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Disagreeing Preemptive/Prophylaxis: From Philip K. Dick to Jacques Ranciere

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1.

> We know that there are many thousands or hundreds of thousands of illegal immigrants and if they're challenged by the police, they're not going to stand there and produce their ID, they obviously will try and run. [...] And whilst we need to catch those illegal immigrants or asylum seekers, nevertheless we can't shoot them because they're not terrorists.
> —Labor Peer Lord Ahmed in "U.K. Muslims Feel 'Under Suspicion'"
> BBC News. 25 July 2005

> Everybody runs.
> —Minority Report, dir Spielberg, 2002

In the world of Philip K. Dick's Minority Report (1956), a world that is also replicated in Steven Spielberg's film adaptation (2002), crime prevention approaches its absolute perfectibility. To free the world of crime, the solution has been but to preemptively arrest the criminal-to-be so that the crime-to-come will not arrive, sometimes even prior to the criminal-to-be premeditating his or her crime-to-come. That is the operational objective of "precrime" in the world of Minority Report. But the history or memory of crime is not at all erased in that world. The world remains mindful of the concept of crime through the mark of a prison architecture, a "detention camp full of would-be criminals" (Dick 1997:324). Instead of the disappearance of prison culture in this futuristic world, a total prison for those who essentially have not (yet) committed a crime has to be exchanged for the world of crime-prevention perfectibility. The "detention camp full of would-be criminals" marks out a space in the world that is the remainder of the preemptive act of "precrime." [1]

There is no conventional methodology to the exceptional practice of "precrime." Something monstrous, something more or less human, has to intervene to bring about this perfectibility of noncrime. In Minority Report, it is the "precogs" that one looks to. Spielberg depicts these "precogs" as beings of higher human intelligence. But the original text refers to them rather as "deformed and retarded" (1997:325). The dreams of the "precogs" are always haunted by images of future violence. And a machine is plugged into the dream-works of the "precogs" to sieve out the respective names of the prospective victim and the criminal-to-be, and to reproduce the images of the crime-scene as dreamed out by the "precogs," which are all fragmentary and in disjunctive order of course, like in most dream-works. The intelligent work of interpreting these images, of deciding the order of the images, and analyzing the exact location of the crime scene through geographical memory, remains the reserve of the human. In the text proper, behind the machine is always Wally Page—the subordinate of the narrative's protagonist John Anderton—who has the "big responsibility" of using his subjective "judgment" to determine which names and their corresponding images of crime sequences constitute major crimes-to-come (1997:326). In Spielberg's filmic retelling, he has John Anderton himself commanding that scene of human interpretation, a scene that already presupposes a judgment that a crime will take place and that the criminal-to-be will be a perpetrator of violence, a scene that plays to the cool refrain of Schubert's 8th symphony, which is also known as the unfinished.

Fifty years after the text of Minority Report, the spirit of the preemptive is no longer confined to the world of fiction (or film—as in the case of Spielberg's adaptation, which is set in 2054 and therefore in turn slightly less than fifty years from now). The shadow of the preemptive shrouds the real world today. It is the spirit that haunts the world today, conjured up in the work of mourning by military and police measures to exorcise its trauma of the surprise of terror of 9/11. The preemptive is becoming the contemporary global condition for global security. Its global dissemination follows from the post-9/11 American directive of a preemptive military strike against any territory that either deviates from the dictates of the American-led "war on terror," or presents itself as a possible state of terror or a state that will disseminate terror to other territories that have aligned themselves with the American political-economic-military complex. In 2005, the preemptive condition has but only reaffirmed itself in civil space in London, in which the police condition of "shoot-to-kill" is reiterated decisively not with one but seven bullets into the head (and another into the shoulder) of a migrant, delivered in a terrifying and traumatic spectacle visible to the London tube commuters at that time, just because he (supposedly) ran and because he just kept silent/silence.

And just as the world of crime prevention perfectibility through the preemptive is not detached from the indelible presence of a prison world in Minority Report, we witness the refusal of the fortress of Guantanamo—that detention camp par excellence of largely undocumented and suspect military handling of its captives that simply goes against the good sense of human rights and democracy—to be conjured away. In the face of the imminent normalization of the preemptive, the critical question one should pose to it could perhaps take its cue from the above-mentioned scene of interpretation in Spielberg's adaptation of Minority Report, specifically the use of the particular soundtrack. What remains "unfinished" in the speed of a preemptive, notwithstanding the fact that there will be times when in the preemptive, a crime, or a terrifying surprise of violence, is short-circuited and the intended injury to the innocent leaves unexecuted for good? In this paper, I would like to argue that it is the thinking of the right to be alive— without conditions—that is violently precluded in the act of the preemptive. Under the preemptive, the right to be alive risks its disappearance. And once the preemptive is on its way, one is seldom able to think outside of it to think of another possible (less violent) solution or a different outcome. To maintain a thought of an unconditional right to be alive, one has to get outside of the preemptive. Or according to John Anderton in Minority Report, one has to "keep [one]self outside" (1997:334) in order to save one's own life against the preemptive. For the right to be alive, one has to get outside the normalization of it, or more urgently, get the idée fixe of the preemptive outside the procedures of normalization (without reserving it as an exceptional power on the side of the State and the law either), in order to secure a counterprophylaxis against the deadly preemptive. One way of getting outside is to project a force of what the French philosopher Jacques Rancière calls mésentente or "disagreement" to dispute the breakneck rush of the preemptive as the normative condition of global peace and security.

2.

> **...there is no human right more sacred than the right to be alive. Without this human right all others are impossible. ...protecting the human rights of others is also an inseparable part of realizing our wider foreign policy goals and of promoting our own security.**
> ***—Ian Pearson, 21 July 2005***

The right to be alive is a phrase uttered by U.K. Foreign Cabinet Office Minister Ian Pearson on the future imperative of life in a world visibly insecure of the threats of terror. But it arrives in an ironic time, arriving only hours before the preemptive London shooting—a police action that only deafened the right to be alive to an imminent disappearance, particularly the right to be alive of the innocent migrant. The chronology of the preemptive act coming after the enunciation only serves to suggest how little the chance of the right to be alive gets delivered and received in actuality in the looming shadow of the preemptive. The preemptive arrives at such great speed that in the chronology of events, it sends Pearson's utterance into a precession of meaninglessness. This deafening speed of the preemptive is echoed in another fatal case of the preemptive, this time in Miami in December 2005. This time, a bipolar man, onboard a plane, and who has forgotten to take his medication, hallucinates that he has a bomb in his backpack and makes a dash to get out of the aircraft. Air marshals immediately intervene. Meanwhile, the man's wife runs after her husband, at the same time shouting aloud her husband's medical condition. Witnesses onboard hear her, but somehow not the air marshals. The air marshals only see a risk of another terrorist threat. They are deaf to

any counter-hypothesis (i.e. the counterhypothesis that the man is not a terrorist). And so they preemptively take the man down with a series of bullets. Like the Brazilian in the London shooting, this man is innocent. There has been no bomb or threat of terrorism involved in the entire incident.

In the same speech of Pearson's in which the right to be alive is enunciated, Pearson also mentions other ways besides terrorism in which the right to be alive is taken away from life itself: "poverty, oppression, exploitation, and dictatorship." He has forgotten to add police action. Police preemptive action violently supplements that list. To be sure, there is no doubt that the phrase the right to be alive will continue to be reiterated again, re-amplified from the side of the State, in another situation, at another place. After all, according to Rancière, in contemporary democracy and its globalization, "We are effectively witnessing an active multiplying and redefining of rights, aimed at getting law, rights, the rule of law, and the legal ideal circulating throughout society, at adapting to and anticipating all the movements of society" (1999:111). But if the acceleration of the absolute preemptive gets its way, if that becomes the way of contemporary life, alongside the reiterations of the right to be alive, then it gets in the way of the right to be alive as a fact—as a fact of freedom of existence—and lets that fact slide into a logic of the simulacrum. According to Baudrillard, the simulacrum is what always needs to announce itself, always needs to amplify and reproduce its sign, in order to drown out the silent disappearance of the thing it seeks to articulate. As long as the preemptive is in place, as long as the preemptive is institutionally given a path of normalization, the right to be alive would slowly erode from being a given fact of freedom of any living being sharing the common space of the world to a condition only managed and decided from the side of either the military or police of the State.

How does one get outside the State's biopolitical capture of the right to be alive, in the face of an impending preemptive? Minority Report offers a possible trajectory (not without its own aporia) that allows one to get, or keep, outside the preemptive. There exists, in the world of Minority Report, a countermeasure against the preemptive act of "precrime." And this counterpreemptive potentiality is lodged in the "minority report" of a "precog" who sees a different outcome from the other "precogs" (i.e. it sees the criminal-to-be not being a criminal). The problem with this "minority report" is that it gets shelved aside through a statistical consideration that a deviant vision from one "precog" cannot be more right than the consensual visions of the two other "precogs." That it should be otherwise is almost impossible, almost unthinkable. In that way, the "minority report" never gets delivered or read. The criminal-to-be, as interpreted and decided by "precrime," and who may just not be the criminal, and will never even be when arrested by "precrime," never sees the light of this information that he or she might indeed not even be the criminal-to-be after all in the first place. If this "minority report" were given a proper sending (and not a sending-off) in simultaneity with the dissemination of the preemptive "precrime" operation to "neutralize" the criminal-to-be, it would have been the prophylaxis against the preemptive that denies the right to be alive. It would be prophylactic in another way too, and certainly securing the right to be alive at the same time, should it be given a time of dissemination. According to John Anderton, the prophylaxis of the "minority report" would work by giving the criminal-to-be a space and time for a counter-hypothesis that will see to him or her not following through the crime as interpreted by the "precog"-"monkey machine"-human interpreter-"precrime" complex. It is only with the making possible the reading or readability of the "minority report" that "the preview of the [crime] had cancelled out the [crime]; prophylaxis had occurred simply in [John Anderton] being informed" (Dick 1997:340). To counter the preemptive, it is all a matter of sending out the prophylaxis.

3.

00:00:00

Prophylaxis, a medical term of modern times, denotes a preventive against a disease, against syphilis especially in the 1840s (incidentally the disease that took the life of the composer of the soundtrack to Spielberg's scene). And to be sure, there is no doubt of it being in the order of a preemptive. Like the preemptive, it needs to be sent out, as marked by its pro- prefix. It needs a sending-off of itself to the place where a preventive is needed against an impending life-destroying threat. And there is a speed to this sending-out or sending-off in its movement of a "towards" that approaches what needs it in order to live on. A prophylaxis delayed only leaves death(s) to remain. So more often than not, a fastness is attached to it in order to secure a critical time to complete its objective to secure life. But in this speed, it sometimes leaves no proper consideration of the adequateness of its application or

applicability. As such, one is exposed to the risks of the prophylaxis failing to cure because it is ineffective—which still results in a fatality that it originally seeks to prevent; or worse, of it intensifying the fatality because the hypothesis of it causing greater harm is not given time to be tested out. In the fastness of its sending-out of itself in this case, the desire to gain critical time only intensifies the speed of fatality. And it is as such that the prophylaxis acquires the aporetic turns of a poison-remedy not unlike the pharmakon. What is originally set out to be a life-maintaining or life-securing trajectory becomes a destructive projectile. This is the sense one gets with the preemptive today. But perhaps this declension of the prophylaxis into a destructive preemptive is already etymologically marked in itself. For -phylaxis says "a watching, guarding after" according to the Oxford English Dictionary, and the senses of surveillance and sentry surely give it a militant edge that similarly surrounds the contemporary understanding of the preemptive. This is the aporia of the prophylaxis: it belongs to the order of the preemptive but only so because it seeks to prevent harm from arriving to life; but in the speed of its sending-out of itself, it risks lapsing into a fatal destructive projectile that only sends-off its life-securing prophylactic trace.

The point is to avoid the prophylaxis becoming a death machine in overdrive. For Philip K. Dick in Minority Report, it is a matter of sending out the strategic information of the prophylaxis. And it is necessary that this sending-out must see to a time of receiving, understanding, and consideration of a prophylaxis that is in contradistinction to the act of a militant preemptive. This prophylaxis, even if it comes just after the preemptive that propels with a certain force, must be sent nonetheless, so that it can have at least a chance to negotiate with the latter. The preemptive, as it stands today in the eyes of the military and police, does not look towards the offering of the prophylaxis, and does not await the responsible response to the prophylaxis. In relation to such a force of the preemptive, the prophylaxis is always untimely. It either never arrives, because it is already made a non-event by the fatal preemptive. Or it arrives in overdrive, too forcefully, as the pharmakon-poison preemptive itself. Or more likely, the prophylaxis has no time. Its time of arrival would always be already denied as in the first case where the fatal preemptive has already been delivered in accelerated manner. Or else the prophylaxis as the destructive preemptive always already convinces itself that there is always not enough time for further contemplation or that there is no time for thought in its application. This results in the case of an always no time for a prophylaxis to be offered to the perpetrator-to-be to consider (just in case it puts the lives of others at risk and one would be faced with an even higher death count). In the opening scenes of "precrime" fighting in Spielberg's adaptation of Minority Report, the time on John Anderton's watch, as "precrime" is achieved if not perfected, reads 00:00:00: the no time of the preemptive/prophylaxis.

4.

Wait

At present, the time of the preemptive presents the targeted body without the chance, or the right, to offer a counter-hypothesis, so as to prove the preemptive erroneous. The targeted body of the preemptive is not offered, and cannot offer, a prophylaxis contra the preemptive so as to delay the elimination of the right to be alive. In other words, in the staging of the preemptive, there is no space for disagreement. His or her speech, phone or logos—the desperate cries (phone) of denial of any (future) wrongdoing; or the cries of injustice of a treatment towards another human being, articulated in a linguistic idiom rational and intelligible (logos); and the cries to surrender (including deferring one's own innocence for the sake of one's safety)—no longer matters. It is no longer heard, as in the case of the preemptive shooting in Miami. Even silence is not heard either, as in the case of the London shooting. The rush of a preemptive is a sonic barrage that drowns out any (silent) voice that seeks to defer it. The gap opened by a suspected body between itself and the law that promises the security of the territory is already too great. The law and its need to secure a terrifying peace cannot bear the widening or delaying of that interval by a further demand of a disagreeing counter-hypothesis or auto-prophylaxis.

To allow the normalization of the fatal preemptive would be to institute the legitimization of an absolute or extreme biopolitics. According to Foucault, biopolitics is the control and management of individual bodies by the State through technics of knowledge (usually through surveillance) of those same bodies. In a biopolitical situation, the State holds the exceptional power to determine either the right to let live or make die the individual belonging to the State. Should the preemptive become a force of reason of contemporary life, one would terribly risk submitting the freedom of life and therefore an unconditional right to be alive to a biopolitical capture, handing over the right

to let die to the State police and military powers. It would be a situation of abdicating the body as a totally exposed frontier of absolute war. For in the constant exposure of the imminent preemptive, the body at any time—when decided upon by military or police powers to be a security threat—becomes the point in which the space and time of conductibility of war collapse in a total manner. The preemptive reduces the body to a total space of absolute war. Virilio has suggested that the absolute destruction of an enemy in war is procured when the enemy can no longer hypothesize an alternate if not counter route or trajectory (of escape or counter-attack) from impending forces (1990: 17). In the sequence of executing the preemptive to its resolute end, the escaping body faces that same threat of zero hypothesis. There is no chance for that body to think (itself) outside the vortical preemptive. Preemptive bullets into the head would take away that chance of hypothesis.

A spectral figure begins to haunt the scene now. And that is the figure of the homo sacer, who according to Agamben's analysis, is the one who in ancient times is killed without his or her death being a religious sacrifice, and the one whose killers are nonindictable of homicide. This figure is also the sign par excellence of the absolute biopolitical capture of life by the State, in which the decision to let live and make die is absolutely managed and decided by the State, and thereby the right to be alive is no longer the fact of freedom of existence for the homo sacer (Agamben 1998). For the right to be alive to be secured in any real sense from any political capture, for it to be maintained and guaranteed as and for the future of the human, the body cannot be allowed to return to this figure of the homo sacer. But victims of the preemptive irrepressibly recall the figure of the homo sacer. In the current legal proceedings of the London shooting, it has not been the fact that the police officers shot an innocent Brazilian that they will be charged. That charge remains absent. The charge of homicide against the officers remains elliptical. Instead, the plan has been to charge them for altering the police log book to conceal the fact that they had mistakenly identified the victim as a terror suspect.

The possible turn of human life into the figure of homo sacer as decided by forces of the police or military under the overarching security measure of the preemptive divides the common space of existence. The space of existence becomes less than common now. The preemptive, as in the decision of a homo sacer, brings along with it a certain profiling of certain peoples, regardless of whether the force of law or the State would like to admit or not to such profiling measures. The law or the State would deny this unspoken profiling, but the evidence of its real imminence is felt by the peoples who would most likely fall under the category that the police or military would identify as a possible terror threat. And there is no denying that this profiling largely takes on an ethnic contour. And the fears of such a contouring are not unspoken. "Anyone with dark skin who was running for a bus or Tube could be thought to be about to detonate a bomb," expressed a concerned Labor peer Lord Ahmed for the U.K. Muslim community after the London shooting ("U.K. Muslims Feel 'Under Suspicion'" BBC News. 25 July 2005). The irreducible profiling in the culture of the preemptive is happening in the United States too. A New York Times article reports of a police-speak of "M.E.W.C's" under its intense surveillance—"Middle Eastern with a camera—perhaps taking pictures of a bridge, a hydropower plant or a reservoir" (Kershaw, New York Times. 25 July 2005). The nonnative ethnic community senses a state of emergency that works against them, that restricts their freedom of living on without fear. Indeed, after the London shooting, the BBC carried a report that said "many young Muslims were reluctant to leave their homes" ("U.K. Muslims Feel 'Under Suspicion'" BBC News. 25 July 2005). Their right to be alive becomes under siege as they "believed they could become victims of mistaken identity by armed police" (ibid.). They simply cannot hypothesize, innocent as they are of the intent of terror, a way to disprove the charge of the deadly preemptive that (mis)identifies or profiles them as possible terror suspects. As a Muslim living in Manchester says, "How do I know I won't just be picked up and labeled as a terrorist?" (ibid.). The possibility of a counter-hypothesis against the preemptive, and the unconditional right to be alive, become for these peoples, the unthinkable. That is what Anderton in Minority Report feels too once the naming of himself as a criminal-to-be and the decision of the preemptive capture of him have been disseminated. Even with a counter-proof that he will not commit a crime, he resigns to the fact that nothing can be done to reverse the precession of the preemptive, nothing to stop "precrime" from believing that he has not "the remotest intention of killing" (Dick 1997:329).

For a critical response to the preemptive, such that a counter-hypothesis to disprove the preemptive is thinkable, such that no profiling politics of homo sacer is resurrected, and such that a right to be alive unconditionally remains thinkable or remains open and free to thought, one needs to open the space of disagreement with it and resist it, even though the State cannot bear such an interval between its preemptive law for territorial security and the interruption of a disagreement. One nonetheless has to interrupt the preemptive in overdrive to allow the counter-hypothesis or its prophylaxis to surface or arrive; or, one has to interrupt the prophylaxis when it precipitates into a destructive

preemptive. And one cannot allow this reserve of the prophylaxis in contradistinction with the deadly preemptive to be the sole domain or hidden property of exceptional power. It cannot be deferred to be the decision and the enclosed time of reading of power. That is in fact the aporia of the prophylaxis in the text of Minority Report. John Anderton comes to realize that the prophylaxis of him not being a criminal-to-come is possible only because only he, as a figure of sovereign power, as the chief of "precrime" operations, has access to this strategic information. It is a privileged access, exceptional only to him, and not to the others, the other common beings that do not personify the figure of law and therefore already arrested for a crime they have not (yet) commit. Only John Anderton can be offered the prophylaxis (provided he chooses to want to read it), and only he can offer a prophylaxis. As he admits at the end of the text, "My case was unique, since I had access to the [prophylaxis] data. It could happen again—but only to the next Police Commissioner" (Dick 1997:353). But the sending and the offering of the prophylaxis cannot remain as the exceptional reserve of figures of law. It must arrive from the other side of the law, arriving as the disagreement with the preemptive, and it must be listened to. This disagreement will be the time that holds back if not delays the preemptive so that a prophylaxis can come into negotiation with it.

Disagreement here will be the enunciation of wait in response to the preemptive. Indeed, wait is the word in Spielberg's adaptation upon which is hinged the critical duration that offers the prophylaxis that will be the counter-hypothesis to the deadly preemptive. John Anderton gets an initial glimpse of the value of holding back a second before rushing to the crime-scene-to-come, when a counter-check on the information of the address of the criminal-to-be shows it as obsolete. Finally arriving at the right address, John Anderton proceeds to arrest the criminal-to-be, ignoring the cries of "wait" of the latter—perhaps because he has not committed any crime yet, or perhaps he did not intend to follow through the act he thought he would commit. Anderton then, as the leader of the "precrime" task force, of course does not wait. But the critical value of wait and its offering of a prophylaxis or counter-hypothesis against the preemptive begin to turn on John Anderton when his image and name appear as the future perpetrator of a future crime. He then understands the value of the enunciation of wait to disarticulate the accelerated judgment of the "precogs" and to secure his right to be alive against the preemptive force of "precrime." But as said, wait cannot be the sole remainder of sovereignty. Wait must also arrive from the side of the one without power but under threat of the preemptive. And it must be heard, and received by the forces of law delivering the preemptive. Wait might be an untimely word for the speed of the preemptive. "There is little time to waste," as the police chiefs of the United States proclaim in consensus (New York Times. 25 July 2005). But wait is not insignificant refuse, ready to be abandoned absolutely in no time, if its act of refusal of the deadly speed of the preemptive in fact proves the preemptive wrong or that it offers another possibility unthinkable to the preemptive and thereby keeps open the chance for the right to be alive. Wait, in negotiation if not in disagreement with the speed of the preemptive, is that interruption, that possible chance and prophylaxis for the right to be alive, by saying that there is something not totally right about the preemptive.

5.

> An international organization representing police chiefs has broadened its policy for the use of deadly force by telling officers to shoot suspected suicide bombers in the head.
> —Washington Post, as cited in Reuters. 04 August 2005.
>
> They should not be exterminating people unjustly. [2]
> —"Ban 'Shoot-to-Kill, Urge Family." BBC News. 27 July 2005.

The articulation of wait cannot be more urgent today. It must be pronouncedly reiterated, in disagreement with the deadly preemptive, before the latter becomes a "necessary" global security condition of living in the world today. The deadly preemptive without chance for a counterhypothetic prophylaxis being offered must be resisted against its gaining momentum to procure a global consensual, legal status. And even if it is already in the process of being legalized or normalized as a contemporary fact or "necessity" of life in this twenty-first century of insecurity, it still has to be disagreed with. According to Rancière, consensus is arrived at from a striated observation of the real. The real today is a situation in which terror is surprising major cities and cities thought to be defensible against if not impenetrable to such surprises in ever greater media visibility and spectacle. To prevent more of these terrifying

surprises (mediatising themselves) elsewhere, or such that second surprises will not tear apart the same city, the determination has been to short-circuit the possible dissemination of such terror at whatever cost. And this is where the preemptive has come in, the only possible measure to erase the slightest shadow of the next surprise. It cannot take chances. There is no chance for the counter-hypothesis. The real "is the absorption of all reality and all truth in the category of the only thing possible" (Rancière 1999:132). This is the real through which the consensus on the preemptive is or will be reached. The consensus is that "which asserts, in all circumstances, that it is only doing the only thing possible to do" (ibid.). The aggregation of the striated observation of the real, the "only thing possible to do," and consensus, is the final collapse of thinking of another trajectory of the future of the real, the erasure of the exposition of what is unthinkable or impossible that will falsify the future of "the only thing possible to do."

The singular fatal preemptive cannot become a consensus of the "only thing possible to do." It cannot be thought as a necessity of security, a "perceptible given of common life" (Rancière 2004:7). Furthermore, consensus tends to fail to solve the problem it seeks to address. According to Rancière, in the political scene of the late 1990s, "'Consensus' was presented as the pacification of conflicts that arose from ideologies of social struggle, and yet it brought about anything but peace" (2004:4). Instead, there has been but the "re-emergence and success of racist and xenophobic movements" (ibid.). One can hardly imagine that a different outcome will indeed arise with the consensus of the deadly preemptive today. While policies are being put in place to rid a territory of hatred or hate-mongers, as in the United Kingdom today, the normalization of the preemptive, which brings along with it its unspoken profiling contours, would only serve to undermine if not contradict the former, since the profiling contour of the preemptive has been known elsewhere to have "produced tremendous resentment and hostility" [3] (Kershaw, New York Times. 25 July 2005).

And as the American State war-machine leads the world in the global "war on terror," conducting war in countries like Iraq to preempt the spread of terror, not only is the right to be alive of innocent civilians in Iraq denied by military collateral damage there, but any homeland in America or elsewhere has not the sense that it has procured a better security. Instead, there remains the constant fear of further terror carried out under the pretext of retaliation against the preemptive like the one in Iraq. This worry has been exactly the same sentiment echoed recently in response to the Bush Administration's engineering of its next preemptive military measure, the Prompt Global Strike (PGS): "[PGS] may push potential hostile nations to be prepared to launch nuclear-armed missiles with even less notice than before in order to avoid them being destroyed in any preemptive U.S. first strike. Therefore, […] far from making the American people and homeland safer, the development of such weapons could put them at even greater risk from thermonuclear attack" (Sieff, United Press International. 09 February 2006). More than exorcizing the past trauma, the preemptive only perpetuates more trauma as more lives are lost and the right to be alive severely striated by the force of law. The global legal consensus on the singular deadly preemptive is therefore nothing short of terrifying either. One is reminded of Minority Report here, in which "rule by terror" is also the name given to the "precrime" methods of preemptively "arresting innocent men—nocturnal police raids, that sort of thing" (Dick 1997:348). And in turn, does that not remind one of all those rendition operations of the CIA, in which terror suspects, some of them arrested preemptively, and some of them already proven innocent in yet another case of mistaken identity or intelligence let-down of the preemptive, are rendered to prisons outside the United States where they can get no legal help and where they may more likely than not be tortured, in clear violation of international law? These preemptive renditions are now beginning to be slowly unveiled to have some sort of consensus from some European nations like the United Kingdom and Germany, and nations that have had supported these prisons such as Poland, Romania, Morocco, and Thailand.

There is something not very democratic about the preemptive, to say the least. And the more consensus it gathers around it, the more undemocratic its practice will become. This is at least Rancière's argument of the consensus. For Rancière, consensus is nothing short of the erasure of politics or democracy. The aura of democratic practice that surrounds the politics of consensus is but a false illusion. Politics or democracy should be that primary irreducible gesture of disagreement with any injustice that is at work against an individual or a collective, especially the injustice that detaches the individual or a certain collective from an immanent fact of common freedom by denying them the right to partake of that common. But consensus does not open a space for such a gesture. Instead, according to Rancière, consensus is only "the dissolution of all political differences and juridical distinctions," the "erasing [of] the contestatory, conflictual nature of the very givens of common life" (Rancière 2004:8/7). It would only be in the spirit of democracy to disagree with the consensus, the consensus of the preemptive in all its forms.

6.

> The reality is we have a large population [of Arabs and Muslims] in our community that immediately become suspect, whether that is right or wrong, because of the global war. For me to sit here and say, 'I'm not concerned' would be wrong, but for me to sit here and say, 'Yes I'm concerned' would also be wrong.
> —Chief Barnett Jones of Sterling, Michigan Police Department, "Suicide Bombings Bring Urgency to Police in U.S," New York Times. 25 July 2005.

> Somebody else could be shot but everything is done to make it right.
> —UK Metropolitan Police Chief Sir Ian Blair, "'Shoot-to- Kill' Policy to Remain." BBC News. 25 July 2005.

> So the officer [involved in the London shooting] did a horrible thing. But he also did the right thing.
> —Watzman, New York Times. 28 July 2005

Wrong. The fact remains that the victim of the London police preemptive shooting had no link to terror—had no intent of terror. (neither had the victim of the Miami shooting.) There is nothing right about that preemptive act. It has been a wrong calculation, a wrong decision, executed in a method of resolute excess. This is not the first time intelligence fails the preemptive. It has failed in the case of the Iraq war of 2003, since no "weapons of mass destruction" have been found, while the hypothesis of stores of such weapons has been but evidence in absentia that "justified" the projectile of war against Iraq to preempt Iraq from disseminating the said weapons. But the remaining evidence, the only real verifiable evidence, is that there is an intelligence problem with the preemptive in overdrive.

So there is in fact a double wrong to the entire sequence of the preemptive. The misidentification of an innocent being as a terror-suspect and denying that being the right to be alive, the intelligence let-down, is the second wrong. The first wrong is what has been discussed earlier—the tearing of the immanent collective of living beings into those that are likely to fall under the force of the preemptive act and those who do not. And as said earlier too, this partition is rather discernible. Basically, the different, the non-natives of the territory tend to belong to those whose right to be alive is now abdicated to the decision of the preemptive force of law. They have no part in articulating that right by themselves anymore. They have no part in voicing out their disagreement with the irreducible profiling force of the preemptive that separates them from others who will hardly be thought to be a suspect. Their voices are simply not heard. They cannot claim to a common collective of living beings insisting on the right to be alive simply by the fact of existence. That they are under the scope of the preemptive separates them from that common. And they are also denied the equality of thinking that any act of violence against civilians of terror is undesirable. For the preemptive to regard these peoples to be as against terror now or in the future is an impossibility. That is unthinkable to the preemptive and its profiling horizon. This is the wrong that one must recognize first and foremost.

The space of wrong, in which those are wronged, must be given exposition. One must re-mark wrong, after the marking out of those who do not have equal right to be alive by the politics of preemptive. As Ranciére (1999) says,

> The concept of wrong is [...] not linked to any theater of 'victimization.' It belongs to the original structure of politics. Wrong is simply the mode of subjectification in which the assertion of equality takes it political shape. [...] Wrong institutes a singular universal, a polemical universal, by tying the presentation of equality, as the part of those who have no part, to the conflict between parts of society. (P. 39)

In relation to the imminent preemptive, "the part of those who have no part" has to be articulated. The "part of those who have no part" is that assemblage of peoples—which is, contrary to the delimited perspective of the preemptive, certainly not limited to the migrant, the illegal immigrant, the asylum seeker, the ethnic peoples—who have no part in being presumed innocent or being without suspicion of intent of terror as demarcated by that politics; the peoples who disagree with the deadly force of the preemptive without agreeing with the ideologies and methods of terror; and the peoples who without crime and without intent of crime desire just a right to disappear and just run, from the force of law. It is a people to come, to use Deleuze and Guattari's term, who will say wait to the speed of the preemptive, who will disagree with the law of the preemptive, as long as the law refuses to allow the sending of the prophylaxis or the time of a counter-hypothesis. The beginning of the paper suggested that if one is to disagree with the preemptive, one needs to get outside of it. This assemblage of "the part of those who have no part" is precisely the people to come who are outside the consensus (the police chiefs, the State, the military complex) that seeks to normalize the preemptive. They are therefore the outside whose exposé must not be denied or deferred anymore. With them reserves the potentiality of what Ranciére calls "dis-sensus" that will break the politics

of consensus, the politics of consensus on the preemptive.

The voice of this assemblage might not be heard at present, blocked by the deafening speed of the preemptive, yet this assemblage nonetheless has to have a persistence in inscribing itself as an exposition that disagrees with the politics of the preemptive. And it will do so only to (re)claim that common fact of right to be alive without submitting to the decision of the preemptive, to (re)claim the common equality to be presumed innocent and be without profiling by the preemptive, and the common equality of sharing the common desire to resist the ideologies and methods of terror. The persistence of this assemblage inscribing itself is its force of disagreement. (Disagreement or mésentente for Ranciére is about the persistence of the exposition of wrong.) This disagreement is the prophylaxis the assemblage brings to the preemptive, displacing it, counter-checking it, counter-arguing it. The persistence this assemblage gives is also what Ranciére calls the "processing" of a wrong. It "passes through the constitution of specific subjects that take the wrong upon themselves, give it shape, invent new forms and names for it to conduct its processing in a specific montage of proofs" (Ranciére 1999:40). With regard to the preemptive, these proofs will be those that prove that a prophylaxis or counter-hypothesis may change the course the "suspect" takes and therefore maintaining every single possibility of the right to be alive, proofs that disarticulate the interpretation and judgment of the preemptive and therefore securing for the mistaken identity the right to be alive, and proofs that the profiling contours of the preemptive is wrong to deny them the equality of being presumed innocence and without suspicion of terror-intent. This persistence can be seen as an effective prophylaxis or counter-hypothesis because it is also an interval, an "opening up [of] the world where argument can be received and have an impact" (Ranciére 1999:56, my emphasis). This persistence is like the counter-hypothetic "minority report" in Philip K. Dick's text. And just as a "minority report" must be given an exposure to counter the deadly preemptive, so must this persistence.

7.

> So they can see the living proof. You and I together—the killer and his victim. Standing side by side, exposing the whole sinister fraud which the police have been operating.
> —Dick 1997:350

If there is anything disappointing about the dénouement of the text of Minority Report, it is perhaps its reactionary turn at the end. There is the chance for Anderton to live out the possibility, the counter-hypothesis of him not being a murderer-to-be. It is the chance presented to him when Anderton's prospective victim according to the "precrime" vision of the future, Kaplan, invites Anderton onto an impromptu stage to expose the flaw of "precrime," to expose the fact that "precrime" makes wrong judgment like the possible misidentifying of Anderton as a potential killer. That could have constituted the emergence of disagreement with the preemptive, as Anderton and Kaplan, "the killer and his victim," "standing side by side," exposes the wrong of "precrime." And the right to be alive, for both Anderton and Kaplan, would have been preserved. But the status quo of the preemptive "precrime" is reinstated instead. In a flash of "blind terror," (Dick 1997: 352) Anderton decides to fulfill the prophecy of "precrime" and fatally shoots Kaplan (One cannot help reading it as a foreshadowing of the "blind terror" of the London shooting in complete view of tube commuters). The exposure of the flaw of "precrime" is thereby short-circuited and the institution of the preemptive is maintained. "Precrime" is secured from any criticism, from any prophylaxis. But the right to be alive is compromised, not Anderton's at least, but Kaplan's. Aside from the politics between the police and the military of which Kaplan belongs, one finds it difficult to justify the exchange of Kaplan's right to be alive for the perpetuation of the preemptive "precrime" system. Anderton , by that time, had already acknowledged and experienced the flaw of "precrime," the flaw that "there've been other innocent people(1997: 333)" under the "precrime" directive. He was going to forcefully resist or disagree with the "precrime" system, for his right to be alive. He had said, "If the system can survive only by imprisoning innocent people, then it deserves to be destroyed. My personal safety is important because I'm a human being" (1997:342). But in the end, Anderton's thought of life is abdicated to a thought of the system. The moment Anderton decides to murder Kaplan is the moment when he "was thinking about the system" so that the "basic validity of the Precrime system" will not be shaken (1997:342, 350). At the end, all is normal with the preemptive "precrime" system. It returns to the terrifying normalcy of the preemptive condition.

Life must not imitate fiction in this case. Once again, critical thought must resist any consensual normalization

of the preemptive condition. But to be sure again, there is no disputing the good intentions and the possible good what a preemptive can deliver. One cannot ignore the fact that its point of departure is to be prophylactic. The question, perhaps, is about the question of the relative speeds of the preemptive itself. It would be a question of negotiating between its belatedness—so as to let arrive a possible counter-hypothesis, and its acceleration. To put it in another way, it would be a question of opening up a space of disagreement between its two speeds. Every policy seeks to be both a just act or an act of justice, and an act that serves a certain functionality. The problem with policies is that States assume an uninterrupted or noncontestable continuum between functionality and justice. But according to Ranciére, this continuum is but a "false continuity" (1999:21). For Ranciére, there is always a wrong that interrupts this continuum: "Between the useful and the just lies the incommensurability of wrong" (ibid.). The articulation of this wrong, which posits a disagreement with an act presumed to be both functional and just, or which proves the "false continuity" between functionality and justice of an act, cannot disappear, cannot be made to disappear. This articulation must surface. So there must be the persistence of exposition of disagreement with the preemptive as it is today, so as to (re)open thought to the unconditional right to be alive that the deadly preemptive is putting into danger, and to open the entire question of the preemptive to intensive critique and inquiry so as to prevent all thoughts of the preemptive to collapse into an uncritical consensus on its deadly speed. The force of persistence of disagreement would also put into question the undemocratic profiling and partitioning practices of the preemptive. Its exposition will only "presuppose the refutation of a situation's given assumptions" (assumptions like the deadly speed of the preemptive as the only necessity of contemporary security condition; the assumption that the ethnic different, the nonnative, the migrant, tends to incline towards a propensity of future terror) and "the introduction of previously uncounted objects and subjects" (like that of the assemblage of wrong) (Ranciére 2004:7). As Ranciére says, disagreement is "the invention of a question that no one was asking themselves until then" (1999:33). The time of invention of a question in disagreement with the preemptive is none other than but now.

Endnotes

1. I am indebted to Ben Agger and the anonymous reader(s) at Fast Capitalism for their critical comments and suggestions that have helped to make this paper a better piece.

2. Vivien Figueiredo, cousin of victim Jean Charles de Menezes of the U.K. police preemptive "shoot-to-kill" policy, as quoted in "Ban 'Shoot-to-Kill, Urge Family." BBC News. 27 July 2005.

3. Ibrahim Hooper, spokesman for Council on American-Islamic Relations, Washington, as quoted in Sarah Kershaw. "Suicide Bombings Bring Urgency to Police in U.S." New York Times. 25 July 2005.

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"Police Group OKs Shooting Suicide Bombers in Head." 2005. Reuters, August 04. . (http://today.reuters.co.uk/news/newsArticle.aspx?type=topNews&storyID=2005=08=04T052647Z_01_KWA419548_RTRUKOC_0_SECURITY-FORCE.xml).