

# Beyond the Military Front

Written by A.R. Sriskanda Rajah

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A.R. SRISKANDA RAJAH, OCT 16 2014

After al-Qaeda and the Taliban, the Islamic State (ISIL/ISIS) has emerged as the most brutal Islamist terror group the world has ever seen. In response to the terror threat of this relatively new but most notorious Islamist group, the US President Barack Obama has announced that America 'will degrade and ultimately destroy ISIL through a comprehensive and sustained counterterrorism strategy' (2014). Likewise, the British Prime Minister David Cameron has also announced that the Islamic State will 'be squeezed out of existence' (2014). As UK joins airstrikes conducted by the US and France in Iraq, and the Netherlands prepares to send fighter jets to the region, it is increasingly likely that many Western states, if not all, will eventually become part of the Western coalition to militarily defeat the Islamic State.

But what about Western response to the terror threat back at home? President Obama (2014) and Prime Minister Cameron (2014a) have announced that in the West, the terror threat of the Islamic State will be neutralised through law enforcement action. Does this mean that at home there will be no war against the Islamic State? Using some of the expositions made by the French Philosopher Michel Foucault in the 1970s to explain power relations, this article will argue that the West is already engaged in a war against the Islamic State in its own streets. It is not a metaphorical one but a real war that extends beyond the military front.

### Re-conceptualising War

In a number of works published and lecture series delivered in the 1970s, Foucault set the ground for re-conceptualising war beyond military action. In the lecture series "*Society Must Be Defended*", Foucault sought to explain power relations through the matrix of war on the basis that force remains central to them (2004: 15). For Foucault, politics 'sanctions and reproduces the disequilibrium of forces manifested in war'; it achieves this by 'perpetually' reinscribing the 'relationship of force' in 'institutions, economic inequalities, language, and even the bodies of individuals' (Ibid.: 16). Similarly, as a form of power, law is, even in its most regular form, inscribed with the mechanisms of war (Ibid.: 50-51). This was also a point that Foucault made when he touched on the subject of the violent dynamics of law in Volume I of the *History of Sexuality*: 'Law cannot help but be armed, and its arm, *par excellence*, is death; to those who transgress it, it replies, at least as a last resort with that absolute menace. The law always refers to the sword' (1998: 144). Foucault also argued that the 'great institutions of power that developed in the Middle Ages' in the form of the 'monarchy' and 'the state with its apparatus' actually rose as 'agencies of regulation, arbitration, and demarcation' over other forms of war, i.e., 'feudal and private wars' as well as 'the private settling of lawsuits', that existed at that time (Ibid.: 86-87). In its attempt to transcend all forms of war, the monarchy used law, through the 'mechanisms of interdiction and sanction', both as 'a weapon' as well as the 'mode of manifestation and the form of its acceptability' (Ibid.: 87). Understood in this sense, law performed a war-making function for the monarchy, paving the way for the latter to establish its supremacy over medieval society.

A close reading of the works of two prominent political thinkers of the Enlightenment reveals that law enforcement action by the state against an individual who broke the law was often understood at the threshold of modernity to be a response to war. In *The Social Contract*, published in 1762, Jean-Jacques Rousseau argued that when an individual breaks the law of his country, he makes 'war on it', and needs to be destroyed in order to preserve the state as well as the lives of his fellow countrymen (1999: 71). The offender 'becomes a rebel and a traitor to his country' and is put to death as 'an enemy rather than as a citizen': 'He who wills that his life may be preserved at the expense of others

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must also, when necessary, give his life for their sake' (Ibid.). In 1796, Immanuel Kant also made similar arguments. In Part I of the *Metaphysics of Morals*, Kant argued that when an individual commits a crime, he endangers the 'Commonwealth' and can therefore be destroyed: 'It is better that *one* man should die than that the whole people should perish' (1887: 195-196). The right to punish a criminal, Kant claimed, was 'the Right of Retaliation (*Jus talionis*)' (Ibid.: 196). This was also the case with resistance against the sovereign's laws. In Kant's view, when an individual rises against the 'ruling Authority' of the state, 'he would expose himself as a Citizen, according to the law and with full right, to be punished, destroyed, or outlawed' (Ibid.: 174). For Kant, resistance 'on the part of the people to the Supreme Legislative Power of the State', even when the monarch abuses his power, 'is in no case legitimate' (Ibid.: 176). Therefore, any effort on the part of the people to rise against the ruling order constituted high treason:

[W]hen the Supreme power is embodied in an individual Monarch, is there any justification under the pretext of his abuse of power, for seizing his person or taking away his life (*monarchomachismus sub specie tyrannicidi*)? The slightest attempt of this kind is *High Treason (proditio eminens)*; and a traitor of this sort who aims at the *overthrow* of his country may be punished, as a political parricide, even with Death. It is the duty of the People to bear any abuse of the Supreme Power, even though it should be considered to be unbearable (Ibid.: 176-177).

In other words, when a crime is committed, or when a rebellion takes place against the existing ruling order, the response of the state should be to that of war: the criminal, or the rebel, had to be treated as 'the common enemy', a 'traitor' and 'monster', against whom 'all the forces, all the power, all the rights' had to be mobilised (Foucault, 1991: 90).

In the contemporary world, many would feel uneasy about recognising law enforcement action to be war or a state's response to war. This is because law is generally understood to be associated with peace. However, one can always recognise law's war-making function whenever law enforcement action produces the effects of battle, i.e., death, injury and the expulsion of the enemy, destruction of the enemy's assets, appropriation of the enemy's land/property, and the submission of the enemy. This also applies to other power relations.

### Fighting the Islamic State in the West

The idea that war can be waged through means other than military action was tacitly acknowledged in Western political thought and practice following 9/11. Outlining his strategy for the Global War on Terror (GWOT), the US President George Bush announced:

To defeat this threat we must make use of every tool in our arsenal – military power, better homeland defences, law enforcement, intelligence, and vigorous efforts to cut off terrorist financing... [I]t is not only this battlefield on which we will engage terrorists... We will continue to encourage our regional partners to take up a coordinated effort that isolates the terrorists. Once the regional campaign localizes the threat to a particular state, we will help ensure the state has military, law enforcement, political, and financial tools necessary to finish the task (2002: iv & 5-6).

Thirteen years on, the idea that Jihadism needs to be fought on every front has not waned.

Echoing the sentiments of his predecessor, the US President Obama has announced that outside the Middle East, America will counter the terror threat of the Islamic State on all available fronts: 'Working with our partners, we will redouble our efforts to cut off its [Islamic State's] funding; improve our intelligence; strengthen our defenses; counter its warped ideology; and stem the flow of foreign fighters into and out of the Middle East.' (2014). Prime Minister Cameron has also announced that the UK government will take 'uncompromising action against terrorist at home' in form of seizing passports, preventing suspected terrorists from returning to the UK, enforcing existing counter-terrorism legislation and introducing new ones along with emergency legislations (2014a). In Cameron's words, the action that the UK government has initiated against the Islamic State at home today is essential 'to strengthen our powers to fill specific gaps in our armoury' (Ibid.).

The use of the term 'armoury' by Cameron today, or the term 'arsenal' by Bush during the GWOT, to denote non-military action against the Jihadists cannot be dismissed as metaphorical expressions. They testify the understanding

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on the part of Western leaders that law enforcement action is a way of waging war. Thus, like in the Middle East, the West's war on the Islamic State is already underway at home. It is a war that extends beyond the military front to the legal, financial, and immigration fronts. Whether this war will be extended to other fronts will depend on how the terror threat of the Islamic State will unfold in the future.

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**A.R. Sriskanda Rajah** recently graduated with a PhD from Brunel University, London. His thesis developed a Foucauldian biopolitical perspective on Western policy in the Tamil – Sinhala conflict in Sri Lanka (the Eelam War). In doing so, it also explored ways that peace becomes a means of waging war. In particular the author's thesis revealed how the use of counter-terrorism laws in the West produced the effects of battle in Sri Lanka.