ABSTRACT. The dominant imagery in current international relations seems to betray the emergence of an imperialist imaginary that differs markedly from an earlier one. This paper traces the main outlines of this emerging imaginary that has left notions of Empire as spheres of integrative production firmly behind, and is now geared towards imagining Empire as a complete, organic body of free-but-organic-and-therefore-orderly flows that however needs to be kept intact by means of epidemiological interventions aimed at excluding or neutralizing viral entities. Dealing with terrorism, or invading states that allegedly breed them, in this imaginary, is first and foremost a matter of medical necessity and urgency. The legal and diplomatic ‘logic’ of UN resolutions (Resolution 1441 for example), in this imaginary space, can only be imagined as being of secondary importance. Cooperation and ‘cosmopolitan’ negotiation, as alternatives, disappear in this imaginary that projects an imperialist globalization of epidemiological purity.

We need a new metaphor, and though I generally do not like medical metaphors to describe conflict, the image of a virus comes to mind because of its ability to enter unperceived, flow with a system, and harm it from within.

(Jean Paul Lederach, shortly after 9/11)¹

I don’t do diplomacy

(US Defence Secretary Donald Rumsfeld, April 2003)

¹ Taken from Lederach’s essay, “The Challenge of Terror: A Traveling Essay”, written shortly after the September 11 attacks, and posted at http://www.nippori-ca.com/terrorism.html. Lederach, a Professor of Conflict Studies and Resolution at Notre Dame University, is alleged to have been the first to use the ‘terrorism as virus’ metaphor after the September 11 attacks.
1. INTRODUCTION: BLAIR’S CONGRESSIONAL ADDRESS

Shortly after the end of the war in (or on) Iraq, the British Prime Minister was invited to address the US Congress, at which occasion he would also be given the Congressional Gold Medal. A few seconds into his address, delivered on July 17, 2003, Blair stresses how, in the past five decades or so, nations have grown ever closer because of ‘technology, communication, trade and travel’. He continues with a few lines that are worth quoting here in full:

We are bound together as never before. This coming together provides us with unprecedented opportunity but also makes us uniquely vulnerable. The threat comes, because, in another part of the globe, there is shadow and darkness where not all the world is free, where many millions suffer under brutal dictatorship; where a third of our planet lives in poverty beyond anything even the poorest in our societies can imagine; and where a fanatical strain of religious extremism has arisen, that is a mutation of the true and peaceful faith of Islam and because in the combination of these afflictions, a new and deadly virus has emerged. The virus is terrorism, whose intent to inflict destruction is unconstrained by human feeling (...)².

In this essay we hope to be able to demonstrate how the imagery in this quotation is indicative of a newly emerging imaginary of Empire. Empire here appears as the body of freedom-loving nations ‘bound together’, whose health, always ‘vulnerable’, is threatened by ‘afflictions’ and ‘strains’ of ‘viruses’ that are ‘unconstrained’, and, because of their being devoid of any ‘human feeling’, and because of their status as ‘unconstrained’ ‘viruses’, firmly belong outside this benign Empire, i.e., outside the body of real humanity that, in recent years, had been growing together. It is worthwhile to note here that this healthy body of Empire is one that combines both the freedom of flows and the order of an assemblage, ‘bound together’. This Empire is basically one of assembled technologies – “technology, communication, trade and travel”, says Blair – where freedom flows orderly. The gaps in-between these assembled technologies is where disorderly, ‘viral’ ‘fanaticism’ can and will slip within.

We will get back to the Prime Minister’s speech later. It may suffice for our purposes here to underline the importance of this newly emerging imaginary. Its particular medical imagery seems to betray a new vision of Empire, i.e. one that, on the one hand, is moving beyond notions of Empire as productive achievement, and

² Blair, T., “Speech to the US Congress on 17 July” (2003), at http://www.free-europe.org
one that, on the other hand, is gradually abandoning both legality and diplomacy as the main tools of Empire-building. Although this particular medical imaginary, in our view, already began to crystallise during the early 1990s, i.e., shortly after the fall of the Berlin Wall, and, with it, the Cold War, it could be argued that, in the aftermath of September 11, and in the months prior to the latest Iraq war, events catalysed this medical imaginary and refined it. By the time of Blair’s congressional address, it emerged fully fledged. We will attempt to reconstruct this process of catalysis and refinement. But before we do that, we need to explore some imaginaries of Empire, old and new.

2. Imaginaries of Empire

Empire used to be considered as productive process. Empire was something to be achieved, to be accomplished. It was a goal, and, as such, it was strived for. Empire was not just there, it was not given. It had to be made, it had to be produced, and it had in turn to be made productive. Forces had to be marshalled, populations had to be subdued and mobilised, crops had to be cultivated, peoples had to be disciplined and ‘civilised’, landscapes had to be changed, goods had to be transported, networks and dependencies had to be established, and ultimately, something like imperial integration or better, inclusion, had to be accomplished: ‘they’ had to be part of ‘us’. And sometimes this accomplishment of Empire seemed to have implied that ‘they’ must be ‘like us’, or ‘with us’, or ‘under us’. Referring to Victorian writers such as Ruskin and Lord Macaulay, this is how Ian Baucom recently read the British Empire: ‘a factory for the production of English identity’. 3 Let us be clear and not overstate our case here, and let us at least qualify this claim. Empire, it should be stressed, was simultaneously and inevitably also exclusive; it aimed, at best, at disciplinary normalization of subdued populations (that sometimes went under the heading of ‘civilization’), and, at worst, at sheer repression, even genocide. If ‘they’ would not be ‘part of us’, if ‘they’ would refuse to ‘be like us’ or be disciplined to be ‘with us’ or ‘under us’, then the options of repression and destruction were opened up. But this is not the issue of this paper. The issue here is to realise how Empire used to be imagined and practiced, first and

3 Baucom, I., “British to the Backbone: On Imperial Subject Fashioning”, Out of Place (Durham: Duke University Press, 1999), 75–100, at 79.
foremost, as something that had to be made, that had to be produced, as something that had to be assembled. Out of fragments, incoherence, and disunity, Empire had to be produced. So unnatural an enterprise, this Empire, in the words of Rudyard Kipling, the colonialist par excellence, was literally the white man’s burden. And all this required tremendous productive effort as well as discipline. One could hope that, at the end of this productive effort, Empire would emerge. If ever it did emerge. The production of Empire did seem to be a never-ending process of construction, mobilisation, inclusion, discipline, and integration (however repressive it may at times have been). Empire never seemed to be fully accomplished, it required constant and unrelenting productive attention. In this Empire, there’s no room for complacency. As a ‘factory’, Empire seemed to be an ongoing productive process. Its decline threatened every minute of the day from within as well as from without (outside was the location of other Empires). This 19th century notion of Empire as an unrelenting process of productive inclusion or integration of some sort coincided with the consolidation of European nation-states and the emergence of nationalism. Nation-states too were not given. They too had to be built, they had to be produced, they had to be fashioned out of fragments, incoherence, and disunity. They too were the result of productive inclusion and discipline. They too were the result of tremendous effort, of particular arrangements that kept populations and landscapes together. They too were the result of factories and of labour. They too had to be made productive in turn. However, in both cases, i.e. the production of nation-states on the one hand, and the production of Empire on the other, legality and diplomacy were crucial. Law and diplomacy were important technologies (however repressive at times) by which nation-states as well as Empires were held together, or indeed, by which they were produced or maintained, and by which they were made to be productive.

This imaginary – i.e. Empire is the result of a productive process of inclusion – has, since about the fall of the Berlin Wall, been replaced by another. This new imaginary, we hope to be able to demonstrate below, unfolded gradually throughout the 1990s. At first notions such as ‘production’, ‘productivity’, and ‘inclusion’ gradually disappeared from the imaginary of Empire. Later, after the events of September

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4 Title of Kipling’s poem first published in McClure’s Magazine (February 1899).
5 On Empire as production, see in particular Fitzpatrick, P., Modernism and the Grounds of Law (Cambridge: Cambridge University Press, 2001), at 146–182.
11 and the latest Iraq war, a newly emerged imaginary of Empire, i.e. Empire as an ‘exclusive’ ‘given’, was medicalised. Let us reconstruct this first phase here. The second phase, i.e. the phase of medicalisation, will be dealt with in the next section. Empire does not have to be produced or maintained anymore. It is accomplished. It’s just there. Today, Empire is a given. Nothing needs to be included anymore. Empire is global, universal, complete, and is, as such, ‘immutable’. It may, as Hardt and Negri recently argued, be a ‘multicentric’ Empire, driven and fuelled by what they call the ‘multitude’ of desires and hopes. It may not have a clear and obvious centre anymore. But it is, Hardt and Negri argue, global and complete, and it seems to have reached a point of no return. Indeed, prior to September 11, it looked as if the global and globalizing ‘multitude’ and their ‘multicentric’ controls, i.e. Empire, in Hardt’s and Negri’s view at least, were there, or here, to stay. Such an Empire does not need to be produced or maintained. It produces and maintains itself. It doesn’t have to be made productive. Its productivity is determined by this multitude of desires and controls. There is no imperial centre that arranges for particular inclusions or that works towards integration. There is a multitude of desires and controls that interact with each other or resist each other. This Empire is complete. Now this is how two radicals have imagined Empire in the 1990s. One does not have to agree with them of course. According to Peter Fitzpatrick, for example, although this ‘new imperialism’ assumed something like a ‘complete givenness’, something like the ‘naturalism’ or ‘the implanted truth and the inevitability’ of ‘the neo-liberal order’, while ‘it assures itself that it has encompassed its own limit, achieved completeness, and marked the end of history’, it also retained and continues to retain severely disciplinary features, such as ‘structural adjustment plans’ and other ‘contractual’ devices whereby states are forced to collaborate towards their own disciplined subordination to ‘global capital’. Fitzpatrick also amply demonstrates how the ‘new imperialism’ of the 1990s tended to be imagined as that particularly Western but highly pretentious universalism that hides under words like ‘human rights’. And this entailed massive exclusion, as, of course, ‘those who do not behave in accordance with or aspire to human...
One might however agree with the claim that the imaginary of empire, after the fall of the Berlin Wall, say roughly from President Bush Sr.’s New World Order onwards, has arguably undergone marked changes. Empire seems to have lost much of its ‘productive’ and ‘inclusive’ connotations (however repressive at times such production and inclusion may have been). If anything, today’s imagined Empire seems to be in need of exclusions. In the imaginary of Bush Sr.’s new world order, for example, there was no room for ‘rogue states’. Those should be kept at bay, or neutralised, or embargoed, or just contained. This imaginary Empire, i.e. an almost natural given of free-flowing forces and desires (free-flowing but orderly, new-world-orderly, that is), only needs to reproduce itself by excluding ‘rogue states’ (rogue-but-unfree, that is), or at least by keeping them in check. This is its imaginary legality, this is what its imaginary diplomacy is about: the exclusion, or at least the policing (with the US as the ‘world’s policeman’) of ‘rogue’ elements from a given state – a given Empire – of natural freedom and natural order. This shift in the imaginary of empire again coincided with a similar shift that could be detected in the imaginary of the nation-state. In an age when, as Habermas once noted, life and governance are marked by an ‘exhaustion of utopian energies’, the project of the nation-state, or any project for that matter (Habermas himself wrote about the welfare state in particular), tends to be imagined and practiced much more as a negative complex of exclusions rather than a focused, positive, indeed utopian project of inclusion. Or, in a somewhat different vein, and borrowing from Deleuze, discipline gradually made way for control. During the past few decades, the legality of national projects often expressed itself in images such as ‘fight’ and ‘enemy’, or ‘stranger’ and ‘risk’. The fight against crime, for example, or the stranger at the border, or the prevention and containment of risk, all did begin to weigh heavily upon the imaginary of nation. However, in both cases, i.e. Empire as well as the nation-state, legality and diplomacy remained fully part of their respective imaginary space. Policing rogue states, fighting crime and criminals, and keeping strangers out did remain a matter of legality.

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8 See note 5, at 208–216.
9 Habermas, J., “The New Obscurity: The Crisis of the Welfare State and the Exhaustion of Utopian Energies” The New Conservatism (Cambridge: Polity, 1989), 48–70.
10 Deleuze, G., “Postscript on Control Societies,’ Negotiations (New York: Columbia University Press, 1995), 177–182.
and diplomatic negotiation. This, in our view, changed sometime after September 11, 2001 and before the invasion of Iraq in March 2003.

This emerging imaginary of Empire (i.e. Empire as a natural, self-sufficient, complete given of orderly freedom and exclusion of rogue elements), we will argue, got medicalised, and this medicalization also catalysed the imaginary of Empire towards a higher level of coherence. Now this medicalization of the imaginary of Empire, one could argue, was already on its way before September 11.\textsuperscript{11} Indeed, the first Gulf War (1990–1991), the first test of Bush Sr.’s New World Order if you wish, already saw imagery like ‘surgical strikes’ surge to the surface. The then US government administration may have regarded themselves as the world’s policeman, operating within the bounds of legality and diplomacy (however repressive at times), they nevertheless saw no problem in using the scalpel when cutting out ‘rogue’ elements with surgical precision. We shall demonstrate how this embryonic medicalization further evolved, passing an oncological stage, and ending in a final, epidemiological one. Again, this trend of medicalisation could also be seen on an intra-national level, where, as Nikolas Rose has shown, crime control, in today’s ‘biological culture’, seems to adopt genetically informed risk prevention strategies ‘that aim to identify, treat and control individuals predisposed to impulsive or aggressive conduct’, and that should be implemented against (and this is important) ‘those whose conduct seems to show wanton disregard for the moral constraints on the conduct of free individuals in a liberal society’.\textsuperscript{12} Before we explore the medicalised imaginary of Empire in more detail below, let us just emphasise here how, in this imaginary, particularly in the oncological and epidemiological stages (see below), Empire appears as a full, self-sufficient given, as a naturally given body, as a naturally ordered body of freedom-cum-constraint, whose undoubted health should be maintained in and through the exclusion of anything – indeed: anything inhuman – that does not belong there. At this point, preoccupations with legality and diplomacy give way to a different logic of Empire, to

\textsuperscript{11} One could add here that medical imagery as such, e.g. the use of words such as “health” to describe the state of the nation, has 19th century origins. As many criminologists know, Louis Pasteur’s work in bacteriology made sure that late 19th century criminologies did tend to define crime in terms of bacterial “infection”.

\textsuperscript{12} Rose, N., “The Biology of Culpability: Pathological Identity and Crime Control in a Biological Culture”, \textit{Theoretical Criminology} 1 (2000), 5–34, at 5 (italics R.L.).
a different logic of imperial intervention, if you wish. This is the point where imperial intervention comes to be imagined as an instance of medical urgency. In a medicalised imaginary of Empire, it’s the logic of medical urgency and medical necessity that is likely to start determining and structuring imperial interventions such as ‘pharmacotic’ wars on terrorism. ¹³

3. MEDICAL EMPIRE: SURGICAL, ONCOLOGICAL, OR EPIDEMIOLOGICAL?

During the last few months of the second Clinton administration, in June 2000, the US State Department, without much explanation, decided to drop the term ‘rogue state’ as it was no longer considered to be ‘an appropriate one’. The term ‘rogue’, claims Patrick Martin, on the World Socialist Website,¹⁴ was used throughout the 1990s ‘to demonise’ states that ‘ran afoul of American foreign policy and commercial aims’, while also conjuring up ‘an image of countries whose leaders – and people – were, as it were, contaminated with the virus of terrorism’. According to Martin, ‘the implication’ of the use of this term, i.e. ‘rogue states’, was ‘that virtually any measures were justified against such nations’. Martin’s article was published a year before September 11, 2001. But already the image of terrorism as viral contagion emerges in journalistic writings, at the precise moment when Madeleine Albright, the then Secretary of State, decides to abandon the use of the term ‘rogue states’. The image of terrorism as viral contagion does not fit nicely in the broader framework (which in the end is a diplomatic and legal framework, however repressive at times) of policies, strategies, and measures against ‘rogue states’. Martin’s text therefore could be read as a somewhat uneasy hybrid pastiche of images. It would take time before any more or less coherent imaginary emerged. The day after the destruction of the WTC’s twin towers (and the people they contained on that fatal morning), i.e. on September 12, another hybrid image

¹³ George, L.N., “The Pharmacotic War on Terrorism: Cure or Poison for the US Body Politic”, Theory, Culture & Society, 4 (2002), 161–186.
¹⁴ Martin, P., “State Department Drops the Term ‘Rogue State’: Cynicism and Crisis in US Foreign Policy”, 24 June 2000, World Socialist Website, at http://www.wsws.org. Subsequent quotations also from this document.
emerged in journalism, when Jock Gill, for Democrats.com, posted a piece under the heading ‘fighting the cancer of terrorism’. The image of terrorism as a cancer that needs to be fought (Gill himself, somewhat ironically, understands this ‘fighting’ to consist of ‘long-term’ ‘understanding’) would prove to be rather resilient. President Bush’s National Security Adviser, Condoleezza Rice, e.g. about a month after the September attacks, and 10 days into Operation Enduring Freedom in Afghanistan, admits to a CNN journalist that ‘what we want to do is to work with every government in which there is a substantial al-Qaeda presence to figure out a strategy for rooting it out (...) because it’s like cutting out a cancer (...’). Although it moves towards further medicalization – oncologization, to be precise – Rice’s imaginary remains a somewhat uneasy hybrid. ‘Cutting out cancers’ does not sit nicely and squarely within an apparently tenaciously persisting legal and diplomatic framework which implies ‘working together’ with ‘governments’ to ‘figure out strategies’, particularly at a time when a severe military campaign is going on. The image of ‘terrorism as cancer’ as such was unable to capture both the conditions and the particulars of what happened on September 11. Cancer tends to grow inside bodies. Yes, like ‘evil’, it ‘knows no boundaries’ (President Bush during his trip to China), and it often grows and spreads through metastases, but it is localised, and, moreover, it appears to come from within, and as such, has something human about it – it’s just human cells running wild, it’s humanity running wild. But the image did persist, and surfaced on a few occasions, one as late as March 2003 (during a press conference on the eve of the invasion of Iraq) when President Bush, referring to ‘regime change’, talked about ‘replacing this cancer inside of Iraq’.

‘Viral’ imagery, however, would prove to be more appropriate to capture the events of September 11 and the conditions that led to it. Viruses – at least some viruses – tend to be both outside and within. They come from outside the body, but somehow, and unpredictably so, like ‘evil’, manage to penetrate boundaries, slipping ‘within’. Viruses also need ‘cultures’ where they are able to grow and

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15 Gill, J., “Fighting the Cancer of Terrorism”, September 12, 2001, at http://www.penfield-gill.com
16 CNN, “Bush to Push Anti-Terror Agenda in China”, October 17, 2001, at http://www.cnn.com
17 See previous note.
18 White House, ‘President George Bush Discusses Iraq in National Press Conference’, March 2003, at http://www.whitehouse.gov
multiply incessantly. This notion of ‘cultures’ is worth dwelling on for a moment. Fitzpatrick, for example, critically examines the use made by proponents of ‘human rights’ of phrases such as ‘cultural absolutism’ to denominate ‘culture-bound, closed, exclusionary, traditional, authoritarian, status-ridden, static, ‘pure and inviolable community’’, i.e. those rigid and automaton-like elements devoid of the capacity for moral, and therefore, human deliberations. In a strange and ironic twist these ‘cultures’ of ‘absolutism’ prove to be highly flexible and mobile on a global scale, and possibly more so than the allegedly culturally universal particulars that go under the name ‘human rights’. Indeed, and most importantly, viruses – at least some of them – tend to be airborne, just like the images of the twin towers that circulated through CNN’s ether, spreading fear and terror, contagiously. As the head of a fascist terrorist conspiracy tells us (in the Hollywood production *The Sum of All Fears*, which was released in 2002), whilst enjoying the apparent inability of both US and Russian protagonists to move beyond Cold War thinking, and whilst planning a nuclear attack on Baltimore, ‘our virus is airborne’. A French judge, in a televised programme, likened al-Qaeda to the Aids virus: ‘this virus is totally mutant’. Viruses are not human. A virus is a ‘Fremdkorper’, an alien, inhuman entity that does not belong within (and that has no place without either). Viruses ought to be tracked down in their cultures and destroyed without further ado. This is a matter of medical, or more precisely, of epidemiological necessity and urgency.

The image of ‘terrorism as viral contagion’ surfaced fairly shortly after the September attacks, particularly in academic milieux. A few days after the attacks, Arthur and Marilouise Kroker, the Canadian editors of the pomo-zine *par excellence*, *CTHEORY*, published an essay under the heading ‘Terrorism of Viral Power’. The attacks on

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19 See note 5, at 209.

20 ‘The Third World War: al-Qaeda’, BBC Two (television), Tuesday 10th February 2004, 9 p.m.

21 The virus metaphor of course had been used before. In his 1947 statement before the House of Un-American Activities Committee, J. Edgar Hoover, FBI Director, spoke of the “virus of communism”. Epidemiological destruction of internal communism, however, still had a seriously legal tinge about it in Hoover’s statement. “I do favor unrelenting prosecution wherever they are found to be violating our country’s laws. As Americans, our most effective defense is a workable democracy that guarantees and preserves our cherished freedoms” (taken from http://edition.cnn.com/SPECIALS/cold.war/episodes/06/documents/hoover).
the twin towers, the Krokers tell us, have taught us that, when confronted with the ‘contagious logic of viral power’, particularly with a suicidal viral logic, ‘dissuasion is inoperative’. Diplomacy and legality, in other words, are inoperative. When dealing with sickness and contagion (and how else to define suicidal mania that spreads like wildfire in fundamentalist cultures and in rigid communities of machine-like automatons?) epidemiological ‘logic’ has to take over. ‘Viral power adopts the strategy of the attacking parasite’, the Krokers continue, ‘invading the body of the host (the American homeland), bleeding its tactical intelligence (those flight schools in Florida), circulating in its commercial bloodstream (American airlines), and imploding in a violent fatal metastasis that has as its aim the infiltration of the mediascape through its apocalyptic effects’. It should come as no surprise that such imagery emerged very quickly in postmodern academia. Baudrillard of course had been preparing for this for years. ‘Hatred, a viral passion’, claimed Baudrillard, in 1996, ‘is also a vital passion. Against the perfection of the system, hatred is a last vital reaction’. Against the pretended self-sufficiency of a naturally given, perfect, human and healthy Empire, against this new world order, hatred is a viral reaction.

‘Terrorism as viral contagion’ gradually replaced oncological imagery in official statements and documents. The ANTHRAX scare (end of 2001) and the SARS virus outbreak in South East Asia and Canada (End of 2002 and Spring 2003) formed an uncanny backdrop against this development. At first viral imagery was used in again an uneasy hybrid mélange. Alex Salmond for example, MP for Banff and Buchan, in the 16 October 2001 session of the U.K. Parliament, expressed his disbelief and puzzlement when, in a newspaper, he read about ‘officials close to a group in the American Administration’ who where on record as saying that ‘[they] see this war as one against the virus of terrorism. If you have bone marrow cancer, it’s not enough to just cut off the patient’s foot. You have to do the complete course of chemotherapy. And if that means embarking on the next Hundred Years’ War, that’s what we’re doing’. Lord George Robertson, NATO Secretary-General, pitching ‘freedom-loving people’ against

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22 Kroker, A. and Kroker, M., “Terrorism of Viral Power”, CTHEORY, posted 16 September 2001, at http://www.ctheory.net
23 Baudrillard, J., The Perfect Crime (London, Verso, 1996), at 147.
24 Hansard 2001–02, Debates 16 October 2001, column 1099. A http://www.parliament.the-stationery-office.co.uk
'evil', used the image of viral contagion at a time (October 2002) when it became already clear that a number of NATO member states were likely to formally object to any invasion of Iraq before the complete exhaustion of legal and diplomatic possibilities (a temporary compromise would be found in and offered by UN Resolution 1441 a few weeks later, in November 2002). The image of terrorism as viral contagion appeared throughout 2003 in a host of publications and addresses, such as Bruce Hoffman’s RAND paper on al-Qaeda, or terrorism expert Magnus Ranstorp’s statement to the US National Commission on Terrorist Attacks Upon the United States, which conjures up an image of al-Qaeda as an ‘incontrollable virus’, or a ‘disease’ that aims to strike ‘at the heart of the West’s strength – the interconnectivity of their economies’. In his statement, Ranstorp seems to combine both the Krokers’ and Blair’s imaginaries when he argues for ‘making suicide-bombings a crime against humanity’, i.e. a crime committed by elements with a ‘suicidal mindset becoming airborne missiles’ (or machine-like fanaticism) against this healthy body of global interconnectivity (or orderly freedom). Here is a passage taken from the President’s State of the Union, delivered in January 2003, at a time when preparations for the large scale epidemiological expedition into Iraq’s viral culture were in full swing: ‘Before September the 11th, many in the world believed that Saddam Hussein could be contained. But chemical agents, lethal viruses and shadowy terrorist networks are not easily contained’. It could be noted here how, in this quotation, terrorists are placed on the same line as their weapons. Indeed, terrorists, in particular the alien, inhuman, suicidal, machine-like types that have placed themselves beyond legality and diplomacy – ‘dissuasion’, however repressive, ‘is inoperative’ – are (like) their weapons; they are (like) noxious chemicals or contagious viruses. As viruses, they don’t need moral reform or social rehabilitation. They don’t need punishment.

25 Kozary, L., “Terror ‘Virus’ can be Defeated, NATO Secretary-General Says”, American Forces Press Service, October 23, 2002, at http://www.defenselink.mil. Resolution 1441 was adopted at Security Council meeting 4644, 8 November 2002. 26 Hoffman, B., Al-Qaeda, Trends in Terrorism and Future Potentialities: An Assessment (Santa Monica: Rand, 2003). 27 Ranstorp, M., “Statement to the US National Commission on Terrorist Attacks Upon the United States”, March 31, 2003, at http://www.9-11commission.gov/hearings/hearing1/witness_ranstorp.html. 28 White House, “President Delivers ‘State of the Union’, January 28, 2002, at http://www.whitehouse.gov
They don’t need mere containment. They need to be destroyed. That is ultimately a matter of medical necessity that needs to be dealt with urgently and swiftly by medical experts, and it’s the latter, i.e. the experts, that will decide on this urgency and necessity. In a curious way, Bush’s *State of the Union* is replete with medical images and imagery, virological and epidemiological ones in particular. The President for example announces a massive budget increase aimed at ‘strengthening Medicare’ (the nation’s healthy body), asks for a strategic budget ‘to quickly make available effective vaccines and treatments against agents like anthrax, botulinum toxin, Ebola, and plague’, and promises developing countries substantial help in their struggle against the HIV/AIDS virus.

As suggested above, one could argue that this epidemiological imaginary helped refine a space where medical necessity and medical urgency provided the *natural* ‘logic’ for imperial intervention, thereby gradually replacing the *unnatural* ‘logic’ of legality and diplomacy. The ‘authoritarianism’ that is crystallizing in today’s healthy body of Empire (global ‘post-Fordism’, claims Steinmetz) seems to be of a medical nature. Empire’s permanent ‘state of emergency’ feels like an epidemiological one. 29 One could wonder why this imaginary has formed as and when it did, and whether there was a clear and conscious strategy behind it, but that is an issue we cannot hope to resolve here. What we can say here is that ‘terrorism as viral contagion’ seems to have facilitated a number of imperial interventions. Or, to weaken down this claim a little, it seems to have coincided with a number of issues and subsequent interventions which it may have provided a facilitating imaginary space for. One of these issues and interventions came with the capture of al-Qaeda and Taliban fighters, the first of whom were imprisoned in Guantanamo Bay, in January 2002, on a site that was aptly named ‘Camp X-Ray’. Naming those fighters ‘criminals’ would have triggered a whole body of international human rights charters and domestic due process provisions. Naming those fighters and alleged terrorists ‘soldiers’ or ‘warriors’ would have turned them into prisoners of war, and that would at least have made the Geneva Convention applicable. A medical or viral problem, a clear and present problem of inhumanity, on the other hand, can and should be dealt with ‘outside’, i.e. ‘outside’

29 Steinmetz, G., “The State of Emergency and the Revival of American Imperialism: Toward an Authoritarian Post-Fordism”, *Public Culture* 15/2 (2003), 323–345.
America’s healthy body (or the world’s, for that matter), and ‘outside’ the bounds of humane – or simply: human – legality and diplomacy. The natural body of Empire is in no need for unnatural legality or diplomacy; precisely because it is a given, natural body, it needs medical attention and intervention instead. There is no need to build or rebuild the body of Empire: once freed from the virus, it will emerge healthy, naturally. There is no need for the productive negotiations of a ‘cosmopolitan globalism’ either (to use Mikkel Rasmussen’s words\(^\text{30}\)), nor for reconciliatory efforts (one does not reconcile with viruses): the sanitary exclusion of viral contagion will suffice to keep the body of today’s imperial new world order healthy. Another issue (and subsequent intervention) that, at least to some extent, however minor, seems to have been facilitated by this epidemiological imaginary, was the invasion of Iraq. Invading an alleged or potential culture of viral, and therefore contagious terrorism is first and foremost a matter of medical necessity and urgency. The legal and diplomatic ‘logic’ of UN resolutions (Resolution 1441 in particular), in this imaginary, can only be of secondary importance. Furthermore, epidemiological interventions allow Empire to deal with contagious terrorists and their cultures (the ‘rogue states’ of yore) simultaneously, in one cleansing, sterilising sweep. It allows for a move beyond both the unnatural legal strictures of criminal procedure and the unnatural diplomatic constraints of international law.

4. **Conclusion: Empire Beyond Legality and Diplomacy?**

Empire, after the end of the Cold War, is imagined ever more as the medical practice of exclusion rather than a legal and diplomatic (however repressive at times) project of inclusion. Against the given, naturally ordered, healthy body of Empire the image of the inhuman, machinic, disorderly, virally chaotic “Fremdkörper” looms darkly. In ‘shadow and darkness’, said Blair in his July 2003 congressional address, somewhere ‘outside’ the healthy body of humanity. The events of September 11 and their aftermath, in our view, have catalysed this shift in the imaginary of Empire. However, it remains to be seen whether Empire is now on a course that will take it beyond any regard for legality and diplomacy. In his address, Tony Blair is unclear about it. ‘Freedom’, he says in his address, ‘democracy’, and

\(^{30}\) See in Rasmussen, M., “A Parallel Globalization of Terror: 9–11, Security and Globalization”, *Cooperation & Conflict* 37/3 (2002), 323–349.
‘the rule of law’ are ‘not Western values’, but ‘the universal values of
the human spirit and anywhere, and anytime, ordinary people are
given the chance to choose’. If left on its own, the healthy body of
Empire (of freedom-cum-rule of law) will emerge naturally and or-
derly, indeed, like a body. What therefore needs to be done is to make
sure it is left on its own. What is needed, in Michael Ignatieff’s words,
is an ‘Empire Lite’. And once the virus removed, there will be no
real need to start reconstructing the rule of law, or indeed, there will
be no need to start reconstructing anything at all: the healthy body of
Empire (i.e. freedom-cum-order) will emerge or re-emerge naturally
and organically. Blair continues, ‘our new world rests on order’, the
‘danger is disorder and in today’s world it now spreads like conta-
gion’ through fundamentalist terrorism, whose ‘weapon is chaos’. This
contagion needs to be dealt with. The natural rule of law must be
protected swiftly. If necessary – and it is necessary, says George W.
Bush, as ‘there are no rules’ – this must be done beyond an
unnatural logic of legality and diplomacy:

Let us say one thing. If we are wrong, we will have destroyed a threat that, at its least
is responsible for inhuman carnage and suffering. That is something I am confident
history will forgive. But if our critics are wrong, if we are right as I believe with every
fibre of instinct and conviction I have that we are, and we do not act, then we will
have hesitated in face of this menace, when we should have given leadership. That is
something history will not forgive.

This is the new logic of Empire.

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31 Ignatieff, M., “America’s Empire is an Empire Lite”, New York Times, January
10, 2003.
32 See on Bush’s remark which was uttered a few days after the attacks: Hurrell,
A., “There are no Rules’ (George W. Bush): International Order after September
11”, International Relations 16/2 (2002), 185–204.
33 See note 2.