

Just published in *Alternatives see here:*

<http://journals.sagepub.com/eprint/gBDIGaVE4AYVCqx78pm/full>

Conditioned Sovereignty: The Creation and Legitimation of Spaces of Violence in ‘War on Terror’

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Introduction

The main aim of this paper is to shed light on the challenge to state sovereignty from the angle of changes in the spatial formation of organized violence in the course of the ‘War on Terror’ since 9/11. We particularly seek to make sense of how new and alternative spaces of violence are conceptualised and legitimised.

The article develops two main lines of argument. The first is that the conceptualization of new spaces of violence in the ‘War on Terror’ – so-called ‘ungoverned spaces’ - leads toward an understanding of sovereignty which is conditioned: on the one hand by Western norms of statehood centered on the monopoly on violence (to the perceived lack of which the discourses on spaces of violence seek to respond); on the other hand, by the sheer technological advances in warfare. The second line of argument is that the creation and discursive legitimation of new spaces of has brought to the fore a growing tension between the ‘monopoly on violence’ and ‘territorial integrity’ aspects of the current international, state sovereignty-centered order.

In order to contextualize and gradually develop these lines of argument, the article is divided into four main sections: After a brief introduction to our conceptual understanding of ‘spaces of violence’, the first section of this article will present an interpretation of the main markers of modern Western statehood as standing in a ‘triangle of sovereignty’. It will then discuss how shifts to this triangle in the past decades prepared the ground for the emergence and

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discursive justification of new spaces of violence. This discussion will offer the canvas on which the development of the legitimacy discourse for new spaces of violence in the 'War on Terror' will be sketched. The third section will outline the concept and doctrine of ungoverned spaces and relate it to the challenges to the triangle of sovereignty. The fourth section will chart how the logic of recent drone operations, which builds on the ungoverned spaces discourse, further heightens the tension between the professed sovereignty- (and law-) centered international order and the challenge to this order implicit in such spaces of violence.

Spaces of Violence

The linkage between violence and space is conceived as an academic caveat, as Springer and Le Billon¹ have recently pointed out. This comes as a surprise, since violence includes evidently a spatial dimension.² Spaces of violence appear in formations such as places, scales, territories, networks or positionalities³. Concrete examples for spaces of violence are e.g. 'checkpoints', 'battlefields', 'cyber war' or the 'body'.⁴ Imaginative geographies such as imperial or ethno-religious cartographies also include an inherent logic of violence.⁵ If anyone was in doubt about the links between space and violence, the emergence of Geography as an academic discipline as rooted in colonialism and particularly in military studies reinforces this point.⁶

While our understanding of 'spaces of violence' connects notions of space with specific forms of organized violence in general, in this article we focus on spatial figurations in counter-terrorism warfare. Hereby we follow a narrow understanding of violence as an organized act, which intends to do physical damage to a body or an object,⁷ although we acknowledge that there is an intensive and ongoing debate about the ontology of violence,⁸ which tends to include structure, communication, representation as well as symbols.⁹

Departing from this narrow understanding of violence, we follow an understanding of space which is rooted in constructivism. Space is the product (and process) of arranging human beings and material goods into relational structures of order, which are time and again (re-)produced by human cognition and practices.¹⁰ Key for our understanding is that space entails fluidity. Or in the words of Doreen Massey, space is "... always under construction".¹¹

However, there are time and again attempts by mankind to interrupt or suspend the fluid character of space – this can be regarded in itself as an act of violence. The idea of the territory is perhaps the most prominent example of the endeavour to statically bind space to the exercise of violence.¹²

And while the creation of space cannot be seen independently of interactions we have to consider that the ‘production of space’¹³ at the same time strongly impacts social relations, practices and perceptions. Take again the example of the territory. Its existence not only encloses the spatial expression of the sovereignty of the nation state. What is more, the implementation and continuity of a territory go hand in hand with the production of logics, rules, representations and practices which are inherent to the particular territorial formation. Social interactions are hence central to our understanding of ‘spaces of violence’ centre which are constitutive for the conducting of any acts of violence. What then is the distinctive characteristic of spaces of violence for us? In short, such spaces either are directly linked in their emergence to practices of violence and/ or they present a certain spatially-mediated form of violence.

Considering that the field of ‘space of violence’ is an emerging one and different approaches can be identified¹⁴, our approach is inspired by two strands of research which both depart from the ‘War on Terror’. On the one side there is Stuart Elden’s¹⁵ seminal work on how the relations between territory and terror are being reconfigured under the conditions of the ‘War on Terror’. On the other side, Derek Gregory’s¹⁶ significant studies explore how the ‘War on Terror’ gives way to an ‘everywhere war’, which blurs the differentiation of war and peace and on territorial boundaries. We will use the example of Ungoverned Spaces to bring both strands of thought together and to show how spaces of violence emerges which are both territorial and exceptional. We thereby seek to question the possibility of an exclusively descriptive use of the term, linked the operational stock-taking of the complete absence of state power.¹⁷ We will now turn to the belief in territory as ordering principle of organized violence which serves as the departing point for our discussion of the creation and legitimation of spaces of violence in the ‘War on Terror’.

The Triangle of Sovereignty

The world order based on nation states, dominant since the 19th century, relies on a necessary connection between statehood and the use of coercive force across a geodetically fixed territory¹⁸. Thus sovereignty rooted in a state's monopoly on the use of force always entailed a spatial dimension, giving rise to a triangular relationship between territory, organized violence, and statehood¹⁹. The concept of 'territory' expresses this spatialised exercise of power and constitutes a necessary condition for national sovereignty²⁰. So the sovereignty of a state has 'classically' been judged by the state's capacity to enforce a monopoly on violence across its territory. This sets the limits on the shape and size of the respective state. The territorial order can be seen as the most prominent formation of spaces of organized violence. In the genesis and evolution of the nation state since the Peace of Westphalia settlement of 1648 the idea of statehood has undergone enormous changes and upheavals in the way people have understood the subject of sovereignty and of governance. Yet, despite these changes, the dominance of this triangle of sovereignty and its internal structure has been an element of great continuity. However, the relationship between 'government' and population has arguably developed into (or at least enabled) a rationality of macro-control which Michel Foucault²¹ called *gouvernementalité* (governmentality). We hold – against Foucault's thesis that the system of states based on the concept of sovereignty has been superseded – that still today the idea of a triangle of sovereignty has traction. At its core is the notion of sovereignty as the measure of statehood on the international stage, yet this is now combined with advanced forms of governmental rationality, of forms of "conduire des conduits"²². This combination leads to an understanding of state power that is both broader and more indirect than on classical accounts (e.g. by Thomas Hobbes or Max Weber). We shall explore below the significance of this indirect power and the question of how this indirect power turns to organized violence. We shall also discuss the tensions between the persistence of sovereignty (and with it the possibility of far-reaching exercise of force), on the one hand, and the further development of the rationality of governance with a focus on indirect power, on the other; both issues present crucial perspectives on the current challenges to the triangle of sovereignty.

Neoliberal Shifts

In the course of the second half of the 20th century, especially in the wake of the collapse of the Soviet Union, for the first time it was realized that the triangle of sovereignty, monopoly on violence and territory was facing growing challenges. A neoliberal understanding of government began to take hold. The state now predominantly appeared to be regarded only as a necessary evil to be kept to a minimum as the principles of the free market, electoral democracy and human rights were being rolled out worldwide. At a deeper level, however, the aim to more effectively impose – through a strengthened executive – the infrastructural changes needed to facilitate the dynamics of a new global economy arguably led to ‘free market strong states’²³. In short, such states depend on having a strong security apparatus – strong in terms of both its budgetary resources and its legal powers. The changes have, more recently, also involved increasingly outspoken militarisation of policing (see Neocleous 2014²⁴ for the longstanding intersections between policing and war) and the merger of, at least, secret service and (private) military companies, as exemplified by the USA²⁵. Hence it appears more appropriate here to speak of a shift in, rather than an erosion of, the state's functions in the process of neoliberalisation.

Moreover, the accelerating flows of people, data and commodities, conventionally referred to as globalisation, increase the porosity of territorial borders and present a challenge to the state's ability to maintain a monopoly on the use of force²⁶. This is why we today see politicians as well as security *think tanks* identifying refugee flows, economies of violence, terrorist networks, piracy, cyber-attacks or epidemics as threats to the prosperity and security of Western societies²⁷. Moreover, smouldering civil conflicts that repeatedly flare up – like those in the Middle East, the Hindu Kush, the Horn of Africa, Africa's Great Lakes region or Eastern Europe – not only involve challenges to national sovereignty but are also perceived as a threat to Western interests (e.g. free world trade, immigration controls) and to values that are declared universal (as captured by the idea of human rights). The response to this increasingly visible gap between a (neo)liberal world order and the perceived disorder is, on the one hand, a return to the idea of the state as a marker of territorially defined order and, on the other hand, a search for mechanisms to suspend national sovereignty in cases where a state fails to meet international standards or to accept Western interests. This, again, can be read as an indicator that the process of neoliberalisation is not *per se* aimed at hollowing out the state but uses the state apparatus as an organised force in pursuit of national (and/or elite

class) interests²⁸. Overall, these processes and discourses bring tensions to the fore between efforts to uphold a state- and sovereignty-centred, formally egalitarian world order and the simultaneous moves that seem to undermine it. While we cannot address these tensions in full here, we will limit our attention to changes in the conception of spaces of violence which elucidate those tensions. The next step to take in this regard is to consider the normative conception of statehood and the codification of the monopoly on violence in order to understand the recent challenges to the latter.

Ideals of Statehood, the Monopoly on Violence and Conditioned Sovereignty

Public discussion of statehood over the last twenty years has been in the grip of categorical thinking leaving little space for qualitative changes to how state power is exercised: at one end of the scale are the extreme cases of a ‘failed’ or ‘fragile’ state, while at the other end is an imagined ideal of order. This ideal has its roots in a normative model of the state that first appeared in Max Weber’s writings in 1921/22²⁹. Central to the model is the idea of a monopoly on violence giving the state exclusive powers to tax, to set and enforce rules and regulations that apply to every citizen and denizen and, importantly, to impose sanctions whenever these rules are violated. In this sense the state is defined as sovereign because no other political authority stands above it.³⁰ And, right up to the present day, this focus on an ideal-typical autonomous statehood has produced negative definitions of anything that deviates from it. Where states do not meet the standards set, for which their monopoly on the use of force is a central criterion, attributes must be found to express the gap between reality and ideal. Terms like ‘ailing’, ‘weak’, ‘fragile’, ‘failed’ or ‘deformed’ imply that the respective state seems to ‘function’ in a manner that is outside the normative model of a state and its relationship with society³¹. This normative disqualification of political and social orders is ahistorical inasmuch as it ignores the extremely violent history behind the emergence of many different forms of state, including Western states, in the late 19th and in the 20th centuries³². Even though nation-building historically does not correspond to *good governance* criteria, the following, doubly problematic assumption is commonplace: an idealization of one's own, i.e. Western, statehood is combined with inadequate consideration for the process of emergence of those (post-colonial) states whose sovereignty is being called into doubt.

Such criticisms of the functionality of certain states or, rather, of the consequences of their dysfunctionality have led to challenges to the ‘classic’ sovereignty model in which the monopoly on violence is a necessary ingredient. When the Montevideo Convention of 1933 laid down, under the aegis of the United States, the criteria for statehood, it established the principle that states – no matter how ‘weak’ they may be – have sovereignty over all internal affairs.³³ This amounted to a ban on interventions and accorded legitimacy to the respective states with regard to upholding their territorial sovereignty and asserting their monopoly on the use of force, the latter in accordance with their own standards. This framework remained more or less unquestioned until the dominant powers stuck to the non-intervention rule in the face of the Rwandan genocide of 1994.³⁴ The strong criticism of the established understanding of national sovereignty which ensued initiated a shift in normative debates from the focus on functionality of the state to the freedoms, opportunities and protection of the individual: The widely discussed and cited concepts of *human security* and *responsibility to protect* (r2p), which are designed to legitimise interventions to protect a population, played a prominent role for this shift³⁵. However, initial attempts to establish standards of ethical responsibility for interventions and to bring them to bear on political practice have proven to be extremely challenging³⁶. The normative conditioning of sovereignty has been undermined by the fact that high-cost interventions are, in practice, ultimately driven by political will and economic and geopolitical interests³⁷. It is further problematic that even if normative concepts such as r2p played a role, the gap between theory and practice has thus far tended to discredit the theory as well as the practice, e.g. in the case of Libya. It seems safe to say that the contradiction between the normative conditioning of sovereignty and the continuity of an international system formally based on equal state sovereignty has thus far limited the sway of discourses of conditioned sovereignty. However, the conditioning of sovereignty in the context of counter-terrorist operations of the War on Terror, particularly through the concept of ‘ungoverned spaces’, has arguably been better able to accommodate this tensions and to connect normative justifications with geopolitical interests. This is why we turn next to the emergence of the concept of ungoverned spaces.

Ungoverned Spaces: Legitimizing New Spaces of Violence in the War on Terror

Since the 9/11 attacks the functional and normative dimensions of the conditioning of national sovereignty have been increasingly linked to pragmatic considerations of *Realpolitik* – a trend exemplified by the 2001 intervention in Afghanistan³⁸. State failure was now placed in a direct causal connection with terrorist threats and human insecurity (poverty, hunger, etc.)³⁹. Policymakers began explaining security deficits in particular by emphasising a spatial–causal interpretation of the connection between terrorism and state failure. In 2003, for instance, Joschka Fischer, then Germany's Foreign Minister, saw "black holes of disorder" in every part of the world⁴⁰ – holes thought to be causing government collapse and destabilise whole regions through *spill-over* effects. Suddenly it was possible to question not only the performance of states, especially in the area of governance, but also their very sovereignty and, implicitly, their territorial authority. This way of demarcating spaces of disorder and violence began to be taken up by political think tanks and academics from around 2004. The *Clingendael Center for Strategic Studies* presented, in 2005, the first study with a claim to scientific rigour that included a world map of 'black holes'⁴¹.

From 2004 we can observe a shift in the debate – especially in US political circles – from 'fragile states' via 'black holes' on to 'ungoverned spaces/ territories'⁴². Unlike the concept of 'black holes', which did not catch on due to its bleakly negative connotations and has now all but disappeared, the synonymously used terms 'ungoverned territories' and 'ungoverned spaces' appear at first glance to represent a far more sober and analytical outlook.⁴³ The US military has, since 2006, been commissioning research (especially by the Rand Corporation) to provide some theoretical underpinnings capable of legitimising these concepts. Both concepts have been used repeatedly in speeches by US President Barak Obama and by the last three Secretaries of State (Condoleezza Rice, Hillary Clinton and John Kerry) as well as in core strategy documents from the US security community⁴⁴. More recently the terms have also gained currency in transatlantic⁴⁵ and European debates: in January 2013 the British Prime Minister David Cameron called Mali an 'ungoverned space'; on 13 June 2014 German Foreign Minister Franz-Walter Steinmeier voiced concerns about an ungoverned space, this time one emerging in Iraq due to conquests by so-called Islamic State/Daesh⁴⁶.

'Ungoverned spaces' as spaces of conditioned sovereignty

The selection of spaces being designated ‘ungoverned’ is guided by a classical definition of state territory. Ungoverned spaces are primarily identified on the peripheries of spaces effectively controlled by governments⁴⁷. These spaces include border regions as well as air corridors and maritime transport routes. We are also seeing the term *ungoverned spaces* increasingly used for civil war regions such as Afghanistan/ Pakistan, Syria/ Iraq, Somalia or Libya⁴⁸. Among US *think tanks* there has been what can only be called a race to identify new ungoverned spaces. This boom in ungoverned spaces only highlights the underlying problem of distinguishing *governed* from *ungoverned* space.⁴⁹

The discourse on ‘ungoverned spaces’ seeks to localise non-state actors who are seen as a threat mainly by Western security agencies. It proceeds on the assumption that where there are effectively no state structures spaces emerge which can serve violent actors such as terrorists, rebels or mafia networks as spaces for transit, flight and refuge and as ‘safe havens’⁵⁰. From this perspective, ‘ungovernedness’ *per se* creates a situation in which, having neglected certain areas, a state permits, enables or even promotes on its territory threats which then indirectly or directly endanger third-party states. Even though some authors⁵¹ emphasise the causal connection between the loss of control over national territory and the emergence of a terrorist threat, a causal connection between territorial control and the rise of terrorism is still strongly disputed. Ken Menkhaus⁵², for instance, points out on the example of Somalia that terrorists do not find the logistics necessary for their operations in weak states and argues that they are unlikely to enjoy any reliable protection in precisely in such countries.

Echoing the debate on fragile statehood, the discussion of ungoverned spaces conceives them as the antithesis of an imaginary ideal ‘governed’ state. It is this comparison that makes ‘ungoverned’ political structures automatically negative. And the negative perception is then reinforced by the claim that premodern and/ or illegitimate forms of society are bound to dominate in ungoverned spaces. Note, for example, how often the term ‘tribe’ appears in contrast to ‘state’ in an influential study of Rand corporation⁵³ whenever patterns of order in ungoverned spaces are discussed. Thus, the concept of the *ungoverned* ultimately implies that only a state has full political legitimacy and that non-state institutions and actors are, in essence, politically illegitimate⁵⁴. However, this understanding overlooks the very fact that, even in societies not permeated by the state, elements of social order always exist and the condition of being ‘ungoverned’ is never permanent⁵⁵. Indeed, one could almost make the

opposite case: namely that phenomena considered illegitimate, like warlordism, clientelism and corruption, occur most intensively in ‘hybrid zones of competing governance’⁵⁶ where informal logics have become embedded in state structures, i.e. in situations where the state is very much present; and that they are less common in spaces far removed from state penetration. Furthermore, the concept of ‘ungoverned spaces’ is rooted in a classic nation-state understanding of territory. This approach overlooks the fact that people are spatially mobile and have their own supra-regional networks and structures. They are certainly not limited to rigid territorial references when making political decisions. Indeed, a further aspect ignored here is that social groups themselves produce spaces – ranging from *mental maps* to their own territories – and these spaces frequently run counter to the territorialising ambitions of a state⁵⁷.

Much of the importance of the concept of ‘ungoverned spaces’ thus stems from the fact that locating ‘ungoverned spaces’ is connected to questioning sovereignty. In the eyes of those seeking exclusive power to determine where and when spaces are ‘ungoverned’, a state can be targeted once it fails to perform – even if only in part – its most essential function: territory-wide enforcement of its monopoly on the use of force. Thus, inherent in the ‘ungoverned spaces’ discourse is the possibility of delegitimising certain states and thus legitimising external interventions. Much like the debate over ‘failed states’, legitimising an at least partial suspension of the international legal order requires the identification of ungoverned spaces. This may seem contradictory in as far as one of the reasons for developing the ungoverned spaces concept is protection from terrorist attacks and upholding the current world order of sovereign nation states. Ungoverned spaces thus turn into territorialised containers in which external political and military interventions are legitimate, as part of an imperative to uphold the world order based on nation states. Yet this means nothing less than rolling back the sovereignty of the states affected⁵⁸: the US drone attacks and deployment of Special Forces in Pakistan and Afghanistan, in Yemen or in Somalia are all too well-known examples of how this happens. As such, preventive action in ungoverned spaces may be considered an offensive pursuit of interests rather than defense against threats. Arguing in favour of this approach, Barry Zellen⁵⁹, for example, sees ungoverned spaces not only as a threat to US security but also, on the contrary, as an opportunity, i.e. they become opportune spaces for the US to take military/intelligence steps to reassert its global hegemony:

“The underlying tribal topology of these ‘ungoverned territories’ or tribal zones as I prefer to think of them presents numerous strategic opportunities for containing and/or rolling back communism (in China, Laos, and Vietnam), combating dictatorship and oligarchy (in Burma, Guatemala and southern Mexico; and the Andean highlands) and securing access to newly emergent natural resources (in the Arctic regions, Africa, Indonesia, the Philippines, and much of South and Central Asia).”⁶⁰

What then characterises the conceptual innovation behind ‘ungoverned spaces’ is a contradictory and politicised split in the concept of sovereignty: on the one hand, the idea of sovereignty is needed to uphold the status quo of the international order of states and state-centred territorial thinking; on the other, the state’s monopoly on the use of coercive force, which it *must* exercise in its own territory if it is *allowed* to be sovereign (and thus be a state), is scrutinised and challenged. Therefore the identification of ‘ungoverned spaces’ carries the corollary of casting the sovereignty of the assessed states in doubt. This chiasmic nexus is illustrated in core documents of US-security and defense politics. For instance, the Global Strategic Assessment of the International Center for Strategic Studies reads as follows:

“If some states are unable to fulfill these obligations ... there will be considerable pressure on others, whose people are targeted by terrorists enjoying sanctuary in ungoverned areas, to take matters into their own hands.”⁶¹

Additionally, the National Defense Strategy concludes:

“We will work with and through like-minded states to help shrink the ungoverned areas of the world and thereby deny extremists and other hostile parties sanctuary. By helping others to police themselves and their regions, we will collectively address threats to the broader international system.”⁶²

What follows is a partial abrogation of territorial control and thus the delegitimising of certain states – a move which can be seen to be clearly in line with the shifts in the understanding of sovereignty traced above. The principle of ‘territorial control’, a longstanding pillar of the

world order, is now being replaced by the principle of ‘security’ – even if the prerogative to define what is to be understood by security and to whom it should apply remains reserved for certain political actors, i.e. the US and NATO allies. These shifts cause a proliferation of (potential) spaces of violence.

Ungoverned Spaces and New Forms of Organized Violence

The construction of ungoverned spaces in which external violence becomes legitimate (and necessary to prevent violence in governed spaces) is associated with new forms of organized violence. The ‘ungoverned spaces’ discourse revolves around the idea of spaces as ‘territories of the other’ – especially of Islamist movements like Islamic State/ Daesh, al-Shabaab, the Taliban, al-Qaeda or Boko Haram. In the selection of ungoverned spaces there is an almost exclusive concentration on regions in the Middle East, Asia, Latin America and Africa. The very selection of regions follows a hierarchization that has its precursors in colonial world views as well as in certain development policy assumptions⁶³. The West, with the exception of so-called ‘Muslim ghettos’⁶⁴ in major West European cities, is regarded as ‘governed space’, while the ‘ungoverned’ comes with an exoticisation. Such views may also be understood as a reaction to the failure of (post-)colonial disciplining (in Foucault’s sense of a ‘form of government’). Ungoverned spaces are directly associated with exotic spatial imagery that emphasise the ‘tribal’, the ‘disorderly’, the ‘inscrutable’.⁶⁵ The clear message here is that any external actors who enter such ‘ungoverned spaces’ will not only be stepping into a danger zone but will be fighting a lost cause from the outset. Ungoverned spaces appear as regions that a military mission on the ground can hardly control, let alone ‘civilize’.

The discourse on ‘ungoverned spaces’ is hence no longer concerned primarily with nation-building, which is seen as mission impossible. And it is no accident that discussion of ‘ungoverned spaces’ coincides with a shift in US-policy away from constructing a functioning, normatively legitimate state through its ‘War on Terror’-interventions in Afghanistan (since 2001) and Iraq (2003-2011). Although the US still analyses the weaknesses of states with a desire for them to build capacity and take control of their own territory, there is little willingness to engage in time-consuming and cost-intensive interventions for nation-building. The turn away from policies entailing a regime of

occupation has led to a transition to a new stage of warfare, one geared to rapid, localised strikes based on high mobility: interventions *light*⁶⁶.

The concept of ‘ungoverned spaces’, with its principal emphasis on the extraordinary lawlessness within a space, allows external interventions without any basis in law to appear as legitimate means. Ungoverned spaces are, therefore, conceived in a way that serves the establishment of a territorial definition of a zone in which violence is no longer bound by state order or the rule of law but is merely a matter of the attacker's own choice of instrument. Military interventions and other security measures are no longer directed at the national territory as a whole but only at specific areas. Recent examples are the air strikes conducted in northern Iraq. In these new spaces of violence, the US-American superpower no longer has to occupy whole countries in order to put them under its control, i.e. they no longer appear to be bound by the conventions of warfare that apply to land war⁶⁷. We can see here how the US is fine-tuning its intervention policies to the conditions of zones of exception that can be far smaller than a whole national territory. This understanding of ‘ungoverned spaces’ makes them predestined to become the target of covert operations and punitive actions by Special Forces, intelligence operatives or drone attacks. These regions thus turn into new spaces of violence.

The way the concept of ‘ungoverned spaces’ has developed is, therefore, closely bound up with the development of new military technologies and strategies as well as with the question of how war is envisaged in the future. The concept of ‘ungoverned spaces’ can be employed to legitimise a policy of intervention that is no longer rooted in notions of political responsibility, as expressed for instance in the idea of state-building, but based solely on the need to exert control, thus opening the prospect of increasingly un-demarcated war⁶⁸. It is also possible, however, to interpret the notion of ‘ungoverned spaces’ in such a way that it serves as an argument against such a complete removal of the spatial boundaries of war and provide a formula for compromise between territorial containment and the ubiquitous deployment of drones in so-called ‘kill boxes’. We shall now examine some operationalizations of the new spaces of violence.

Responding to Ungoverned Spaces: The logic of drone strikes

In the War on Terror, the formation of new spaces of violence is driven by asymmetry. While this had already been proclaimed as the hallmark of the ‘new wars’ at the beginning of the present millennium⁶⁹, asymmetry confronted the Western world in the form of terrorism with a new urgency in the post-9/11 era. With attacks by ‘insurgents’ (especially in the form of improvised explosive devices) leading to high numbers of casualties in Iraq or Afghanistan, the response has, for some years now, been to follow a similar logic and orchestrate drone attacks⁷⁰. The permanent insecurity and fear of sudden attacks with which insurgents have kept Afghanistan and Pakistan in suspense is matched by the military strategic and above all psychological principle⁷¹ applied in US-drone warfare in places such as the Pakistani region bordering Afghanistan known as the Federally Administrated Tribal Areas (FATA). Grégoire Chamayou⁷² has pointedly classified this type of military operation as a form of state terrorism. If terrorists first created an asymmetry by fighting conventional armies with guerrilla techniques, a new asymmetry has been achieved by means of technical superiority: drone attacks create spaces of exception in which the inhabitants are permanently exposed – without defence and without warning – to the threat of extermination. If these interventions ever had any legitimacy beyond the domestic US context (and even this is questionable), it has largely been lost through the deployment of drones.⁷³ As reflected in the decision to deploy drones, ungoverned spaces are “wild zone of power”⁷⁴ in which any rule of law is suspended and the rules of civilization do not apply. The logic of drone strikes is an extension of a colonial argument for the right to attack ‘savages’. After all, the rationalisation for the use of lethal drones as an asymmetric form of warfare is based on the view that its potential victims are enemies of civilisation, if not enemies of humanity. The people targeted are classed as ‘evil doers’, condemned without trial, deprived of all rights – people who may be killed preventatively⁷⁵. The justification for this extreme form of preventative warfare builds on the ethical and cultural denigration and depoliticisation of the potential victim. In this way, the discourse on ‘ungoverned spaces’ echoes Carl Schmitt’s dichotomy by implying that the targets of drone warfare no longer constitute ‘real enemies’ but ‘absolute enemies’, i.e. enemies who are standing outside the legal order, indeed outside the accepted global community/ civilization⁷⁶. From a legal point of view, there are also pragmatic grounds for this line of argument: for if potential victims were treated as criminals, in many cases the evidence presented against them would hardly suffice for a judicially sound conviction,

especially if one were to apply the very rule-of-law standards the US claims to be defending. All this has far-reaching consequences for the quality of warfare; for we now no longer have two opponents lining up against each other but a ‘manhunt’ in which the fugitive becomes the ‘prey’⁷⁷. The premodern status of ‘outlaw’ and ‘lawlessness’ thus returns to contemporary politics. Today, however, judgement without trial is effected by information technology, enabling a combination of survey and profiling techniques: databases, gathered covertly and not subject to any public scrutiny of their validity, are crossed with logarithms of movement patterns and moral–cultural criteria attributed to the actors. If, say, within the FATA more than ten people come together in one place, this event is in itself considered suspicious from an US-intelligence perspective and will automatically trigger a high alert response by the CIA. When debriefing in the wake of a US-drone strike, every male fatality of fighting age (from adolescent up to the very old) is counted as an insurgent⁷⁸. Note also that the asymmetry between hunter and hunted, now taken to the extreme, is at odds with the formal–egalitarian constitution of the international community.

Drone strikes might also be seen as a kind of pre-emptive punitive expedition which is designed to prevent violations of disciplinary rules (even if these have not actually been announced to the victim) from reaching a higher level of organisation. This follows a neo-colonial logic, because preventing forms of organisation from emerging outside Western norm requirements is an attempt to curb the development of political and social orders and thus helps turn the discourse on ‘ungovernedness’ into a self-fulfilling prophecy. In this way, any political movement that aims to create a form of political order other than the nation state – such as so-called Islamic State in Syria/ Iraq or al-Shabaab’s Islamic State in Somalia – is portrayed as an ‘absolute enemy’.

A not inconsiderable factor when assessing the impact of drone deployment on the relationship between space and violence, or spaces of violence, is the new way in which space is experienced. First of all, for the drone operators the perception of the space is mediated via the screen in their work environment, while the potential victims usually find themselves in a familiar space. The way in which this space is transformed from one moment to the next into a space of organized violence is certainly something we would normally associate with terrorist methods. It illustrates that the logic of drone missions is the mirror image of aspects of the operational strategy of the fugitive terrorists and insurgents.

Moreover, the use of drones potentially gives rise to a borderless space of violence that is no longer subject to any territorial containment and undermines the sovereignty of the nation state:

‘From this point of view, it is clear that ‘sovereign borders are among the greatest allies’ that a fugitive can have. The hunter’s power has no regard for borders. It allows itself the right of universal trespassing, in defiance of territorial integrity of sovereign states. It is an invasive power which, unlike the imperial manoeuvres of the past, is based less on a notion of right of conquest than of a right of pursuit.’⁷⁹

Being highly mobile and unmanned, drones with their artificial ‘eyes’ are becoming the prototypical instrument of combat and power for borderless warfare⁸⁰. This makes it technologically possible in the long run for territorially fixed military constructions to become completely superfluous. An expression of this new quality is the term ‘kill box’, a space of military violence developed by the US Army in 2005⁸¹. It refers to a temporarily defined, three-dimensional spatial target cube in which integrated joint weapons fire is concentrated. The ‘kill box’ differs in a number of aspects from the concept of ‘ungoverned spaces’. For one thing, it is a purely functional, operational space of violence for the military and does not even raise the question of legitimacy at large but describes purely technical procedures of military attack. In the case of nuclear strikes, Henry Nash⁸² has designated such target selection as the “bureaucratization of homicide”. In the case of ‘kill boxes’, as arithmetically defined parameters, there is also no requirement to construe and qualify a space with reference to governance qualities, something that is attempted in the ‘ungoverned spaces’ discourse. The positioning of a ‘kill box’ remains situative and unlimited since it can be opened as a temporary mini-space, as a space of exception, anywhere and at any moment as soon as a target is located⁸³.

Put another way, the concept of ungoverned spaces is geo-centric, if not *per se* territorial, and remains within territorial thinking; by contrast, the concept of the ‘kill box’ is *target*-centric, concentrating on destroying the body of the enemy or the ‘prey’. Whereas military campaigns increasingly narrow their focus to individual ‘kill boxes’ (note here the return to, or continuity of, the container idea!), the operational space, i.e. the war zone, spreads without limits. War is

conceivable and possible everywhere. By constructing ‘kill boxes’, control is therefore no longer understood as something permanently territorial but – following the splitting of the idea of sovereignty into the state's monopoly on the use of force and its territorial integrity – is replaced by an operational form that is otherwise ascribed to terrorists, a form in which violence becomes a constant possibility. In the case of ‘kill boxes’, the attempt to maintain an international system of states in its present form and simultaneously stick to the political objective of hunting ‘terrorists’ demands a concentration on individuals who – as already noted – can be viewed as standing outside the framework of civilization, in a way reminiscent of Carl Schmitt's category of the moral, absolute enemy⁸⁴. Whether this approach can be used to achieve disciplinary effects (e.g. deterrence) capable of improving control over ‘threatening’ norm deviations on a global scale, with drones acting as a kind of mobile Panopticon, remains highly doubtful.

Conclusion

The triangle of sovereignty, which defined international politics in the late 19th and throughout the 20th century, has ceased to represent the realities of the relationship between statehood, monopoly on violence and territory. The concept of sovereignty has been split in recent years, being divided into the state's monopoly on violence on the one hand and its territorial integrity on the other. The result is that territory and monopoly on violence are no longer congruent. In short, while the international system of states, and thereby the territorial integrity of states, still constitutes a cornerstone of the political order, there is a growing challenge, both in theory and in practice, to the role of the state's monopoly on violence. After the military interventions in the ‘war on terror’ we need to address the question of the objectives of the normatively justified conditioning of the monopoly on violence.

The construction of ‘ungoverned spaces’ involves a legitimization discourse in which there is at least an attempt to deal with the tensions, outlined above, that drone attacks create with regard to the principle of respecting national sovereignty. This legitimization discourse is highly questionable, not least because it links spatialisation to culturally charged enemy images⁸⁵. In particular, the military operations in ‘kill boxes’ seem to suggest that, ostensibly, spaces of violence can be limited by means of drone attacks (‘surgical warfare’) but at a deeper level,

they actually dissolve spatial limits and, through their sudden deployability, perpetuate warfare and open the prospect of 'ubiquitous war'. This dissolution of spatial boundaries can be explained by the logic of the spiral of violence: the response to asymmetrical warfare is asymmetrical warfare. Thus, the perpetuation of this form of warfare is inherent in the 'rationality' of drone strikes. The question of legitimation, inasmuch as it is even posed from without, is answered in the case of kill boxes simply by pointing to the eliminated 'prey'. If the target can be identified as an 'absolute enemy', as in the case of the execution of Osama bin Laden, no further questions are in order.

The concept of 'ungoverned spaces' then appears as an intermediate step between the territorial principle of the nation state and the security paradigm⁸⁶. The creation of new spaces of violence along the lines of 'ungoverned spaces' represents an extension of the sovereignty of an attacking state beyond its own territory, although without seeking to maintain a permanent monopoly on violence over the space attacked. Certain states, thanks to their technological lead (especially in the drone/robotics sector), are in a position to wage war globally in order to enforce and legitimise the economic and political order they prefer. They thus create new spaces of violence to achieve their ends. These new spaces of violence, however, have taken shape not as part of a qualitative change in the international system of states but as an adaptation of the formally equal system of sovereign states to a changing environment in which the weak structures of other states can actually be turned from a risk factor to an opportunity for dominant powers in pursuit of their ambitions. The US conducts intelligence operations in spaces it declares to be 'ungoverned', e.g. in Somalia, Yemen and Pakistan, and argues that it is defending its own national security interests by violating the sovereignty of those states⁸⁷. It remains to be seen if the tensions within the current formally equal but actually hierarchical international order heightened by the increasing conditioning and violation of sovereignty will unravel this order, or if we are witnessing the reinforcement of this order through furthering the actual hierarchy between states through freeing considerations of security from regard for state sovereignty.

Notes

- ¹ Simon Springer, and Philippe Le Billon, "Violence and space: An introduction to the geographies of violence," *Political Geography* 52 (2016) : 1-3.
- ² Derek Gregory, and Allan Pred, eds., *Violent geographies. Fear, terror, and political violence* (New York: Routledge, 2007); N. Blomley, "Law, property, and the geography of violence: The frontier, the survey, and the grid," *Annals of the Association of American Geographers* 93 (2003): 121-141.
- ³ Helga Leitner, Eric Sheppard and Kristin Sziart, "The spatialities of contentious politics," *Transactions of the Institute of British Geographers* 33 (2008): 157-172.
- ⁴ A. Appadurai, "Dead certainty: Ethnic violence in the era of globalization," *Development and change* 29, no. 4 (1998): 905-925.
- ⁵ Gregory and Pred, eds., *Violent geographies. Fear, terror, and political violence*, 2000.
- ⁶ R. Woodward, "From Military Geography to militarism's geographies: disciplinary engagements with the geographies of militarism and military activities," *Progress in Human Geography* 29, no. 6 (2005): 718-740.
- ⁷ See Martin Shaw, "Conceptual and theoretic frameworks for organized violence," *International Journal of Conflict and Violence* 3, no. 1 (2009): 97-106.
- ⁸ See Stathis N. Kalyvas, *The logic of violence in civil war* (Cambridge: Cambridge University Press, 2006).
- ⁹ For an overview see: Tyner, James and Jishua Inwood, "Violence as fetish. Geography, Marxism, and dialectics," *Progress in Human Geography* 38 (2014): 771-784;
- Gregory and Pred, eds., *Violent geographies. Fear, terror, and political violence*, 2000.
- ¹⁰ Bob Jessop, Neil Brenner and Martin Jones, "Theorizing Sociospatial Relations," *Environment and Planning D: Society and Space* 26, no. 3 (2008): 389-401.
- ¹¹ Doreen Massey, *For Space* (London: Sage, 2005), p. 9.
- ¹² Stuart Elden, *Terror and territory: The spatial extent of sovereignty*. (Minneapolis: University of Minnesota Press, 2009).
- ¹³ H. Lefebvre, *The Production of Space* (Oxford: Basil Blackwell, 1991).
- ¹⁴ See Springer and Le Billon, "Violence and space," 1-3.
- ¹⁵ Elden, *Terror and territory: The spatial extent of sovereignty*, 2009.
- ¹⁶ Derek Gregory, *The colonial present: Afghanistan, Palestine, Iraq* (Oxford: Blackwell, 2004); Derek Gregory, "The everywhere war," *Geographical Journal* 177, no. 3 (2011): 238-250.
- ¹⁷ Angel Rabasa et al., eds, *Ungoverned territories. Understanding and reducing terrorism risks. Prepared for the United States Air Force* (Santa Monica: Rand Corporation, 2007)
- ¹⁸ Elden, *Terror and territory: The spatial extent of sovereignty*, 2009; Stuart Elden, *The Birth of Territory* (Chicago: Chicago University Press, 2013).
- ¹⁹ See John G. Ruggie, "Territoriality and beyond: Problematizing modernity in International Relations," *International Organization* 47, no. 1 (1993): 139-174.
- ²⁰ Elden, *Terror and territory: The spatial extent of sovereignty*, 2009.
- ²¹ Michel Foucault, *Security, Territory, Population. Lectures at the Collège de France 1977-1978* (Palgrave Macmillan: Basingstoke, 2009).
- ²² Michel Foucault, *Schriften in vier Bänden. Volume 4 (1980-1988)* (Frankfurt: Suhrkamp, 2005).
- ²³ Werner Bonefeld, "Free economy and the strong state," *Capital and Class* 34, no. 1 (2010): 15-24; Andrew Gamble, *The free economy and the strong state: The politics of Thatcherism*. (London: Macmillan, 1988).
- ²⁴ Mark Neocleous, *War power, police power* (Edinburgh: Edinburgh University Press, 2014).

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- ²⁵ See Storey Schwartz, "Military neoliberalism: Endless war and humanitarian crisis in the twenty-first century," *Societies without Borders* 6, no. 3 (2011): 190-303; Aaron Ettinger, "Neoliberalism and the rise of the private military industry," *International Journal*, 66, no. 3 (2011): 731-752; Marc von Boemcken, *Between Security Markets and Protection Rackets. Formations of Political Order* (Opladen: Budrich, 2012).
- ²⁶ John Agnew, *Globalization and sovereignty* (Lanham: Rowman and Littlefield, 2009).
- ²⁷ Anne Clunan, and Harold Trinkunas, eds., *Ungoverned spaces? Alternatives to state authority in an era of softened sovereignty* (Stanford: Stanford Security Studies, 2010).
- ²⁸ Michael Hardt, and Antonio Negri, *Empire* (Cambridge: Harvard University Press, 2001).
- ²⁹ Max Weber, *Economy and society: An outline of interpretive sociology* (Berkeley: University of California Press, 1978).
- ³⁰ Supranational subsidiarity systems such as the European Union arguably represent a special case here. However, the status of such systems is far from settled.
- ³¹ Jennifer Milliken, ed., *State failure, collapse and reconstruction* (Oxford: Blackwell, 2003).
- ³² See Michael Mann, *The Dark Side of Democracy. Explaining Ethnic Cleansing* (Cambridge: Cambridge University Press, 2005); Andreas Wimmer, *National exclusion and ethnic conflict: Shadows of modernity* (Cambridge: Cambridge University Press, 2002).
- ³³ Elden, *Terror and territory: The spatial extent of sovereignty*, 2009. This idea, formulated in Article 2 (7) of the United Nations Charter, became the decisive legal norm in past decades.
- ³⁴ See Mahmood Mamdani, *Good Muslim, bad Muslim: America, the Cold War, and the roots of terror* (New York: Pantheon Books, 2004); Gregory, *The colonial present: Afghanistan, Palestine, Iraq*, 2004; John Hobson, *The Eurocentric conception of world politics: Western international theory, 1760–2010* (Cambridge: Cambridge University Press, 2012). It is important to recall at this point that the recent attempt to create a linkage between sovereignty and normative criteria is not as new as it may first appear: the history of sovereignty discourse and the, to some extent, interwoven history of (de)colonialisation bears witness to a hierarchisation of states in accordance with normative criteria determined by longstanding cultural and racial factors. Vestiges of this worldview arguably still provide – precisely because they are generally overlooked in public discussion – at least an inspiration for today's conditioned sovereignty discourse.
- ³⁵ Lloyd Axworthy, "Human security and global governance: Putting people first," *Global Governance* 7, no. 1 (2001): 19-23; Roland Paris, "Human security: Paradigm shift or hot air?" *International Security* 26, no. 2 (2001): 87-102.
- ³⁶ Alex J. Bellamy, "The Responsibility to Protect and the problem of military intervention," *International Affairs* 84, no. 4 (2008): 615-639.
- ³⁷ Roland Paris, *At war's end. Building peace after civil conflict* (Cambridge: Cambridge University Press, 2004).
- ³⁸ David Keen, *Endless War? Hidden Functions of the 'War on Terror'* (London: Hurst, 2006).
- ³⁹ UNDP – United Nations Development Programme, "Afghanistan. Security with a human face. Challenges and responsibilities. Nation Human Development Report," 2004, accessed August 08, 2016, <http://planipolis.iiep.unesco.org/upload/Afghanistan/Afghanistan%20HDR%202004.pdf>
- ⁴⁰ Cited in Ulrich Schneckener, „Transnationale Terroristen als Profiteure fragiler Staatlichkeit,“ SWP Studie 18, 2015, Stiftung Wissenschaft und Politik, Berlin, Germany, 7.
- ⁴¹ Rem Korteweg, and David Ehrhardt, *Terrorist black holes. A study into terrorist sanctuaries and governmental weakness*. (Den Haag: Clingendael Center for Strategic Studies, 2005), 34.
- ⁴² Conrad Schetter, "Ungoverned Territories," in *Spatial Dimension of Risk*, ed. Detlef Müller-Mahn (London: Earthscan, 2012), 97-108.
- ⁴³ Richard D. Sack, *Human Territoriality: Its Theory and History* (Cambridge: Cambridge University Press, 1986). In the following we prefer the term 'ungoverned spaces' because the term 'ungoverned territory' is a contradiction in itself: Following common definitions, 'territory' refers to exactly fixated geodetic units, which

are subject to political or societal control, while the term ‘ungoverned’ stresses the vacuum of any political authority.

⁴⁴ See Jennifer Keister, “The Illusion of Chaos. Why Ungoverned Spaces Aren’t Ungoverned, and Why That Matters,” *Policy Analysis* 766 (2014).

⁴⁵ Atlantic Treaty Association, “Ungoverned spaces. The threat that draws us in,” *Atlantic Voices* 3, no. 4 (2013).

⁴⁶ Auswärtiges Amt, “Bilaterale Beziehungen auf gutem Fundament,” Press release, June 13, 2014.

⁴⁷ e.g. Patrick Cronin, ed., *Global strategic assessment 2009. America’s strategic role in a changing world*. (Washington: NDU Press, 2009); James Forest, “Engaging non-state actors in zones of competing governance,” *Journal of Threat Convergence* 1, no. 1 (2010): 10-21; Lowell E. Jacoby, “Current and projected national security threats to the United States. U.S. Defense Intelligence Agency. Senate select committee on intelligence,” February 24, 2004, accessed August 08, 2016, http://www.fas.org/irp/congress/2004_hr/022404jacoby.pdf ; Robert D. Lamb, “Ungoverned areas and threat from safe havens. Prepared for the office of the Under Secretary of Defence for Policy,” 2008, accessed August 08, 2016, http://www.cissm.umd.edu/papers/files/ugash_report_final.pdf; Rabasa et al., *Ungoverned territories*, 2007; Clionadh Raleigh, and Caitriona Dowd, “Governance and Conflict in the Sahel’s ‘ungoverned spaces’,” *Stability: International Journal of Security & Development* 2, no. 2 (2013): 1-17; Ian Storey, “The triborder sea area: Maritime Southeast Asia’s ungoverned space,” *Terrorism Monitor* 5, no. 19 (2007): 1-3; Teresa Whelan, “Africa’s ungoverned space,” *Nacao Defesa* 114 (2006): 61-73; Kirk Windmueller, “State of chaos. Security threats from ungoverned and under-governed spaces,” *Special Warfare* 22, no.5 (2009): 19-21.

⁴⁸ Michael Clark, and Renad Mansour, “After Pandora’s Box: Implications of misgovernance and contested governance in Syria, and what this means for NATO,” *Atlantic Voices* 3, no. 4 (2013): 2-7; Geoffrey Aronson, “Egypt threatened by ‘Ungoverned space’ on Libyan border,” *Al-Monitor*, May 22, 2014, accessed August 08, 2016, <http://www.al-monitor.com/pulse/originals/2014/05/egypt-sinai-ungoverned-space-lawless-libya-security-military.html> .

⁴⁹ When considering conceptual innovations like “ungoverned spaces” it is worth taking a second look at their counterpart and asking: how are spaces currently ‘governed’ conceived? Might the newly coined term ‘ungoverned spaces’ amount to an attempt to conceal a crisis in our understanding of governance or of changes in the triangle of sovereignty (see above) by concentrating on their antithesis?

⁵⁰ Lamb, “Ungoverned areas and threat from safe havens,” 2008.

⁵¹ Ray Takeyh, and Nikolas Gvosdev, „Do terrorist networks need a home?” *The Washington Quarterly* 25, no. 3 (2002): 97-108; Korteweg and Ehrhardt, *Terrorist black holes*, 2005; David Gray, and Kristina LaTour, “Terrorist black holes: Global regions shrouded in lawlessness,” *Global Security Studies* 1, no. 3 (2010): 144-163.

⁵² Ken Menkhaus, “State Failure and Ungoverned Space,” in *Ending Wars, Consolidating Peace: Economic Perspectives*, ed. Mats Berdal and Achim Wennmann (London: IISS, 2010), 171-188.

⁵³ Rabasa et al., *Ungoverned territories*, 2007.

⁵⁴ See Elden, *Terror and territory: The spatial extent of sovereignty*, 171.

⁵⁵ Katja Mielke, Conrad Schetter, and Andreas Wilde, “Dimensions of social order: Empirical fact, analytical framework and boundary concept,” ZEF Working Paper No. 78, 2011, Center for Development Research, Bonn, Germany; Keister, “The Illusion of Chaos,” 2014.

⁵⁶ Forest, “Engaging non-state actors in zones of competing governance,” 20-21.

⁵⁷ Anssi Paasi, Anssi, “Boundaries as social processes: Territoriality in the world of flows,” *Geopolitics* 3, no. 1 (1999): 69-88.

⁵⁸ Gregory, *The colonial present: Afghanistan, Palestine, Iraq*, 2004.

⁵⁹ Barry Zellen, “Tribalism and the future of conflict,” *The Culture & Conflict Review* 2, no. 3 (2008): 1-5.

⁶⁰ *Ibid.*, 3.

⁶¹ Cronin, *Global strategic assessment 2009*, 2009.

⁶² U.S. Department of Defense. *National Defense Strategy*, 2012, accessed August 08, 2016, <http://www.defense.gov/news/2008%20national%20defense%20strategy.pdf> ,

8-9.

⁶³ See Hobson, *The Eurocentric conception of world politics*, 2012.

⁶⁴ Rabasa et al., *Ungoverned territories*, 4.

⁶⁵ Rabasa et al., *Ungoverned territories*, 2007. This is starkly exemplified by the front cover picture chosen for the landmark study by the Rand Corporation on “Ungoverned Territories: Understanding and Reducing Terrorism Risk” which shows a completely impenetrable jungle. Imagery of this kind makes conventional military intervention seem futile.

⁶⁶ See Martin Shaw, *The New Western Way of War* (Cambridge: Polity, 2005).

⁶⁷ See Elden, *Terror and territory: The spatial extent of sovereignty*, 21.

⁶⁸ Gregory, “The everywhere war,” 238-250.

⁶⁹ Mary Kaldor, *New and old wars. Organized violence in a global era* (Stanford: Stanford University Press, 1999); Gregory, *The colonial present: Afghanistan, Palestine, Iraq*, 2004. It should, however, be stressed that colonial wars in particular involved asymmetrical warfare and that asymmetry is not therefore an innovation of the “New Wars”.

⁷⁰ Shaw, *The New Western Way of War*, 2005.

⁷¹ See IHRCRC/ GJC - International Human Rights and Conflict Resolution Clinic at Stanford Law School and Global Justice Clinic at New York University, “Living under drones. Death, injury and trauma to civilians from US-drone practices in Pakistan,” 2012, accessed August 08, 2016, <https://www.law.stanford.edu/sites/default/files/organization/149662/doc/slspublic/Stanford-NYU-LIVING-UNDER-DRONES.pdf> .

⁷² Grégoire Chamayou, “The manhunt doctrine.” *Radical Philosophy* 169 (2011): 4-5.

⁷³ Jean Baptiste Jeangène Vilmer, *An Ideology of the Drone* (Paris: Books and Ideas, 2014). The argument that drones are primarily defensive weapons deployed for the protection of soldiers and possibly conform with the European Convention of Human Rights or that they at least reduce the danger to innocent bystanders when compared to conventional ground troops-based interventions is only plausible if we accept that deviations from statehood norms must be confronted militarily.

⁷⁴ Susan Buck-Morss, *Thinking past terror: Islamism and Critical Theory on the Left* (London: Verso, 2003).

⁷⁵ Chamayou, “The manhunt doctrine,” 3-4.

⁷⁶ Carl Schmitt, *Theorie des Partisanen. Zwischenbemerkung zum Begriff des Politischen* (Berlin: Duncker & Humblot, 2006 (1963)).

⁷⁷ Chamayou, “The manhunt doctrine,” 2011.

⁷⁸ IHRCRC/ GJC, “Living under drones,” 2012.

⁷⁹ Chamayou, “The manhunt doctrine,” 3.

⁸⁰ Niklas Schörnig, “Unmanned Warfare: Towards a Neo-Interventionist Era?” in *The Armed Forces: Towards a Post-Interventionist Era?*, ed. Gerhard Kümmel and Sebastian Giegerich (Berlin: Springer VS, 2103), 221-236; Chris Woods, *Sudden Justice. America's Secret Drone Wars* (London: Hurst, 2015).

⁸¹ Prof Derek Gregory first revealed and discussed the US-army approach of ‘kill boxes’ on his homepage ‘geographical imaginations’ (<https://geographicalimagination.com>). For original data see: US Army, “Kill Boxes. Multi-service tactics, techniques and procedure for kill box employment,” 2005, accessed August 08, 2016, https://itsweb.us.army.mil/armypubs.asp?doctrine/DR_pubs/dr_d/pdf/fm3_09x34.pdf .

⁸² Henry Nash, “The bureaucrazation of homicide,” *Bulletin of the Atomic Scientists* 36, no. 4 (1980): 22.

⁸³ Grégoire Chamayou, *A theory of the Drone* (New York: New Press, 2015).

⁸⁴ Robert Meyer, Conrad Schetter, and Janosch Prinz, “Spatial contestation? – The theological foundations of Carl Schmitt’s spatial thought,” *Geoforum* 43, no. 4 (2012): 687-69.

⁸⁵ See Jason Stanley, *How Propaganda Works* (Princeton: Princeton UP, 2015). One could also argue that the discourse on ‘ungoverned spaces’ supplies propaganda, if propaganda means speech that is claimed to serve a certain purpose/value but effectively undermines this purpose/value, e.g. in our case how the discourses of ungoverned territories and kill boxes claim to increase ‘security’ (in an undifferentiated way).

⁸⁶ Mutschler, Max, “On the Road to Liquid Warfare? Revisiting Zygmunt Bauman's thoughts on liquid modernity in the context of the, new Western way of war ‘,” BICC Working Paper No. 3, 2016. Bonn International Center for Conversion, Bonn, Germany.

⁸⁷ Mohammad, Arshad (2012): Clinton defends drone strikes after al Qaeda leader Abu Yahya al-Libi killed. Huffington Post. 7 August, 2012.