



# Interventions

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## Introduction

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## INTRODUCTION

### Extrajudicial Violence in the New Age of Empire

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In *Society Must be Defended* Michel Foucault writes:

I think that one of the greatest transformations the political right underwent in the nineteenth century was precisely that, I wouldn't say exactly sovereignty's old right – to take life or let live – was replaced, but it came to be complemented by a new right which does not erase the old right but which does penetrate it, permeate it. This is the right, or rather precisely the opposite right. It is the *power to 'make' live and 'let' die*. The right of sovereignty was the right to take life or let live. And then this new right is established: the right to make live and to let die. (Foucault 2003, 241)

The interpenetration of these sovereign rights – make die, let live, make live, let die – implies a vast scope of state power over the lives and deaths of its subjects. If sovereignty's mandate is both disciplinary – that is, *making die* – and biopolitical – as in *making live* – then we might with some accuracy describe the terms of its reign over bodies – citizen-subjects and dissident-militants alike – as *imperial*. In this set of essays, the question of sovereign authority and its right to life and death refracts through the imperial range of power and in the material context of empire itself. These essays take on the paradox of extrajudicial violence and state power in what we loosely term a new era of empire. This is to say that the territorial expansions of American

Manifest Destiny, the British Raj, or other European colonial projects have given way to a largely military and economic phenomenon unsheathed on the world stage under the sign of a Global War on Terror. These essays track the now undeniable, and yet inadequate, commonplace that in the decades since 9/11, there has been an epistemic shift in how scholars conceptualize the relationship between violence and the state – and indeed, how states themselves justify and taxonomize violence.

Any claim to newness, whether of an imperial regime or of historical circumstances, should be met with fair suspicion. Catherine Scott (2009) notes the majority of scholarship has placed the War on Terror and its associated machinery within a continuity of a long history of American foreign policy “defined by over two hundred years of self-imputed benevolence and a missionary complex” (579). However homologous contemporary conceptions of global American power might be with prior forms, it is clear that something has shifted in the idioms and technologies by which state actors (whether the United States or its “strategic allies”) engage what comes to be deemed extralegal violence. The figures of that violence, variously called *terrorist*, *criminal*, *militant*, *radical*, or *extremist*, seem to warrant new and outsized forms of public discipline.

The essays that follow think comparatively across historical and geopolitical chronospace to consider the long reach of imperial formations and their management of unruly bodies and subjects of violence. Aggregately, they aim at the same time to broaden the frame through which North America, South Asia, Africa, and the Middle East have been approached by putting into conversation postcolonial scholars and anti-imperial scholars of the Americas. We hope to enrich a too-infrequent dialogue between these fields around questions of state power, empire, and biopolitics. For this reason, the essays in this collection do not claim to operate within some singular conception of empire. Rather, they aim to suggest compelling continuities, overlaps, and productive disjunctures between the narrativization of violence by and towards state actors. From settler colonial discourses of multiculturalism in Canada, to military occupation and claims to democracy in Kashmir, to anti-terror laws in Ethiopia that align themselves with US policy, to the deployment of fantasies of militarized white masculinity within the United States and abroad in its military, to technologies of image capture that seek to enframe the terrorist body in India anew, these essays together make the broad case that the transnational range of contemporary state power demands new ways of thinking comparatively about its deployment and figuration.

Thus, these essays begin from the premise that figures of extralegal violence stand as symptoms of a set of new imperial formations and global concerns because they press at the limits of the nation-state as disciplining force. These essays will engage a variety of literary, visual, and theoretical

hermeneutics to understand deaths and lives in contingent relationship to the state. None of the figures engaged herein – terrorists, militants, snipers, indigenous people – are “new” as such, but each of these essays asks after the disciplinary and narrative apparatuses that have been erected by state and transnational forces to contain, quantify, surveil, apprehend, and kill these extralegal actors.

Ather Zia, in “Blinding Kashmiris: The Right to Maim and the Indian Military Occupation in Kashmir”, looks at the spate of pellet-gun blindings of Kashmiri civilians by the Indian military to argue that they participate in “a narrative of non-lethality” by the Indian government which at once exerts the right to maim and preserves the fantasy of democracy. Kashmiris are figured as rights-bearing citizens and thus not killable, while the Indian military is able to compromise the body of Kashmiri resistance. Zia argues the use of non-lethal violence creates a structure of governance in Kashmir that deploys “a politics of democracy” in which the state legitimizes its right to govern through military might that does not seek to kill – its force and its authority shot through with its geopolitical centrality as a strategic partner in the global War on Terror. The “politics of democracy” as warrant to state violence that Zia identifies at work in Indian-occupied Kashmir finds a remarkable consonance in contemporary Canada.

Sarah Dowling, in “Elimination, in the Feminine”, asks how we represent extralegal violence in nations that insist on their own non-complicity by looking at the shockingly prevalent phenomenon of missing and murdered Indigenous women (MMIW) in Canada. Dowling argues the idiom of “MMIW” produces this as an aberration in an otherwise peaceful, multicultural society. It is thus an alibi for settler colonial violence engaging both the image of the masculine, patriarchal state as arbiter of justice and feminine sentimentalism that displaces and privatizes state violence away from settlement. As in the case of the Indian occupation of Kashmir, the discourse of liberal democracy and state legitimacy is borne through the narrativization of violence against bodies that are reinscribed in their relationship to the state. When, as Dowling enjoins, we name Canada an explicitly settler colonial nation within the frame of a global imperial regime, our own idiom of empire must shift. Not just limited to the transnational economic and military power of the United States, contemporary empire plays itself out within the borders of a settler colonial nation that, in its domestic and foreign policy, traffics in the idiom of inclusion and protectionism while at once materially participating in the War on Terror as a military partner and disavowing that impact through progressive asylum policies. This figuration necessarily comes at the expense of indigenous bodies whose structural vulnerability is re-encoded as individual and private exigency.

In “The Cult of the American Sniper”, Elizabeth Steeby argues the figure of the American sniper, represented in popular culture and in militainment as the straight, white, male, exceptional citizen, promotes both a domestic white heteropatriarchy and American military exceptionalism abroad. Offering a genealogy of this figure from its imagistic origins of the solitary cowboy patrolling the frontier to its current deployment as part of the War on Terror, Steeby connects the militarization of white masculinity as a racialized, gendered, and sexualized formation to domestic mass-shootings on the one hand and military warfare abroad on the other. We are herein invited to consider the dialectic formation of domestic violence and military might through the prism of race and gender. The marked resonance between Steeby’s essay and Dowling’s does not to claim some fundamental filiality between the structural violence faced by indigenous and First Nations women in Canada and African Americans. Rather, it suggests the apparatus of state power by which the United States and Canada maintain and expand economic and military authority in the Global South is inextricable from, and indeed often the product of experimentation with, structural racism and gender violence at home. From frontier sharpshooter to contemporary machinized-drone, Steeby argues that when the black man appears as the figure of sniper, he evokes a domestic anxiety about unruly racialized masculinity that in turn justifies and upholds violence against Muslim bodies abroad in America’s war on terror.

Man as machine, the dronification of the sniper figure, reappears in Katherine Chandler’s “Making Terrorist Targets: Techniques of Power in the Horn of Africa from Drones to Anti-Terrorism Laws”, which argues for “drone” as a discursive category to organize extrajudicial violence, the demarcation of acceptable death. Examining the post-9/11 US drone program’s deployment in the Horn of Africa alongside anti-terror laws in Ethiopia, Chandler contends these “misaligned cases” read together reveal a transnational structure that designates what bodies can be detained, sanctioned, and killed. Against the now common narrative of drone attacks as a response to terrorist threat, Chandler argues the drone – which is a name for a set of practices that are themselves a technique of power – in fact is a self-justifying, self-referential system made up through the enactment of sovereign power and bureaucratic managerial practices in which the “terrorist” is basis but not fundamental object. Contemporary Ethiopian anti-terror laws, which have been largely deployed to target dissenting journalists, attest a perfect similarity to the American war on terror. They show how dangers to the state are managed and how they are institutionally organized and evaluated. The drone system, like the individual, exceptional sniper, is both agent and transcendent of state force. But unlike the sniper, who is granted the legitimacy of the state against illegitimate violence, the drone, in fact, justifies an outsized military power.

Finally, my own essay, “Terrorist Still-Life”, returns to a prior incarnation of the now iconic figure of the terrorist. It considers the cinematic reimagination of Rajiv Gandhi’s assassination in the 1998 Tamil-language film *Theeviravaathi* (*The Terrorist*) to argue the film is haunted by the specter of Gandhi’s assassination, materially reproducing the still image of his assassin’s body which circulated in the Indian media through the use of extended close-ups of the nearly motionless female main character, the eponymous terrorist. Evoking the use of penal and ethnological photography by British colonial authorities in India, this curious stilling of the motion picture aims to quiet anxieties about unruly and fugitive figures of violence. Now read through the lens of a post-9/11 imperial regime, it becomes clear that form of image capture, inaugurated by the British empire with which the film plays, is in service of apprehension; in the contemporary imperial regime, image capture of the terrorist is in service of obliteration. Where the drone system, in Chandler’s argument, relies on the infallibility of sovereign judgement and the precision of technological management, contemporary conceptions of the terrorist, I argue, have necessarily become figured as that which cannot appeal to judgement, that which no longer necessitates political narrative.

In the current regime of military empire as enacted by the United States, most vividly under the sign of its global War on Terror, sovereign authority over life and death is transnational and distributive. This set of essays tracks the texture of that force and its narrative deployment. Giorgio Agamben’s (1995) *homo sacer* is often cited as the iconic figure of this state of exceptional violence that contemporary imperial formations abide. Where Foucault conceived of the expanse of sovereign power as crosscut by the management of *both* life and death, Agamben’s concept of sovereignty is spatialized such that all bodies are killable. Indeed, the digital circulation of images from Abu Ghraib, the panoptic sight of the unseen drone, the sheer firepower of the global military–industrial complex, would seem to bear out Agamben’s claim. However, the essays that follow argue negotiations of legitimate violence and state sovereignty continue to be played out in far more microscopically biopolitical terms as well. As Asad (2007) argues, even as liberalism insists that violence be separated from politics, state claims to legitimate force are essential to its existence. Naming extralegal violence – whether as terror or criminality – reifies the solidity of the nation-state by its mutually constitutive and ever-threatening excess.

## ORCID

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