

**We're in the Army Now:
Opto-Liberalism in the Global Garrison**

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In our introduction to this volume, we argued that the hybridization of the public and private that has become so visible over the past decade is qualitatively different from earlier historical cases and that this phenomenon constitutes a fundamental transformation change in the global neo-liberal regime of roughly 1975-2007. As we noted in that introduction, a number of scholars have written about the “privatization of public authority,” explained as a consequence of shortfalls state financing and revenue generation capacities.² In this chapter, we offer a different argument: the world is witnessing what, for lack of a better term, we call the “social securitization” of liberalism. This is associated with a specific form of societal regulation, surveillance and management,³ through which all facets of life and practice become subject to reflexive self-management, regulation and discipline, as well as commodification and securitization, all in the service of maintaining a particular form of securitized global political economy. In the process, individuals become subject to a variation on Max

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² See, e.g., A. Claire Cutler, Virginia Haufler & Tony Porter (eds.), *Private Authority and International Affairs* (Albany, N.Y.: SUNY Press, 1999).

³ This concept is often called “governmentality.” See note 8 below. Michel Foucault, “[Governmentality](#),” in [Paul Rabinow and Nikolas Rose](#) (eds.), *The Essential Foucault* (New York: The New Press, 2004), pp. [229-45](#).

Weber's "iron cage" and Harold Lasswell's "garrison state," what we call the steel web of the Global Garrison.⁴

Lasswell's notion of the garrison state is not so distant from the construct we describe and analyze here. In 1941, he proposed that, after the end of World War II, "specialists on violence [would become] the most powerful group in society." Perhaps anticipating Foucault, Lasswell wrote that

With the socialization of danger as a permanent characteristic of modern violence the nation becomes one unified technical enterprise. Those who direct violence operations are compelled to consider the entire gamut of problems that arise in living together under modern conditions.⁵

While "specialists in violence" remain both prominent in and central to states and "national security," it might be more accurate to say that, since World War II, common forms and organization of violence have been transformed and expanded, becoming not only instrumental in many new ways but also epistemic, that is, offering knowledge of real or implied threats to those individuals who might even consider violating the ordering norms and practices of the global garrison. Today, as a result, social securitization touches everyone as much as does the market—indeed, even the market has become an instrument in the operation of the Global Garrison—and we are all complicit and mostly-willing collaborators in that endeavor. That is why "We're in the army now."

As we shall argue below, the emergence of the Global garrison was not the consequence of any intentional program or policy, even though it is the result of a set of intentional programs and policies devised and implemented since the end of World War

⁴ Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, trans. Talcott Parsons (New York: Scribner's, 1958), 181. The original German term is *stahlhartes Gehäuse*, which others have translated as "steel-hard cage." Another term we have tried out is the "permanent war economy"—perhaps after Foucault's dictum that "politics is war by other means"—but feel it does not fully convey the degree to which securitization has become normalized in everyday belief and practice.

⁵ Harold Lasswell, "The Garrison State," *The American Journal of Sociology* 46, #4 (Jan., 1941): 455-68, pp. 451, 459. Compare this to Foucault's definition of "governmentality."

Two, especially the more powerful and influential societies.⁶ In retrospect, we can see how and where the Global Garrison began, and why it has come to be, but we should not imagine that, somehow, the current disposition was the intention of those who played a role in the post-war design of institutions and practices or were involved in the activities enumerated above. The origins of the Global Garrison are found in the social mobilization for total war between 1942 and 1960, the U.S. Executive's relative autonomy in respect to things military, the largely unplanned injection of dollars into the international economy through financial and military assistance between 1946 and the 1960s, the crisis of the dollar from the 1960s to the 1970s, the commercialization of military innovations and military support for research and development in universities and industries, especially nuclear, electronic and biological, the disappearance of the Cold War threat, the strategic and financial aimlessness of the 1990s, the integration of the world economy with the American one, especially since 2000, the fiscal mechanisms relied on to finance the most recent defense buildup, the shock of 9/11, the global system of *police*,⁷ and, finally, the massive intervention of state authorities into the global financial system since 2008. Various aspects of these "events" and processes served to construct a specific type of Anglo-American liberal world order which is today characterized by participation of a broad range of agents and entities in the project of rule and regulation. We will say more about this below.

⁶ This remains something of a sticking point between us: the relative balance of structure and agency, of intentionality and genealogy. See below.

⁷ "Police" is "a program of government rationality... to create a system of regulation of the general conduct of individuals whereby everything would be controlled to the point of self-sustenance, without the need for intervention" See Michel Foucault, "Space, Knowledge and Power," pp. 239-56, in Paul Rabinow (ed.) *The Foucault Reader*, (London: Penguin Books, 1984), p. 241).

The Global Garrison is a contingent result of visions, tactics, policies, missteps, reactions, resistances and a myriad of other human actions and behaviors, whose political and social articulations could not be predicted beforehand.⁸ It is neither the “Empire” of Hardt and Negri nor the “world state” of Wendt nor any other singular entity, although it has been strongly shaped, dominated and regulated by the United States.⁹ Like most of history’s aspirants to imperial dominance, what we call the “American state” has never possessed either the reach or capacity to fully pacify, transform and domesticate the world or to suppress and eliminate real and imagined individuals, groups, nations and states who might threaten the desired order. Nonetheless, through the shaping of international institutional architectures, the dissemination of the ideology and practices associated with political and economic liberalism, and the globalization of the American regulatory system of beliefs, norms and “best practices” have become the global norm. This does not mean that everyone behaves according to these principles all of the time; rather, it is that such an *assemblage*¹⁰ broadly frames and shapes “appropriate” policies and practices and penalize “inappropriate” ones. Nor does it mean that there is no

⁸ Foucault’s concept of “genealogy” is helpful here: “The forces operating in history do not obey destiny or regulative mechanisms, but the destiny of the battle. They do not manifest the successive forms of a primordial intention and their attention is not that of a conclusion, for they always appear through the singular randomness of events.... The world such as we are acquainted with it is not this ultimately simple configuration where events are reduced to accentuate their essential traits, their final meaning, or their initial and final value. On the contrary, it is a profusion of entangled events.” Michel Foucault, “Nietzsche, Genealogy, History,” pp. 351-69, in: [in Paul Rabinow and Nikolas Rose \(eds.\), *The Essential Foucault* \(New York: The New Press, 2004\), p. 361.](#)

⁹ Ronnie D. Lipschutz, *The Constitution of Imperium* (Boulder, Colo.: Paradigm Press, 2009).

¹⁰ The term “assemblage” comes from Gilles Deleuze and Felix Guattari, *A Thousand Plateaus* (Minneapolis, Minn.: University of Minnesota Press, 1987). Here, we rely on a modified definition offered in Kevin D. Haggerty & Richard V. Ericson, “The Surveillant Assemblage,” *British Journal of Sociology* 51, #4 (Dec. 2000): 605-22, p. 608, citing P. Patton, “MetamorphoLogic: Bodies and Powers in *A Thousand Plateaus*,” *Journal of the British Society for Phenomenology* 25, #2: 157-69, p. 158: An assemblage consists of a “multiplicity of heterogenous objects, whose unity comes solely from the fact that these items function together, that they ‘work’ together as a functional entity.” Pierre Bordieu’s “fields” and Foucault’s *dispositif* are recognizable in this definition.

resistance or opposition to this assemblage, although ~~habitus~~ it is the case that even resistance and opposition are framed and shaped by it.

The incitement to “proper” behavior is also an important shaper of individual subjectivity and practice. Within this assemblage, and exposed to it, each individual is a site of bodily entrepreneurialism and is also individually responsible for the “security” of all, in terms of civil behavior and surveillance. Those in both physical and virtual motion within this assemblage are told and warned repeatedly to be watchful and cautious, to report suspicious items, people and events (without those ever being fully defined), and to fear those who do not comport themselves in a “proper” fashion (again without specific definition). To this end, travel, transactions, telecommunications and tendencies are scrutinized for signs of deviance, hostile intentions and disruptive potential even as each individual is expected to comport himself or herself according to norms that maintain security. Each of us is thus engaged in self-regulation, self-surveillance, self-discipline and self-garrisoning, even as our individual behaviors are subject to constant surveillance, scrutiny and assessment by others, mechanical, electronic and flesh. We are free so long as we limit our freedoms; we are secure so long as we remain within the Garrison. This is “opto-liberalism.”¹¹

We begin this chapter with a discussion of the securitization of everyday life, drawing on the concept of “coproduction of rule and regulation” to denote the form of global rule that is emerging through hybridization of public and private.¹² Ultimately, our

¹¹ Our debt to “ordoliberalism” is obvious.

¹² This notion of “co-production” is similar to “governmentality,” which is “The ensemble formed by the institutions, procedures, analyses and reflections, the calculations and tactics that allow the exercise of this very specific albeit complex form of power, which has as its target population, *as its principle form of knowledge political economy, and as its essential technical means apparatuses of security*.... The tendency that, over a long period and throughout the West, has steadily led toward the preeminence over all other forms (sovereignty, discipline, and so on) of this type of power—which may be termed “government”—

argument here is that “hybridization” involves not merely the spinning off of public goods and services to private parties or the intervention and takeover of private enterprises by the state but, rather, a co-production assemblage involving “fusion” of state, market and society, driven by the securitization and militarization of public policy and practice, on a global scale. Next, we argue that this fusion is characterized and driven by a transformation in property rights regimes; according to macrosociologist

Randall Collins, who writes about market transitions, “At their outermost sweep, these crises [of market systems] are the turning points of history that bring an end to one system of property exchange and replace it with another.”¹³ In the current instance, the new property regime is based on enclosure, accumulation, commodification and containment of intangible goods and signs made material, including not only intellectual property but also the very words, thoughts and intentions of individual consumer-citizens.

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The third part of the chapter offers something of a genealogical view of how the global garrison has come to be; we propose that it is not merely a result of intentional and instrumental policies since 1945 but, rather, the highly-contingent consequence of a series of deliberate policies and ad hoc efforts intended to address unanticipated political and social conditions outcomes through application of new tactics and policies. As shall become apparent, if the overall objective of those participating in the assemblage is system stability and order (that is, production, reproduction and social hegemony), then everyone must participate in that project. By the same token, however, the means of

resulting on the one hand, *in the formation of a whole series of specific governmental apparatuses*, and, on the other, in the development of a whole complex of knowledges [our emphasis].¹² “Governmentality,” pp. 229-45, in: *The Essential Foucault* (New York: The New Press, 2003; Paul Rabinow and Nikolas Rose, eds.), p. 244.

¹³ Randall Collins, *Macrohstory—Essays in Sociology of the Long Term* (Stanford, Calif.: Stanford University Press, 1999), p. 180.

effecting stabilization—for example, advanced finance and microelectronics—can also be turned against the system, as seen on 9/11 and 7/7, incidents that have only served to further intensify opto-liberalism and strengthen the Global Garrison. Following this, we return to the puzzle of public-private fusion, with specific reference to the creation of a new property regime, premised on the accumulation and appropriations of personal data for purposes of both economy and security. We argue that this regime is representative of the process of fusion and an integral element of the Global Garrison, and is a form of co-production of rule and regulation that is liberal but no longer neo-liberal.

Social securitization

In using the concept of “co-production of rule and regulation,” we mean to suggest an arrangement of globalized management that produces and reproduces the global assemblage we are calling the Global Garrison. Such co-production is not about the direct application of force or coercion ~~to~~ subjects; ~~it~~because it is social power, the assemblage requires active participation of those subjects in its exercise. To put the point another way, not only are we involved in responsible for regulating ourselves, we also engage routinely and on a daily basis in the larger project of generating and sustaining societal self-regulation, through habits and practices, in concert with appropriate “institutions, procedures, analyses and reflections, the calculations and tactics.”¹⁴ It is in this light that we can understand how, in Foucault’s parallel conception of governmentality, “the principle form of knowledge [is] political economy” and the “essential technical means apparatuses of security.” In the first instance, “political economy” involves ~~the~~ regulation of social relations and practices relating to production and reproduction, self

¹⁴ See note 8, above.

~~and society~~ and not just exchange in the market. ~~;~~ In the second, “apparatuses of security” are those instruments and mechanisms that ensure this order, including surveillance of attitudes, behaviors and practices ~~for pre-emptive purposes,~~ and not just threats or force applied by the military and police.

Why is “social securitization” necessary? Disruption of the social order by miscreants and dissidents ~~wreak havoc on society and against governments~~ is hardly a new phenomenon, and the high individualism and autonomy so necessary for ~~autonomy at the heart of~~ liberalism to “work” serve to make such disruption fairly easy, at least at a small scale. What has changed, is different now, perhaps, is the presumed individual capacity and intention to inflict very high levels of death and destruction on populations—as evident in car and suicide bombings, as well as the events of 9/11, 7/7 and similar incidents. In theory, at least, the required capacities are now within the grasp of every person with scientific training or even access to the internet.¹⁵ While the vast majority of individuals would never dream of engaging in such dangerous behaviors ~~acts of “terrorism,”~~ there is no failsafe way of determining who might pose a risk to society and who might not.¹⁶ Given individual responsibility for watching the behavior of others, everyone is subjected to generalized peer pressure to behave by others and everyone engages in the their monitoring of fear of missing deviant behaviors in others.¹⁷

¹⁵ See, e.g., Ronnie D. Lipschutz “Imperial Warfare in the Naked City—Sociality as Critical Infrastructure,” *International Political Sociology* 3, #3 (Sept. 2008): 204-18; and Heather Turcotte, “Duct Tape or Plastic? The Political Economy of Threats and the Production of Fear,” pp. 25-46, in: Betsy Hartmann, Banu Subramaniam, and Charles Zerner (eds.), *Making Threats—Biofears and Environmental Anxieties* (Lanham, Md.: Rowman & Littlefield, 2005).

¹⁶ Thus, every passenger on an airline flight must be subject to inspection. Note that this is not the same as Ulrich Beck’s “risk society,” which is more concerned with the generalized risks posed by advanced technology rather than the specific manipulation of those technologies by individuals and groups.

¹⁷ Hence, in public places we are enjoined not only to watch for lonely bags and packages but also to report suspicious behaviors—which are never specifically defined. See Lipschutz, “Imperial Warfare,” op. cit.

~~Such The~~ demands for vigilance, ~~reporting and self-regulation are is-not~~hing new; ~~think here of wartime regulation~~ and police states. Furthermore, dangerous technologies, such as nuclear energy, have long been subject to extensive monitoring and interdiction.

~~w~~Historically, state agents of violence (both applied and monopolized), with the help of ~~HUMINT (human intelligence)informants~~, assiduously compiled dossiers about those ~~who were judgeddeemed~~ to be ~~be~~ threats to the body politic and the state (even as the information accumulated was often absurd and incorrect). Such monitoring ~~This~~ continues today, but it has ~~been is~~ supplemented by the accumulation of vast quantities of personal data generated in the course of everyday life, left as the ~~that can be sifted and analyzed for insights into behaviors and practice~~their electronic spoors of individual consumers ~~in their daily rounds~~. Such ~~These~~ data are routinely used to identify consumers of specific products ~~and services~~, information that, in turn, ~~can be~~ sold to those in the business of ~~sellingoffering~~ those ~~productsgoods and services~~ and wanting to identify their customers. As Hagerty and Ericson write (citing Zygmunt Bauman),

Instead of being subject to disciplinary surveillance or simple repression, the population is increasingly constituted as consumers and seduced into the market economy... monitoring for market consumption is more concerned with attempts to limit access to places and information, or to allow for the production of consumer profiles through the *ex post facto* reconstructions of a person's behaviour, habits and actions. In those situations where individuals monitor their behaviour in light of the thresholds established by such surveillance systems, they are often involved in efforts to maintain or augment various social perks such as preferential credit ratings, computer services, or rapid movement through customs.¹⁸

~~-~~But the very same data are also "dual use"; they ~~can may~~ be ~~analyzed used~~ by agencies of securitization to monitor and assess individuals' capabilities, behaviors and intentions

¹⁸ Hagerty & Ericson, "Surveillant Assemblage," op. cit., p. 615; Zygmunt Bauman, *Intimations of Postmodernity* (London: Routledge, 1992), p. 51. See also Stephen Gill, "Globalisation, Market Civilisation and Disciplinary Neoliberalism," *Millennium* 24, #3 (1995) 399-423.

by comparing ~~and compared against~~the activities associated with those spoors to algorithmic templates of notional dangers and threats.¹⁹

As producers of these data, moreover, each individual is made aware that behaviors or patterns which fall outside templates of “acceptable behavior” may subject him or her to scrutiny, penalty, interrogation and even arrest. (Who, for example, has not found a credit card blocked while travelling abroad and who has not received a phone call warning of “unusual purchases” and followed by an interrogation about them—all in the name of “identity security?”?) And after such an experience, who has ~~not subsequently forgotten~~ remembered to notify the credit card company about such travel or failed to be more careful about both debit card and purchases in the future?) This is part of the result is the global garrisoning of daily life, as the private and personal become part of the public record and the individual in civil society participates not only in sustaining the mechanisms of co-production of rule and regulation but also the very operation of the assemblage. All of this might sound similar to the panopticon, but it reflects a more complex environment. The prisoner in the panopticon self-regulates in the knowledge that s/he is being watched; the prisoner does not, however, reveal inner thoughts that might be used to pre-empt future behaviors. The Global Garrison is more akin to conditions found in *Nineteen Eighty-Four*, where there are no laws but everyone knows which activities are likely to result in vaporization and everyone is enjoined to examine others for potential deviance.²⁰

¹⁹ Hagerty & Ericson, “Surveillant Assemblage,” op. cit., p. 617.

²⁰ “The thing he was about to do was to open a diary. This was not illegal (nothing was illegal since there were no longer any laws), but if detected it was reasonably certain that it would be punished by death, or at least by twenty-five years in a forced-labour camp.” George Orwell, *Nineteen Eighty-Four* (New York: Signet, 1950), p. 6.

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Are we overstating our claims here? Are we exaggerating the extent to which, on the one hand, we are surveilled monitored and, on the other hand, we surveil monitor others? We can point to numerous incidents, trends, stories and reports, as well as experiences, rumors and hearsay, although whether these form a definitive pattern is less clear (see the third section of this chapter). Our The principle point—to which we will return—is that, in the name of social securitization and the Global Garrison, the realm of the private and personal—market, family, household, individual—is no longer somehow fenced off from the public (a point only too evident in the near-constant flow of revelations about the private behaviors of public figures and the public judgments rendered on them). Moreover, social securitization This is not an instrumental phenomenon having to do with safety, transparency or efficiency; it is a structural change in the liberal construction of separate public and private spheres, and it goes far beyond “public-private partnerships” and other such “transfers” of authority and responsibility from states to markets.²¹

How did this happen?

——— We should note at the outset of this section, perhaps, that the separation of “public” and “private” has always been something of a constructed fiction. The state has long held the right to peer into, intervene in and manipulate the private sphere realm, whether in the market or civil society. At the same time, private actors and interests have long penetrated into and benefited from the public realm. Nonetheless, we would argue

²¹ Even under the historical regime of Anglo-American liberalism, the public-private distinction was a problematic one, more a reflection of social power than material reality; this is addressed in Ronnie D. Lipschutz, with James K. Rowe, *Globalization, Governmentality and Global Politics: Regulation for the Rest of Us?* (Lanham, Md.: Rowman & Littlefield, 2005).

that, in liberal societies, the public-private distinction was given firm social and legal footing sometime in the 19th century and sustained to a significant degree until to the end of the 20th.²² Nevertheless, looking backward we can begin to see when and where that divide began to erode, around mid-century. ~~Indeed, it~~ can be ~~said~~argued that the totalitarianisms of the 20th century were precursors of this process²³ although, in liberal societies, total mobilization for war plus the atomic bomb played a more important role. Mobilization created the template for the liberal fusion of public and private while the Bomb provided the threat that led to necessitated the national security state and near-permanent mobilization and social securitization.

Space limitations preclude do not permit a full telling of this story; suffice it to say that the ever-present possibility of nuclear war also facilitated an enormous expansion in U.S. executive power and prerogatives where national security was concerned, including the application of military Keynesianism to both economy and security. The “spin-off” of civilian versions of military technologies and innovations from the 1940s to the present as a spur to economic growth was not a new practice, hardly new after World War II, but the sheer magnitude of “peacetime” defense expenditures, maintenance of a technological and competitive edge and constant concerns about the economy economic growth as necessary for social stability were all incentives to American commercialization of military inventions and innovations products. Indeed, the U.S. government was extremely generous and forthcoming in transferring publicly-financed

²² See, e.g., M. Horwitz, “The History of the Public/Private Distinction,” *University of Pennsylvania Law Review* 130 (1975), 1423–28; Peter J. Steinberger, “Public and Private,” *Political Studies* 47 (1999): 292–313.

²³ James Burnham, *The Managerial Revolution* (New York: John Day, 1941); **Note here about convergence of capitalisms?**

nuclear, aerospace, electronic and biological technologies into the private sector.²⁴ Some of these efforts were more successful than others (e.g., electronic vs. nuclear), but it is hard to think of a single, basic post-war innovation or technology that did not have its origins in the (hybridized) defense sector. At the same time, commercialization also led to “spin-on,” as research and development in universities and corporate labs provided hardware and software suitable not only for the civilian sector but also for military purposes.²⁵

At the same time, the American state also played a largely-unprecedented role in shaping the global political economy, first through the implementation of Bretton Woods regimes and, second, via the provision of dollars to the world through the Marshall Plan and, after 1951, mutual defense aid.²⁶ All of this was done, at least in the early post-war years, as part of the effort to recreate a semblance of the supposedly halcyon days of British international liberalism, a semi-mythical time when markets seemed to operate largely independently of politics.²⁷ Although the official ideology of the United States eschews intervention in markets, there were precious few inhibitions on this where establishing governing regulations for the global international political economy were concerned (recall John G. Ruggie’s notion of “embedded liberalism”).²⁸ Even during the era of high neo-liberalism, from roughly 1975 to 2007, with its intense

²⁴ Shelley Hurt, “Science, Power, and the State: U.S. Foreign Policy, Intellectual Property Law, and the Origins of the World Trade Organization, 1969-1994” (PhD diss., Department of Political Science, The New School for Social Research, 2008).

²⁵ Jay Stowsky, “From Spin-Off to Spin-On: Redefining the Military’s Role in Technology Development.” (UC Berkeley: Berkeley Roundtable on the International Economy, May 1991, at: <http://escholarship.org/uc/item/0tf8v3c7> (accessed Nov. 30, 2009).

²⁶ Fred Block, *The Origins of International Economic Disorder* (Berkeley, Calif.: University of California Press, 1979).

²⁷ We need not destroy this myth here except to note that the City of London played a much larger role relative to the British state than Wall Street did during the heyday of Bretton Woods.

²⁸ Ruggie has published a series of papers on “embedded liberalism,” beginning with a chapter in Stephen D. Krasner, *International Regimes* (Ithaca, N.Y.: Cornell University Press, 1983).

retorical commitment to the “free market,” the number and reach of international regulatory actors and institutions grew rapidly, and regulatory requirements for access to funds and participation in regional and international forums became more demanding.²⁹

Perhaps the most notable consequence of this period has been the enormous inflation in assets and global dollar holdings, by both governments and private investors. –While the fate of the dollar need not concern us here, this phenomenon has not been without effect on the process of hybridization and fusion, especially over the past decade.

Here, we must turn to a genealogical examination of the origins of the current crisis of global capitalism, which has triggered the large-scale intervention by various states into the workings of capital and its peak institutions, all in an effort to stabilize and rescue the global assemblage. In doing so, not only have individual states taken minority and majority ownership stakes in a range of enterprises, they have also begun to intervene directly in how the game is being played.³⁰

§

Such interventions have been presented as temporary expedients; we suspect they will become permanent, if only because the underlying assets on which the recent binge of financial speculation was based remain dodgy, and further unpleasant surprises are likely (e.g., default by sovereign investment funds, such as Dubai World, and the collapse of the commercial real estate market). Moreover, unemployment remains relatively high

²⁹ Stephen K. Vogel, *Freer Markets, More Rules—Regulatory Reform in Advanced Industrial Countries* (Ithaca: Cornell University Press, 1996).

³⁰ This point draws on the distinction between constituting and shaping the political economy within which capital operates (“making the rules that define the game”) and participating in the everyday practices of capital (“playing and scoring points in the game”).

and consumer demand limited, notwithstanding announcements that the Great Recession is almost over. The longer-term stability of the financial system is by no means guaranteed, and the end of large-scale intervention is almost surely not at an end. In retrospect, we can see this situation as a consequence of deliberate U.S. defense policies, the Federal Reserve's effort to limit the damage from bursting of the dot com bubble, and the events of September 11, 2001 and the wars that followed. This particular conjuncture in addressed in detail elsewhere and what follows below is only a summary of the larger story.³¹

In early 2001, the George W. Bush Administration arrived in Washington, DC with the rearmament plan of the Project for a New American Century (PNAC) in hand. It was no accident that PNAC's plan sought to rationalize a new military buildup, even in the absence of any obvious threat; Dick Cheney and Donald Rumsfeld, as well as others in the administration, were all veterans of the Reagan era and, following that President's earlier design to "strangle the beast" of government, a story recounted in David Stockman's memoirs,³² believed that the combination of military spending and tax cuts would force Congress to reduce welfare entitlements and discretionary spending. At the same time, they also seemed to believe it possible to fund a massive increase in the defense budget without going into deficit. The bursting of the dot com bubble, however, confronted the new President with almost instant deficits and put paid to the PNAC strategy (short of a new Korean War).

Enter Alan Greenspan. Hoping to avoid a long and debilitating recession, and a monetarist to the core, he and the Federal Reserve lowered interest rates to historically

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³¹ See Lipschutz, *Constitution of Imperium*, op cit.

³² David A. Stockman, *The Triumph of Politics—How the Reagan Revolution Failed* (New York: HarperCollins, 1986).

low levels, setting the stage for a dramatic rise in worldwide housing prices and creation of impossible-to-value CDOs, scams and Ponzi schemes and the trials and travails of banks and other corporations. The housing bubble stimulated by interest rates did generate substantial tax revenues from capital gains but not enough to fund both the military buildup and the Bush White House's three wars. The Administration thus found it necessary to pick homeowners' pockets by, in effect, laundering money through China, Japan and other investors. In return, U.S. creditors have received essentially- unredeemable Treasury bonds, which has vastly increased American foreign debt and called into question the future of the dollar. Notwithstanding what are now evident weaknesses in this scheme, the United States was able to finance a massive budget deficit without putting upward pressure on interest rates and driving the economy into recession.

Only after almost seven years of such recklessness did this Rube Goldberg structure begin to totter, with the massive payouts and bailouts that have not yet quite stabilized affairs.

Back to the PNAC plan: in the absence of a clear and present danger or a credible "peer challenger," how could the Administration get Congress to support both tax cuts and a massive rise in military spending? It was here that 9/11—much like the Korean War in 1950—saved the day, offering up an omnipresent and near-omniscient enemy, which seemed bent purely on destruction and mayhem even as it had no visible assets to mortally wound the United States and. This, at least, is how Al Qaeda was presented to the American public. It also became the basis for linking Osama bin Laden and Saddam Hussein, and invading Iraq. After the net profit of the 1991 Gulf War, this Bush Administration never anticipated that the cost of its three wars might approach one

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trillion dollars, let alone exceed that sum. Still, so long as China, Japan and others were prepared to continue loaning dollars and sustaining both currency and the global economy, this did not matter very much. Moreover, because a not-inconsiderable fraction of that money was funnelled back into the nominally private sector—Blackhawk, Haliburton, etc.—no one seemed terribly concerned about this financial legerdemain.³³

The bursting of the real estate bubble put an end to these illusions and all they entailed, although it has not put an end to the three wars. And it is the Obama Administration which has been left to deal with this quite unanticipated and contingent perfect storm. The effort to “salvage” the global financial system by bailing out failing corporations, insolvent banks and other financial institutions has effectively bankrupted the United States, which will never pay off its national and foreign debts and whose economy and currency are all too likely to face ruin within the next decade.

But that is not the important part of the story; what matters is that “privatization,” presented as a cost-saving measure, has now become “fusion,” for which no expense can be spared, since it is all of a piece. Not only have governments taken major stakes in a broad range of businesses, survival of the overall economic system also requires that these governments continue to provide whatever support is necessary to avoid a future crisis of confidence that could include a run on the dollar and bring down the entire economic edifice. Rescue therefore requires not only continued infusions of money into the financial sector but also ensuring its “security,” that is, reassuring consumers, investors bankers and governments that future disruptions will be prevented. There is, perhaps, a certain irony here, since the most likely source of destabilization arises not

³³ It is one of the paradoxes of the entire affair that, until quite late in the day, most economists seems largely unconcerned, believing that the deficit was easily supportable and that housing prices would continue to rise.

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from violent attacks on society and its institutions but, rather, from unregulated activities within the bastions of capitalism that further erode confidence (e.g., default by Dubai World). Still, the terrorist threat continues to offer distraction from the real story and, having so pumped it up, fear of future attacks is greater than concern about future (or continued) financial malfeasance and failure.³⁴

Privatization as fusion

We now turn to the concept and practice of what has been broadly called “privatization” of public authority and functions. In some contexts, especially during the 1980s and early 1990s, the meaning of this term seemed clear: transfer of title to public goods, properties and services to private enterprises, and creation of state-owned “private” corporations, all for the express purpose of capital accumulation by non-state parties.³⁵ The practice of privatization was not a new practice, but it became a specific, idealized tactic of advanced neoliberalism, especially in the United Kingdom during the late 1970s and throughout the 1980s. Such privatization was rationalized through an ideology that sought to shift regulation away from direct intervention (“command and control”) in markets to indirect oversight via the rules and structures of the global political economy.³⁶ Officially, such actions were described regarded as a means of depoliticizing production and services while simultaneously increasing the technocratic and economic

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³⁴ Alex Berenson, “A Year after Cataclysm, Little Change on Wall St,” *The New York Times*, Sept. 11, 2009, at: <http://www.nytimes.com/2009/09/12/business/12change.html> (accessed 11 Sept. 2009).

³⁵ A little caution is required here: privatization within the old Soviet Bloc often meant transfer of “title” from the state to state enterprise managers, who now became owners of the properties.

³⁶ Ronnie D. Lipschutz, with James K. Rowe, *Globalization, Governmentality and Global Politics: Regulation for the Rest of Us?* (Lanham, Md.: Rowman & Littlefield, 2005); Peter Drahos with James Braithwaite, *Information Feudalism: Who Owns the Knowledge Economy?* (London: Earthscan, 2002).

efficiency with which resources were deployed and practices implemented.³⁷ At the same time, however, privatization also began to take on the form of an enclosure of the commons³⁸ as the status of public goods, and the very distinction between public and private, was transformed through the “privatization of public authority.”³⁹ Such terminology missed the very substance of what was taking place.

In point of fact, as we have already suggested, the past three two decades, for reasons I will explain shortly, what have are witnessed is a complex and ongoing process in which public and private are fusing as the basis of a new property regime, in which the distinction is fetishized even as it is no longer meaningfully distinct. Contrary to the warnings of conservatives and libertarians, however, this new regime does not involve either socialization of private institutions or the attempt to resuscitate their salvagesome sort of (mythical) private sphere fenced off from the state. Rather, the “rescue project,” not entirely dissimilar to Karl Polanyi’s “double movement,” actually rests on the restructuring and redistribution of regulatory roles and practices to (“private”) agents in both market and civil society.⁴⁰ How does this relate to Randall Collins’s claims, cited earlier? Recall that private property is generally understood as (1) a relationship between owner and owned that is recognized by society and law as legitimate; and (2) a notional grant of *political* regulatory authority to the owner over that which is owned (subject, of course, to various constraints articulated through custom, norms and law). In this

³⁷ That the “Golden Age” of post-war capitalism was also a period of massive state management of the market seems to have been lost on most economists and policymakers.

³⁸ James Boyle, “Fencing off Ideas: Enclosure & the Disappearance of the Public Domain,” *Daedalus* 131, #2 (Spring, 2002):13-25; James Boyle, “The Second Enclosure Movement and the Construction of the Public Domain,” *Law and Contemporary Problems* 66: 33-74.

³⁹ Cutler, Haufler & Porter, *Private Authority*, op. cit.

⁴⁰ Even under the historical regime of Anglo-American liberalism, the public-private distinction was a problematic one, more a reflection of social power than material reality; this is addressed in Lipschutz, with Rowe, *Globalization, Governmentality and Global Politics*, op cit.

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instance, the new allocation of regulatory authority grants *governmental* power to non-state agents, who then engage in co-production of the new property regime. All of this might seem like a splitting of hairs—how does it differ from historical forms of property, patents and privilege?—but it is the *reach* of this new regime that matters: it is global and an integral part of the global assemblage we described earlier (indeed, it might even be said that individually-assigned *rights* are central to this assemblage).⁴¹

It is broadly recognized that the rise of international intellectual property rights (IPR) law and regulation has had significant impacts on the very nature of the public and private domains. The profusion of new forms and types of intellectual and information production, and their enclosure and commodification, have redefined what was broadly regarded used as a knowledge commons and what is now enclosed accessible to all, to one fenced off in the name of generating a right to profit from knowledge and innovation.⁴² Following IPRs, material ~~Our~~ human bodies and their properties ~~as well~~ have also become sites of appropriation, enclosure and commodification of genes, organs, ~~dress, sexual~~ practices and adornment, among other things, stripping from people, ~~from us~~ any notion that they hold ownership rights in their bodies or its “products.”⁴³ The salient elements of this new property regime are particularly evident in relation to the body and its intangible signs and spoors—what is called “pocket litter” in the intelligence trade—discussed above.

⁴¹ This is an argument that, so far as we know, has not been pursued by anyone working on either property rights or governmentality.

⁴² [Drahos, *Information Feudalism*](#), op. cit.; Kenneth Arrow, “The Economics of Information: An Exposition,” *Empirica* 23, #2 (1996):119–28.

⁴³ Again, the right to alienate one’s labor in return for wages is an old practice, rendering the product of an employee’s work the property of the employer. Imagine, however, that one were required to yield blood in exchange for every credit card transaction, and that that blood came under the control of both state agencies and credit card corporation, to use as they pleased—this is in the nature of the new property regime.

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We are accustomed to imagining that the personal and private includes ~~of~~ what we think, how we think about things, people, institutions and practices, ~~and~~ the dangerous activities about which we might think; to a growing degree, however, thoughts, writings, desires, preferences, choices and practices are subject to inspection, analysis and investigation by agents to whom we have given perfunctory consent or none at all,⁴⁴ and who may regard ~~the contemplation and discussion of —that is, not only~~ acts against the social order; sufficient grounds for monitoring, interrogation and arrest ~~but even their contemplation and discussion. —(conspiracy is not even required~~ any more). Through algorithmic modelling—itself the product of human judgment—certain forms of attitude, behaviour ~~and practice~~ are designated ~~as “thought to be~~ system disordering,” providing ~~and there is~~ a strong imperative to selectively “pre-empt” ~~those~~ individuals flagged by modelling programs ~~those who are dangerous before they can act~~. Yet, such a process is not “objective” in any scientific sense; ~~it~~ requires judgments about intentions, inferred from accumulated personal data, ~~with and~~ the goal of ~~is~~ ensuring that the social-economic system is not threatened or destabilized. We are speaking here not of plans set in motion or even initiated; all that matters is intention as deduced by computer programs and their users ~~counter-terrorism~~. Note that although acts of terrorism can create considerable death and destruction, ~~they cannot be system-destroying~~. To be sure, key losses would be suffered by the wealthy and powerful, but the primary ~~threat of concern is~~ loss of public confidence in those who order the ~~system~~. ~~such~~ Appropriation of personal pocket litter is, therefore, ~~as much~~ about anticipation as accumulation and although most such efforts are

⁴⁴ The successful conclusion of virtually every such transaction requires consumer acknowledgement of contractual rules that, in effect, give up all rights and recourse—although this can hardly be said to constitute consent.

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notionally ~~notionally~~ directed toward predicting who might be a threat to the social order,

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no one is immune and every individual is a suspect ~~a suspect~~.⁴⁵

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~~While~~ Bodies and souls ~~have have long~~ been linked to the public realm

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through their reciprocal relations with society, reification of individual social being,

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instantiation of human rights and both ~~Church and State assertions of control~~ over

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~~individuals~~.⁴⁶ At the same time, however, individuals were granted a degree of autonomy

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and ownership of themselves and their labor.⁴⁷ ~~Under~~ the newly-emerging property

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regime, however, ~~renders~~ even our innermost thoughts ~~as~~ fair game ~~for the social~~

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~~order~~ for enclosure and containment, especially ~~as they become a source of concern of~~

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~~various security agencies. One might argue that many regimes have sought to extract,~~

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inscribe and ~~appropriate the beliefs, thoughts, practices and intentions of suspect~~

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~~individuals~~ (e.g., the Spanish Inquisition; the Islamic Republic of Iran), especially in the

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name of "security." ~~Those operations have relied, however, on individual confession,~~

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~~that is, the expression of belief as tantamount to action, even as such confessions have~~

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been frequently coerced. ~~The new property regime depends on electronic data and its~~

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⁴⁵ See, e.g., Lipschutz, "Imperial Warfare," op cit.; Michael Barabaro & Tom Zeller, Jr., "A Face Is Exposed for AOL Searcher No. 4417749," *The New York Times*, Aug. 9, 2006, at: <http://www.nytimes.com/2006/08/09/technology/09aol.html> (accessed 21 Sept. 2009); and "Oyster Data Use Rises in Crime Clampdown," *Guardian.co.uk*, March 13, 2006, at: <http://www.guardian.co.uk/technology/2006/mar/13/news.freedomofinformation> (accessed 21 Sept. 2009). Oyster is the London transit fare card, which contains an RFID electronic chip. Some sense of the extent of surveillance can be gleaned from the narratives presented in David Murakami Wood (ed.), "A Report on the Surveillance Society," UK Information Commissioner's Office, Sept. 2006, at: http://www.ico.gov.uk/upload/documents/library/data_protection/practical_application/surveillance_society_full_report_2006.pdf (accessed 15 Sept. 2009).

⁴⁶ See, e.g., Thomas Mathiesen, "The Viewer Society—Michel Foucault's 'Panopticon' Revisited," *Theoretical Criminology* 1 (1997): 215-34.

⁴⁷ This is the formulation of John Locke, and is developed in detail by C.B. Macpherson, *The Political Theory of Possessive Individualism: Hobbes to Locke* (Oxford: Oxford University Press, 1962); see also Jacob Viner, "Possessive Individualism" as Original Sin," *Canadian Journal of Economics and Political Science* 29, #4 (Nov. 1963):548-59.

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interpretation, rather than confession. One can be arrested, confined, interrogated and even imprisoned on the basis of signs assessed as dangerous and threatening.

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Precisely how such data ~~such~~ are being accumulated, appropriated and analyzed is not altogether evident, although there is considerable anecdotal reporting as well as some in-depth research into this matter.⁴⁸ ~~In many instances it is being~~ it would be collected and held accumulated by private parties, at some cost to themselves, for the explicit use of public authorities in the never-ending effort to surveil millions, if not billions, of potentially-unruly bodies.⁴⁹ ~~We do it is known that~~ all kinds of entities, governments, corporations and non-profits routinely collect such material for commercial, security, educational, health and fundraising purposes, among others. For example, in concert with American telecommunications companies, the U.S. National Security Agency routinely sweeps up international phone calls and emails that pass through switching centers located in the United States. ~~We also know that both public and private agencies and businesses the U.S. National Security Agency and others have applied~~ various algorithms—often the same ones—to the collected these data sets in order order to tease out particular individual patterns types of consumers as well as suspects' behaviour, preferences, desires and intentions ~~s and patterns~~. On the basis of a few incidents and

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⁴⁸ See, e.g., Louise Amoore, "Biometric Borders: Governing Mobilities in the War on Terror," *Political Geography* 25 (2006): 336-51; Louise Amoore, "Vigilant Visualities: The Watchful Politics of the War on Terror," *Security Dialogue* 38 (2007): 215-33.

⁴⁹ "It was terribly dangerous to let your thoughts wander when you were in any public place or within range of a telescreen. The smallest thing could give you away. A nervous tic, an unconscious look of anxiety, a habit of muttering to yourself -- anything that carried with it the suggestion of abnormality, of having something to hide. In any case, to wear an improper expression on your face (to look incredulous when a victory was announced, for example) was itself a punishable offence. There was even a word for it in Newspeak: facecrime, it was called." George Orwell, *Nineteen Eighty Four*, op cit., p 79. Compare with the following: "Select TSA [US Transportation Security Agency] employees will be trained to identify suspicious individuals who raise red flags by exhibiting unusual or anxious behavior, which can be as simple as changes in mannerisms, excessive sweating on a cool day, or changes in the pitch of a person's voice." Sally B. Donnelly, "A New Tack for Airport Screening: Behave Yourself," *Time*, May 17, 2006, at: <http://www.time.com/time/nation/article/0,8599,1195330,00.html>. (accessed February 1, 2008).

much uncertain information. ~~In concert with American telecommunications companies, the NSA has been sweeping up international phone calls and emails that pass through switching centers physically located in the United States.~~ government agencies are ingwarn of “home-grown terrorism” and the activities of young men, and seeking various means, both technological and human-based, ~~for to~~ uncover ~~ing~~plots that have hardly been imagined, let alone planned ~~in the making.~~⁵⁰ ~~We also know that we are given little choice about whether our activities enter these data domains; indeed, we have more-or-less naturalized the entire process~~ and accept it as one of the costs of modern life. ~~In this~~ context, as reported recently in *The New York Times*, even contact with individuals “suspected” of terrorist associations is grounds for a raid by the local Joint Terrorism Task Force,⁵¹ “small cells of highly trained, locally based, passionately committed investigators, analysts, linguists, SWAT experts, and other specialists from dozens of U.S. law enforcement and intelligence agencies,”⁵² ~~as well as subsequent arrest for “making false statements to the government in an ongoing federal terrorism investigation.”~~⁵³⁵⁴ ~~of course.~~ Surveillance is ubiquitous in the UK, too, and the volume of data generated is enormous. It has been estimated that there are as many as 4.2 million closed

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⁵⁰ A growing number of disrupted “terrorist conspiracies” seem to rely on entrapment.

⁵¹ Raymond Hernandez & Karen Zraick, “Terrorism Task Force Raids Queens Apartments,” *The New York Times*, Sept. 15, 2009, at: <http://www.nytimes.com/2009/09/15/nyregion/15terror.html> (accessed 14 Sept. 2009).

⁵² U.S. Department of Justice, “Joint Terrorism Task Force,” at: <http://www.usdoj.gov/jtff/> (accessed 15 Sept. 2009).

⁵³ William K. Rashbaum and David Johnston, “U.S. Agents Arrest Father and Son in Terror Inquiry,” *The New York Times*, Sept. 20, 2009, at: <http://www.nytimes.com/2009/09/20/nyregion/20terror.html?> (accessed 20 Sept. 2009); William K. Rashbaum and Al Baker, “How Using Imam in Terror Inquiry Backfired on Police,” *The New York Times*, Sept. 23, 2009, at: <http://www.nytimes.com/2009/09/23/nyregion/23terror.html> (accessed 23 Sept. 2009).

⁵⁴ U.S. Department of Justice, “Joint Terrorism Task Force,” at: <http://www.usdoj.gov/jtff/> (accessed 15 Sept. 2009).

circuit television (CCTV) cameras in the country, or one for every 14 inhabitants.⁵⁵ On a typical daily round of working, driving, shopping, smoking, drinking, schmoozing talking and wandering, an individual is observed an estimated average of 300 times (indeed, there are, apparently, 32 CCTV cameras within 200 yards of George Orwell's old flat in Islington).⁵⁶ Most of the accumulated video footage is never viewed, let alone examined, but tapes apparently remain available, somewhere. ~~Although~~ The British government has also contemplated analyzing more systematically the masses of data collected from various sources; recently, however, it ~~claims to have~~ ~~apparently have~~ abandoned the idea of a "super data-base," opting instead for legislation that would require telecoms to retain all such information for a period of 12 months. Police and security agencies would then have to apply to each company for release of data on a case-by-case basis.⁵⁷ But because such data can be used to track, entrap, intimidate, arrest, interrogate, indict, try and imprison individuals, it would seem that even everyday speech, ~~conversations and~~ ~~and~~ ~~thoughts~~ are being ~~transmogrified~~ ~~transformed from the evanescent into~~ ~~from the evanescent into the~~ material evidence for future use. ~~And~~

How ~~might should~~ we understand this phenomenon? It would be simple, but incorrect, to attribute the enclosure and containment of personal data as merely a concomitant to disciplinary neo-liberalism; there is, to be sure, discipline at work here—especially self-regulation—but ~~but~~ ~~it~~ ~~this~~ is only one part of ~~the~~ the larger complex of

⁵⁵ Tom Kelley, "Revealed: Big Brother Britain has more CCTV cameras than China," *Mail Online*, Aug. 11, 2009, at: <http://www.dailymail.co.uk/news/article-1205607/Shock-figures-reveal-Britain-CCTV-camera-14-people--China.html> (accessed 15 Sept. 2009).

⁵⁶ "George Orwell, Big Brother is Watching Your House," *London Evening Standard*, March 31, 2007, at: <http://www.thisislondon.co.uk/news/article-23391081-details/George+Orwell,+Big+Brother+is+watching+your+house/article.do> (accessed 15 Sept., 2009).

⁵⁷ Alan Travis, "Government Wants Phone and Internet Providers to Track Users," *The Guardian*, April 27, 2009, at: <http://www.guardian.co.uk/uk/2009/apr/27/home-office-superdatabase-email-phones> (accessed 15 Sept. 2009).

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order-making that constitutes global co-production of rule and regulation ~~system~~. This assemblage is said to serve “public order and safety,” that is, the stability and security of the global politico-economic order that benefits private entities and a small number of wealth and powerful and imposes structural violence on billions of people. Individuals might be leery of providing the data that underpins this process, but they are hardly given the “freedom” ~~in a position~~ to eschew or avoid it ~~and~~ through implied consent they ~~Thus~~ ~~they are~~ ~~willingly or not~~ imbricated in the process ~~this arrangement as well~~

Where then does the public end and the private begin? And how are we to differentiate society from state or market? Finally, to whom do such data ~~those~~ really belong? Are they public or private property? Or do they belong to the assemblage ~~—~~ whatever that might mean? This is not merely a rhetorical or throwaway question; it gets to the heart of a new regime of property and co-production. The key point here is that this arrangement ~~continues to rely~~ ies heavily on the consumptive powers of individual, rights-bearing consumers for its functioning. At the same time, because of the failure of self-regulation, manifest in 9/11 as well as the mortgage bubble, the economic crisis, and the continuation of “bad behavior” on Wall Street and in London, the new regime ~~rests~~ requires on something more than merely the “public-private partnerships” that have been so popular in recent years. This system ~~is~~ This is not fascism or corporatism or socialism, nor is it nationalism or cosmopolitanism. We do not yet have a name for it.

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We're in the army now

Under national forms of liberal co-production of rule and regulation, the state took primary responsibility for ensuring the security of society by protecting it from

external threats and internal crime and sedition—this, at least, was the conventional claim. The state also regulated the national political economy, and often intervened more directly into markets, creating the conditions under which growth and production met the needs and wants of the population and provided the revenues for public services, bodies for national armies and profits for capitalists. Nationalism was the ideological glue that bound together society and state, while the economy was often, if not always, regarded as the means to sustain state and nation. Sixty years of American-shaped and American-led economic internationalism have resulted not in a new era of freedom, as promised for so long, but the Global Garrison. And this is a consequence of the inherent instability of a liberal order in which regulation is left to the individual. We can be fairly certain that the ideologues of free market neo-liberalism, devoted to the dogma that unregulated self-interest could only lead to the social benefits theorized by Hayek, Friedman, Rand and others, paid no attention to the warnings issued by Karl Polanyi. Yet, it is now evident that the potential for a legitimation crisis as a consequence of self-interest unconstrained by civil society is considerable. The new property regime is the result.

As we noted at the beginning of this chapter, the Global Garrison might be envisioned as a “steel web,” an arrangement of individual rights, responsibilities, obligations and practices that permits a certain degree of “movement” but, at the end of the day, is also limiting and constraining. Its economy relies on the creation of new commodity frontiers that can re-energize and sustain the capitalist growth on which the relative quiescence of consuming populations depends. Its security relies on ensuring that no members of those populations acquire the means of destabilizing the economy or undermining confidence in it. Yet, the very means of sustaining the economy and

ensuring security are, if placed in the “wrong” hands, also potential threats to the system. Because permitting such threats to materialize might undermine economy and security, as did 9/11, 7/7 and various other attacks, it becomes necessary to accumulate and analyze the behaviors and practices of everyone with access to those means in order to pre-empt them. Finally, inasmuch as no system of surveillance and analysis can ever ensure complete protection, the stability of economy and security rest on the collaboration of the very populations from whom potential threats may arise. Opto-liberalism is the result, and we each and every one have a role to play in it.