is always in the process of positing itself by refuting itself, by denying or disavowing itself; it is always in the process of auto-immunizing itself, of betraying itself by betraying the democracy that nonetheless can never do without it” (Derrida, 2005, p. 101).

Michael Naas points out the aporia that even if sovereignty “in its essence without essence” is indivisible and unconditional, it has neither full control nor authority over the realms of time, space, language and the other (Naas, 2008, p. 127). And this is precisely the point where the autoimmune character of sovereignty manifests itself. Whenever sovereignty tries to expand its dominion in space, whenever it works for

maintaining itself over time, whenever it produces arguments against its enemies and whenever it encounters with the other, it undoes or autoimmunises itself (Naas, 2008, pp. 127-8). For Geoffrey Bennington, this aporia is nothing but the “stupidity” of sovereignty, which is particularly apparent in the relationship between the legislative power (the sovereign) and executive power (the government) (Bennington, 2009, p. 99). Bennington claims that execution is always already a usurpation of legislation and sovereignty. This is because, in its need of execution, sovereignty is not sovereign just from the beginning: Willing and desiring an execution, it is in need of a supplementation and this need contradicts with the claims of sovereignty. Sovereign is not sovereign at all if it cannot remain purely sovereign in its unity, self-sufficiency and indivisibility. Nevertheless, if it cannot execute, it would also mean that it is not sovereign. This aporia requires sovereignty to descend from the summit of sovereign heights and present itself to the usurpatory hands of an executive branch. In this manner, in the form of a government, the executive power would undo sovereignty in the very act of supplementing and supporting it (Bennington, 2009, p. 98).

All of these deconstructive moves uncover the aporetic claims of sovereignty which rely on some “essential” attributes such as unity, self-sufficiency, unconditionality and indivisibility. What deconstruction aims to display is that sovereignty is in fact subject to sharing, divisions and differentiation despite the abuses of power attempting to

conceal this fact. In this regard, Derrida invites to think about a form of sovereignty, particularly democratic sovereignty, in which power is shared, delegated and questioned. This contemplation, for him, is not a question “of sovereignty or nonsovereignty but that of the modalities of transfer and division of a sovereignty said to be indivisible –said and supposed to be indivisible but always divisible” (Derrida, 2009, p. 291). This is to think sovereignty without purity and indivisibility. Today’s political task, for Derrida, is to distinguish sovereignty from unconditionality since an unconditional renunciation of sovereignty is an a priori requirement for an openness towards the unconditionality of the event and unconditional coming of the other (Derrida, 2005, p. xiv). Yet, Derrida warns the readers against any relativism or a blind battle against sovereignty: Even though the purist or absolutist attributes are challenged inherently as well as by an ongoing deconstruction, none of the historical processes and critical interventions would or should mean the ultimate depreciation of sovereignty. This is because, according to Derrida, it is impossible to think of a law, a state or even a self or subject without sovereignty. Therefore, it is and will be at the heart of politics and democracy but possibly and hopefully in a more democratic and open way towards the event and the other. In this regard, the experience of democracy is also an experience of a divided, shared and challenged sovereignty. Even if the aporia of democracy and sovereignty would remain unsolved, democracy to come would continue articulating the promise of democracy against the pure and indivisible modalities of

sovereignty.

Demonstrating the politico-theological origins of sovereignty, deconstruction, thus, dethrones the sovereign from the sublime heights to do justice to all other living beings or more, all beings, including the animal but also the human. This is because the sovereign is always posited not only in relation to human (ordinary, non-sovereign citizen/subject of the community) but also to the beast (the animal excluded from the community). And it is this relationality that determines what is “proper to man” in addition to the purity and indivisibility of the sovereignty. As illustrated above, for Derrida, excluding itself from space, time, language and the other, the human sovereign operates through an attribution of God, that is, beyond history and meaning: “Be it Moses, Christ, the monarch king as Christian king or an assembly of men elected and instituted as sovereign, their place always stands for the place of God [*tient lieu de Dieu*]. The (human) sovereign takes place as place-taking [*lieu-tenant*], he takes place, the place standing in for the absolute sovereign: God” (Derrida, 2009, pp. 53-4).

This place-taking of the human sovereign also gives a proper place to non-sovereign human subject as well as to the beast. Even though human subject appears to stand in between God-like law-making sovereign and the unlawful beast in the first sight, Derrida shows that the trilateral relationality of this onto-theological analogy is much more complicated than it is usually thought to be. This is why Derrida would speak of

some other manifestations of this onto-theology such as the theo-zoology or the theo-antropo-zoology in order to express this trilateral relationality. For Derrida, this relationality has much to say about the artificial nature of sovereignty as well as about the permeable limits and boundaries between sovereignty, humanity and bestiality (Derrida, 2009).

In *The Beast and the Sovereign* Derrida starts his deconstruction of onto-theology by pointing out a significant common feature of the sovereign and the beast, that is, being-outside-the-law. Referring to Schmitt, Derrida suggests that sovereign's power to give, make and suspend the law makes it above and outside the law: The sovereign does not give account of itself but always remains silent; does not respond since it is situated at a distance to the law as the origin, guarantor and condition of it. Nevertheless, for Derrida, this feature of the sovereign is what makes it brutal and rogue to the extent that it, in fact, becomes bestial and beastly, which does not 'naturally' bound with the human law. For Derrida, these two different modes of being-outside-the-law have such a resemblance that "they call on each other and recall each other, from one to the other: there is between sovereign, criminal, and beast a sort of obscure and fascinating complicity, or even a worrying mutual attraction, a worrying familiarity, an *unheimlich*, uncanny, reciprocal haunting." (Derrida, 2009, p. 17).

In this regard, Derrida would not hesitate to state that the sovereign is the beast and the



beast is the sovereign. Moreover, focusing on the mythological and fabulous representations of the state, the prince and the sovereign in the works of Hobbes and Machiavelli, Derrida states that an artificial monstrosity of the animal is explicit in these descriptions of sovereignty. As articulated in Hobbes's nomenclature, *Leviathan*, even if the sovereign is at a distance from the human realm, it is still a human artefact that is bestial, or more clearly, monstrous. In this sense, for Derrida, sovereignty is like an artificial animal, a non-natural, machine-like animal or a prosthetic monster that is superior to the man and the beast, even if it bears the marks of humanity and bestiality. Either in the figure of man or in the figure of animal, this prosthetic machine mimes, imitates and reproduces the living being that originally produces it (Derrida, 2009, pp. 28-9).

## **4.5 In Lieu of Conclusion**

With his lengthy interview on September 11 (Derrida, 2003) and his subsequent book on *Rogues* (Derrida, 2005), Derrida presents a deconstruction of sovereignty that is also focused on its relation with democracy. This is why, within our research, Derrida takes an important place as the theoretician of the sovereignty and a contemporary critical voice who utilises his philosophy to interpret one single event, that is, September 11 and the following shifts surrounding the socio-political scene of the world. In his meticulous

work, Derrida follows a multi-dimensional road, all intertwined with each other but the intersection point of all this conversation is nothing but sovereignty. The most significant aspect of his conception of sovereignty is, however, its not being merely a political concept but a metaphysical one; not only part and parcel of the sovereign but also, among others, of the self, reason, subject and God. In this picture, we encounter with a generalised conception of sovereignty and Derrida's deconstruction tries to embrace an encompassing, metaphysical concept which is somewhat foundational for the self, reason and the subject. Nonetheless, within the limits of our research we tried to focus more on the political aspect of sovereignty in order to understand what happened to democracy after September 11 and why. If we can describe the theoreticians taken into account in this work as different voices, then Derrida is the voice of democracy.

Like many other voices, Derrida, too, enlists and criticises what happens in liberal democracies after September 11 but more than that he insists on paradoxes, aporias and problems of democracy, which lead democracies to fail in their responses to September 11. To Derrida, that insistence no doubt requires a deconstruction and his deconstruction focuses on the problematic couple of democracy and sovereignty. Even if we leave aside the period of post-September 11, the relation between the two is an aporetic, a paradoxical one for Derrida. The reason behind this is that like pharmakon

sovereignty is both a necessity and a poison for democracy. Like any other -cracy, democracy needs sovereignty to be realised but sovereignty's characters like being-outside-the-law, indivisibility, unity and so on are harmful for any democracy. Sovereignty's monopoly on violence, obsession in order and inevitable exclusionary character undermines democracy.

In this regard, democracy-to-come is a promising and hopeful concept and a theoretical thinking which enables democracy in spite of the risks and dangers sovereignty poses. It does not speak about an impossible task of eliminating sovereignty from the democracies but instead refers to a vigilance and unending perfectibility which are necessities for a working democracy. Derrida's both criticism and future prospects after September 11 presents us a horizon to foster co-existence in democracy. As a philosopher as well as a public intellectual, with his deconstruction of sovereignty he offers an ethico-political perspective on both national and international levels.

This is why he focuses on the idea of Europe as well as the European Union, and international institutions such as United Nations and international legal institutions like European Court of Human Rights. For Derrida, all these institutions must be empowered against the abuses of sovereign power of nation-states in domestic matters and against the roguishness of powerful states which sees in themselves to define which state is rogue. One can conclude that Derrida is more trustful to the existing institutions

than expected and even naïvely expectant from Europe and the international legal institutions. Nonetheless, to Derrida, this is what we have at hand for fostering any hope and he invites all deconstructionists from different disciplines to work for such a hope (Derrida, 2003). This is why deconstruction is not a negative act but also an affirmation in any case.

# 5 Life after September 11

The newly emerging mottos following the September 11 were “Nothing will be the same again”, and “Everything changed”. Even if determining what has changed and what has remained the same requires further elaboration, the attacks and the following war on terror altered the lives of the people living in the US as well as the people of global community. The shifts in question include not only the lives of the victims of the attacks or the lives of the ones who are believed to be on the side of the victims, but also the lives of the thousands who might seem unrelated with ‘the event’. But on top of all these, the lives of war on terror’s almost invisible victims have been directly affected

from the event.

This chapter inquires the 'life' at stake after September 11. It concerns the defined, regulated, affected life of the post-September 11 subject in the West and the invisible, unrecognised, bare life of the victims of the war. As much as 'life' is the very term that brings these separated groups of people together, it is also the word that divides them acutely. Apprehension, recognition and even the perception of life seem to depend upon a discriminatory distributive mechanism on a global scale. Moreover, as will be discussed more in detail, the biopolitical distinction between the life worth living and the life stripped of form and value keeps normatively dividing or implicitly defining humanity.

In this background, reflecting critically on the concept of life drawing on the works of thinkers whose oeuvre intersect bios and politics -*biopolitics*- proves vital. Among these thinkers, Giorgio Agamben, who contributed to discussions on biopolitics in the context of post-September 11 significantly, is perhaps the most prominent and provoking one. Exceeding the disciplinary limits of philosophy, his work has been immensely applied as well as criticised by scholars of social sciences and humanities. Even though he is not the first thinker who conceptualised the biopolitics and biopower, his contributions and criticisms provide a critical approach to the discussions revolving around September 11.

Agamben starts his probably most well-known book *Homo Sacer* (1998) with an

assertive argument and states that he is aiming at “correcting or at least, completing” the work of Michel Foucault, who first used the concepts of biopolitics and biopower in their current meanings in the first volume of *History of Sexuality* (1984). Both embracing and criticising Foucault’s legacy, Agamben’s starting point, as well as his main focus, is the politicisation of life; and his critical dialogue with Foucault both haunts and fosters Foucault’s thought. Agamben-Foucault distinction, in this sense, is a prolific one which allows one to reconsider the relationship between life and politics throughout the history.

In Agamben’s reading of Foucault, biopolitics is the politicisation of natural life of the subject and the latter’s inclusion in the mechanisms and calculations of the state power. The subject in this frame is considered as a species, as a simple living body in the political stratagem (Agamben, 1998, p. 3). Foucault’s conception of biopolitics, on the other hand, develops within a temporal approach, if not a historical narrative. According to Agamben’s interpretation of Foucault, Foucault considers biopower as a modern invention that uses novel techniques which were lacking in the preceding forms of sovereign power. Moreover, according to Agamben, biopolitics in Foucauldian sense somehow abrogates sovereign power and opens up a new epoch which necessitates a novel approach to any sort of power relation. What Agamben wants to “correct or at least complete” in this conception of biopolitics is the supposed temporalisation of and

opposition between these two modes of power, that is, biopower and sovereignty.

In contrast to Foucault, Agamben claims that the birth of biopolitics can be traced back to the very foundations of politics in Ancient Greece. Citing Aristotle, Agamben demonstrates that there are two distinct words in Ancient culture denoting 'life': *Zoe* and *bios*. While *zoe* refers to living common to all living beings, *bios* stands for the living proper to an individual or a group (Agamben, 1998, p. 1). The distinction between these two terms, for Agamben, is not coincidental but, on the contrary, foundational for the Western politics. More precisely, according to Agamben, exclusion of 'bare life' (*zoe*) from the political realm and prioritisation of *bios* in the polis is the foundational relation of life and politics. Agamben's objection to Foucault's claim regarding the modernity of biopower is significant not only for revealing his approach to Foucault's conceptual framework, but also for a further analysis of power throughout the history. While Foucault claims that the sovereign power to make die or let live historically precedes the biopolitics of modern age, Agamben's attempt amounts to say that biopolitics has always been at work together with sovereignty. In Agamben's thought, then, sovereignty and biopolitics cannot be two separate opposing models of power and therefore, the analyses of the two should not be separated in the occupation of political philosophy (Agamben, 1998, p. 6). Anne Caldwell names this combination, which allows Agamben to detect sovereign power at work both in the ancient and the



contemporary order, as “biosovereignty” (Caldwell, 2004).

In this regard, for Agamben, the juridico-institutional aspect of power, which is neglected in Foucault’s analysis as a result of the distinction and opposition he asserts between biopower and sovereignty, should be taken into account for a more thorough analysis of power. Associating the legal and institutional power with sovereignty, (Agamben’s) Foucault neglects the analysis of what might be called macro manifestations power. In this sense, Agamben attempts to find the hidden intersection point between the biopolitical and juridico-institutional models of power (Agamben, 1998, p. 6), and he demonstrates that this intersection point is the politicisation of ‘life’ in the Western politics. The figure of *homo sacer* in archaic Roman law is the illustration of this exceptional relation: *Homo sacer* is the one who can be killed without sanction but cannot be sacrificed. In this sense, it is excluded from the human and divine law in the form of a ‘bare life’. What is striking according to Agamben, however, is *homo sacer*’s inclusion in law by its very exclusion. The logic of exception, thus, works in a complex manner that Agamben calls “inclusive exclusion”. There lies the sovereign power who decides on the exception and the value and non-value of life. Within this logic, ‘bare life’ in its separatedness is included in politics and paradoxically constitutes the very foundation of it. In this way, bare life is deep inside the political system in the form of exception (Agamben, 1998, p. 11).

The contemporary in this sense is nothing but the intensification of this relation of exception where the sovereign power reigns. Regardless of living in happiness or misery, we all are *homines sacri* in the sense that our lives are captured by the sovereign power (Agamben, 1998, p. 84). For Agamben, our lives are defined by a dependence on sovereign exception, which shapes the nature of political belonging in the West. As citizen by birth, human life is captured by the law; law, not in the sense of the virtue of a contract or rights as various versions of liberalism would claim but in the sense of an exposure to the sovereign decision. The ‘normal’, everyday form of life, in which the relations of exception and sovereign decision are concealed, is not actually external to law, but rather “abandoned” by it. “Ban” in this framework is not simply a sanction but the characteristic of sovereign power in its relation of non-relationality. Agamben explicates the sovereign ban with reference to Aristotelean conception of potentiality and thus enlightens the paradoxical structure of sovereignty: Through its ability to not to be, potentiality maintains itself in relation to actuality (Agamben, 1998, p. 46). In this sense, “an act is sovereign when it realizes itself by simply taking away its own potentiality not to be, letting itself be, giving itself to itself” (Agamben, 1998, p. 46). As pure actuality and pure potentiality are indistinguishable, sovereignty dwells at this threshold of indistinction also bearing the mark of the relation of exceptionality. This shows not only how sovereign power operates in its seemingly ‘absence’ but also how the sovereign shares the logic of exception with *homo sacer*.

Within this logic, *homo sacer* and the sovereign are the two faces of the regime of exceptionality. Following Carl Schmitt, Agamben contends that for sovereign, who he decides on exception, all others are *homines sacri* while for *homo sacer* all others are sovereign. Like *homo sacer* is not outside the law but in a zone of indistinction between law and lawlessness, sovereign also acts in this limbo which renders the logic of current politics possible. In this regard, state of exception gains the qualification of a profoundly structural relation of politics. What is decisive in the social and political realm then is not the definition of norm or rule but the threshold between the law and lawlessness, which is constitutive of power relations. Therefore, sovereign exceptionalism is not a deviance from the ‘normal’ order of things but the very foundation of sovereignty. Like *homo sacer* who is placed in a liminal position between a qualified human life and death, sovereign dwells at the limit between order and chaos, state of nature and the society with a state (Agamben, 1998, p. 11). Indeed, for Agamben, state of nature is not a temporal concept preceding the state but is always already contained in the form of it. The liberal understanding of separation of law and life thus collapses in this zone of indistinction, where sovereignty dwells. As life is already included in the sphere of law by being abandoned by it, the distinction between private and public also becomes questionable (Agamben, 1998, p. 122).

‘Life’ after September 11 is an intensification of the regime of state of exception in

most of the areas of life from the application of biometrics at borders to everyday surveillance of public or even, private lives of subjects. Life in the state of exception means to live in-between the law and lawlessness in a total dependence on sovereign decision. To Agamben, reduced to 'bare life' rather than a citizen, the quasi-subject of state of exception is neither friend nor enemy of the state but a biopolitical unit that can be killed without committing homicide but cannot be sacrificed. In this indeterminate sphere of exception where the law is both suspended and in effect, the world becomes a camp. In such a world, the sacralised citizen equipped with rights turns into *homo sacer* and becomes naked in the face of sovereign power. Although it is always already there *in potentia* in modern democracies, the declaration or an undeclared application of state of exception uncovers the sovereign power in this age. September 11, 2001 in this sense is a critical date signalling this already unfolding process.

### **5.1 The camp as the nomos of the world**

Turning of exception into a rule in the post-September 11 politics is not simply a temporary anomaly or a contingent situation but a consequence of a more fundamental problem: The problem of sovereign exceptionality that lies in the very foundation of politics in the West. From the governments of the First World War period to the Weimar Republic, the modern uses of state of exception are not new phenomena

(Agamben, 2005, pp. 2-12). Yet, the intensification and the variation of the regimes of exception worldwide is remarkable in effect. Finding the origins of the uses of state of exception in the French Revolution, Agamben detects that the application of state of exception is not a remnant of absolutist states of the past but a legacy of democratic-revolutionary states (Agamben, 2005, p. 5). The transformation of mass democracies to totalitarian states after the First World War is not a sudden transformation but has biopolitical roots in itself. Democracy's difference, however, is that it does not abolish the sacred life but "shatters and disseminates it into every individual body" (Agamben, 1998, p. 121). In the sense that the word sacred appears in a paradox where it means both holy and taboo in Agamben's lexicon, the life in modern democracy is sacred: the object of the old regime becomes the subject of democracy and sacralised with rights proper to man. One of the duties of the political philosophy is, then, to reveal the biopolitical origins and sovereign currencies in modern democratic state.

No-man's-land of law and lawlessness, which only the sovereign could once penetrate, is the land of the physician and the scientist in modern democracies where democracy undertakes the care of the body of citizen-subject. In this manner, the life is sacralised whereas the sovereign reserves his right to decide on the value of the life of the subject. The understanding of sacredness of life as opposed to sovereign power in modernity is nothing but a concealment of sovereign effect: Agamben argues, life is subjected to "a

power over death” and it is also exposed to abandonment in that exceptional relation (Agamben, 1998, p. 83). ‘Sovereign subject’ in this sense is an oxymoron of the political vocabulary of the West. To illustrate this, Agamben focuses on the camp as a place of isolation where the distinctions between law and lawlessness, and even life and death blurs. In his thought, camp is not used as a mere analogy but it is the very space of living defined by indeterminacy and indistinction of political pairs such as *zoe* and *bios*, and bare life and political existence. For him, the camp is the “hidden matrix” and nomos of the political space in which we still live (Agamben, 1998, p. 166). In this sense, camp does not have to be a determinate space; any space can be a camp insofar as bare life is produced there.

It is no surprise that camps are the products of state of exception, not ordinary law. Camp is a space opened by normalising the state of exception as rule, and by turning a temporary suspension of law into a permanent situation. It is a particular spatial arrangement in which bare life is produced in state of exception: In the sense that its inhabitants are deprived of any political status and reduced to bare life, it is the absolute biopolitical space in which bare life confronts with the sovereign (Agamben, 1998, p. 171). Camp, in this regard, is the materialisation of state of exception where the existence or non-existence of law is meaningless in the face of life/death. Referring to Schmitt’s description of the nomos of the earth, Agamben states that camp is the place

where localisation without order (camp as a space) and order without localisation (state of exception) corresponds (Agamben, 1998, pp. 19-20).

In this sense, historically as well as theoretically, camp particularly emerges when the bare life can no longer be inscribed in the present juridico-political order of the state. In an exceptional logic, outside the camp is thus determined by the inside of the camp as the limit space. The existence of the camp as the place of biopolitical exception can be read as a spectacular message to the subjects outside the camp. Placed outside the law while being in a way legalised, camp is the incarnation of the regime of exception prevailing both inside and outside the camp. Although the 'life' inside the camp is not factually the same with outside the camp, for Agamben, the "biosovereign" exceptionality is the fundament of the both.

The 'life' inside the camp is the life of *homo sacer* in modern ages and *Muselmann* is the new name for *homo sacer* in the Nazi concentration camp. Focusing on the figure of *Muselmann*, Agamben gives us a picture of life inside the camp. What is most striking in his descriptions is perhaps the depiction of *Muselmann* as a walking corpse, a living dead. Under the influence of physical and psychological violence of the sovereign, *Muselmann* is literally reduced to bare life, to a 'biological unit' that should be got rid of in a very calculative and bureaucratic way. Although *Muselmann* carries on for survival, for the sake of maintaining his life, his is a 'life' descriptively close to 'death',

not only because of the dangers of living in the camp but also because he is already 'dead' in moral and political sense (Agamben, 1998, p. 185). In this regard, Agamben claims that in addition to other categorical pairs, the distinction between life and death disappears in the camp.

To further explicate the life in the camp, Diken and Laustsen utilise Heidegger's formulation of animal as the poor in the world and human as the rich in world-forming: Isolated in the camp, *Muselmann* is dispossessed of his world but just surrounded in an environment poor in the world (Diken & Laustsen, 2005, p. 27). *Muselmann* is world-less to the extent that his life is not that of human's but a bare life deprived of any political status. Paradoxically, however, Agamben states that no one is more political than *homo sacer* or *Muselmann* in the sense that his life is caught and captured in the sovereign ban in the most absolute way (Agamben, 1998, p. 184). As noted above, since everybody in the camp is sovereign for *Muselmann*, he is the one who sees the face of the sovereign in a very peculiar way. In this regard, *Muselmann's* 'life' in the camp is the ultimate political experience of sovereign power: death.

Nevertheless, no one mourns for the *Muselmann* nor he dies his own death: He dies not under the name given to himself in birth but he vanishes in the camp as a number. Diken and Laustsen state that the *Muselmann* is also deprived of the possibility of suicide for the self-killing requires a self which is already destroyed in the camp (Diken



& Laustsen, 2005, p. 28). The scope of dehumanisation in the camp reaches to a maximum when the difference between life and death loses its weight. Confronted with the mass production of corpses, death has long since lost its meaning and thus, becomes a frivolous non-event. Life in the camp thus is a life that cannot be thought without not only moral and political but also literal death.

In this regard, Agamben defines the camp not only as the ultimate space of exception but also as the *nomos* of the world in which we live (Agamben, 1998, p. 166). Independent of the crimes committed inside, we find ourselves in a regulation of camp when the state of exception is structured as a zone of distinction between bare life and juridical order. The question in this sense is to find out the very logic shared by the life in the camp and the 'normal', everyday life we maintain. "The camp is the new, hidden regulator of the inscription of life in the order – or, rather, the sign of the system's inability to function without being transformed into a lethal machine." (Agamben, 1998, p. 175) Thus, from the refugee camps to the infamous Camp Delta in Guantanamo Bay, post-September 11 is marked by a sovereign spatialisation through which the bare life is reproduced again and again.

Indeed, Camp Delta has become the very instance of sovereign exceptionalism and the subject of Agambenian criticism of law and order. Located outside the soil of the United States, Camp Delta is a US detention centre, a zone of indistinction hosting inhabitants

in the status of “illegal combatants” -a status newly created by the US government to define the members of Al-Qaeda and Taliban fighters. Deprived of the rights to which they are entitled both by domestic and international law, “illegal combatants” are neither criminals nor war criminals but are subjected to presidential decrees and sovereign decision of the military officials in the camp (Diken & Laustsen, 2005, p. 29)

“Illegal combatants” in the Camp Delta are reduced to bare life, living in small one-man cages for years without even a trial. With their orange clothes and the masks put in their face, their life became the symbol of dehumanisation of enemy in the war on terror. And the word “Guantanamo” became the name for the contemporary, post-September 11 camp where not only the rights of the citizen criminals are entitled to but also the transnational human rights are suspended. Moreover, Camp Delta is not the only detention centre of the US located outside its own territory: In 2005, Amnesty International reported that approximately 70,000 prisoners were held by the US in these spaces of exception (Neal, 2010, p. 123). Needless to say, most of these prisoner camps were proliferated after the war on terror and they are mostly located in the war zones such as Iraq and Afghanistan.

Among these prisoner camps, the most infamous is the Abu Ghraib prison located in Iraq. As a result of the circulation of photographs picturing the prisoners stripped, abused, and sexually humiliated in Abu Ghraib, a well-known fact became a scandal

and mediatised for a certain period of time, to be forgotten and left in the archives of American exceptionalism. Openly discussing the legitimacy of torture in the face of a terrorist threat, liberal and non-liberal opinion makers deemed Abu Ghraib incident as an excess, a mistake that should not be interpreted as the indicator of the US as a torturous country. For them, what was at stake was the image of the world's global power. Yet, what Abu Ghraib signified was in fact the regular dehumanisation of prisoners in a system of exception, that is, Abu Ghraib was indeed a camp. Moreover, one can say that not only Abu Ghraib but also Iraq is a camp and one can possibly extend this definition to other territories governed by the so-called rogue or failed states. Indeed, represented with a kind of state of nature in the mainstream way of thinking, these territories which are not captured by the global map-machine are like no-man's-lands. They constitute the negative image of the law and order believed to belong to the Western world and they are considered to be un-governed by chaos, awaiting the forces of civilisation for 'salvation'. As the geo-political and bio-political converge into each other, Middle East itself becomes the very place of exception. The efforts to territorialise and de-territorialise the lands of chaos which produce terror and disseminate it to the lands of order are thus righteous as well as some excess in the lands of chaos understandable.

Nevertheless, the logic of camp does not only reign in so-called rogue or failed states, or

territories outside the homeland of Western states. Two weeks after the terrorist attacks striking London Underground, a suspect named Jean Charles de Menezes was shot to dead by an anti-terror police unit located in the Underground (Siddique, 2016). In the following days, the police forces expressed their apologies to the murdered suspect's family for the unfortunate mistake: Menezes was not a terrorist but a Brazilian electrician wrongly wearing heavy clothes in the warm weather of London. Turned into *homo sacer* in the face of police's sovereign decision of life worthy/unworthy of living, Menezes have been killed without committing homicide. The London Underground in its everyday normality thus became a temporary space of exception after the terrorist attacks. This is the lethal machine Agamben mentions, which granted the police force the authority to decide on life/death only in a moment, and opened a space of exception that renders the application of sovereign power in that moment (Minca, 2006, p. 387).

Existing *in potentia* at the very centre of our everyday lives, sovereign power continuously creates spaces of exception. From gated communities to holiday camps and from refugee camps to detention centres, the logic of camp is always at work in the spatialisation of the world. As power both suppresses and liberates, there are negative and positive types of camps where denizens are reduced to bare life voluntarily or involuntarily. Exemplifying different versions of camps of the contemporary, Diken and Laustsen thus show how the logic of camp works from Ibiza's clubber camps to

Guantanamo and from London Underground to Iraq (Diken & Laustsen, 2005). It is this nomos that creates a zone of indistinction cutting through every subject, regardless of the dwelling place: Since biopolitics dwells in the very body of the subject itself, bare life is not limited to a particular space or a group of people but it has been disseminated into the world as a whole. In this sense, camp is everywhere, and everywhere is camp. This is not to equate every single place in terms of biopolitical status but to claim that the nomos of the world is camp. Nomos in this sense does not refer to law but to a principle of ordering behind the law, a precondition for law (Diken & Laustsen, 2005, p. 40). For Schmitt, originally referring to land appropriation, nomos is the spatialisation linking localisation with order, and it refers to the common rules of the partition of the earth. Agamben, and Diken and Laustsen following Agamben, in this sense, link the nomos with the production of subjects and reach the camp (Diken & Laustsen, 2005, p. 18). In the sense that outside the camp reflects the inside of it, the camp becomes the “nomos of modernity” that continuously creates zones of indistinction from airports to shopping malls. For that reason, from Nazi concentration camps to Guantanamo, camp is not a historical anomaly but “the hidden matrix and nomos of the political space in which we are still living.” (Agamben, 1998, p. 166)

## 5.2 Life of the Refugee

As the city turns into a camp, an “urban jungle” where the logic of exception reigns, biopolitics starts targeting not only the body of the *homo sacer* but the population as a whole. The aim of biopolitics is to secure the health of the nation in many respects ranging from reproduction to aging, and from obesity to epidemics. It addresses not only the excluded and the marginalised but every single subject. Utilising a whole range of technologies and scientific knowledge, it aggregates the society according to age, health, mortality and so on, and captures every aspect of life (Diken & Laustsen, 2005, pp. 43-4). In this sense, biopolitics considers and targets man not as an individual being but as a species. As the camp becomes the nomos of the world, there is no escape from the biopolitical power even for a single body.

What is scandalous for both philosophy and politics is, however, the status of the refugee (Dillon, 1998). Denaturalised, displaced and stripped of rights, refugee destabilises any ontological meaning of being human and becomes the very object of biopolitics. Refugees also reveal the limits of the human rights regime as Hannah Arendt, who demonstrated the failure of human rights in their encounter with the refugee, underlines (Agamben, 1998, p. 126). Indeed, Agamben points the ambiguity between the meanings of human and citizen in the French Declaration of the Rights of Man and Citizen (Agamben, 1998, pp. 126-7): Are ‘man’ and ‘citizen’ two autonomous

beings, or do they constitute a unity in which man is included in citizen? This is indeed the core of the scandal: Refugee is the one who is reduced to bare life and loses his humanity when stripped of his citizenship.

For Agamben, this overlapping of the definitions of humanity and citizenship is nothing but the foundation of nation-state sovereignty. Pointing out the etymological origin of nation, “nascere”, “to be born”, Agamben claims the link between birth and nation is the basis of political community as nation. In this sense, citizens are inscribed in the biopolitical order by birth and through this inscription biological life acquires political qualities attainable by citizen subjects. The fiction of nation-state thus allows the citizen subject to become sovereign. In this regard, two fictions complement each other, that is, the citizen as well as the nation is sovereign in the form of nation-state. Nevertheless, the refugee destabilises this inseparable couple linked by birth. Though he is once a citizen with rights, he comes to the lands of the others as a life “stripped of form and value,” that is, as bare life.

It is no surprising that the societies founded on the basis of birth-nation faces a thorough crisis in the face of refugee: Is refugee a human being with rights, or a potential criminal penetrating the body of the nation? Whatever the responses of different segments of society are, the very place of the refugee is the camp, that is, the non-place of bare life. Scandalously exposing the fiction of nation-birth, the status of the refugee remains hard

to decide for host countries and the refugees are most likely seen as the source of unwanted risks for the society. Those supposed risks may vary from spreading diseases to destroying nation's ways of life, but what is common in these securitisation arguments is the biopolitical exceptionalism lying at the bottom. In this biopolitical narrative, the nation is pictured as a pure and united body whereas the refugee risks to contaminate it.

Biopolitics in this sense is what associates the discourses of migration crisis revolving around the refugees and the narrative of final solution in the Nazi regime. Agamben quotes Otmar von Verschuer, a Nazi physician and geneticist to clarify his argument: "The National Socialist revolution wishes to appeal to forces that want to exclude factors of biological degeneration and to maintain the people's hereditary health. It thus aims to fortify the health of the people as a whole and to eliminate influences that harm the biological growth of the nation" (Agamben, 1998, p. 147). This explicitly biopolitical line of thought in a book called *Racial Hygiene as Science and State Function* (1936) belongs to the man who recommended the "sterilisation" of the nation from "mentally and morally subnormal". Here, Agamben claims that the extermination of Jews can only be understood only through this line of thought in which "the police and politics, eugenic motives and ideological motives, the care of health and the fight against the enemy become absolutely indistinguishable" (Agamben, 1998, p. 147). In



*Homo Sacer*, he highlights that racism cannot be thought without reference to biopolitics which discriminates the authentic life and the life without a political value in nation-state form (Agamben, 1998, p. 132). Thus, he finds any effort to link politics and life just instrumentally as an insufficient approach to racism and offers a more profound criticism of nation-state form. In biopolitical sense, racist regimes perform the sovereign power over life/death exactly by differentiating the life worth and unworthy of living. Categorising the people accordingly, racism presents some forms of life as a threat to the pure and united body of the race. Racist state in this sense is in a constant state of war not against another state but against the other forms of life threatening the population's biological purity. In this regard, enemy is not a political being but a biopolitical threat to be eliminated by the state.

As the forms of life biopolitically considered as a threat to the well-being of the nation, refugee presents a risk to the unity and purity of the population. Therefore, the very place of the refugee should be the camp which is usually located outside the urban area and closed with fences which aim preventing contact with the local community. Already deprived of political rights of citizenship, refugee is both included and excluded, and his life in the camp is strictly regulated. He is socially a 'zombie' deprived of both social and political rights but subject to severe restrictions. All this is because he is no longer under the guardianship of a nation-state and not native to the country he is now

inhabiting. Breaking the continuity between human and citizen, and nativity and nationality, the figure of refugee reflects the crisis of modern nation-state sovereignty.

Referring to the proliferation of refugees and stateless persons after the end of the First World War, Agamben notes that the separation of rights of man and of citizenship becomes more and more apparent since then (Agamben, 1998, p. 132). Eventually evolving into the contemporary conception of human rights, rights of man supposedly present a shield of protection against the state sovereignty. However, in the face of refugee it becomes evident that human rights share the same biopolitical foundation with sovereignty, that is, the distinction of bare life and political existence. In this regard, sacralisation of human life in the form of human rights cannot be thought without its supposed counterpart, that is, state sovereignty. Therefore, the separation of humanitarian field from politics only seems to be a division of labour in dealing with bare life: Humanitarian aid helps and supports the refugee who is deprived of his rights by state sovereignty.

Leaving the refugee's bare life to the 'mercy' of humanitarian aid and police action with an inclusive exclusion, biopolitical sovereignty tackles the problem of migration both in terms of security and humanitarian crisis. Since the contradictory couple of security and humanitarianism reigns the discourses about the refugee, it is hard to decide if the refugee's life is the most sacred and should be protected, or conversely, it presents a

fundamental risk for the society. In both cases, refugee is trapped in a biopolitical inclusion/exclusion and abandoned by the law to a space of exception where he is exposed to extra-legal measures and procedures. Through the double move of sacralisation and securitisation, the problem of migration, refuge or asylum becomes depoliticised although it is the very body of refugee where exactly the biopolitical sovereignty operates.

Enclosing the topic to further discussion and even forbidding to imagine any other alternative, the politics of transpolitical biopolitics is thus the continuous production of bare life and dealing with it. Indeed, what is concealed in this transpolitics sacralising human life is the continuous production and securitisation of bare life. Risking to bring into question the link between birth and nation, the problem of the refugee is the exact domain of bio-politics whereas it is suppressed by both fears and 'rights' and becomes depoliticised. It is interesting to note that human rights do not only complement the biopolitical paradigm in this act of depoliticisation but it also paves the way for the inscription of life within state power (Agamben, 1998, p. 121). Therefore, the Agambenian problem in politics is not about equipping bare life with some rights but it is the very paradigm that suspends any person's legal and political status, reducing him to bare life. The life of the refugee in this sense is an instantiation of *homo sacer* in our contemporary world and an ongoing scandal for the nation-state sovereignty.

### 5.3 Government of Life

Agamben's thought, which almost prophetically foresaw contemporary manifestations of sovereign power, securitisation and state of exception before September 11, has been found highly suitable by many researchers pursuing further analysis post-9/11. Even though it has been immensely applied to various types of research within the fields of humanities and social sciences, Agamben's project of *Homo Sacer* is also criticised with hyperbolicism, pessimism and over-generalisation of particular concepts (i.e., state of exception) and distinctions (Prozorov, 2014). These criticisms come from scholars of various disciplines including legal and political sciences as well as ancient Greek and Roman history and political philosophy. Most notably in this context, Foucauldian critics of Agamben expectedly insist on "the Foucault in Agamben" and argue that Agamben's claim to correct and complete Foucault's understanding of biopolitics is at least unnecessary, if not totally wrong. For them, what Agamben seeks in the Western legal, political and philosophical history is already there in Foucault's work.

According to this line of thought, Foucault's distinction between sovereignty and biopower is not essentially a temporal but conceptual one; therefore, Agamben's correction of Foucault in terms of sovereignty's presence in modern times is unnecessary. Noting the fact that Foucault does not claim that sovereignty has disappeared after the birth of biopolitics, those critics state that sovereign modes of

domination can co-exist with biopolitics for Foucault. It is noteworthy that the debate here is not just about the affirmation or negation of a certain periodisation in Foucault's work but about a more general understanding of power and domination as well as the analysis of both history and the contemporary.

Agamben, in this regard, is accused of elevating the concept of sovereignty to an almost timeless status and prioritising it over biopolitics and governmentality. By leaving the path of Foucault with this move, Agamben's thought revolving around bare life and sovereignty betrays the 'original' Foucauldian line and misses the micro manifestations of power focusing on a mythicized power of state sovereignty. These accusations of disciples of Foucault might have found more audience if post-September 11 reassertion of state sovereignty, securitisation and exceptionalism did not take place. Yet, the conditions of this period gave Agamben's voice a significant volume as well as some empirical evidence, which critics claimed to be missing in his work.

Among these critics, Judith Butler's viewpoint is particularly remarkable for not only she pursues a critique of Agamben in dialogue with his works but also for she offers a new approach to sovereign power utilising the works of Foucault in the post-September 11 period. Even though Butler emphasises the fact that sovereignty and biopolitics can co-exist according to Foucault, she differs from other Foucauldians by declaring that Foucault's work does not explain the anachronistic resurrection of sovereignty in the

wake of post-September 11 (Butler, 2004, p. 54). Particularly at this point, her theory begins to develop in a direction through which Butler attempts to explicate and analyse the co-existence of sovereign power and governmentality. It is no coincidence that Butler prefers the concept of governmentality instead of biopolitics in the Foucauldian vocabulary: This preference allows her to maintain a Foucauldian line while also insisting on the reassertion of sovereignty.

As noted earlier, Agamben differentiates his thought from Foucault's by pointing out a neglected dimension in his work: judicial-institutional aspect of power. With this move, Agamben's project immensely focuses on law whereas Foucault, according to Agamben, dismisses the law as the manifestation of old sovereignty in favour of novel micro techniques of governmentality. Nevertheless, Butler finds another way to approach this question and suggests that the law becomes a tactic of governmentality in the post-September 11 anachronistic resurrection of sovereignty. Explaining the co-existence of sovereignty and governmentality in this way, Butler offers a perspective embracing both judicial-institutional and governmental aspects of power. This requires Butler to speak about a type of sovereign power, which complements governmentality: spectral sovereignty (Butler, 2004, pp. 52-3). That sovereignty has a spectral dimension in the sense that it awakes from a sleep this time with a new façade: Whereas Foucault's sovereignty is delimited with a unified locus for state power and a source of legitimacy

for state, the new sovereignty is characterised by the suspension of rule of law and a prerogative power commissioned to administrative bureaucracy and executive branches of government (Butler, 2004, pp. 54-5). The spectral sovereignty, in this regard, differentiates from the traditional version of sovereignty which demands an absolute obedience to law, and manifests in convergence with governmentality. In spite of a more abstract conception of sovereignty, Butler suggests that “petit sovereigns” are at work in the capillaries of state power and thus governmentality becomes a precondition for such an anachronistic resurgence of sovereignty (Butler, 2004, p. 65).

Butler’s approach to sovereignty is manifested through her efforts to deal with the concept of indefinite detention in the case of Camp Delta, Guantanamo. The extra-legal situation faced by the detainees in Camp Delta is thus explanatory: As discussed earlier, the decisions of detention in Camp Delta are not subject to a trial but depend upon the evaluations of officials to the extent that they decide on who will be sent to trial and who will be detained indefinitely or not. Butler points out that this is a new exercise of state sovereignty in which administrative bureaucrats absorb the “adjudicative prerogative from the judicial branch” (Butler, 2004, p. 71).

These “petit sovereigns” are at the same time the exact agents of governmentality in the sense that they combine the performance of the sovereign with strategies and tactics of governmentality. In this regard, Butler claims that the new war prison is the place where

the new configuration of state power manifests itself in a double existence: Governmentality as the management of populations on the one hand, and the exercise of sovereignty with suspension and limitation of law on the other. Within this new interpretation explaining the co-existence of sovereignty and governmentality, Butler contends that Foucault was in fact right in his emphasis on governmentality as the primary exercise of power in modern times (Butler, 2004, p. 52). Therefore, it is necessary to posit governmentality as the precondition for the revival of this new sovereignty. Even if it does not originate from a single source of power or a unified sovereign by definition, sovereign power now re-emerges in the context of governmentality.

Operated through strategies and tactics, and aimed at whole population to produce and reproduce subjects and their practices and beliefs, governmentality dispose and order populations in accordance with specific policy aims (Butler, 2004, p. 52). As Foucault suggested earlier than the present manifestations of indefinite detention, law may become a tactic and currently it is so in its suspension (Butler, 2004, p. 54). Allowing the operation of sovereign power in the context of governmentality, the suspension of rule of law does not only create an extra-legal domain in war prison but also allocates the prerogative power to executive and managerial officials.

Thus, functioning like a sovereign with detailed regulations but without recourse to any



source of legitimacy, these officials rely on their own judgements with reference to the sublimated concept of security. Accountable to no law and without any legitimacy, they sovereignly decide on the fate of the detainees on the basis of questioning whether they pose a danger for the country. This discretionary power is only possible with the resurrection of sovereignty in a so-called emergency situation reducing the law into a sheer instrument in the context of governmentality. In this regard, neither identified with sovereignty nor limited with governmentality but conditioned by both, state allocates more and more sovereign power to the administrative and executive bureaucracy to gain control over society. To remind once again, this sovereignty is not the old sovereignty of a unified power under the conditions of legitimacy but a lawless and “rogue” power ghostly reigning within the site of governmentality. It is a tactic ultimately aiming its effectivity and an instrument of power to monitor, control and regulate the everyday lives of the population (Butler, 2004, p. 97).

Butler exemplifies the use of this tactic with reference to post-September 11 racial profiling in detention of thousands of Arab residents and Arab-American citizens as well as the harassment of numerous people at the borders (Butler, 2004, p. 76). Similar to Agamben, Butler at this point states that these individuals are not counted as subjects and humans, and the exercise of sovereign power is not limited with the indefinite detention in Camp Delta. Rather, through governmentality it operates within the

capillaries of the society normalising and naturalising the exception of indefinite detention. In this regard, indefinite detention serves “a broader tactic to neutralise the law in the name of security” (Butler, 2004, p. 67).

Yet, one of her most significant contributions to the discussion of contemporary manifestations of power is her explanation about the delegation of sovereign power to state officials, thus the conceptualisation of petit sovereigns in the case of security bureaucracy. By the suspension or trumping of the law, the new sovereignty causes the creation and the use of unaccountable subjects who are, knowingly or not, invested with a discretionary power (Butler, 2004, p. 71). More precisely, it is the rule of law that produces the sovereignty in its very suspension as an effect: The rule of law is not suspended by a single source of sovereignty but conversely, it is created through the suspension of law. Following the delegation of this exceptional power, petit sovereigns decide on the basis of their unaccountability and act as sovereign in their self-grounding and unconditioned decisions. Even though their acts are conditioned, their decisions are unconditional in the sense that “they are final, not subject to review, and not subject to appeal” (Butler, 2004, pp. 65-6).

The conceptualisation of the petit sovereign has thus the quality of being a key for the explanation of the convergence between sovereignty and governmentality: Petit sovereigns are like the bodies into which spectral sovereignty is incarnated as the

apparatuses of governmentality. Butler remarks that that reanimation of sovereignty in the midst of governmentality did appear particularly at a point where the loss of sovereignty is at stake through governmentality. Stating that this loss is compensated with an aggressive nostalgia, she expresses her position laconically: “the historical time that we thought was past turns out to structure the contemporary field with a persistence that gives the lie to history as chronology” (Butler, 2004, p. 54).

## 5.4 Precarious Life

Butler’s contribution to the discussions of micro/macro manifestations of power in her post-September 11 accounts is not limited with the mentioned approach to sovereignty and governmentality but also fosters a new dimension based on the human condition of vulnerability. In *Precarious Life: The Powers of Mourning and Violence* (2004) and *Frames of War: When is Life Grievable?* (2009), pursuing both a socio-ontological and ethico-political investigation, she comes to describe precariousness and precarity as the two significant concepts for the analysis of the contemporary. Considering the violent responses to the attacks of September 11 as a missing political opportunity to define the United States “as part of the global community”, Butler points out the necessity of apprehending the human interdependency and vulnerability in relation to violence (Butler, 2004, pp. xi-xii). Referring to the disappointment of the First World’s

privileged self-imagination and the collapse of the fantasy of being an inviolable and invulnerable unity in relation to September 11 attacks, the missed political opportunity is thus marked with the transformation of the grief in the face of loss into a vengeance against an indefinite enemy (Butler, 2004, p. xi). In this manner, a so-called initial violence produces a greater violence and there is no lesson for anyone to take in this cycle. Butler, however, is interested in how the experience of mourning might open up new possibilities for rethinking the politics with a new normative aspiration. It is by this way possible for her to achieve a political action less aggressive and more ethical (Butler, 2004, p. 26).

For Butler, grief and mourning are forms of dispossession and show how we are dependent on each other: Referring to Sigmund Freud, Butler states that in losing someone we experience that something in the “I” is also missing with the other. By this dispossession, the “I” is also transformed revealing the subject’s dependence on the other for its sense of self (Butler, 2004, p. 22). This is, for Butler, not just a relationality that should only be taken into account historically and descriptively but a normative condition that should shape our social and political lives. In this regard, violence is nothing but the exploitation of this primary tie between the self and the other: For each of us is constituted politically by virtue of social vulnerability, our bodies as sites of physical vulnerability are exposed to others and at risk of violence by this exposure.

This condition, for Butler, emerges with the life itself and it is unrecoverable in the sense that it even precedes the formation of an “I”. Just from the start of *Precarious Life*, Butler finds this condition of vulnerability unarguable but invites her readers to reflect upon the socio-political conditions under which some certain lives are more vulnerable than others (Butler, 2004, p. 30). This is a particularly significant point not only because it involves an implicit criticism of Agamben’s *Homo Sacer*, which does not deal with the unequal distribution of dehumanisation, but it also opens up a new dimension for the social and political research of the precariousness and precarity.

Pointing that some deaths are grievable whereas the others remain non-grievable (hence some lives are liveable and others non-liveable) Butler stresses the relationship between the normative frame circumscribing some lives more grievable than others and the unequal distribution of human vulnerability across the globe (Butler, 2004, p. xii). Simply put, Butler suggests that human lives are maintained and supported differently: Whereas some lives are highly protected reaching necessary support more easily and rapidly, others are not even considered worth living and thus, their loss is not worth public grieving. In this regard, public grieving highlights both the underlying condition of precariousness that is common to all and its unequal distribution among the subjects. We all lose but this does not mean that we all can publicly grieve: Butler mentions a Palestinian citizen of the United States, who submitted to the *San Francisco Chronicle*

obituaries for two Palestinian families who had been killed by Israeli troops and got rejected with the excuse that “the newspaper did not wish to offend anyone” (Butler, 2004, p. 35). She particularly urges to think about the context in which an obituary can become an offense. Here, in this example, it is important here to note the normative frame which likely affects some imaginary people who are supposed to feel offended by the other’s public grief. This context, to be sure, is not limited to the Israel-Palestine conflict but can historically be expanded to Antigone, the people died of HIV+ or famine as well as to thousands of victims of war on terror.

In terms of vulnerability and grievability of others, war creates a more violent normative framework that is in the service of military aims. *Frames of War* (2009) deals with this particular condition in the context of September 11 and reveals how the war machine dehumanises the supposed enemy and disregards their loss and injury. In fact, it is possible to claim that war itself is the work of maximising the precariousness of the enemy with the supposed aim of minimising the precariousness of “our” people. The question against the discourses of war is that why the minimisation of our precariousness requires the maximisation of other’s (Butler, 2009, pp. 2-3). The discourses of war, however, build such strict necessities and oppositions at the expense of the more precarious lower classes of the very society which is supposedly defended against an enemy. Under these conditions, Butler indicates that the lives which are not

regarded as grievable are the ones that are much more exposed to violence, starvation and death in the wartimes as well as in the peace (Butler, 2009, p. 25).

This leads her to conceptualise precarity and discern it from precariousness: While precariousness is an ontological condition unarguable for and common to all, precarity designates the differentially distributed precariousness induced by social and political conditions. In this regard, bearing the higher risks of illness, poverty and exposure to violence, some populations are deprived of the support of established social and economic networks that are ubiquitous for other segments of the society (Butler, 2009, pp. 25-6). This inequality of precariousness is structured and maintained in the society through a normative ontology, various epistemological frameworks and the suppression of an ethical and political responsibility towards the other.

Butler explains all these conditions by looking into the cultural investments of military power in the post-September 11. She first of all offers that it is impossible to separate the material reality of war from some “representational regimes” through which war is justified. These regimes are only made possible by certain epistemological frames that strikingly disable “us” to apprehend certain deaths and lives. Focusing on not only the pain but also the ‘appearance’ of others, Butler points out that these frames are politically saturated operations of power effective to an extent that they delimit the “sphere of appearance” if not condition it unilaterally (Butler, 2009, pp. 1-2). The

disappearance of certain lives and deaths, and the unrepresentability of them in the public sphere is thus an effect of certain epistemological frames. These epistemological frames, however, work with a normative ontology insisting on the “being” of life and of body without recourse to social and political aspects. In this regard, it is possible to formulate that an apolitical normative ontology leads to certain epistemological frames and these frames produce the ethico-political problem of guarding the other against violence or injury (Butler, 2009, p. 3).

Positing such a relation between ontology and epistemology of the precarious, Butler arrives at an ethical and political critique as well as an invitation to resistance to such frames. Yet, this is not an easy task since frames of war condition even the affects and the affective responsiveness, which, in Butler’s account, precedes interpretation and cognitive process (Butler, 2009, p. 71). Asking how it is possible to be disinterested to the pain, loss or injury of someone while genuinely grieving and mourning for others, Butler points out the regimes of power producing subjectivity on the level of affect. Resonating the anthropologist Talal Asad’s question on the diverging responses to violence of state and non-state actors in *On Suicide Bombing* (2007), Butler reiterates how suicide bombers create a revulsion and outrage in Western public whereas state-directed and legitimised violence is responded with disinterest and unconcern. Butler, reminding the distinction between the categories of grievable/nongrievable, underlines



that war sustains itself by “deadening affect in response to certain images and sounds, and enlivening affective responses to others” (Butler, 2009, p. 52).

Displacing the conception of an autonomous and sovereign subject and defining the subject with vulnerability and dependence on the others, Butler posits that affects are never merely our own but always communicated from elsewhere, socially and politically regulated (Butler, 2009, p. 41). In the wartimes, however, the regulatory power not only intervenes the affective responses that would cause potential protests, but also targets the production of a subjectivity compatible with normative frames. Outrage, horror and grief thus gain a particular attention while the more fundamental regulation is about the responsiveness and non-responsiveness of the subject. This selective responsiveness towards the violence or loss of the other is the outcome of the operation of normative frames registering some lives as more life than others.

Indeed, for Butler, the conception of humanity paradoxically divides human populations into humans and non-humans and becomes a coercive norm regulating our affective and moral response (Butler, 2009, p. 76). Always double in the sense of producing the non-human within the definition of human, humanity constitutes a relationality with the other: The other’s life is either livable and grievable or conversely, unsuitable for any response and responsibility in the face of violence. This dehumanising effect of humanity is also related to the concepts of democratisation, civilisation or

modernisation, all of which set a target for the dehumanised others while the Western subject is already considered to be democratic, civilised and modern. In this regard, Butler asserts, whereas humanity is attained for some humans beforehand some others have to struggle for it lifelong (Butler, 2009, p. 76). In the context of such a taken for granted humanity against supposed non-humanity, affective responses are experienced with an immediacy in the sense that they are seen as part of the “humanity” of the self.

This supposed immediacy or spontaneity, however, is not the sign of nativity or naturalness of the affect but the indication of the fact that affection is a field of regulation that is always already at work through the continuous construction of humanity. Even if this does not mean that affection is predetermined in an absolute sense, it is to be acknowledged that affect is always under the influence of some forces other than one’s self. Affects, like the life and the body of the subject, are the outcomes of those forces which enable one to feel a genuine horror in the face of some violence and a disinterested acceptance towards others. Asad’s question, in this sense, cannot be avoided with reference to the unreason or the inevitable lack of critical judgement in affection but should be extended to the criticism of frames of war through which affects and moral responses are regulated.

For Butler, this is in fact a question of media in the most general sense (Butler, 2009, p. 51): The infamous “embedded journalism” in the war of Iraq and the responses to the

photographs of torture and abuse in Abu Ghraib prison are two different but close examples in post-September 11 as efforts to delimit and reframe the image in accordance with the aims of war. In relationship to media representation of Abu Gharib, Butler mentions that some “conservative television pundits” openly claimed that it would be “un-American” to publicise the Abu Ghraib images and invited all the other media to censor the photographs for the sake of nation’s worldwide image (Butler, 2009, p. 41). Embedded journalism, however, was a much more concerted effort to limit the power of image and ultimately regulate the visual field through the submission of media power into the hands of governmental and military bureaucracy (Butler, 2009, p. 64).

These efforts concentrated on the media and image ultimately serve for the greater aim of regulating affects. Photos of Abu Ghraib, for instance, were found not only un-American but also risky for the outrage it may cause: The image as well as the self-image of American-ness was at stake in dissemination of these photos and indeed, they influenced the public opinion against the war in Iraq after they are publicised. Embedded journalism, on the other hand, was particularly invented to prevent such accidents in the visual field and to acquire the moral support needed for military aims and operations. Indeed, the reporters in question “travelled only on certain transports, looked only at certain scenes, and relayed home images and narratives of only certain

kinds of action” (Butler, 2009, p. 64). By these means, the state makes a considerable investment on the field of perception in order to control affect.

What is important to note here is the fact that not only the content but also the perspective, the angle, is under the control of state authorities who are interested in regulating the visual mode of participation in the war. Controlling the perspective and the frame is something more than simply delimiting the narration; it amounts to predetermine the interpretation by intervening into the field of perception. Deciding on what will and will not be seen, these frames thus lead one to perceive the world in a way that certain dimensions are left out within the frame. Even though any sort of frame would necessitate exclusion, in embedded journalism a sort of reality that is specifically tailored for military aims is created and circulated as if what is left outside the frame do not simply exist. The question about framing, in this sense, cannot possibly be about a full inclusion or exclusion but should focus on learning how to critically see in not seeing (Butler, 2009, p. 99). Even though not seeing is always the condition of seeing, Butler urges her readers to at least recognise the forcible frames that conduct the dehumanising norm putting constraints on not only what is seen but also what is felt.

In this regard, Butler’s occupation with the photographic image is part of her theory of affect seeking the conditions for a sensate understanding of war as well as a sensate opposition to it. Insisting that “affect is not only structured by interpretation but

structures interpretation as well”, Butler’s call to struggle against the forces regulating the affect aspires to deregulate the frames of war and encounter the precariousness of the other’s life (Butler, 2009, p. 72). As she considers this encounter as the very basic condition for the minimisation of precariousness in an egalitarian way, she calls for an ethical response and responsibility towards the other. In this regard, it is necessary to focus and expand the critique of state violence both in its forms of war and other legalised versions in order to minimise the precariousness of the subject. Even if the source of precariousness is not only and always politics, the task of minimisation of the precariousness as well as the distribution of it in more egalitarian ways remain deeply political.

What is common in both Agamben’s and Butler’s responses to post-September 11 period is the reawakening of sovereignty or sovereign power in the face of September 11 attacks. Even if they follow different paths based on their diverging readings of Foucault and other philosophers, both emphasise that the state of exception and the suspension of the rule of law reinvigorate sovereignty. The regulation of perception, affection and hence subjectivity as well as the dehumanisation processes against the other are thus common points in their criticisms. What makes them invaluable in their differing approaches is, however, their relentless and meticulous effort to address the preliminary question posed at the start: What has changed in the defined, regulated,

affected lives of the post-September 11 subject in the West and the invisible, unrecognised and bare lives of the victims of war?

## 5.5 In Lieu of Conclusion

Agamben and Butler's diversified readings of Foucault become an important parting of the ways for the ethical and political tasks ascribed in their theory. Whereas Agamben focuses on the legal and institutional aspects of power in line with his criticism of Foucault, Butler chooses to follow Foucault in his insistence on governmentality but with a revision of his conceptualisation in the context of post-September 11. For Agamben, unlike Foucault, we cannot periodise sovereign and biopower since both of them have a longer history than Foucault thinks. Butler, however, agrees with Foucault in that our age is primarily an age of governmentality even if sovereign power is at work after the September 11 attacks.

It seems that Agamben and Butler discussion basically knots around the periodisation problem in Foucault's modes of power. This problem is nothing but about a poor and rich reading of Foucault's works. It is not reasonable to expect from Foucault to make a fixed type of periodisation between sovereign, disciplinary and governmental powers because first of all these are less periods than modalities of power. Even if there is an inevitable historicity and continuity between those powers, there is no reason to state

that these are historical blocks without any transition. As seen in the Collège de France lectures and particularly in *Security, Territory, Population* (1977-8), Foucault clearly underlines that those modes of power can co-exist and work together. As with sovereign power in the age of governmentality, he states: “I am not saying that sovereignty ceased to play a role when the art of government becomes a political science. Rather, I would say that the problem of sovereignty was never more sharply posed than at this moment, precisely because it was no longer a question, as in the sixteenth and seventeenth centuries, of how to deduce an art of government from theories of sovereignty, but rather, given the existence and deployment of an art of government, what juridical form, what institutional form, and what legal basis could be given to the sovereignty typical of a state” (Foucault, 2007, p. 106).

In this sense, for Foucault, sovereignty is never an outdated mode of power eliminated with the emergence of a new one. On the contrary, he states, it is much more acute than ever. Thus, older models of government do not leave the political scene forever but instead constitute new alliances with the novel technologies of power. Butler’s reading thus follows a Foucauldian line through which she explains the power relations of post-September 11. Diken and Laustsen, too, in this context, write about a triangle composed of sovereignty, discipline and governmentality (Diken & Laustsen, 2005, pp. 59-60). Moreover, they invite us to reflect on another dispositif at work in our age: Terror, for

them, unlike discipline and control, functions with fear related to insecurity and uncertainty, and immobilises the subject and the flow (Diken & Laustsen, 2005, p. 58). What is significant, however, is their emphasis on the fact that discipline, control and terror co-exist, containing elements of one another within themselves.

Life after September 11 is, then, regulated, disciplined and governed by all these powers at the same time. Camp Delta, as a case, can be an example of how these characteristically different modes of power are all at work in a certain specific geography: What is at stake here is the disciplinary confinement administered with a governmental reason by petit sovereigns. Even though it seems difficult to distinguish these different modes of power, it is theoretically possible to consider all of them separately without eliminating or isolating one.



# 6 Sovereign Power and Post- September 11

Michel Foucault's analysis of the modes of deployment and the ways of execution of power throughout the history have been unfold the earliest in *Discipline and Punish* (1975), and *History of Sexuality: Volume I, The Will to Knowledge* (1976) as well as in the Collège de France courses *Security, Territory & Population* (1977-78). In this latter, Foucault explains three models of power: sovereignty, discipline, and governmentality, which are defined by different historical epochs, nonetheless, do not exclude or annihilate each other: "First, the state of justice, born in a feudal type of territoriality

and broadly corresponding to a society of customary and written law, with a whole interplay of commitments and litigations; second, the administrative state that corresponds to a society of regulations and disciplines; and finally, a state of government that is no longer essentially defined by its territoriality, by the surface occupied, but by a mass: the mass of the population, with its volume, its density, and, for sure, the territory it covers, but which is, in a way, only one of its components. This state of government, which essentially bears on the population and calls upon and employs economic knowledge as an instrument, would correspond to a society controlled by apparatuses of security (Foucault, 2007, p. 110).”

### **6.1 The Foucauldian Triangle**

The sovereign power basically reigns over its territory by taking lives or letting live (Foucault, 2007, p. 135). The people, as well as the territory they populate, belongs to the sovereign because by taking lives of the adversaries, it is the sovereign who keeps its people alive. The lives of the people are the gifts of the sovereign, which defines their belonging to a community by the same means. Inhabitants of the conquered lands either let live becoming the sovereign’s subjects or get killed. The word of the sovereign is law, and the life is allowed within the limits of the sovereign’s word/law. The sovereign is the law and law the sovereign; a violation of law is a direct challenge to the

sovereign's authority. This is the level of direct presence of the sovereign, pure identification of the utterance and the law. "Power in this instance was essentially a right of seizure: of things, time, bodies, and ultimately the life itself: it culminated in the privilege to seize hold of life, in order to suppress it." (Foucault, 2007, p. 136)

The sovereign, being the one and only exception of his reign, is transcendent to the system situated above and beyond the limit of this territory. He is the condition of possibility as well as the execution by not being determined by it. The sovereign lets his people live, and in return they are obliged to keep the sovereign safe in all terms. The well-being of all is dependent on all the obedient people subjected to the sovereign's will, on the sovereign's well-being. Individuals are disposable in keeping the sovereign safe, for the sovereign is the only power that could keep the majority safe. And yet, at this stage, it is not to keep indirectly the people itself safe, it is solely for the welfare of the sovereign for he is the possessor of it all by not being determined by the people under his reign.

The analogy here is with that of a family, and the sovereign/father as the giver and taker of the life as the possessor (Foucault, 1978, p. 135). In cases which the sovereign is contested, threatened or his authority is challenged, he holds the right to wage a war since his reasons are legitimate to determine his subjects life in jeopardy in his defence (Foucault, 1978, p. 135). The obedience is the form of subjects' existence as they are

the extension of the sovereign who is the sole judge and his subjects are like the limbs attached to it. Therefore, the form of the sovereign state is prohibition, and the people are allowed to maintain their lives within the limits of these prohibitions. The sovereign's right is a form of deduction, in the sense of holding a part of all possession.

Along with the historical development, the manifestation of powers is transformed but the sovereign power does not disappear, rather continues to manifest implicitly. The first transformation Foucault mentions averts the focus from the territory to the individuals, from the possession to the regulation. The disciplinary power is the defining character of administrative state which is centrifugal force concentrating the normativity within the centre of the life itself; it organises and regulates the livings as the allowances which are commands and orders. It does not prohibit but determines what and how to do through shaping the norms, which is setting a deterministic model with a desired outcome, and the form of obedience then takes the form of conforming the norms.

The juridical state having the sovereign power as the basis of its functioning, certain behaviours were prohibited because they challenge or harm the authority of the sovereign, whose protection is the ultimate goal. Nevertheless, in the disciplinary state, almost virtually, each and every single action populating the life has to conform the norms for the lives of the citizens are no longer at stake explicitly. As mentioned above,

at this level, the sovereign power and the law does not disappear or is dissolved into new ways. The disciplinary power makes use of the juridical dispositions along with the disciplinary ones but in accordance with the goals and strategies specific to the disciplinary state (Foucault, 2007, p. 106).

Governmentality is the result of modern institutionalisation marked by policies and procedures, calculations and predictions, targeting the populations with tactical management of the masses. The political economy is its greatest source of knowledge and the security technologies are the means, it is essentially exercised over the masses of population (Foucault, 2007, p. 109). These security technologies have the disposition to grow and extend to cover larger areas letting people act in it. It takes the reality as its direct object, the things and events instead of directly addressing to the people themselves; however, does not exclude the territory that is essential for the sovereign's regnum and consider all the elements of exchange and interaction from the political to the economical in this web.

The governmentality model directly works on the reality, actualisation frequencies of happenings in order to predict and regulate in a responsive way. "In other words, the law prohibits, discipline prescribes, and the essential function of security, without prohibiting or prescribing, but possibly making use of some instruments of prescription and prohibition, is to respond to a reality in such a way that this response cancels out the

reality to which it responds—nullifies it, or limits, checks, or regulates it. I think this regulation within the element of reality is fundamental in apparatuses of security (Foucault, 2007, pp. 46-7).”

This framework offers to a certain degree a liberty as its condition of functioning as it exerts power in indirect or symbolic ways and necessitates what Foucault calls “subjectivation”. The freedom it requires for the subject of the experiences shaped by the intervention of governing dispositions to freely dislocate, act and behave in certain ways is possible because of the security. It is therefore not an absolute, but rather a conditioned and framed by its very condition of possibility. This is achieved by the government of the space of possible actions and attitudes, the frame of possibility in which subjects actively and wilfully participate in. This is the process formulated by Foucault towards the 1970’s as “conduire la conduite de...”, that is, to govern the compartments by means of governing the possible realities to have attitudes towards, which is made possible by the dialectic between the larger scale governance of the realities and the micro scale framings of possible actions and attitude by discursive methods.

Simply put, subjectivation is the appropriation of certain values and norms by the individuals dictated by the dominant rationality. It is of high importance to state that this is actualised by the participation to the space of freedom offered and encouraged

through the formation of experiences and encouraging for their adoption (Foucault, 2007, p. 353). Foucault's notion of experience is a historical formation by dual system of knowledge and normative powers which is rendered a ready-to-govern experience. When they relate to this experience appropriating the system of values presented by the power of knowledge, individuals become the subject of this experience objectifying them in their subjectivities. From this point on, the regulation is divided into subject's own self-regulation in accordance with the regulated and governed experience. In this manipulative fashion, it is differentiated from the coercive deployment of sovereign power exercised through the law or the prescription of commanding disciplinary power.

In this regard, Foucault summarises the spatial dimensions of these three modes of powers as such: "Baldly, at first sight and somewhat schematically, we could say that sovereignty is exercised within the borders of a territory, discipline is exercised on the bodies of individuals, and security is exercised over a whole population" (Foucault, 2007, p. 11). Leaving the further examination of relations between those powers to the next part of this chapter, we can suffice to cite Foucault once again: "So we should not see things as the replacement of a society of sovereignty by a society of discipline, and then of a society of discipline by a society, say, of government. In fact we have a triangle: sovereignty, discipline, and governmental management, which has population as its main target and apparatuses of security as its essential mechanism (Foucault,

2007, pp. 107-8).”

## 6.2 Relations Between the Modes of Powers

How do these three modes of power, that is, sovereign, disciplinary and governmental power relate to each other? This question is at the heart of the previously mentioned Agamben and Butler discussion, and we have already some clues about the nature of this relationship. In the Foucauldian framework, however, it is needed to be addressed in particular for the decisive nature of historicity/temporality of the modes of power in general. Yet, there is enough evidence in *Security, Territory & Population* (1977-78) clarifying that these three modes of power are not mutually exclusive, historically annihilating each other or requiring the previous ones to in order to occur. Particularly, when it comes to sovereign power, Foucault seems to feel a need to explicate that sovereign power is not a dead, historical phenomenon but still at work. Even if he does not deal with sovereign power at length except in *Society Must Be Defended* (1975-1976), he specifically insists on the presence of sovereignty in contemporary affairs.

Before the Collège de France lectures, most of the interpreters tended to read that sovereignty only seems to function as an explanatory concept in contrast with disciplinary and governmental powers. Thus, “cutting off the King’s head” would basically mean forgetting macro-power relations in favour of micro ones and so law,



state, prohibition, domination and so on have no place in Foucault's lexicon. Nevertheless, the view encountered in Collège de France lectures, particularly *Security, Territory & Population* presents the sovereign power not as relevant in contemporary but also "more acute than ever." Foucault clearly states: "[...] there is not a sort of break between the level of micro-power and the level of macro-power, and that talking about one [does not] exclude talking about the other. In actual fact, an analysis in terms of micro-powers comes back without any difficulty to the analysis of problems like those of government and the state (Foucault, 2007, p. 358)."

Negating the claim that the three forms of power, i.e. sovereignty, disciplinary and governmentality, are mutually exclusive modes entails negating the framework in which the sovereign power is a force totally distinct and causally (therefore, historically) prior to all other deployments of power. The relationship between the sovereign power in origins and the later expressions is not a causal relationship; although the sovereign power can be argued to be a sort of enabler of all the others. Not being causal, it is rather genealogical similar to the relationship of the seed to the tree. Nonetheless, there is no clear restriction to cancel out the possibility of governmentality becoming a tool for the sovereign power. Sovereign power then becomes a force having the other powers as its subjects, not the individual bodies or masses.

It acts upon the forces to keep itself alive determining the governmental power as letting

live or taking lives. In this sort of approach, the sovereign power is not a mode of power like others, i.e. disciplinary or governmental, but hierarchically superior to them in the sense that it precedes them historically, therefore still present through others as it is preserved. It would not be, however, legitimate to argue that all other powers are subjugated to the sovereign power since this view would fall under the refuted category of mutual exclusiveness of these three modes of power. Optimistically, one could argue that the transformation involves adaptation to changes in a given period of time and the life is rarely about letting live and taking life in the modern era compared to the everyday challenge and survival on the daily bases in the earlier ages with countless constant threats to life.

From the seventeenth century on, a certain web of connections, policies and customs along with the analysable methods gave rise to a certain rationality according to which public intelligibility could take form. Statistics and data sciences as one the most effective tools of governmentality, have become the tools to form the reality of the state, which defines the border of rationality. The history of governmental reason is what allows Foucault to build his narrative of the creation of the modern state. The modern state functions through the governmentality and its border building via the use of binary logic to define the inclusion and exclusion to a certain sphere, i.e., state, political, private, public, right and rational (Foucault, 2007, p. 109). “We live in the era of a

governmentality discovered in the eighteenth century. Governmentalization of the state is a particularly contorted phenomenon, since if the problems of governmentality and the techniques of government have really become the only political stake and the only real space of political struggle and contestation, the governmentalisation of the state has nonetheless been what has allowed the state to survive. And it is likely that if the state is what it is today, it is precisely thanks to this governmentality that is at the same time both external and internal to the state, since it is the tactics of government that allow the continual definition of what should or should not fall within the state's domain, what is public and what private, what is and is not within the state's competence, and so on. So, if you like, the survival and limits of the state should be understood on the basis of the general tactics of governmentality (Foucault, 2007, p. 109)."

### **6.3 Sovereign Power and Post-September 11**

Earlier than War on Terror in the frame of his counterterrorism Presidential Decision Directives in 1995 (no. 39) and May 1998 (no. 62) Bill Clinton stated that terrorism was a national security problem, not just a law enforcement issue. As a result, the authority of the National Security Council was reinforced within and outside the country in accordance with the interior and foreign counterterrorism program. Clinton's directives reinstating terrorism as a national security problem rather than a legislative one declared

that necessary precautions and measures to battle terrorism cannot be taken within the domain of legislation, but it requires another rationale, a set of action, determination and execution. In the *Will to Knowledge* (1976), Foucault describes the transition from “war to defend the sovereign to war to defend the nation”: “Wars are no longer waged in the name of a sovereign who must be defended; they are waged on behalf of the existence of everyone; entire populations are mobilised for the purpose of wholesale slaughter in the name of life necessity: massacres have become vital (Foucault, 1978, p. 137).”

The apparatus or dispositif of security in Foucault’s understanding is a creation of a sort of plane of possibilities that is bounded with a spectrum of allowances where any opposition is to be calculated in terms of costs and expenses. The apparatus of security has a certain flexibility permitting it to grow in ways and means, and in terms of connectivity it enlarges itself as the core plane of possibilities which organises everything in or in relation to it. In contrast with the discipline as the principle conditioning all occurrences; the security, on the other hand, functions in tuned with the by-products, collateral events, rarities and crises which cannot be evaluated in their absolute sense, but always by the role they play within the current system of security. The individuals do not confront the natural unfolding of the events as they are but always together with the responsive organisation of the security (Foucault, 2007, pp. 46-7).

After the attacks, responses were largely irrelevant or impotent to fight the terrorism in real terms addressing the agents responsible for the attacks; rather justifying the Iraq invasion becoming part of the 'fighting the evil' discourse. Once the State's very own existence, values of America and the American life with its values, such as freedom, as it is clearly stated by president Bush's announcement after the attacks stating the danger, the foundation of the extreme state of war has emerged. The justification of the invasion of Afghanistan as well as Iraq, however dubious, represents the play of forces remaining within the state of governmentality. Highly controversial the USA PATRIOT Act which is an acronym of Providing Appropriate Tools to Restrict, Intercept and Obstruct Terrorism Act passed in October 25, 2001, is an example of extreme security precautions by legislative means.

The authorisation of indefinite detentions of immigrants, law enforcements related to searches of private properties without pre-announcement or consent, and unrestricted authority to the Federal Bureau of Investigation to collect and store personal and professional data. The law equips the state forces with extreme authority to collect data and to use it in accordance with "to deter and punish terrorist acts" within and outside of the country, "and for other purposes". This legislative reinforcement reflects the extreme security measures, the extensive use of data collection and surveillance methods in fighting against the threat to sovereignty.

As a matter of fact, the vastness of the terrorist threats covering the responsible of the attacks as Al-Qaeda in Afghanistan reaching out to Iraq possibly under the category of hosting countries, although lacking evidence, announced to be treated equally is a clear manifestation of sovereign power. The war in Iraq is not only a matter of death outside of the American territories; it is also a command of death for young American patriots recruited actively from the economically disadvantaged regions. The United States Department of Defence casualty website announced in 2016 4.424 deaths and 31.952 soldiers wounded in action. As a prolongation of president Bush's rhetoric of "evil/the worst of human nature", a war is declared with the Axis of Evil comprised countries acting for terrorist purposes, sponsoring terrorism and holding 'weapons of mass destruction', namely, Iran, Iraq and North Korea in January 2002 and later with those added by the former undersecretary of State John Bolton "beyond the Axis of Evil" comprising Cuba, Libya and Syria in May 2002. Later, the legitimacy of these countries holding or progressing in developing mass destruction weapons were highly contested and came in view to "rely heavily on analytic assumptions and judgment rather than hard evidence" according to the United States declassified intelligence report of September 2002 on Iraq's weapons of mass destruction program; and has never been proven.

Later then-president Barack Obama declared the end of the War on Terror on May 2013

announcing the shift of focus rather towards “a specific group of networks determined to destroy the United States” (Shinkman, 2013). With repetition to the former president Bush’s September 11 speech, the United States was self-proclaimed as the “defender of freedom and all that is good and just in our world” against the “evil of humanity”. It is the very rhetoric that put thousands of lives at stake and command to kill for unjustified reasons of the State. Therefore, not only that the lives of the young American patriots as well as civilians in the invaded regions were at stake, but also the morality of those commanded to kill as a result of norm determining power of the state.

The re-emergence of white supremacy or alt-right movement as a form of neo-fascism dating back to early 2010s gathered public attention in the August 2017 ‘Unite the Right’ Rally in Charlottesville, Virginia. Although being devoid of a clear manifesto or an open political agenda, the alt-right has been known as an anti-egalitarian view in favour of white race supremacy therefore dominance over the others. The most importantly, it is defined as a result of the historical transformation after 17<sup>th</sup> century from the sovereign state to the administrative state with its focus on society; Foucault remarks in *Society Must be Defended* genealogically the defence of sovereign precedes giving birth to the defence of a population marked by identity gives birth to the notion of state racism. (Foucault, 2003) “[A] battle that has to be waged not between races, but by a race that is portrayed as the one true race, the race that holds power and is entitled

to define the norm, and against those who deviate from that norm, against those who pose a threat to the biological heritage (Foucault, 2003, p. 60).” Foucault continues his definition of the state racism as: “a racism that society will direct against itself, against its own elements and its own products [...] the internal racism of permanent purification, and it will become one of the basic dimensions of social normalisation.”

It is differentiated from the sovereign power by its positive nature, to foster life in opposition with the repressive and negative nature of sovereign power that is in effect taking life in a juridical form. Foucault defines the biopower as the second form of transformation of the sovereign power alternative to the disciplinary power: “The second, formed somewhat later, focused on the species body, the body imbued with the mechanics of life and serving as the basis of the biological processes: propagation, births and mortality, the level of health, life expectancy and longevity, with all the conditions that can cause these to vary. Their supervision was affected through an entire series of interventions and regulatory controls: a biopolitics of the population (Foucault, 1978, p. 139).”

The general discourse was not that the aim is to protect and defend the lives of American citizens; but a more abstract notion of American lifestyle, freedom and “all that is good and just in our world”. Nonetheless, there was a reference to “the great nation of America” which is a notion exceeding the individuals, and the operation held



rather at the expense of individuals. On the ground of victimisation of American citizens as a result of September 11 attacks, goodness, justice, righteousness of every act be it invasion, killing or dominance was justified towards the enemies or those harbouring them.

The war is not meant to be won; it was meant to be continuous. It is waged by the ruling group against its own subjects and its object is not the victory over either Eurasia or East Asia, but to keep the very structure of the 'world' intact. The worldwide exceptional status of the United States, in defence of its values within the planet with the self-ascription of the defender of all justice and good, and as a result mobilising thousands of troops of many countries based on analytic results instead of solid proof, is a process which requires a juridical-sovereign power which in its defence holds the right to let live and take life. "In the post-9/11 world, threats are defined more by the fault lines within societies than by the territorial boundaries between them. From terrorism to global disease or environmental degradation, the challenges have become transnational rather than international. [...] In this same sense, the American homeland is the planet (USA government 9/11 report, Chapter 12, Defining the Threat)."

When the American homeland is planet, the war is not for the sovereign, even not for the nation but for the humanity. This encompassing definition of the homeland is not simply imperialistic but the symptom of the special place of the US in the international

constellation. In any case, it shows how anti-terroristic measures disseminate from a centre, that is, the attacked, the victim of all victims, the gendarmerie and financial, economic centre of the world order. But, in what sense post-September 11 era needs for the notion of sovereign power to get into the play to conceive and to explain the power structure and its deployment?

The main answer is to be sure is the triangle as explained by Foucault: Since all three modes of power can co-exist, sovereign power can play a role in an era predominantly experienced through governmentality. The second point is that how much analytical the definitions and descriptions of those modes of power are they are intertwined in each other both conceptually and practically. Yet, these two points of course only sign a possibility not an actuality that takes place. Indeed, all of which taken into account as regression in liberal democracy, as archaic in terms of governance, repressive and chauvinistic can be most probably the sign of sovereign power in the contemporary. The reappearance of sovereign power beneath the governmentality manifest in three axes: the exclusivity or transcendence, unquestionable commands of the *raison d'état*, and finally, the expansion of territory with the wide notion of terrorist threats. In this regard, sovereign power is never dead or non-existent but for many reasons, in post-September 11 it becomes a significant deployment of power in terms of use and abuse of law with anti-terror measures, states of exception, immigration and surveillance regulations and

so on. Hence the sovereign power with its traditional prohibition, censoring, restriction and domination mechanism becomes a mode of power goes hand in hand with governmentality.

Nevertheless, this relation between sovereign and governmental powers should be clarified even if Foucault left this job to Foucauldians. One of them, Andrew McNeal thereby claims, “sovereignty should not simply be understood as an outmoded, centred institution of power but as a political concept that holds a rich history of contestation, colonization, innovation, and radical transformation (Neal, 2010).” To be sure, Neal’s comments are based not only on Agamben’s *Homo Sacer* but on Foucault’s *Society Must Be Defended* and he is right in his criticism of Agamben who claims to complete or correct Foucault. In light of the Collège de France lectures of Foucault, Agamben’s intervention seems not only unnecessary but also unproductive in its insistence in sovereignty as an ahistorical, almost metaphysical concept and over-generalisation of state of exception.

That is, question is not a revival, rebirth or reawakening or sovereignty but sovereign power’s tactical and/or strategical use in a time of governmentality. It is also a fact that clear cut separating sovereign and disciplinary/governmental powers and imprisoning sovereign power to the monarchical history also result as depoliticising social relations through statistics, calculation and security. Nevertheless, all these and *raison d’état* are

## Sovereign Power After September 11

nothing but in the service of political sovereignty. In this regard, repressive legal-discursive sovereign power and productive, more positive, calculative power of governmentality work together. Both these powers cannot be reduced to each other but also cannot be thought without the other. Post-September 11 reveals this fact more clearly than ever.

# 7 Conclusion

## 7.1 Post-Post-September 11

In light of Michel Foucault's works, we have seen in the last chapter that sovereign power became much more relevant along with governmentality after September 11. Contrary to Agamben's criticism regarding Foucault's strict periodisation of modes of power, Foucault's oeuvre allows us to analyse power relations in a kind of triangle where sovereign, disciplinary and governmental powers coexist and interact. Within this framework, our focus was post-September 11 just from the beginning but what happened after post-September 11? What about after Al-Qaeda was 'inactivated' to a certain extent or the leader of the network organisation Osama bin Laden was killed?

Did the terrorist threat disappear, or did the infamous security measures soften? Is sovereign power still at work in a fashion we observe after September 11? To answer all these questions, we have to look at after post-September 11, a period when, even if it is not totally forgotten, September 11 became less and less a point of reference explaining the world affairs. It is a period when September 11 was regularly memorialised, became a memory but somehow silently repeated again and again like a depressing nightmare.

As discussed in the second chapter from the perspective of spectacle, the ISIS and its attacks in Europe has created an environment similar to post-September 11. From the declaration of state of exception to extreme security measures, a trauma was repeated once again at the cost of civic rights. Refugees and immigrants, even if they are EU citizens, were the first ones to blame and all this securitisation atmosphere was abused by extreme right who fosters xenophobia and Islamophobia. Also having members from Europe, US and Canada, ISIS was a social media phenomenon, regularly occupying the agenda with new tweets and spectacular videos as well as terrorist attacks. Combining the images created with the state-of-the-art technology with a Middle Age barbarism mise-en-scene, the ISIS became a nightmare for ordinary Europeans for a while.

Considering its claim of sovereignty in some lands of Iraq and Syria and its emphasis of khalifate, it is questionable whether the ISIS is the direct heir of Al-Qaeda. Though these organisations have quite different goals and discourses in the end, the ISIS took its

fuel from the Al-Qaeda's relative success as part of it. But particularly after Arab Spring, the ISIS gained its real power organised against the middle-class, well-educated, secular protesters. More significantly, the failure of Arab Spring and the end of liberation movements with coups and civil wars weakened the 'high hopes' of Arab Spring and empowered the radical jihadist movements among the Arab peoples.

Both the ISIS's public image with beheadings, machetes and traditional clothes, and the failure of liberation movements of Arab Spring empowered the Islamophobia based on a simplistic version of orientalism. Accordingly, while the ISIS was revealing the real face of all Muslims, the Arab Spring showed the Arab-Muslim populations' thin potential towards democratisation. The consequence was almost obvious: It was impossible for Arab-Muslim peoples to become democratised because it was once again proven that Islam and democracy is already incompatible.

## **7.2 Trump and the Others**

In the meantime, Bush government's loss of credibility in terms of justifying the war in Iraq may have not deterred the voters from re-electing George W. Bush but at a time when a new president must be chosen due to the two term limit of an American president, the attempt to justify the now clearly unjust war in Iraq clearly contributed to the victory of the Democratic candidate Barack Obama who represents the most of the

micro-identities that September 11 attacks and the discourse justifying the War on Terror crucified. Obama as a secular originally Muslim, non-white American governed the United States for eight years defeating the Republican candidates in two presidential elections. During Obama's presidency the number of soldiers in Iraq was 'drawn down' gradually. Moreover, the number of the prisoners in the detention camp in Guantanamo Bay decreased significantly although he could not have the detention centre closed down entirely due to a lack of majority and potentially due to conflict with the Pentagon on matters of national security.

Osama bin Laden, the leader of Al-Qaeda terrorist organization and the main figure associated with the September 11 attacks was killed during Obama's administration as a result of a previously announced, targeted and restrictedly focused series of operations. The operational efficiency of the Obama administration has proven more successful than that of the Bush administration by this medium, when compared to the overall tactical wars on terror policy of the implemented immediately after September 11. Under Obama, the dominant discourse of "America, above and beyond of everyone" is replaced by the infamous slogan "Yes, we can!" and the abstract transcendental notions such as "the protection of our great nation" is replaced by the more concrete "to protect our people" summarised as in the example of his speech in relation to the former National Security Agency officer Edward Snowden's revealing the surveillance of



civilians as part of a program called PRISM. In line with Foucauldian triangle, during the period of Obama's administration we observe the strengthening of governmentality with a more libertarian environment, the highlight on security, the extreme use of technologies and statistics based on information services and data.

Nonetheless, Donald Trump's presidential campaign as the Republican party candidate was defined by an internationally conservative, anti-Muslim, White-supremacist program involving the ban of non-American Muslims entrance to the US, the construction of a wall between America and Mexico, and "Make America great again" rhetoric. Trump was openly in favour of restoring Guantanamo Bay and openly condoning torture as both a method of gaining information from a detainee and simply as a deserved punishment. Within the years, Trump displayed that he is immune and indifferent to these both nationally and internationally scandalous comments. And this was not only limited with comments; he did what he said and probably became a symbol for a period of time when populist-authoritarian leaders reign most of the world, from Russia to the UK, and from Philippines to Turkey.

In this way, Trump is far from being unique, but it is once again surprising for the world's central super-power has a president so indifferent to diplomatic and political courtesy of any sort in both national and international ways. The US had populist or authoritarian leaders in the past, but Trump has his own way combining

authoritarianism and populism, which makes impossible any kind of politeness in political matters. In any ways, Trump is still a question: Is he another strongman figure menacing democracy or is he a crowd-puller demagogue? Or is he just a good salesman who lacks any kind of principle? All these have some truth in itself, but the most important fact is that he is not alone in his discourse, rhetoric, style or policymaking about the most significant issues of the age. Nor he is the first in history.

Indeed, political scientists Pippa Norris and Ronald Inglehart find the roots of Trump kind of populism in Chartists in early Victorian Britain, Narodnik revolutionaries in Tsarist Russia and Peronism in Argentina (Norris & Inglehart, 2019, pp. 3-4). With this historical account, Norris and Inglehart connect Trump to a long tradition of populism and list a few characteristics defining the populists including Trump, Putin or Erdoğan. Accordingly, one of the most important characteristics of populism is its powerful, angry and heated discourse against what they call “establishment”. Populists try to found their identity against the establishment which could include political parties, media, public-sector bureaucrats, intellectuals or international organisations. All these targets are defined with a kind of treason, uselessness, arrogance, distrust or corruption.

The second main argument of populists is their absolute reference to the ‘people’ as the source of all the good for the society and the country. “Silent majority” silenced by the corrupt establishment knows the best and its decision is always the best regardless of

what intellectuals, judges, experts, media or scientists said. So much so that if people does not believe it then the climate crisis is not real whatever the scientists or environment activists say. This circular reference to the people does not only include a praise directly aiming the vote of the people but also a vagueness paves the way to abuse sovereign power of people in democracies. Since the sovereignty of people remains vague, and since the populists obviously are not talking about direct democracy they are referring to a terrifying unification of the will of the people in the body of one strong man/woman.

Among many other commentators from the left as well as the liberals, Norris and Inglehart criticise Trump and other populist leaders with authoritarianism. For them, populism is a hollow shell like an empty signifier, which does not say about what will be done and this blank shall be filled with authoritarianism. Then, the common diagnosis is the combination of populist-authoritarianism, but it should be stressed that authoritarianism is a huge area of debate from Frankfurt School to Hannah Arendt. Thus, as liberal democrat political scientists Norris and Inglehart only referred to contemporary manifestations of authoritarianism with reference to Erich Fromm (Norris & Inglehart, 2019, pp. 69-70). Though uncritical and idealising a liberal democratic universe, their views show us how today's political strong man/woman populist figure can be seen from a common sensical, classificatory and definitional perspective.

Accordingly, for them “authoritarianism is defined as cluster of values prioritising collective security for the group at the expense of liberal autonomy for the individual (Norris & Inglehart, 2019, p. 7).” In this regard, the first emphasis of authoritarian regimes is security and securitisation: They insistently speak about stolen jobs, terrorists and risks brought by foreigners. The demand of a strict obedience both in party politics and society is another aspect of authoritarian regimes. And lastly, a kind of conservatism dedicated to preserve traditional values of ‘us’ against ‘them’ is always at work. This picture is not only naïve but also too much familiar from history. But this does not mean that it does not contain some truth in itself through policies changing lives of millions of people.

Combining populism and authoritarianism, Trump and the others, who are sometimes represented in the personality of him even if all of them have their own peculiarities, have similar discourses and policies. They use restrictions imposed on others to protect ‘us’ from the risks the others can bring: from immigrants, refugees and asylum seekers to plain foreigners authoritarian policies impose official language requirements and bans on religious practices. It even can include “forcibly separating immigrant children from parents at the US border (Norris & Inglehart, 2019, p. 8).” Moreover, the restrictions also cover the ‘others’ among ‘us’: limiting same sex marriage and access to abortion, and unrecognising LGBTQ rights and gender equality, non-traditional lifestyles are

marginalised and punished. As with the foreign affairs, instead of cooperation, engagement and alliances, protectionism is at work with the mission of secure borders, strong military and trade protectionism. International organisations are just useless or against us as part of the establishment to be collapsed.

All those descriptions are not unfamiliar to us from the post-September 11 period so that we can presuppose a kind of continuity between post-September 11 and after it. In any case, as a preliminary remark one may possibly claim that post-September 11 must have prepared the conditions for after post-September 11, particularly in terms of using the fear of terror and of the others in general. In other words, both populist-authoritarian regimes of post-September 11 and after post-September 11 takes their legitimacy from the discourses of security and securitisation.

Surprisingly, however, post-post-September 11 may be more terrible in the sense that the threats surrounding the people is not only terrorists but also criminals, gangs, corrupt establishment and so on. In this kind of a world where the borders are vulnerable, inside the country is governed by the corrupts and outside is full of enemies, then high walls and strong leaders become inevitable to protect us from those dangers. And in such a world there is much to sacrifice from civic liberties to personal freedoms to achieve a collective security. In this way democracy is attacked without coup d'état, without cancellation of elections, state of exceptions or military intervention (Norris &

Inglehart, 2019). Everything happens in the normal course of the things in abnormal times.

Probably, there are many things to say about the contemporary socio-politics but if we would like to limit ourselves with our context the first thing to notice would be populism's criticism regarding the weak sovereignty of people in liberal democracies: Basically, populists abuse the truth that there are numerous intermediary institutions and bureaucrats between the power and sovereignty of people, which makes the sovereignty of people almost like an abstract argument. The second remark is that populist discourse sublimates the people and the "will" of it (with the claim of knowing it) and considers the people as a unified totality. This particularly reminds one fascism(s), in which the 'real' sovereign leader (Führer) governs the state apparatus in the name of a homogenous, inherently decent and unquestionably morally right "sovereign" people, *volk* or *popolo*.

Nonetheless, we see that the present strong leader regimes are taken into account in two categories: Either naively, as a simple regression in the history or a simple deviation from liberal democratic ideal. Both arguments are weak because of their presupposed historical teleology. Foucault's remarks on Nazism about a well-developed bureaucracy and the advanced governance techniques combined with sovereignty in Nazi government can be interesting point both for our original claim in this research and the

history of the present. This is not to say that contemporary “populist-authoritarian” regimes are actually soft fascisms but a Foucauldian approach would not fall into the traps of historical teleology both can be existent in the left and liberal wing intellectuals.

In this regard, we can stick to our original claim regarding the co-existence of sovereign power with governmentality after post-September 11. This does not mean that nothing changed but if we look for an understanding of contemporary without falling into the traps of historical teleology, we may follow this way. Though they look different in many ways, Derrida’s deconstruction of democracy can allow us to understand democracy’s problems in a Foucauldian way. Like he argues that politics is never secular in Western history, we can claim that the immanence of the sovereign power in popular democracies has not been achieved yet as it is declared. Secondly, governmentality or security *dispositif* utilising all the sciences in the service of *raison d’état* makes sovereignty of people abstract and invisible with all the intermediary bureaucracy and check-balance apparatuses. Lastly, the transcendence of sovereign power and “corruptness” of governance techniques, as populists say, turns out to separate power and politics more radically. That process could be more like the death of politics, a regime where there is anywhere or anyone to appeal for political demands.

Thus, Norris and Inglehart’s efforts to criticise populist-authoritarian regimes fall into trap to implicitly idealise a liberal democratic world and compare and contrast the

contemporary regimes with this ideal. This does not withhold them from making reasonable and worthy observations about those regimes but prevents them to make a more radical critique about the contemporary politics. Accepting that Foucault can be a source for such a critique, I would like to now focus on Turkey, how Foucault can help us to understand one of those contemporary regimes. A historian of the present, Ferda Keskin writing on Turkey will allow us to understand and criticise contemporary “populist-authoritarian” regime of Turkey from a Foucauldian point of view (Keskin, 2014).

### **7.3 Foucault on “Populist-Authoritarianism”: The Case of Turkey**

It is a common idea that the theories of Foucault, and even most of the other Western thinkers cannot be utilised in the non-Western world. Even if they are not deemed Eurocentric, an approach following their theory must supposedly use a kind of template which cannot be applied to the other parts of the world. No matter there is a right warning in this approach, there is also a kind of protectionism or conservatism, which presupposes that non-Western cultures and societies are ‘unique’ and ‘anomalous’ in their so-called special conditions. This is mostly untrue and an orientalist obstacle against differing approaches and criticisms about specific societies and cultures located



in the non-Western world. Therefore, it is quite possible to reflect on different parts of the world with the help of Western or non-Western thinkers without falling into trap of sheer imitation.

Keskin's first point departure is that: He openly states that Foucault's theory of power is applicable to Turkey's history and explanatory for the contemporary governance of Turkish Republic by the president Recep Tayyip Erdoğan who is deemed one of the populist-authoritarian leaders of the age (Keskin, 2014, p. 1). In this path, from the reformation days of Ottoman Empire to Erdoğan's Turkish Republic, he presents a genealogical narrative utilising Foucault's theory of power. Starting with sovereignty, he describes how transcendent was the emperor in the face of his subjects in the Ottoman Empire. As a discursive-legal, prohibitive as well as punitive empire, Ottoman Empire presents a perfect example for the use of sovereign power.

On the other hand, with the waves of Westernisation and modernisation in the eighteenth and nineteenth centuries of Ottoman Empire, the period of these centuries can be defined as an acquaintance with and first steps towards disciplinary power. Starting with military as in the West, big reforms in the realm of education and governance of population are the main examples for the establishment of the normative power: Urban and spatial regulations, Western style schools, big barracks accompany and embody this disciplinary normative power (Keskin, 2014, p. 11). Nonetheless,

Keskin emphasises that the real peak for the disciplinary power is the Republican period after 1923. In this period, Westernisation and modernisation reforms go hand in hand with a disciplinary power. So much so that, the khalifate was abolished in the name of a radical secularism and the Arabic alphabet was replaced with the Latin one for Westernisation. All the other reforms from the establishment of first psychiatric institutions to modern education are the works of disciplinary power that is constitutive in a Foucauldian sense.

This period was also a one-party government, an environment where democracy is found somewhat dangerous for the system. The trials of founding new parties alternative to the state party (Republican People's Party, CHP) were unsuccessful and ended with purges and harsh interventions. Nevertheless, in 1945 a second party was founded and the first multi-party elections took place in 1950 with the success of Democrat Party (DP). Keskin describes the period following the multi-party system as a struggle between disciplinary and governmental powers (Keskin, 2014, p. 12). This period between 1960-1980 was interrupted with coup d'états and for Keskin, Turkish Armed Forces are the representative of the disciplinary power model. Even if the thought of governmentality was in circulation first in the nineteenth century in Ottoman Empire, its empowerment occurred after the multi-party system in Turkey.

Keskin defines this period of coup d'états as a trial of creating a new capitalism which

is not elitist/hierarchical and controlled by the state. Even though the intellectual roots of liberalism date back to nineteenth century Ottoman Empire, its embodiment in the political realm took shape after the multi-party period. It is also noteworthy that the appearance of the new mode of power does not take place in quiet and peace but encounters with a resistance, even sometimes violent. After the last successful coup d'état in 1980, for Keskin, neoliberalism gains a certain power in Turkish politics and makes a peak under the governance of Erdoğan. Thus, Keskin introduces a new concept to understand “populist-authoritarian” regimes, that is, neoliberalism (Keskin, 2014, p. 13).

For Keskin as well as Foucault, neoliberalism is not only an economic doctrine but a normativity encompassing all domains of life. Keskin states that the key to Erdoğan's governance is the execution of neoliberal rules in macro level while applying a neoliberal kind of conservatism to the capillaries of the society. Intervention to abortion and caesarean section and regulation of the selling of drinks are typical examples of interventions to society, which do not prohibit but strictly regulate (Keskin, 2014, p. 13). What is interesting is that Erdoğan gave a certain struggle against the representatives of traditional disciplinary power since 2001 and seems to win it. But the only resistance against these policies did not come from the bureaucratic/military elites but like in Gezi protests, from a significant majority of the society. In these protests,

Keskin emphasises, what is protested is not only a particular urban regulation but a general political rationality governing the country (Keskin, 2014, p. 14).

Last but not least, Keskin interprets all these contemporary developments as a kind of re-emergence of sovereign power through which the sovereign's first priority becomes his security and it places itself in a paradoxically transcendental position. In this picture, governmentality and sovereignty works hand in hand and Keskin states, this is not only true for Turkey but also for Russia, Hungary, the US and so on. He also interprets the Brexit and the refugee crisis with reference to this constellation of power based on Foucauldian triangle (Keskin, 2014, p. 15). In this regard, Keskin presents a Foucauldian reading of one of the populist-authoritarian regimes and thus exemplifies how it is possible to write a history of the present.

All in all, he concludes that those regimes and contemporary crisis of liberal democracies originate from a marriage between sovereign and governmental powers in the body of strong leaders all around the world. Even if we give the example of Turkey for a Foucauldian analysis of power of strong leader regimes, this does not mean that "populist-authoritarianism" takes the same form in all of the mentioned countries. Rather, their history and how at different times "sovereign form of power is tamed" or become more dominant or how governmentality takes different forms in different contexts would change their actual situation (Altunok, 2016, p. 5).

## 7.4 From Derrida to Foucault

As stated in the introduction, the story of this research started with Jacques Derrida and now ending with Michel Foucault. This part of the conclusion chapter focuses on the voices of these two thinkers whom I listened throughout this research. Their unique voices surrounded almost the whole of this research even if another voice was around. This is not to say that any other thinker is insignificant compared to them, but sometimes we hear someone's voice and remember the other's as is the case with the Giorgio Agamben. Agamben's misleading and problematic reading of Foucault as well as Judith Butler's contribution to the history of the present was important for opening the way to Foucault. Or else, when Guy Debord was in the focus it was because to understand and open up the way Derrida speaks about media-theatricalisation of September 11. In any case, Derrida and Foucault are the main figures of this research and it is now turn to look at them head on.

If Foucault is the philosopher of 'how' of the power, Derrida is the philosopher of paradoxes, aporias, and undecidable situations. The work of Jacques Derrida as a whole, just from the beginning to the end, brings us to the dead ends of our thought and even, language. His relatively narrow political writings, which mostly appear as the last works of him, are also in this category and mostly found flamboyant, jargon-ridden and idealistic/dreamy by political scientists. It would not be correct to say that he was a

radical, but he was not a simple, low-profile public intellectual either. His arrestment in Prague (1982) in solidarity with Czechoslovak intellectuals, visit to Nelson Mandela's jail cell and writings on racism, and his roots in colonial Algeria are only a few remarks about his biography, which show how his interest in politics started well before the writing of *The Spectres of Marx* as is mostly claimed.

It is in this regard Wendy Brown argues that the deconstruction of sovereignty starts with early writings of Derrida, which seem to have nothing to do with politics or sovereignty (Brown, 2009, p. 114). These interpreters who tend to read seemingly non-political as political also claim that deconstruction itself is political in itself to the extent that Derrida would claim "Deconstruction is justice". In any case, while Derrida is an important political philosopher for some commentators, he has not much to say about politics for some. Nonetheless, it is obvious that he is not a mainstream political philosopher or thinker, and politics in Derrida's oeuvre works as an extension of his general thinking. Not only he inevitably uses the same or similar concepts, he also utilises the same, similar tools to explicate the political phenomena.

Nevertheless, this does not mean that he does not have a contribution to the field of politics, particularly to sovereignty. From hospitality to forgiveness, he has a particular ability to use some concepts combining both ethical and political realms because of a certain debt to Emmanuel Levinas. Sovereignty, however, seems to be a life-long

occupation for Derrida since it is both true that one can follow its traces to the very earlier works of Derrida, and it occupies a very critical place throughout his thinking. Even though this makes his work significant for the aims of this research, some interpreters harshly criticise this over-generalisation of the concept of sovereignty.

Indeed, for Derrida, as we see in Chapter 4, sovereignty is a very general concept that does not only cover familiar power relations but also the self, the reason, the subject and the God. In this regard, sovereignty is more a metaphysical concept than a political one, which should be deconstructed accordingly. This means that Derrida would use his concepts, arguments and aporias utilised in his early writings on metaphysics, language and literature also in his ethico-political writings. That is, his quasi-transcendental infrastructure is again at work when it comes to hospitality or democracy.

Friedrich Balke describes Derrida's sovereign as such: "We all are sovereigns, without exception, insofar the sovereign function is nothing but the rationale of all metaphysics, anchored in a certain capability, in the ability to do something, in a power or potency that transfers and realizes itself, that shows itself in possession, property, the power or authority of the master, be it the master of the house or in the city or state, *despot*, be it the master over himself, and thus master over his passions which have to be mastered just like the many-headed mass in the political arena (Balke, 2005, p. 71)." This description is not only quite explanatory but also covers many dimensions Derrida's

conception of sovereignty entails. The basic, understandable criticism of Balke and many others about this conception is the lack of a history of sovereignty in Derrida's thinking but instead of it, there is an onto-theology transcending the history or a history opening itself upon an onto-theology. This fact, for Balke, diminishes or at least limits the political value of Derrida's thinking on sovereignty: The over-generalisation inevitably ends with a restriction in utility.

Alongside sovereignty, the conception of 'rogue state' can be an example to this problem. As will be seen in the Chapter 4, Derrida reaches to a conclusion that 'all states are rogue' but the discussion starts with American government's definition of some states (Iran, Iraq, North Korea, Libya, Syria and so on) as 'rogue states'. Derrida opposes this blame and offers that the real rogue states are the ones who does not obey the decrees of international law and provisions of international institutions, that is, the ones who blame the other with roguishness. What is striking, however, he rapidly concludes that all states are rogues. It is reasonable to think that as a heir of Benjamin, Derrida speaks on monopoly on violence, being-outside-the-law and so on but he does not prefer to openly attack the state institution head on anarchistically. So, the argument somehow suspends in the air and the reader does not know what to do with it. As stated in the introduction, this is why this research's focus shifted from Derrida to Foucault.

Foucault, however, was a philosopher who critically works on philosophy's traditional



critical project through history with the methods of archaeology and genealogy. Even though there is a tendency to divide his work to different periods, it seems that his main aim is to understand and explain the human subjectivity and the processes of subjectification in all his works. If Georges Canguilhem or Friedrich Nietzsche have a place in his thought, Immanuel Kant, too, is an important figure for Foucault. And all this historical perspective and archaeological/genealogical effort focus on human and social sciences in general. In this regard, Foucault's both works and methods are useful and fruitful for social sciences and humanities. His earthly and non-hyperbolic approach is much more explanatory than his colleagues of the time and this is why this research was directed to his works.

Foucault's lectures at the Collège de France were posthumously published against the will of Foucault but enormously influenced the Foucault scholarship in many ways. In this regard, *Security, Territory, Population* of 1977-1978 had a special place for this research, in which Foucault not only clarifies the concept of governmentality but also emphasises the relations between the modes of power, that is, the Foucauldian triangle. Even if Foucault insists on the theory of sovereignty more in *Society Must Be Defended* of 1975-1976, in *Security, Territory, Population* he clarifies that sovereignty is not a concept limited with kings and princes but still at work even if the age is defined with governmentality. This was important for this research from two angles: First,

Agamben's criticism of Foucault is unnecessary and since he built his basic arguments upon this criticism, he cannot be fruitful in a reading on post-September 11. Even if his 'whole' argument is not based on his supposedly "correction" or "at least completion" of Foucault and he develops his thinking with Walter Benjamin and Carl Schmitt, his over-generalisation of the concept of exception and his metaphysical understanding of sovereignty prevent one from interpreting Post-September 11 historically. Instead, he seems to have mostly darks hyperbolic interpretations and descriptions insufficient to explain power relations after September 11.

Secondly, Foucault's intervention on the relations between the modes of power in *Security, Territory, Population* clearly explains the post-September 11 state violence and against Agamben as well as some Foucauldians, it becomes possible to rethink sovereignty in the contemporary context. In terms of an analytical 'tool', Foucault's approach to the relations between the modes of power offers a real alternative to historical teleological models as well as metaphysical and onto-theological hyperbolisms. This is why the journey of this research starts with Derrida, continues with Agamben and ends with Foucault. In this regard, the last words of this research, which are also one of the most critical among the others, will be Foucault's: "The problem of sovereignty is not eliminated; on the contrary, it is made more acute than ever (Foucault, 2007, p. 107)."



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