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Drones, Bodies, Necropolitics: Hobbesian Shadows over Afghan Lands

Abstract

The article reflects the discourses surrounding the military use of drones in the context of their employment in Afghanistan and Waziristan in the last two decades with a special emphasis on its necropolitical dimensions. It does so by first summarizing different critical accounts of a single well documented case in Afghanistan, underscoring historical continuities between drone warfare, state terror and air power. Second, the article puts a special emphasis on relations on the ground such as ambiguous legal constructions enabling the use of lethal force, and the weaponization of Pashtun culture for the purposes of different governments.

Droni, telesa, nekropolitika: hobbesovske sence nad afganistanskimi ozemlji

Povzetek

Članek obravnava diskurze, ki spremljajo vojaško uporabo dronov v Afganistanu in Vaziristanu v zadnjih dveh desetletjih s posebnim poudarkom na njihovi nekropolitični razsežnosti. Članek najprej povzame različne kritične obravnave edinega dobro dokumentiranega primera v Afganistanu, s tem, da poudari zgodovinske kontinuitete med vojskovanjem z brezpilotnimi letali, državnim terorjem in zračnimi silami. Dalje nameni članek poseben poudarek še odnosom na terenu, kot so dvoumne pravne konstrukcije, ki

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omogočajo uporabo smrtonosnega orožja, in oboroževanje paštunske kulture za namene različnih vlad.

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There is no country on earth more subject to misrepresentations based upon Orientalism than Afghanistan.
—Shah Mahmoud Hanifi[1]

Sovereignty implies "space," and what is more, it implies a space against which violence, whether latent or overt, is directed—a space established and constituted by violence.
—Henri Lefebvre[2]

I carried this boy on my back from Kabul. It took me two weeks. So just don't tell me that he's rubbish to be thrown away.
—Afghan man, Mental Health Center, Peshawar[3]

In "The Body" issue of this journal two decades ago, Afghanistan is mentioned once, more precisely in the deployment of the "most sophisticated surveillance and reconnaissance innovations" of unmanned aerial vehicles (UAVs).[4] The geopolitical "war on terror" had just begun with the invasion of Afghanistan; its future and the role of UAVs ("drones") as part of combat operations, tested in Bosnia in 1995 and deployed in Afghanistan in 2001, were still uncertain. In the meantime, the US invasion of Afghanistan has ended in a remarkably shameful and inglorious way. The most powerful and at the same time most fearful nation in the world, now trains more drone operators than aircraft pilots. While in

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1   Shah Mahmoud Hanifi, "A Genealogy of Orientalism in Afghanistan: The Colonial Image Lineage," in *Middle East Studies after September 11: Neo-Orientalism, American Hegemony and Academia*, ed. Tugrul Keskin (Leiden: Brill, 2018), 50.

2   Henri Lefebvre, *The Production of Space*, trans. Donald Nicholson-Smith (Malden: Blackwell, 1991), 280.

3   Cited in M. Miles, "Formal and Informal Disability Resources for Afghan Reconstruction," *Third World Quarterly* 23, no. 5 (2002): 945, https://doi.org/10.1080/0143659022000028567.

4   Nina Czeglédy and André P. Czeglédy, "The Body as Password: Biometrics and Corporeal Dispossession," in "The Body/Le corps/Der Körper," ed. Marina Gržinić Mauhler, special issue, *Filozofski vestnik* 23, no. 2 (2002): 79.

the West the feminized honeybee became the darling animal of ecocapitalists and the insect mascot of contemporary environmental politics, its metaphorical male counterparts, the Predator and Reaper *drones* have increasingly been deployed to perform their heroic duty of surveillance and bomb dropping.[5] At the beginning of the third Christian millennium, the enabler of life and the harbinger of death seemingly belong to the same species.

The dronification and simultaneous privatization of war (by mercenary corporations) can be understood first of all as two aspects of the same fixation on *unmanned* combat, which promises to free states from the burden of accountability for war crimes.[6] Drones are celebrated by the manufacturer thereof, politicians, the military, and the media for reducing the chance of a country's own soldiers being injured or killed, since the latter physically never arrive at the battlefield—while multiplying the capabilities of bodies to inflict pain, terror, and surveillance. The involvement of high-tech, artificial intelligence and the remoteness of the operating team to the battlefield are regularly highlighted as further reducing human error because decisions are not made in the heat of battle. They are especially heralded as being more ethical and therefore civilized, because their precision and enhanced surveillance capabilities reduce the chance of innocent bystanders being killed ("collateral damage").

From a historical perspective, the humanitarian rationality discourse of superiorly civilized and law-abiding occidental state violence utilized in defense of drones bears innumerable marks of imperial reasoning, not the least of which is the juxtaposing of one side's allegedly virtuosic and sober killing with the indiscriminately murderous irrationality of the enemy.[7] On closer inspection, it turns out that it is precisely the techno-fetishism surrounding drones that helps the most detestable forms of organized state violence to appear accurate, unsullied, and even noble.[8] One particular drone operation in Uruzgan, central Afghani-

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[5] Fahim Amir, "Cloudy Swords," in *Being and Swine: The End of Nature (As We Knew It)*, trans. Geoffrey C. Howes and Corvin Russell (Toronto: Between the Lines, 2020), 121–52.

[6] Bianca Baggiarini, "Drone Warfare and the Limits of Sacrifice," *Journal of International Political Theory* 11, no. 1 (February 2015): 128–44, https://doi.org/10.1177/1755088214555597.

[7] Marina Espinoza, "State Terrorism: Orientalism and the Drone Programme," *Critical Studies on Terrorism* 11, no. 2 (2018): 379, https://doi.org/10.1080/17539153.2018.1456725.

[8] Tyler Wall and Torin Monahan, "Surveillance and Violence from Afar: The Politics of Drones and Liminal Security-Scapes," *Theoretical Criminology* 15, no. 3 (August 2011): 246,

stan, in 2011 has gained special relevance for critical theorization, because it is unusually well documented. Laura Cox's analysis of the perfectly normal operation clears the rhetorical fogs camouflaging today's imperial war machines and shows that "through the intermediation of algorithmic, visual, and affective modes of embodiment, drone warfare reproduces gendered and racialized bodies that enable a necropolitics of massacre."[9] Before we come back to historical perspectives and closer inspections, let us recapitulate what is meant by the notion of necropolitics in this context.

Achille Mbembe defines necropolitics as "contemporary forms of the subjugation of life to the power of death," which have received too little attention in normative conceptions of sovereignty as well as in biopolitical theorizing in the wake of Michel Foucault's work.[10] According to Foucault, traditional sovereignty was primarily *thanatopower*, the power to determine who must die and who may live. The object of this *sovereign power* was the individual body, sometimes subjected to spectacular forms of violence. In his critique of the political anatomy of occidental bodies, Foucault traced a new form of *disciplinary power* that monitored the individual body through architectures and manipulated it by means of orthopedics to render it at the same time more efficient and more docile.[11] Subsequently, Foucault introduced the concept of *biopower*, which takes as its object the historically new category of population, which it simultaneously constitutes and whose life processes it affirms and manages. In Foucault's understanding, racism operates precisely here, *within* biopower, with the dubious category of race performing a "biological-type caesura within a population,"[12] and distinguishing between relevant and irrelevant life, according to the log-

https://doi.org/10.1177/1362480610396650.

9   Lauren Wilcox, "Embodying Algorithmic War: Gender, Race, and the Posthuman in Drone Warfare," *Security Dialogue* 48, no. 1 (February 2017): 11, https://doi.org/10.1177/0967010616657947.

10 Achille Mbembe, "Necropolitics," trans. Libby Meintjes, *Public Culture* 15, no. 1 (2003): 40, https://doi.org/10.1215/08992363-15-1-11. Mbembe's article appeared in slightly revised form as part of Achille Mbembe, *Necropolitics*, trans. Steven Corcoran (Durham: Duke University Press, 2019), 68–92. In the following the latest version will be referred to.

11 Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Random House, 1977).

12 Michel Foucault, *"Society Must Be Defended": Lectures at the Collége de France 1975–1976*, ed. Mauro Bertani and Alessandro Fontana, trans. David Macey (New York: Picador, 2003), 255.

ic that "the death of others makes one biologically stronger insofar as one is a member of a race or a population."[13] In addition, "biopower functions through— the old sovereign power"[14] via racism, it thus also operates *between* different forms of power and allows modern states to exercise ancient thanatopower within modernized biopolitical coordinates. Foucault considered this particular double-headedness to enable an elastic form of government encompassing old and new forms of power.[15] In this light, the drone proves to be a necropolitical entity in the Mbembian sense—surveilling, mapping, and inspecting to determine "who matters and who does not, who is *disposable* and who is not."[16] That is why Jamie Allinson sees a form of "paradoxical biopolitics"[17] at work in drone operation: Afghans are "known and audited through the gaze of the drone, but for the purpose of death rather than life."[18]

While public opinion is dominated by the impression that the use of weaponized drones is primarily reserved for *personality strikes* on high profile targets marked on kill lists, possibly signed off on by some president, drone theorist Grégoire Chamayou points to the reality that the majority of drone strikes are *signature strikes*, that is, the bombing of a human being that could be a high profile target or somebody associated with this person on the basis of *patterns-of-life analyses*.[19] For that, first the mass of the spatiotemporal data of the surveilled population is combined with social particulars to form patterns-of-life, which are then compared with a pre-established signature defining suspicious activity, not a specific identity. To make this point clear, the mere suspicion that somebody "wanted" could be at a given place and time is regarded as legitimate grounds for bombing the whole area, resulting in *crowd killings*. Whoever thinks that the rock bottom has been reached is utterly wrong: the perfidious practice of *double taps* targets already bombed sites in swift sequence to multiply the ex-

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[13]   Foucault, *Society Must Be Defended*, 258.

[14]   Foucault, 258.

[15]   Kim Su Rasmussen, "Foucault's Genealogy of Racism," *Theory, Culture and Society* 28, no. 5 (September 2011): 34–51, https://doi.org/10.1177/0263276411410448.

[16]   Mbembe, *Necropolitics*, 80.

[17]   Jamie Allinson, "The Necropolitics of Drones," *International Political Sociology* 9, no. 2 (June 2015): 119, https://doi.org/10.1111/ips.12086.

[18]   Allinson, 120.

[19]   Grégoire Chamayou, *Drone Theory*, trans. Janet Loyd (London: Penguin, 2015), 46–51.

tent of death and to target the elementary urge of neighbors, friends, family, and first responders to come to help.

Notwithstanding the rhetoric of surgical precision, legal experts draw attention to the fact that officially "all adult males killed by strikes" are defined as "militants," "absent exonerating evidence."[20] The liberal rule of law that a suspect is innocent until proven otherwise is turned into a cynical caricature; only the dead are allowed to prove their innocence. How practical that most of those targeted are incinerated by drone attacks. The technical "precision" of a bomb drop is rendered meaningless if one considers the unscrupulous necropolitical *targeting*. When after the fall of Kabul, "wanted persons" who had repeatedly been officially declared as having been killed by drones took charge of government positions, the question arose as regards how many innocent lives of children, women, the elderly, and disabled human beings had been incinerated by humane drone attacks, obviously without such ever having achieved the end that supposedly had justified such means.

In the case of the mentioned Uruzgan massacre, the transcripts and materials of the several-hours-long deliberations of the drone crew provide insight into the process of transforming a group of innocent Afghans of Hazara ethnicity into legitimate targets of extermination. Such observations and assumptions, usually not detailed further, involve, for example, the supposedly "tactical behavior" of the surveilled (one survivor later reported that they had left their cars to pray) and culturalistic interpretations of the way the surveilled urinated (Arabs allegedly do it in a sitting position, Afghans while standing).[21] The engendering gaze of the crew, saturated with the toxic masculinity of white superiority, labelled the Afghan clothing of a surveilled man as "man dresses"[22] and suspected that he knew the guidelines of the drone crews and therefore concealed a weapon: "An Afghan male *without* a visible weapon thereby becomes grounds

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[20] International Human Rights and Conflict Resolution Clinic (Stanford Law School) and Global Justice Clinic (NYU School of Law), *Living Under Drones: Death, Injury and Trauma to Civilians from US Drone Practices in Pakistan* (Stanford and New York, 2012), x.

[21] Wilcox, "Embodying Algorithmic War," 14.

[22] See "Drone FOIA—Department of Defense Uruzgan Investigation Documents," American Civil Liberties Union, accessed August 2, 2023, https://www.aclu.org/drone-foia-department-defense-documents.

for a threat."[23] The analysis of the Uruzgan massacre shows the visceral and affective fervor of the operating team to assimilate *also children and women* into the classification of military-aged male, "to which category all Afghans beneath the Predator's gaze have by this point been assimilated,"[24] and whom it is permissible to put to death.

The discourse of unmannedness obscures the fact that almost two hundred people are involved in the choreography of a single drone strike, forming, in the words of Mbembe, a synthesis of "massacre and bureaucracy—that incarnation of Western rationality."[25] Furthermore, it is not a neutral screen on which the 23 killed innocents of Uruzgan, "shopkeepers, students, and families with children, traveling together to Kabul out of concern for vehicles breaking down,"[26] appeared to be suspect military-aged Afghan males ready to be massacred.

The visibilities and invisibilities produced by the drone assemblage are "not technical but rather techno-cultural accomplishments," argues Derek Gregory.[27] They are not elements of an otherwise neutral, rational, and objective distancing machine, but produce specific forms of techno-culturally mediated orientalist familiarity and proximity. A profoundly necropolitical *dispositif* is at play here that "consistently privileges the view of the hunter-killer"[28] to dehumanize and annihilate so that "it was virtually impossible for the victims of the attack to be seen as civilians until it was too late."[29]

One telling detail is the way Afghanistan is regularly referred to by US and allied soldiers: as "Injun country."[30] By transferring the genocidal triumphalism and

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[23] Allinson, "Necropolitics of Drones," 125.

[24] Allinson, 123.

[25] Mbembe, *Necropolitics*, 76. Concerning the idea of *unmannedness*, it must certainly be an innocent coincidence that the modern killing machines are often described by the military as MALE (Mid-Altitude Long-Endurance) drones. Derek Gregory, "From a View to a Kill: Drones and Late Modern War," *Theory, Culture and Society* 28, no. 7–8 (December 2011): 208, https://doi.org/10.1177/0263276411423027.

[26] Wilcox, "Embodying Algorithmic War," 12.

[27] Gregory, "From a View to a Kill," 193.

[28] Gregory, 193.

[29] Gregory, 203.

[30] Jin Haritaworn, Adi Kuntsman, and Silvia Posocco, eds., *Queer Necropolitics* (Abingdon: Routledge, 2014), xvii.

colonial Othering essential to the US national narrative of frontier expansion to Afghan soil, the metaphor of "Indian Country" conveys the enduring desire to annihilate and marginalize those who are regarded as savage and uncivilized, as can be seen in the widespread usage of this trope in US military discourses by both high-ranking as well as average foot soldiers in the context of the Vietnam, Iraq, and Afghanistan wars.[31]

Evil Eyes in the Skies

The techno-fetishistically charged aura of novelty encircling the targeted killings programs in Afghanistan is further shattered by tracing its continuities to the "unconventional warfare" doctrine developed in the Cold War to enable US covert operations with unrestricted violence.[32] Operation Phoenix in Vietnam in the 1960s and Operation Condor in Latin America in the 1970s had already relied upon mass intelligence gathering to extinguish the leadership of revolts and spread terror among their acquaintances, families, neighbors, and their social worlds. By operating covertly, state violence historically aimed at escaping accountability. Another "striking" continuity between contemporary drone warfare and these past counter-insurgency operations is the utter lack of transparency concerning the methods and criteria upon which decisions to torture, detain, or kill are made. A new twenty-first century entry in the book of counter-insurgency is *lawfare*—the conscious determination to inflict an extreme form of violence while making great efforts to evade possible future prosecution.[33] Terror is unleashed on the innocent not as a state secret, but in the form of gaslighting, mocking the very idea of law while in the trappings of law.

The childlike fascination that an unmanned drone is able to generate conceals historical continuities of colonial policing and aerial occupation.[34] Constantly

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[31] Stephen W. Silliman, "The 'Old West' in the Middle East: U.S. Military Metaphors in Real and Imagined Indian Country," *American Anthropologist* 110, no. 2 (June 2008): 245, https://doi.org/10.1111/j.1548-1433.2008.00029.x.

[32] Ruth Blakeley, "Drones, State Terrorism and International Law," *Critical Studies on Terrorism* 11, no. 2 (2018): 321–41, https://doi.org/10.1080/17539153.2018.1456722.

[33] Blakeley, 335.

[34] Mark Neocleous, *War Power, Police Power* (Edinburgh: Edinburgh University Press, 2014); Ian Shaw and Majed Akhter, "The Unbearable Humanness of Drone Warfare in FATA, Pakistan," *Antipode* 44, no. 4 (September 2012): 1490–509, https://doi.org/10.1111/j.1467-8330.2011.00940.x.

hovering over their target areas to allow the unblinking eye to scrutinize the whole existence of a population with occasional spasms of lethal kinetics creates an atmosphere of permanent vulnerability and nakedness. The operating crews change and regenerate, while the drone is able to continuously hover and watch. An option the watched do not have. Since bombings can happen at any time and no place or sociality is sacred to the hostile eye, the targeted population lives in a state of continuous and inescapable fear of being killed. The drone is an instrument of terror as widespread anxiety, insomnia, fainting, body aches, vomiting, respiratory issues, headaches, nightmares, manic behavior, nervous breakdowns, and irritability occur *en masse* without a physical explanation. Economic hardship through material destruction affects an already impoverished population, hinders education, and aims at the destruction of the social fabric. Children scream in terror when they hear the sound of a drone.[35]

These are not unwanted effects, but the purposefully deployed tactics of Mbembian "vertical sovereignty" that locate the drone in the wider history of air power and imperial defense.[36] As military documents show, contemporary drone warfare in Afghanistan and beyond its borders in the so-called "tribal" areas of Pakistan has learnt a lot from the experimental policing practices of British air power in the Iraq of the 1920s.[37] In relation to this historical context, Priya Satia notes: "The crux of the matter is not so much that drones are unmanned, but that they promise panoptic aerial surveillance of a region understood as otherwise essentially unknowable."[38]

While *strategic bombing* is mostly discussed in the context of European total wars, bombing from the air did not start in Europe, but had—like modernity as a whole—the colonies as a laboratory.[39] The management of revolts in an overstretched British Empire had become increasingly costly, so the new idea to

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[35]   See Shala Cachelin, "The U.S. Drone Programme, Imperial Air Power and Pakistan's Federally Administered Tribal Areas," *Critical Studies on Terrorism* 15, no. 2 (2022): 451, https://doi.org/10.1080/17539153.2021.2013025.

[36]   Mbembe, *Necropolitics*, 81.

[37]   Neocleous, *War Power, Police Power*.

[38]   Priya Satia, "Drones: A History from the British Middle East," *Humanity: An International Journal of Human Rights, Humanitarianism, and Development* 5, no. 1 (Spring 2014): 1, http://doi.org/10.1353/hum.2014.0002.

[39]   Thomas Hippler, *Governing from the Skies: A Global History of Aerial Bombing*, trans. David Fernbach (London: Verso, 2017); see also Tom Avermaete, Serhat Karakayali, and Marion

spare the expensive and unpopular deployment of ground troops by the use of air power as a cheap means of imperial defense had some appeal. The first real trial for this administratively and strategically much disputed idea arose quickly in the "Third Anglo-Afghan War" of 1919 (British denomination), with an aircraft that had been designed specifically for the bombing of Berlin, but since peace broke out before this plan could be realized, Kabul was bombed instead in May 1919. The outcome was mixed, but the Kabul raid would be repeatedly adduced as evidence that "air power would prove most valuable to the Empire in a policing role."[40] Air power was soon used in Yemen, Egypt, Punjab, and Iraq, but the longest and most widespread use of air power in the Empire during the first two years of anticolonial revolt took place in the so-called North West Frontier of India in 1919 and 1920, specifically in the areas inhabited by Pakhtuns, who had answered the call for help of the Afghan Amir in the "War of Independence" of 1919 (Afghan denomination). The colonists found out the hard way that it was not that easy to bomb the Pakhtun "tribes" there into submission. They adapted quickly, shot down several machines, and even the vernacular architecture came to help.[41]

But what had started here would be discussed, refined, and settled in the policing of the revolt in Iraq.[42] This did not happen in an even process. For example, the Chief of the Imperial General Staff rightly feared that the havoc created would only lead to more unrest with the effect that ground troops had to be deployed anyway to restore order: "Air power," he reasoned, "provides only a means of propaganda or an instrument of terrorism."[43] The Air Ministry agreed somehow; it just wanted to have more of both to be truly successful. Aircraft seemingly being everywhere at once, one official explained, were "conveying a silent warning."[44] "Terror" needed the occasional bloodbath to be effective, but surveillance would multiply the panoptic effect as a collateral benefit: "From the ground every inhabitant of a village is under the impression that the occu-

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von Osten, *Colonial Modern: Aesthetics of the Past, Rebellions for the Future* (London: Black Dog, 2010).

[40] David E. Omissi, *Air Power and Colonial Control: The Royal Air Force, 1919–1939* (Manchester: Manchester University Press, 1990), 11.

[41] Omissi, 13.

[42] See Satia, "Drones."

[43] Quoted in Omissi, *Air Power and Colonial Control*, 28.

[44] Quoted in Satia, "Drones," 5.

pant of an aeroplane is actually looking at *him* . . . establishing the impression that all their movements are being watched and reported."[45]

One century later, the necropolitical gaze of the drone is no "silent warning," but comes with the menacing insectoid sound of a buzzing wasp, the name of the murderous machine in Pakhto, *bangana*. These drones haunt exactly the very same geographies to produce a palimpsest of bombardments, while the terrorized population is unable to differentiate between (soft power) intelligence gathering and (deadly) kinetic missions in the first place. Mbembe's assertion comes to its full right: "Under the conditions of late modern colonial occupation, surveillance is oriented both inwardly and outwardly, the eye acting as weapon, and vice versa."[46] Indeed, in the theatre of terror, the target is also the audience.[47]

Palimpsests and Innovations

Campbell Munro reminds us that the "vertical battlespace" does not extend over the whole territory of a state, but only a specific part that echoes the "history of these spaces as the ambiguous legal zones of the imperial periphery."[48] For the vast majority of the last two decades, thousands of drone strikes occurred in the Federally Administered Tribal Areas (FATA) of Pakistan, a *space of exception*, "through its constitution as borderlands and battlefields."[49] The borderlands lie along the infamous Durand Line of 1893, a cartography that divided the lands of the "lawless" and "unruly" Pakhtuns. Some found themselves on the now clearly demarcated Afghan territory. But for those who woke up on the British-Indian side of the border, the British had created several spatial entities for otherwise

[45]   Satia, 5.

[46]   Mbembe, *Necropolitics*, 81.

[47]   Afxentis Afxentiou, "A History of Drones: Moral(e) Bombing and State Terrorism," *Critical Studies on Terrorism* 11, no. 2 (2018): 314, https://doi.org/10.1080/17539153.2018.1456719.

[48]   Campbell Munro, "Mapping the Vertical Battlespace: Towards a Legal Cartography of Aerial Sovereignty," *London Review of International Law* 2, no. 2 (September 2014): 238, https://doi.org/10.1093/lril/lru008. See also Campbell Munro, "The Entangled Sovereignties of Air Police: Mapping the Boundary of the International and the Imperial," in "Law and Boundaries 2014," ed. Tomaso Ferrando, special issue, *Global Jurist* 15, no. 2 (2015): 117–38, https://doi.org/10.1515/gj-2014-0019.

[49]   Derek Gregory, "Dirty Dancing: Drones and Death in the Borderlands," in *Life in the Age of Drone Warfare*, eds. Lisa Parks and Caren Kaplan (Durham: Duke University Press, 2017), 29.

disenfranchised populations, but with some measure of autonomy to settle their disputes according to their own customary law ("Pakhtunwali"). After the partition of India in 1947, the postcolonial successor state in possession of the Pakhtun lands also adopted and maintained this administrative structure, with the FATA being "simultaneously inside and outside the modern state."[50]

Benjamin Hopkins has recently argued that the weaponization of Pakhtun vernacular culture was essential for the development of a new form of governing that departed from the rule practiced in the colonial heartlands and reserved its "savage periphery": *frontier governmentality*.[51] First promulgated in 1872 in northwest India for mostly Pakhtun regions as the Frontier Crimes Regulation, this new political technology put the settlement of disputes into the hands of the *Jergas*. A *Jerga* is "a political arrangement for the resolution of local conflict. It functions as a sodality—it dissolves when the need for it disappears."[52] At the same time, this frontier governmentality granted the right to intervene via executive power to the president and a system of political middlemen in charge of state administrative units, thereby creating "a system of governance relying on indirect rule and encapsulating frontier tribesmen in what were, in effect, native reserves."[53] Frontier governmentality allowed self-governing, but also justified punitive and exemplary brutal measures against those who exhibited "savage" behavior. Soon, this excitingly innovative technology was exported to other frontier regions of the British Empire and beyond: "Whether they were Apaches or Afghans, Zulus, Somalis, or Mapuche, the peoples of the periphery were ruled in substantively the same way."[54]

For those living in these legally established borderlands, beyond the newly found state of Afghanistan of 1919, the constitution allowed punitive expeditions of collective punishment, mass displacement, and draconian measures, whenever deemed appropriate, such as the obscene bombing of Pakhtun villag-

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[50] Gregory, "Dirty Dancing," 32.

[51] Benjamin D. Hopkins, *Ruling the Savage Periphery: Frontier Governance and the Making of the Modern State* (Cambridge: Harvard University Press, 2020).

[52] Mohammed Jamil Hanifi, "Editing the Past: Colonial Production of Hegemony Through the 'Loya Jerga' in Afghanistan," *Iranian Studies* 37, no. 2 (June 2004): 297, https://doi.org/10.1080/0021086042000268119.

[53] Hopkins, *Ruling the Savage Periphery*, 10.

[54] Hopkins, 3.

es accused of tax evasion. Until the present day, in dominant discourses Pakhtuns are depicted as savage and violent, and their "tribal areas" are presented as lawless spaces arrested in a state of archaic freeze,[55] a persistent colonial characterization possible mainly due to the "absence of Pashtun voices" and counter-narratives in scholarly literature, as Hanifi argues convincingly.[56] Critical accounts have demonstrated that these areas in fact show an excess and plethora of law.[57] Sabrina Gilani notes that "despite all the claims about its lawless character, the Frontier regions are the most regulated of all the spaces" of the borderlands.[58] The contingent sovereignties in place here are "no simple suspension of the law but rather an operationalization of the violence that is inscribed *within* (rather than lying beyond) the law."[59] The purposefully constructed violent geography of exception was the prerequisite on the ground for present-day air strikes that morph individual corporality into "temporary micro-cubes" of deadly exception unlatched whenever a targeted individual is located.[60] The "body becomes the battlefield,"[61] with fleets of drones persistently hovering over Pakhtun lands reconfiguring older notions of territorial sovereignty connected to *jus ad bellum* and transforming incursions into national airspace into an enduring occupation for a whole population.[62] The specificity of this new form of aerial occupation lies in "its capacity simultaneously to respect and transgress the

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55 Farooq Yousaf, "The 'Savage' Pathan (Pashtun) And the Postcolonial Burden," *Critical Studies on Security* 9, no. 1 (2021): 36–39, https://doi.org/10.1080/21624887.2021.1904194.

56 Shah Mahmud Hanifi, "The Pashtun Counter-Narrative," *Middle East Critique* 25, no. 4 (2016): 385–400, https://doi.org/10.1080/19436149.2016.1208354. The different pronunciation and spelling of Pakhtun and Pashtun for the group of people and Pakhto and Pashto for the language is connected to its polycentrism. For the purpose and scope of this text, both are used interchangeably, while favoring Pakhtun and Pakhto because the author personally grew up with these appellations and also values the accompanying polycentrism. See also Shah Mahmoud Hanifi, *Connecting Histories in Afghanistan: Market Relations and State Formation on a Colonial Frontier* (Stanford: Stanford University Press, 2011), 19; Nile Green, "Tribe, Diaspora, and Sainthood in Afghan History," *The Journal of Asian Studies* 67, no. 1 (February 2008): 171–211, https://doi.org/10.1017/S0021911808000065.

57 Madiha Tahir, "The Containment Zone," in Parks and Kaplan, *Life in the Age of Drone Warfare*, 220–40.

58 Sabrina Gilani, "'Spacing' Minority Relations: Investigating the Tribal Areas of Pakistan Using a Spatio-Historical Method of Analysis," *Social and Legal Studies* 24, no. 3 (September 2015): 371, https://doi.org/10.1177/0964663914564263.

59 Gregory, "Dirty Dancing," 30.

60 Chamayou, *Drone Theory*, 56.

61 Chamayou, 56.

62 Munro, "Mapping the Vertical Battlespace," 238.

principle of territorial sovereignty."[63] But it would be hasty to conclude from this that the Pakhtuns are *naked life* in the well-known Agambenian sense, while it makes their lives in many ways incredibly hard.[64]

The palimpsest of the bombings of Pakhtun lands in Afghanistan and in the "Tribal areas" of its neighbor are intrinsically linked to the palimpsest of special legal constructions and the palimpsest of epistemic violence that haunts this region considered to be a "lawless" and "unruly" borderland by succeeding imperial powers reaching back at least to the Mughal and Persian empires, long before the advent of occidental emissaries. The arrival of Mountstuart Elphinstone, as a representative of the British East India Company at the court of the "Kingdom of Caubul" in Peshawar in 1805, began a *modern* process that drew from these older registers of imperial imaginations to map and manipulate the polity of this region in terms of geopolitical interests. Elphinstone, who was influenced by Johann Gottfried Herder's ideas and the Edinburgh Enlightenment, believed that the Pakhtun "tribes," with whom he never exchanged a single word in direct communication, were contemporary doppelgangers of his own ancestors—historical Scottish clans, who just recently had been tamed into civilization.[65] The *Elphinstonian episteme* first tribalized Pakhtuns and then assigned the illogical role of both dominating and undermining the Afghan polity to those marked as "Pakhtun tribes," a colonial imagination that structures the overwhelming majority of scholarly works to this day.[66] Accounts of "scholars, diplomatic emissaries, political agents, adventures, and travelers" in the nineteenth century turned the region into a colonial trope as they followed British colonial discourses and described Pakhtuns as "wild beasts" combining "fascination, naturalization, and even homo-eroticization, with an underlying con-

[63] Munro, 238.

[64] Gregory, "Dirty Dancing," 52.

[65] Lynn Zastoupil, "Mountstuart Elphinstone and Indian Education," in *Mountstuart Elphinstone in South Asia: Pioneer of British Colonial Rule*, ed. Shah Mahmoud Hanifi (New York: Oxford University Press, 2018), 174–79; Mountstuart Elphinstone, *An Account of the Kingdom of Caubul, and Its Dependencies in Persia, Tartary, and India*, 2 vols. (Karachi: Indus, 1992). Elphinstone's book was originally published in 1815.

[66] Benjamin D. Hopkins, *The Making of Modern Afghanistan* (London: Palgrave Macmillan, 2008), 20; Martin J. Bayly, *Taming the Imperial Imagination: Colonial Knowledge, International Relations, and the Anglo-Afghan Encounter, 1808–1878* (Cambridge: Cambridge University Press, 2016).

cern for control and surveillance."[67] The colonial episteme was revived most recently in the shape of the US Department of Defense's Human Terrain System (HTS), a program which "manufactures a highly reified version of Afghan society and makes claims of authenticity, often framed within a discourse of 'tribe' as an unchanging dimension of Afghan society" to help US troops navigate in Afghanistan.[68] Hanifi points out that the post-9/11

> surge in attention on Pashtuns and Pashto evident in the US academy and government, mainly as reified colonial British essentializations of Afghanistan, reproduced a colonial tendency to militarize and weaponize knowledge about other cultures. The challenges and failures of the international community evident in Afghanistan in no small measure are founded on the fragile intellectual architecture of nineteenth-century British colonial constructions of knowledge about Pashtuns. These understandings were institutionalized in US academia and incorporated into the US and other national and international policy-making machineries.[69]

Poltergeists and Discourses

Thomas Hobbes, the "founder of the legal idiom of sovereignty and state terror,"[70] can be regarded as the philosophical guardian angel of modern imperial, para-, post-, and colonial violence against Afghanistan in general and against the Pakhtuns in particular. As a shareholder in the Virginia Company, he was well aware of the colonial land grab in Virginia and developed his political zoology of submission and enslavement via the predatory figure of the wolf as the emblem of an endless civil war.[71] In fact, the Pakhtuns' own *non-representative* democracy traditionally rests upon the *Jerga*, an assembly that every male Pakhtun has access to and that settles all disputes consensually without the

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[67] Alessandro Monsutti, "Anthropologizing Afghanistan: Colonial and Postcolonial Encounters," *Annual Review of Anthropology* 42 (October 2013): 271, https://doi.org/10.1146/annurev-anthro-092412-155444.

[68] Benjamin D. Hopkins and Magnus Marsden, *Fragments of the Afghan Frontier* (London: Hurst, 2011), 7.

[69] Hanifi, "Pashtun Counter-Narrative," 3.

[70] Iris Därmann, *Undienlichkeit: Gewaltgeschichte und politische Philosophie* (Berlin: Matthes und Seitz Berlin, 2020), 80; my translation.

[71] Därmann, 58–80.

need for a central state. The *Jerga* is simultaneously a thoroughly patriarchal and entirely democratic Pakhtun art of not being governed. While accounts of alleged lawlessness take for granted that civilization and state structures are intrinsically co-constitutive, the imposition of the latter has historically been an excessively violent affair involving magnitudes of forced labor, resettlements of populations, and the enforcement of hierarchical administrative structures. It is not the product of a "savage" mind, but perfectly rational that not few have preferred not to be transformed into servile subjects of modern statehood, especially if the state historically did not offer much in exchange. The long-lasting, powerful, and effective non-representative democracy of the Pakhtuns gives lie to the Hobbesian myth that the "natural state" of stateless societies is a ubiquitous bestial war.

Still Hobbes's eerie shadow is lurking above many past and present discourses about Afghanistan and the Pakhtuns, allowing the mass murder of innocents to be rendered into a footnote in the history of sovereign peacemaking and state-building. Reprieve showed that 24 individuals were reported killed or targeted multiple times in the FATA. Missed strikes on these men killed 874 people, including 142 children. In general, 36 other people, typically unknown and unnamed, have been killed as "collateral damage" for every intended target.[72] Individuals are targeted with extreme precision, but in a remarkably unsuccessful manner, resulting in a ruthless waste of human life, which is only legitimized by the supposed animality, lawlessness, and always already terrorist nature of the Pakhtuns.

While the Pakhtun's *Jergas* were instrumentalized by British India and its postcolonial successor in order to disenfranchise them, the *Jerga* played an essential role on the other side of the Durand Line as well: Afghanistan. The British political agenda for Afghanistan intended to replace a polity based on competing, mobile suzerainties and genealogical space with one organized around a single, grounded sovereign power ruling over a discrete territorial place and economically dependent on outside revenue.[73] Mohammed Jamil and Shah Mahmoud

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[72] "You Never Die Twice: Multiple Kills in the US Drone Program," Reprieve, December 2014, 6–8, https://reprieve.org/wp-content/uploads/sites/2/2020/07/Report_YouNeverDie Twice_2014.pdf.

[73] Hanifi, *Connecting Histories in Afghanistan*.

Hanifi employ the heuristic device of "crypto-colonialism" to understand how reified and *nationally* re-choreographed forms of selected local indigenous practices like the *Jerga* were used as the basis for hegemonic power-building attempts in a territorially bound state that was formally independent after the bombing of 1919.[74] Euro-American interventionism at the beginning of the twenty-first century relied heavily on this instrumentalization of Pakhtun culture in the name of neoliberal state-building.[75]

The "Bonn Agreement" of 2001, for example, called for the convening of a "Loya Jerga-ye Ezterari" (Emergency Great Jerga) to be held in Afghanistan in 2002 to approve the newly appointed government. Germany had officially justified its involvement in the invasion of Afghanistan with the formulation of its then Defense Minister that German interests were being defended in the "Hindukusch," thus publicly expunging the memories of its war-ridden population from the Afghan space and establishing itself as the somehow innocent custodian of a geographical bulwark and the historical "gateway to India."[76] The Loya Jerga was held as planned in Kabul and convened in a huge tent, produced in Germany, to give legitimacy to the Afghan presidency through the seemingly vernacular form of consent. This period came to end with the fall of Kabul in August 2021.

The long-term hegemonic impact of colonially produced military and academic knowledge about the Pakhtuns on both sides of the Durand Line can be seen as a form of "imperial debris," a notion used by Ann Laura Stoler to describe the durability of colonial effects in the present—the perpetual academic, social, political, and economic formations and effects of imperial domination.[77] Past and new representations of unruly barbaric tribes haunt both Afghan statecraft and occidental conceptions of Afghanistan that have enabled intervention in and the invasion, occupation, and bombing of the region from the nineteenth cen-

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[74] Mohammed Jamil Hanifi and Shah Mahmoud Hanifi, "Crypto-Colonial Independence Rituals in Afghanistan," *Afghanistan* 4, no. 1 (April 2021): 70–78, https://doi.org/10.3366/afg.2021.0068.

[75] Hanifi, "Editing the Past," 295–322.

[76] See also Karoline von Oppen, "From 'Civilian Power' to 'Civilizing Power': The German Mission to the Hindu Kush 2001–2011," *Journal of War and Culture Studies* 6, no. 3 (August 2013): 215–25, https://doi.org/10.1179/1752627213Z.00000000019.

[77] Ann Laura Stoler, "The Rot Remains: On Ruins and Ruination," in *Imperial Debris: On Ruins and Ruination*, ed. Ann Laura Stoler (Durham: Duke University Press, 2013), 1–35.

tury to the present.[78] Similar to the historical precursors of nowadays Austria, which historically did not function as a classical colonial power, but was very much part of the colonial system, Afghanistan too has never been a full-fledged colony, that is why "efforts to taxonomise it and make it intelligible have been sporadic and patchy, based on political expediency and colonial caprice."[79]

Perhaps this is the reason for the conspicuous absence of any mention of Afghanistan in Mbembe's corpus, and can possibly even be attributed to him, for the extent to which amateur and ad hoc experts keep appearing out of nowhere, only to produce great and banal wisdom, on the grounds of previous knowledge claims connected to imperial engagements, with disastrous effects, is one of the biggest problems of Afghanistan. It remains remarkable, however, that his necropolitical reflections appeared just after Afghanistan had been declared a *necropolis* of history with the trope "graveyard of empires." There is hardly an occidental account of Afghanistan over the last two decades to be found where this figure is not invoked as timelessly self-evident. In reality, however, the trope is of surprisingly recent origin: an article in *Foreign Affairs* from 2001.[80] The figure produces an extreme otherness of Afghanistan by locking it into a timeless container of atavistic "tribes" and closing off possible futures.[81] In the midst of occidental interventionism, under-complex myths gain epistemic status with dizzying speed.[82] At the same time, this trope also has an empowering and comforting function for many Afghans, who choose to inhabit it, by counterpointing the long history of violent influence (Persia, the Mughal Empire, Britain, the Soviet Union, NATO, the US).

The academic discipline of postcolonial studies has been shamefully silent when it comes to Afghanistan, a disturbing fact that is most likely due to the

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[78] Nivi Manchanda, *Imagining Afghanistan: The History and Politics of Imperial Knowledge* (Cambridge: Cambridge University Press, 2020).

[79] Manchanda, *Imagining Afghanistan*, 8.

[80] Nivi Manchanda, "The Graveyard of Empires: Haunting, Amnesia and Afghanistan's Construction as a Burial Site," *Middle East Critique* 28, no. 3 (2019): 309, https://doi.org/10.1080/19436149.2019.1633745.

[81] Manchanda, "The Graveyard of Empires," 307–20.

[82] Florian P. Kühn, "Afghanistan and the 'Graveyard of Empires': Blumenberg, Under-Complex Analogy and Basic Myths in International Politics," in *Myth and Narrative in International Politics: Interpretive Approaches to the Study of IR*, ed. Berit Bliesemann de Guevara (London: Palgrave Macmillan, 2016), 147–72.

institutional linkages, linguistic corridors, entangled histories, and negotiated epistemologies between "full" colonies and their former masters. Mbembe's "semiotic hermeneutics"[83] of the postcolony, on the other hand, may open up important ways to think about the politics of death in today's world and its genealogies; at the same time, one wonders if his staging of the plantation, the slavery system, the concentration camp, and the settler colony as master models of necropolitics is able to fully account for the reality of paracolonized places like Afghanistan or the many ways violence is trafficked today. For example, Mbembe discusses injury as a crucial element of enslavement, the slave is "kept alive, but in a *state of injury*."[84] Forty years of Western and Eastern interventionist wars have turned enormous parts of Afghanistan into a landscape "that will continue to kill, maim, hurt, and obstruct Afghan lives, human and nonhuman, long after the war has ended."[85] It is estimated that Afghanistan now has a population of three million disabled, about 10 percent of the population, including mental and physical disabilities among both civilians and security forces.[86] In this context, Jasbir K. Puar questions whether the *right to maim* can be easily positioned in Mbembe's dualism of life and death: "Maiming is a practice that escapes definition within both legal and biopolitical or necropolitical frameworks because it does not proceed through making live, making die, letting live, or letting die."[87]

Simultaneously with the attack on Afghanistan, the popular rise of its designation as a necropolis, and the seminal publication of "Necropolitics" in 2003, a seemingly unconnected figure began its triumphant march—*innovation*. This apparently innocent term only gained ubiquitous acceptance after 9/11, argues Jill Lepore: "The idea of innovation is the idea of progress stripped of the aspirations of the Enlightenment, scrubbed clean of the horrors of the twentieth cen-

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[83] M. John Lamola, "Breaking the Gridlock of the African Postcolonial Self-Imagination: Marx against Mbembe," *Angelaki* 24, no. 2 (April 2019): 49, https://doi.org/10.1080/0969725X.2019.1574077.

[84] Mbembe, *Necropolitics*, 75.

[85] Fahim Amir, "Notes toward a Forensic Ecology of Afghanistan," in *Is It Morning for You Yet? 58th Carnegie International* (New York: Distributed Art Publishers, 2022), 73.

[86] Rod Nordland, "Maimed Defending Afghanistan, Then Neglected," *New York Times*, May 2, 2015, https://www.nytimes.com/2015/05/03/world/middleeast/maimed-defending-afghanistan-then-neglected.html.

[87] Jasbir K. Puar, *The Right to Maim: Debility, Capacity, Disability* (Durham: Duke University Press, 2017), 137.

tury, and relieved of its critics."[88] Tracing the relationship between these terms is beyond the scope of this article, but without a doubt, after the debacle of the war that has officially just ended, Afghans have at least one, rather non-innovative, right on their side vis-à-vis both the vengeful and the well-meaning hordes of armies, NGOs, corporations, intelligence agencies, and advisors that have overrun the country over the past two decades, only to ingloriously disappear again: *the right to shame.*

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88 Jill Lepore, "The Disruption Machine: What the Gospel of Innovation Gets Wrong," *The New Yorker*, June 23, 2014, https://www.newyorker.com/magazine/2014/06/23/the-disruption-machine.

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