FOUCAULT STUDIES

ARTICLE

The Future Perfect of Suspicion and Prediction as a Dispositive of Security Today? The Legacy of Foucault (1977)

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ABSTRACT. This article discusses the current legacy of Michel Foucault in relation to the current political situation. It is articulated in three parts. The first insists on the fact that Michel Foucault has been and still is significant for discussions concerning political sciences and international relations by the way he has discussed them and by his own academic politics. The second part highlights the key role of his attempt to define a dispositif of security in the 1977-78 lecture course 'Security, Territory, Population' and the various interpretations given after his death. The third part introduces my own research on the subject and its development. Twenty years ago, I called this dispositif of security surveillance a ban-opticon dispositif. This is only partly relevant since the violence of the effects on individuals has been intensified by a multifocal construction of "suspects" by various transnational guilds of security professionals who systematise profiling and weak correlations as an alternative method of seeking the truth about causalities and facts attributed to an individual. Because of this systematicity of "suspicion first", which jeopardises the principle of innocence, I call this dispositif of security a transnational dispositif of suspicion-prediction, which is organised both as a rearticulation of the modern episteme with suspicion back at its core and as a "legitimate" one, thus allowing a "preventive" violence to be re-enacted in the name of scientific predictions of a future so deadly that it is necessary to act violently now in order to prevent even more violence. This question of inverted temporality, in which the imagined future dominates the present, leads to the belief that the future can already be known under a grammar of the future perfect. Combined with the strategic orientation of right-wing parties to abandon the celebration of the past in order to mobilise the fear of apocalyptic futures, this characteristic of the 'future-perfect' explains a series of contemporary developments in security and surveillance, reframing the attachment of the population to a new form of conservatism that captures the imagination of the future, including some contemporary discourses of war. Resisting this attraction to the future-perfect is possible by reinventing hope.

INTRODUCTION

Competition between future disasters?

2024 is said to be the year of geopolitics: the return of wars with Ukraine against Russia, Palestine versus Israel and perhaps a new cold war between the US and China over Taiwan. This is also the so-called year of cyber threats, ranging from political manipulation and foreign influence to spyware against activists and journalists, the banalisation of surveillance and technoviolence against migrants and refugees at borders. The present is bleak, and the future will be even worse.

The feeling that one predicted catastrophic event hides another one is something we all experience every morning via the 24-hour news channels and social networks. It is up to us to choose our favourite disaster scenario! The destruction of life through the use of nuclear weapons, which has been with us for a long time; the destruction of life in all its forms with the entry into the critical zone due to the inconsistent management of resources since the Anthropocene or Capitalocene, which scientists around the world are warning us about, but which politicians, given the changes in behaviour it would imply, are constantly putting off; or more recently, the end of human supremacy with the possible advent of artificial intelligences supplanting their human designers.

Is there an audience appetite for this kind of information, capturing its attention? In any case, there is plenty on offer. Some of these scenarios are particularly serious and well-founded, based on risk analyses and scientific consensus that modify and refine the simulation models that bring them to life. The environment and nuclear energy have each created epistemic communities, which clash with each other over certain solutions but set agendas based on estimates, projections of structural trends and long-term views that call for profound changes in the way we are governed right now. Artificial intelligence, with its ability to simulate reality and destabilise beliefs in an objective reality, coupled with the maintenance of business secrecy on algorithms and the aim of maximum profit, which reinforces inequalities, are also the subject of debate.

Other catastrophic threats, on the other hand, whether they involve the irruption of artificial intelligence seen as a replacement for the human species or rhetoric of a global civil war filled with hybrid cyber threats, are much more based on forgetting about structural changes and propose instead a continuation of the same practices of power and even their exacerbation. This is the case when public policies insist on the priority of preparing for conventional wars, reviving the defence industry and arms sales, while maintaining austerity due to debts, thus foregoing social and ecological changes in favour of defence

and internal order.[1] These policies of fear and unease are therefore rooted much less in an enlightened fear of future social and political phenomena than in a reconsideration of humanity and freedom through systematic suspicion, or more accurately, a suspicion of the 'wrongdoing' of specific categories of individuals, the list of which is growing to include everyone.[2] The specificity of these latter forms of fear is that they lead not to indicators of dangerous changes but to the creation of "lists of persons of interest", as they are quoted in official language.[3] Fear is turned towards individuals, and the search for structural risks is transformed into the search for intentional threats and sometimes turn into the manufacture of scapegoats. Prevention is no longer about structural change but about arresting potential troublemakers. The result of this suspicion, which is intended to be legitimate in the face of global social disorder and the risk of global civil war, is the coupling of suspicion with surveillance organised along first the drawing up of lists to sort the good from the bad, second the prediction of future behaviour, and third a punitive prevention. It is these specific catastrophic scenarios, which are essentially drawn up by security professionals, that we will analyse in our final section, because they seem to update the lines of flight that Foucault did not develop but which make him once again essential to read and reread.[4]

2024 is also the 40th anniversary of the death of Michel Foucault. Some might think: why bother with him? He was, like others, an old white man. Perhaps because I now fall into this category myself, I would like to cast doubt on this lack of interest in his work. Michel Foucault had to fight the same kind of conservative politicians in the seventies, and he faced the same hostility from both the mainstream media and the geopoliticians

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[1] This paper is part of an ongoing research on "The predictive power of risk: Implications for democracy and governance", which brings together an informal group based on the work of Benoit Pelopidas, Jutta Weldes and myself, (project registered under the name Wisdem) - as well as part of a series of seminars in the journals *Cultures et Conflits* and *PARISS* regarding the role of prediction in politics. I would like to thank all of the participants for their comments on a first version of this text, which was presented at Louvain la Neuve during my honorary doctorate on 25th April 2024.

[2] Michel Foucault, Fabienne Brion and Bernard Harcourt, ed., *Mal faire, dire vrai: Fonction de l'aveu en justice-cours de Louvain, 1981* (2012). Translated in English as *Wrong-doing, Truth-telling: the Function of Avowal in Justice* (2014).

[3] This specific technology of "watch lists" or lists of exceptions for the "bona fide" is crucial in distinguishing the practices of the world of security (police, secret services) from those of other circles, even though they all use the politics of fear. By focusing on threats, on the categories of good and evil, on the need to sort things out, they are fundamentally based on beliefs rather than scientific doubt.

[4] Didier Bigo, "Security and immigration: Towards a critique of the governmentality of malaise," *Alternatives* 27:1 (2002); Jef Huysmans, *The Politics of Insecurity: Fear, Migration and Asylum in the EU* (2006); Laurent Bonelli, *La France a peur. A Social History of Insecurity* (2008). See also Fabienne Brion, "Cellules avec vue sur la démocratie?," *Cultures & Conflits* 95:96 (2014); E. P. Guittet and Brion Fabienne "The New Age of Suspicion," in *Politics of Anxiety*, ed. Emmy Eklundh, Andreja Zevnik, and Emmanuel-Pierre Guittet (2017); Juliet Stumpf, "The Process is the Punishment in Crimmigration Law," in *The Borders of Punishment: Migration, Citizenship, and Social Exclusion*, ed. Katja Franko Aas and Mary Bosworth (2013); Emma McCluskey, *From Righteousness to Far Right: An Anthropological Rethinking of Critical Security Studies* 2 (2019).

and political scientists of his time.[5] Wisely, he refused to argue directly with them and instead proposed to examine all their issues with his own intellectual tools and, for very good reasons, has been quoted more than any of them in explaining the politics of his time. It may therefore be useful today to listen to his critique of the categories of geopolitics and political science. And of all these critiques, the most powerful ones concern their understanding of power, sovereignty and security. His analysis of security, territory and population, as well as his analysis of government, have proved to be powerful tools for thought. For me, this is part of his legacy in terms of methods and in redefining politics away from essentialism. As a political sociologist, I may disagree with the books in which his predilection for genealogical inquiry rather than sociogenetic historical practices leads him to minimise the power struggles within fields of power led by mimesis rivalries and strategies of distinction, but, in my view, he is still a leading writer on understanding contemporary politics, security, sovereignty, modern racism and surveillance in relation to freedom, circulation, flows, transformations, disruptions and multiple futures.

This is what I want to emphasise in this paper. In the first part, I will present my reading of his conception of politics, how it differs from the traditional understanding of international politics of so-called state actors, as well as his analysis that downplays the role of politicians for an analysis of the mechanisms of governing. In particular, I insist firstly on how, for Foucault, sovereignty and discipline are articulated with security, and secondly on what he said and did not say about security in his 1977-78 lecture on security, territory and population. In a second part, I try to clarify what Foucault meant (or not) by security and the various interpretations that have been given after his death about security, biopolitics, technologies and war, focusing on the genealogy of the different forms of in-securit(ies). In a final section, I present my own work on policing at a distance as well as my understanding of the relations between prevention and prediction through suspicion (reasonable, legitimate). I insist on some specific modalities of the present situation concerning the transnational practices of power of the different guilds of security professionals, the articulation of the different fields of practice between military personnel, policemen, secret services, anti-terrorist experts and border guards, and the societal effects of their different forms of (in)securitisation practices, including what is at stake for all travellers suspected of being illegal migrants or asylum seekers.[6] I had called these effects

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[5] It was not until his death that many people began to claim his legacy, and not so much in France as abroad. Previously, students were advised against attending the Collège de France to hear him lecture. Normal sup was careful not to claim him as one of its own. It was the American and English interpretations that brought him renewed interest. On this evolution of fashion for Michel Foucault, see the recent issue of the magazine *Sciences Humaines* 16 (2024) devoted to his work and his biography.

[6] It is impossible to discuss here the different strategic uses of the dispositif by the actors and their differential effects. Each profession or "guild", based on a certain know-how, may have access to some technologies of surveillance or databases in common (for example, Transatlantic or European data bases of security, such as

the result of a ban-opticon, but with the recent transformations of the last ten years, it is preferable to speak of a transnational security-surveillance dispositif whose effects generate a ban for large groups of populations beyond foreigners while normalising all those who see themselves as 'good' citizens and do not feel under control but rather protected. This dispositif, which results in a ban for some, nevertheless affects everyone insofar as it leads to a governmentality of unease, in which the role of the digital in our lives is mobilised and legitimised to extend surveillance in a neo-despotic [7] form that verticalises social relations by creating an infinite hierarchy of degrees of surveillance and punishment. It is, therefore, neither a panopticon nor a banopticon but a specific dispositif combining on the one hand the ability to transform suspicion into a principle of systematic action, justified by the desire to prevent the worst before it happens, and on the other hand by the shared belief in the scientificity of prediction and the highly probable knowledge of the future actions of those suspected of wrongdoing.

I will give an overview of this argument here, trying to answer the question of how this dispositif of **s**ecurity-**s**uspicion-**s**urveillance (3S) is organised both as a re-articulation of a modern episteme in which suspicion is central and in terms of how it allows violence to be reiterated in the name of more or less scientific **p**redictions that claim to **p**revent even more violence (2P). This question of temporality leads to the belief that the future can already be known under a grammar of the future perfect. The uncertainty of risk is then replaced by a 'faith' in the knowledge of a controllable future. This faith is particularly strong when associated with the strategic orientation of those neo-despotic parties that seek to control the sovereignty-security nexus for their exclusive benefit (often on the right, but not exclusively), which consists of abandoning the celebration of the past in favour of mobilising the fear of apocalyptic futures. This characteristic of the future perfect explains a series of contemporary developments in security and surveillance, reinforcing the population's attachment to a new form of conservatism which captures the imagination of the future, including certain contemporary discourses of war. Hopefully,

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SIS, VIS…) but the selectors are often different because they have different profiles and priorities in mind and their suspicions affect different categories depending on if they are looking for criminals, political violence, regularity of travels, cross border attempts and so on. This diversity of suspicions (sometimes discriminations forbidden by human-rights law, but not always), whether based on class, race, gender, nationality, money or bureaucratical and political status, applies also to the groups for whom they would say they maintain a principle of innocence or regularity, which is often de facto a way to have an exceptional status for privileged groups avoiding the rigor of administrative and penal justice. These guilds have also asymmetric access and possibilities of combining different selectors to access what they call a "granularity" of the search to avoid collateral damage. See section 3 for more details. For my own take on the case of border controls, see Didier Bigo, "The (in) securitization practices of the three universes of EU border control: Military/Navy–border guards/police–database analysts," *Security Dialogue* 45:3 (2014), 209-225.

[7] This terminology of neo-despotism aims to understand the power acquired by leaders who appropriate popular and representative sovereignty for the benefit of governmental or presidential positions, as well as the one that develops in authoritarian movements that excuse everything from their leaders.

its deconstruction can act as a counter-conduct to the geopolitical doxa. But before entering this discussion, a preliminary task is to relate Foucault's work to the question of international politics, since many authors fail to see the connection.[8]

FOUCAULT AND THE INTERNATIONAL: CANNIBAL RELATIONS

As I tried to explain in a previous article, when Michel Foucault envisioned the book *Discipline and Punish*, he entered the territory of political sciences with the discussion of power, war, sovereignty, territory, security, freedom and reason of State.[9] He could have started a discussion with the French political scientists of the time, such as Maurice Duverger and Marcel Merle at the Sorbonne or with the National Foundation of Political Sciences, but, after some preliminary reflections, he thought it was better to ignore them. If the subject of international politics, covered by all these concepts, was absolutely central to his own research, these authors and their various assumptions about, firstly, the existence of the state as a natural element, secondly, the existence of a great divide between inside and outside, reversing the norms of war and peace, and thirdly, their reliance on the naturalness of oppression and its legitimation by the philosophical debate between Hobbes and Rousseau as a description of historical facts, were too normative and ideologically conservative. They sought only to justify a certain kind of social and political order. This is why he preferred to engage in a historical and geographical debate with Yves Lacoste and, through him, with Clausewitz in order to understand the logic of what he would later call a dispositif or governmentality that organises the relations of war, sovereignty, discipline and biopower.[10]

Students going back and forth between the Sorbonne and his course at the College de France asked him why he ignored political science instead of fighting it. He replied briefly about his indifference and lack of dialogue: "Political science looks like a school to produce politicians, not to study politics. If you are interested in the latter, then remember that war is too important to be left to military studies, the same goes for politics... Engage

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[8] The recent issue of the magazine *Sciences Humaines* devoted to the forty-year legacy of Michel Foucault has nevertheless included a short article by Philippe Bonditti on the subject.

[9] Didier Bigo, "Michel Foucault and International Relations: Cannibal Relations," in *Foucault and the Modern International: Silences and Legacies for the Study of World Politics*, ed. Philippe Bonditti, Didier Bigo and Frédéric Gros (2017), 33-55.

[10] As Michel Foucault insists in his lesson of January 11, 1978, "mechanisms of power are not a general theory of power, power is not a substance. It is a series of procedures which have the role to establish, maintaining, transforming the mechanisms of power. So, these relations are not "autogenetics'. They are not self-grounded." Michel Foucault, *Sécurité, territoire, population : Cours au Collège de France*, ed. François Ewald, Alessandro Fontana, and Michel Senellart (2004), 4-6.

with the issues, with the texts, not with today's commentators; engage with politics in practice, with its effects, instead of generalising to find an essence of politics".[11]

As for the international, despite the many criticisms that he did not deal with it, which were later developed by some postcolonial scholars who looked at an issue with an international dimension, he also had an answer to this objection from the very beginning.

> When you analyse the death penalty, you are dealing with the international; when you discuss prisons, that is also the case, but some people don't recognise that. They look for comparative politics and other states' behaviour, but I do not do that. ... [The] History of Europe is full of mechanisms of struggles and subjugation. For example, the narratives of the invasion and colonisation of this part of "Roman Gaul" by the "Germanic tribes" [analysed in the 1975-76 lectures on "Society Must Be Defended"] say more about the effective power struggles than the stories about the birth of the social contract you learn.[12]

As we know, in defending his line of thought, he will ask scholars to move away from the juridical-Weberian (legitimacy) debate of contract versus repression and, on the contrary, to look at the effective war of invasion and the protracted struggles they imply. Although he will not agree with the Clausewitzian formula, also adopted by Lenin, that war is the continuation of politics by other means; he will reverse it by saying that "politics is the continuation of war by other means", in which power, far from being punitive or repressive, is productive and works through mechanisms of struggles and subjectivation.[13] As Alessandro Fontana and Mauro Bertani rightly pointed out in their presentation of the series of lectures at the College de France, the text of these 1977-78 lectures must be read with an awareness of the constant back and forth between the writing and the existence of the international conflicts of the time (Vietnam, Palestine, Chile and Northern Ireland) and the social struggles in France after 1968 because the implicit references permeate the tone and explain many of the metaphors used. Foucault was interested in a philosophy with a politics of truth at its core, and he was inspired by the movements of what Nietzsche called 'the great politics'. Fontana and Bertani continue their explanation by showing that his interest in the rise of fascisms throughout the world, in civil wars, in the establishment of military dictatorships, in the oppressive geopolitical aims of the great powers (the USSR but also and above all the United States in Vietnam) was constant and decisive for his argumentation since these events are, to a large extent, the reason why he invented terminologies or intellectual tools such as dispositif, governmentality and

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[11] Conversation with a group of students, including the author on 1st of February 1978. See note 1.

[12] Ibid.

[13] Michel Foucault, "Two Lectures," in *Power/Knowledge: Selected Interviews and Other Writings*, 1972-1977, ed. Colin Gordon (180), 78-92.

diagram of power, which are used today by so many scholars.[14] So, as surprising as it may be for some, I contend that Michel Foucault was a "politest" and an "internationalist", and also a postcolonial scholar, but of a different kind.[15] He should even be read today as being more decolonial than many current political scientists, despite their best efforts to reclaim colonisation, because the crucial advantage of Michel Foucault is that he does not get lost in an essentialist politics of truth based on self-identity (which in itself has led to forms of racism) due to his detailed analysis of the limits of an analysis of power that derives power only from economics and capitalism and is often based on a poor version of Marxism. For this reason alone, he deserves to be seriously re-read, because his devastating critique of conceptions of power derived from traditional political science or neo-Marxism is still valid, and invalidates many recent essays that essentialise power in a grand theory that they try to apply to the world through binary logics, a new Cold War or the global North versus the global South.

Michel Foucault's work thus creates, among many other lines of flight in his books, an alternative way of thinking about world politics and the geopolitics of war, including in spaces outside Europe. His thinking tools have helped Edward Saïd, Arjun Appadurai, Vivienne Jabri, Mick Dillon, Achille Mbembe and many others to think through contemporary liberal ways of making war and security that pretend to secure and protect all the societies in which they intervene.[16] But the travels of their terminologies (especially when loaded with a different Anglo-American transcription that modifies their meanings and the politics they contain) have destabilised their initial theoretical purposes – sometimes for the best, sometimes for the worst. This is why the discussion around the notion of security that he developed in the lectures of 1977-78 is illustrative and can be important for analysing the present.

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[14] Fontana and Bertani situate the lectures in Michel Foucault, *Dits et écrits : 1954-1988* (1994), 284.

[15] This may be considered provocative, but if Chakrabarty and Spivak are right in saying that Foucault never wrote about spaces other than Europe, apart from his experience in Tunisia, could we say that he never discussed colonisation and colonial wars? Some followers of subaltern and decolonial studies sometimes overstep the boundary. This is wrong. In my view, when Foucault talks about French history and the two competing narratives of history in *Society Must Be Defended*, quoted earlier, he says more about the nexus of slavery, racism, colonialism and expansionism than some of the current scholars who derive everything from capitalism or the Anthropocene and look only to a so-called global South as the spatial location of truth. For a discussion of Michel Foucault and postcolonialism, see Sandro Mezzadra, "En voyage Michel Foucault et la critique postcoloniale," *Cahiers de l'Herne 95: Foucault,* ed. Philippe Artières, Jean-François Bert, Frédéric Gros and Judith Revel (2011), 352-357. See also Ann L. Stoler, *Race and the Education of Desire: Foucault's History of Sexuality and the Colonial Order of Things* (1995).

[16] Edward W. Said, "Michel Foucault as an Intellectual Imagination," *Boundary 2* 1:1 (1972), 1–36; Arjun Appadurai, "Deep democracy: urban governmentality and the horizon of politics," *Environment and Urbanization* 13:2 (2001), 23-43; Vivienne Jabri, *The Postcolonial Subject: Claiming Politics/Governing Others in Late Modernity* (2012); Michael Dillon and Luis Lobo-Guerrero, "Biopolitics of Security in the 21st Century," *International Studies* 34 (2008), 2; Achille Mbembe, "Necropolitics," in *Foucault in an Age of Terror: Essays on Biopolitics and the Defence of Society* (2008), 152-182.

SECURITY, TERRITORY, POPULATION IN 1977. A STILLBORN TRYPTIC PROJECT FROM WHICH THE BIRTH OF GOVERNMENTALITY EMERGES AS AN ALTERNATIVE APPROACH TO POLITICS

In Foucault's work, the question of the relations between security and a series of related concepts such as war, violence, sovereignty, suspicion, punishment, confession, racism, otherness, protection, guarantees, circulation and freedom is recurrent. He has always avoided giving an essentialist transhistorical definition of security, related to identity, preferring to shape it along the series of relations that engage security with other terminologies and with the historical practices embedded in a specific episteme.[17] The sabbatical year of 1976-1977, with the first lectures of the 1977-78 course, was the moment in which he tried the most to set up a coherent approach and to have a series of three concepts, sovereignty, discipline and security, in order to organise a triptych of strategic configurations that disrupted the so-called essence of the state as sovereign and transhistorical. In agreement with Paul Veyne, he rejected the nominalism and essentialism of the state and wanted to look at the fabric of the "knick-knacks" that each period puts under the name of statehood; security being, in that case, the name for the procedures organising a change in the practices of power related to sovereignty and discipline, although distinct from them since security encompassed a new art of governance based on risk, probability, prediction and normalisation (which he distinguished from normation).[18]

However, despite his efforts on security, Foucault was unable to provide an explanation of the discourses (knowledge, episteme) and practices (strategies, positivities) specific to this third configuration, which led to liberalism as a modern mode of governing. Security as originally conceived by Foucault is too heterogeneous, dispersed and scattered in different sets of meanings and practices to be another security dispositif because the dispositif is neither coherent nor effective.[19] If we look at the factors of change that led to liberal security, its organisation was linked to freedom of movement, to risk or to protection and, therefore, to the older form of configuration of pastoral power. This went back to Roman times, as noted by his friend Paul Veyne. Moreover, security was still based on punishment, suspicion and violence. It was certainly important to show that liberal security was not exempt from violence, but, at the same time, security was not specific enough

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[17] This is a central difference with almost all the authors who try to speak of an ontological security and end up with essentialism and/or nominalism. Anthony Giddens, *Modernity and Self-Identity* (1991). See also Jennifer Mitzen, "Ontological security in world politics: State identity and the security dilemma," *European Journal of International Relations* 12:3 (2006), 341-370.

[18] Paul Veyne, *Foucault, Sa Pensée, Sa Personne* (2010); Paul Veyne, *Comment on écrit l'histoire* (1978), 355.

[19] On the definition of the dispositif, in particular its need to be coherent and effective, see Foucault, "Le jeu de Michel Foucault," in *Dits et Ecrits, tome II, 1976-1988*, 299. See also Deleuze's interpretation in his work *Foucault* (2004) and Giorgio Agamben's little book *Qu'est ce qu'un dispositif* (2014), which relax the conditions of the dispositif and evoke elsewhere the terms assemblage or ligne de fuite.

in regard to sovereignty, insofar as both contained a specific recourse to violence, confession and suspicion. Security could not be seen as the pacification of war through regulated struggles; or an alternative to sovereignty by organizing freedom under risk. The diagram (effective practices) was not the program (knowledge); the figure (or matrix) of the panopticon did not fit at all with that of security as a risk, a chance or the pacification of war. It was untenable.

As I explained in more detail in my chapter "Security, a Field Left Fallow",[20] Michel Foucault was still trying, during the first three lectures of the 1977 academic year, to find this series of transformations affecting what he had placed first under the triptych of security, population and territory in the abstract of the course, but the description of the different transformations of security were almost incomprehensible, at least for his audience. He spoke of security as a way in which politics continues to wage war by policing the 'abnormal', the 'poor', the 'workers' and the 'foreigners' along the lines of the resurgence of 'enemies within' or 'natural criminals' and, on other occasions, as a form of extension of the practices of control that minimise struggles through a series of conducts of conducts that organise security as the limits of different forms of freedom. This contradiction or incoherence was 'irritating', including for himself, especially as the colleagues around him were developing studies on this basis on the 'police of families', insurance mechanisms and the birth of the welfare state, the management of flows of certain populations and their framework in terms of protection, etc.[21]

In response, he multiplies the questions. In a first attempt, he considers that security is reconfiguring the meaning it had in Prussia with the notion of (état de police) or police of despotism. The dispositif of security, territory and population therefore departs from police state, and its interventionism is a different way of managing the population by a "laissez-faire" approach. In this sense, then, the liberal understanding of security has a different relationship to territory than the last word of the sovereign and/or the disciplinary techniques of drawing closed borders. Liberal security exerts control through territory and open borders as it brings into effect the control of populations through the articulation of security and freedom or, more precisely, the articulation of security as the external limits of freedom of circulation. Security operates by planning a 'milieu' in terms of events or a series of events. It refers to time and uncertainty within a given space. This security

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[20] Didier Bigo, "Security: A Field Left Fallow," in *Foucault on Politics, Security and War*, ed. Michael Dillon and Andrew W. Neal (2011) and in French as "La sécurité en jachère," in *Cahiers de l'Herne 95: Foucault,* ed. Philippe Artières, Jean-François Bert, Frédéric Gros and Judith Revel (2011), 326-341.

[21] Jacques Donelot and Gilles Deleuze, *La police des familles* (1977) ; François Ewald, *L''état providence* (1996); Pierre Lascoumes, "La Gouvernementalité : de la critique de l'État aux technologies du pouvoir" *Le Portique* 13-14 (2004) ; Pascale Laborier and Pierre Lascoumes, "L'action Publique Comprise Comme Gouvernementalisation de l'État'," in *Travailler avec Foucault. Retours sur le politique* (2005), 37–60.

dispositif is also linked to an order of probability calculation, statistical regularity, and the institution of prevention, since the key procedure is to statistically predict the number of thefts or crimes at a given time, in a given society, in a given city. So, finally, the security dispositif is related to limits, to standard deviation and to averages.[22] If discipline is centripetal, as it concentrates, focuses and encloses, the 'dispositif of security' is centrifugal, and non-interventionist, as it lets things happen and has a constant tendency to expand. It does not prohibit but produces a framework with certain limits to its extension. In a powerful formula, Foucault says: "Law forbids, discipline prescribes, security regulates"; regulation may use some instruments of prescription and prohibition, but security centrally imagines limits, controls, regulations".[23] In that sense, freedom is nothing other than the correlative of the use of the security dispositif, and security is nothing other than the correlative of the limits of the use of the capacity for free movement.

It is only when the enthusiasm of this response has passed away that he realises that security is then dissociated from police violence, repression and techniques of coercion, as well as from war in his analysis, whereas in practice this is false, as he pointed out in *Discipline and Punish*. In a very final attempt to propose a synthesis, Foucault poses no fewer than 13 questions that would trace the specificity of a transversal "dispositif of security" not linked to a specific form of governing. But he abandons them one by one.

The next lecture begins with this "confession" of failure, but he immediately offers an alternative to understand the mechanisms of power. It is necessary, he says, to change the focus of the course and to discuss liberalism as a different art of governing, implying the use of a new thinking tool: governmentality. Security is no longer the subject of the course.

Any thoughtful researcher has to acknowledge these tensions and even contradictions between what Foucault said about the *"archaeology of knowledge"*, *"the abnormals"*, *"society must be defended"*, and what interests him after the fourth lesson on *"security, territory, population"* and *"the birth of biopolitics"*. The last lectures even contradict the then recently published book *Surveiller et Punir*, which was much more linear and straightforward in its will to discover specific mechanisms of power that transcend institutions, regimes and even epistemes.[24] Reality is more complex; the study of the art of governing (others and the self) becomes the possible way to understand the change of episteme and strategies instead of following them in historical sequences.[25]

Of course, everyone still remembers the sequence of sovereignty in the classical age, which he "paints" with the ordeal of Damien to show the stark contrast with the

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[22] Foucault, *Sécurité, territoire et population* (2004), 8.

[23] Foucault, *Sécurité, territoire et population* (2004), 48.

[24] Unfortunately, the book was translated into *Discipline and Punish*, which has created a lot of confusion between surveillance and discipline in Anglo-American literature.

[25] Lecture of 25th of January 1978 in Foucault, *Sécurité, territoire, population* (2004), 57-89.

disciplining of bodies, which reframes sovereignty into a more complex way of doing the art of governing by producing different techniques to make people docile through the embrace of their bodies in all their interactions with others within the army, factory, school and hospital, which he will call discipline when they concern individual bodies and security when they affect the "milieu", the circulation of flows and the risks that occur for some populations. Nevertheless, the book *Discipline and Punish*, which is about this form of subjectivation, cannot render the development of the series of knowledge about macroeconomics and statistics, which transforms norms and values into normativity of standard distinction and average calculations of statistical populations. They do not fill the gap for the birth of biopolitics. We therefore need to engage with this dispositif of security and its recent transformations in order to understand the current governmentality at work in the change of security.

As Michael Dillon and Andrew Neal rightly said in their introduction to the edited volume *Foucault on Politics, Security and War*, "Foucault is fallible... but a thinker, a fortiori Michel Foucault, is not there to tell you what to think. He is there to provoke you to think... he forces you to think a little more for yourself".[26] This is what we have tried to do with colleagues from the journal *Cultures et Conflits* by delving into a socio genesis of practices and some elements of the genealogy of contemporary (in)securitisation practices.[27]

UPDATING MICHEL FOUCAULT'S INTUITIONS: THE CONTEMPORARY DISPOSITIF OF SECURITY-SURVEILLANCE VIA SUSPICION-PREDICTION

Apart from the writings of Frédéric Gros in political theory and a few authors inspired by international political sociology, many contemporary writers on security, policing, war and border violence have preferred not to take up the challenge of this plurality of foci of meaning (foyer de sens).[28] They have just picked up a fragment of Foucault's discussion, without evoking its contradictions and renunciations, to justify a theoretical allegiance on one side and on the other to have a simple storyline that fits their own conception of security applied to a "case study".[29] Instead, we have to investigate the formation of the

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[26] Michael Dillon and Andrew W. Neal, *Foucault on Politics, Security and War* (2011).

[27] See the journal *Cultures et Conflits*, especially 58:2 (2005), 94-95-96:2 (2014), 112:4 (2018), 113:1 (2019), 114-115:2 (2019).

[28] See *International Political Sociology* 1:1 (2007), 2:3 (2008), 4:2 (2010), 8:2 (2014), 16:3 (2022).

[29] The proliferation of references to Michel Foucault while using neo-Marxist or Agambenian frameworks to speak about the violence against migrants at the US or EU borders is a problem. He is used as an emblem by activists but not for its methods. Fortunately, some exceptions exist: Nicholas P. De Genova, "Migrant "illegality" and deportability in everyday life," *Annual Review of Anthropology* 31:1 (2002), 419-447; M. Casas-Cortes, S. Cobarrubias, N. De Genova, G. Garelli, G. Grappi, C. Heller, and M. Tazzioli, "New keywords: Migration and borders," *Cultural studies* 29:1 (2015), 55-87. See also Didier Bigo, "The (in) securitization practices of the three universes of EU border control: Military/Navy–border guards/police–database analysts,"

contemporary security dispositif by analysing which fragments are mobilised and how they create the network of relations through which security is performed and operationalised, not only in each episteme but simultaneously in each of them according to the kind of governmentality they are involved in.

A GENEALOGY OF SECURITY

An indispensable first step in overcoming the contemporary doxa of security, which favours authoritarianism and 'securitarian' logics, is to historicise the notion of security in order to understand these recent transformations. We need to make a genealogy of this term in the original sense given by Michel Foucault in order to show its different meanings. This is what important authors such as Rob Walker and Jens Bartelson have done for the notion of sovereignty.[30] In France, Frédéric Gros, in his key works "Etats de violence" and "Le principe sécurité", has undoubtedly done the best work so far in deconstructing this desire to find a philosophical concept of security throughout history in order to justify its primacy.[31] Instead of a single concept of security, it analyses how different epistemes, or more precisely foci of meaning, have invested the label of security over time and how they are interconnected but also constantly contradict each other. Thus, there is never a single security principle or ontological concept but rather a series of struggles between different actors hierarchising different forms of (in)securitisation with the aim of imposing their priority and interests at a given moment as the natural order of security while claiming that it is absolute necessity to act without delay to prevent catastrophic events.[32]

In the principle of security, Frederic Gros distinguishes four different epistemes involved in the long history of the concept. He refuses to speak of a timeless or simply evolving concept of security. At the end of the ancient Greek era, security was defined as a form of serenity of conscience; a stoicism in the face of the world that today has more to do with individual resilience than with the actions of the power institutions. The second

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Security Dialogue 45:3 (2014), 209-225; Didier Bigo, "Globalized (in) security: the field and the ban-opticon," in *Terror, Insecurity and Liberty* (2008), 20-58.

[30] R. B. J. Walker, *Inside/Outside: International Relations as Political Theory* (1992); Jens Bartelson, *The Critique of the State* (2001).

[31] Frédéric Gros, *Etats de violence : Essai sur la fin de la guerre* (2006); Frédéric Gros, *Le Principe Sécurité* (2012).

[32] Didier Bigo, "La mondialisation de l'(in)sécurité ? Réflexions sur le champ des professionnels de la gestion des inquiétudes et analytique de la transnationalisation des processus d'(in)sécurisation," *Cultures & Conflits* 58 (2005), 53-101; Staf Callewaert, "Bourdieu, Critic of Foucault: The Case of Empirical Social Science against Double-Game-Philosophy," *Theory, Culture & Society* 23:6 (2006), 73–98; Collective C.A.S.E., "Critical Approaches to Security in Europe: A Networked Manifesto," *Security Dialogue* 37:4 (2006), 443–87; Thierry Balzacq, Tugba Basaran, Didier Bigo, Emmanuel-Pierre Guittet, and Christian Olsson, "Security Practices," in *Oxford Research Encyclopedia of International Studies* (2010).

meaning of security is the absence of danger, what he calls the Sunday of history. He links this meaning to the millenarian promise of a harmonious world in which violence will have disappeared. There will be security for all because everyone will be safe from threats, safe from hunger and safe from desire. Only justice and equality will make it possible to achieve security for all, which is not the continuation of a dominant balance of power that preserves the social order that benefits some. A certain vision of security as a form of emancipation, taken up by the theories of human security through development, continues to think in this way and calls out the insecurity of an unjust social and international order. The third type of security identified by Frédéric Gros is the one we are most familiar with. Security is the protection afforded to the people through the acceptance of a monopoly of violence by specialised agents of the state. Contemporaneous with the various bourgeois revolutions, in which security became a form of guarantee of the state against privilege, this focus of meaning consists in understanding security as the guarantees given by states to their citizens and in associating security with sovereignty and then with the democratic state and the international system of states as the international community. Although Frédéric Gros situates this connotation of security only in relation to the state and does not analyse the competition between church, state and interstate systems, it is nevertheless a crucial movement and one that still constitutes the central frame of reference for contemporary texts since security is then the result of the operations of sovereignty, discipline and surveillance as transversal power mechanisms that organise institutions. As described above, security is then seen as the protection of the individual, against a dangerous nature or the enmity of his neighbour, by the state that one belongs and within its borders. Personal security, in this vision, is guaranteed by the accumulation of force and the annihilation of the cycle of vengeance created by the capacity of each individual to kill someone else. So security is therefore the responsibility of the State and goes hand in hand with a guarantee of protection which, in liberal visions, also includes protection against one's own executive, hence the idea of control by agents of the state, where one must guard himself against those who claim to protect us (who will guard us from the guardians). The power of the executive must therefore be supervised by a judiciary, which is admittedly fallible, but which acts as an active third party and exists thanks to the effective separation of powers. Security is therefore the other name for the magic of transforming violence into legitimate counter-violence. Security transforms the arbitrariness of the violent beginning of the State into a logical necessity for individuals, allowing them to exist under an authority that is sovereign and protects life. There can be no democratic state without justice.

But this episteme of security through the guarantees of the liberal state, that freedom and markets are protected principles, is weakened with the decline of the commitment to welfare, along with the simultaneous rise of a penal state logic of punishment, often

through racial discrimination, especially in the US, and with the development of transnational guilds of security professionals who impose their own agenda in the political spheres.[33] Frederic Gros calls these transformations the emergence of "states of violence", which he contrasts with "states of war". This is where I disagree with him.

In my book *War, Terrorism, External and Internal Security*, I argued that, far from being very different, internal and external forms of (in)security are intimately linked, like a Möbius strip. The various state institutions or their transnational guilds (army and police, but also intelligence services, border guards, visa consulates and so on) thus shape the boundaries of the threats they deal with and enter into competition, either negatively, by refusing to take charge of the "problem", or positively, by trying to set priorities for the missions and budgets earmarked for internal security and defence. While war and crime have been differentiated terminologically for so long, other keywords have (re)emerged: hybrid (cyber)threats, narco-terrorists, traffickers and so on. They indicate the "spaces" of struggles between these different (in)security institutions, and the success of one or the other indicates the differential of symbolic power. The labels are therefore intersubjectively dependent on the position of the actors (crime or terrorism for one, war for another).

This power asymmetry of assignment has consequences. Firstly, in their strategies of accusation, the most recognised are more likely to be able to impose on third parties their point of view on the labellisation of their adversaries, including the construction of a barrier between the terminologies (terrorist-freedom fighter) in order to justify their asymmetrical logic of violence. Secondly, because both actors are subject to mimetic logic mechanisms in their use of violence, despite their claim to be radically different, they often resort to reprisals, retaliations, and revenge instead of respecting the international rules of war. Thirdly this lack of respect is de facto multiplying the spaces and actors involved in the struggle, instead of polarising into two the battle, as Clausewitzian was anticipating.[34] This political economy of violence that cuts across the international realm of states goes hand in hand with the effective de-monopolisation of the state's claim to a monopoly on violence on its territory by clandestine transnational actors and by the constraints of the institutions that manage world politics.[35] The professionals of politics and security are themselves actively organising their own transnationalisation with coalitions between

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[33] Loïc Wacquant, "Foucault, Bourdieu et l'État Pénal à l'ère Néo-Libérale," in *Critiquer Foucault, Les années 1980 et la tentation néo-libérale,* ed. D. Zamora (1980), 115; Didier Bigo, "The Transnational Field of Computerised Exchange of Information in Police Matters and Its European Guilds," in *Transnational Power Elites: The New Professionals of Governance, Law and Security*, ed. Niilo Kauppi and Mikael Rask Madsen (2013); Didier Bigo, "Sociology of Transnational Guilds," *International Political Sociology* 10:4 (2016), 398–416.

[34] Didier Bigo, *Terrorisme, guerre, sécurité intérieure, sécurité extérieure* (2016); Didier Bigo, "The möbius ribbon of internal and external security(ies)," in *Identities, Borders, Orders: Rethinking International Relations Theory*, ed. Mathias Albert, David Jacobson and Yosef Lapid (2001), 91-116; Didier Bigo, "De 'l'état d'exception'," *Revue d'Etudes et de Critique Sociale* 24:1 (2007), 103-128.

[35] Daniel Hermant and Didier Bigo, *La métamorphose des conflits* (1988).

different national security forces around specific activities, in which professional solidarities take precedence over so-called national interests and loyalty to national politicians. If the appearance of the state continues, its micro-physics is profoundly changed. Professionals of politics and the autonomy of a "public" sphere are recomposed by the decisions of central actors from the so-called private sector. Banks, media and Internet giants are no longer subordinate actors but sometimes more powerful than state representatives, and their interests may be given priority. This does not correspond to a specific development of capitalism, as some neo-Marxist approaches would say, but has to do with the rearticulation of the dispositif of security-surveillance, now organised through the argument of global counter-terrorism (linking war-terrorism crime) and the refusal to be only reactive, which allows the justification of a preventive-offensive action and a large-scale surveillance in the name of total information awareness. However, the unintended and central consequence of this programmatic logic is that the violence of legitimate force is de facto delegitimised when it cannot have the last word, and it often only serves to rekindle violence elsewhere and in other forms.[36] This is also one of the reasons for the reorganisation of security bureaucracies in networks and, more generally, for what Beatrice Hibou has called the bureaucratisation of the world in the neoliberal era[37] or what Anna Leander and Rita Abrahamsen have described as a form of global security assemblage in which the ubiquitous role of private actors in a wide range of contemporary security practices raises questions about state authority in the regulation of the private sector, in the problem of democratic oversight, and reveals the analytical blurring of the public-private divide, and analysing the process at work as a form of global security assemblage.[38]

A SPECIFIC TRANSNATIONAL SECURITY-SURVEILLANCE DISPOSITIF UNDERMINING DEMOCRACY BY ENCOURAGING 'LEGITIMATE' SUSPICION AND 'SCIENTIFIC' PREDICTION

The contemporary context is characterised by digital surveillance aimed at suspicion and prediction. This is a major change from the 1980s, even if some authors have argued that Gilles Deleuze, in his article on a society of control, anticipated the characteristics of neoliberal nudging and remote surveillance through technologies and flows. But the

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[36] Some claims to bring back sovereignty, such as those made during the Brexit and 'Make America Great Again' campaigns, but these claims are symptoms of this waning of (national state) sovereignty and the acceleration of its disappearance, far from being a credible option to regain a public and to access to shared sovereignty for larger entities than single states.

[37] Béatrice Hibou, *The Bureaucratization of the World in the Neoliberal Era: An International and Comparative Perspective* (2015).

[38] Anna Leander, "The Privatization of International Security," in *The Routledge Handbook of Security Studies* (2009), 216–26; Rita Abrahamsen and Anna Leander, eds., *Routledge Handbook of Private Security Studies* (2015).

opposition between discipline and control, in this brief postscript by Deleuze, says almost nothing about security and liberal governmentality, which nevertheless inspired Deleuze, as it is clear in his book on Foucault.[39] The contrast between Deleuze and Foucault is therefore dubious since most of Deleuze is in line with Foucault's 1978 approach around the dispositif of security, which is already counterposed to discipline.[40] The notion of liberal security has long been linked to surveillance as a form of fluid control of movement that defines the limits of freedom and organises forms of surveillance that are operationalised through various techniques, including the neighbourhood watch, the proliferation of forms and, more recently, the technologies of video cameras, body scans and so on. So, they are not as new as one might think. They are, however, strategically orientated and imply different strategies of conducting conducts, of modified practices of (in)securitisation, as well as of diverse narratives that try to transform these actions into a necessity of contemporary life.

These elements are subject to what might be called an epistemic transmutation in which the ideas of individual freedom and popular democracy are countered by policies of fear, suspicion and prevention, which are aimed at shaping the primacy of societal security and the preservation of the existing order in the face of any transformation deemed worrying by the elites. The old 'qualities' ascribed to concepts such as prevention, protection and freedom are then replaced by other meanings that undermine and subvert them.[41] The reframing of freedom and innocence, the justifications for suspicion, exception and prediction are thus interconnected, altering the "foci of meaning" that were those of liberal security, without suppressing them, but turning them towards authoritarianism or, more precisely, despotism. The security-surveillance dispositif thus adds old meanings of suspicion to the persistent belief in the progress of science through digital technologies and, more recently, to the praise and fears surrounding artificial intelligence. In doing so, it

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[39] Deleuze, Gilles, "Post-scriptum sur les sociétés de contrôle," in *Pourparlers* (1990), 240-247; Marine Remy and Philippe Coppens, "Les notions de 'discipline' (Michel Foucault) et 'contrôle' (Gilles Deleuze) ; itinéraire d'une analyse au travers de leurs représentations dans le système juridique belge et de la théorie du Nudge," Thesis, Université Catholique de Louvain (2023); Kevin D. Haggerty and Richard V. Ericson, "The surveillant assemblage," in *Surveillance, Crime and Social Control*, ed. Dean Wilson and Clive Norris (2017), 61-78.

[40] A contrario to the previous authors, Jeremy Gilbert, and Andrew Goffey, "Control societies: Notes for an introduction," *New Formations* 84:84 (2015), 5-19 and Gilles Deleuze, himself in "Postscript on the Societies of Control" [1990], in *Cultural Theory: An Anthology* (1992), 139-142 and Gilles Deleuze, *Foucault* (1986), 66. See also Didier Bigo, "Security, exception, ban and surveillance," in *Theorizing Surveillance*, ed. David Lyon (2006), 46-68; Philippe Bonditti, "Violence and the Modern International: An Archaeology of Terrorism," in *Foucault and the Modern International*, ed. Philippe Bonditti, Didier Bigo and Frédéric Gros (2017), 155-173.

[41] They are almost transformed in an Orwell newspeak when freedom means freedom for the forces (military-police) to act as they want, beyond the "constraints" of rule of Law; freedom meaning here, in an alt-right discourse, right to arbitrariness. Prevention is turned into first preventive strike and justifies extraordinary killing and renditions of young people whose parents were considered as dangerous. Lawfare is turned into propaganda against human rights and so on.

modifies the scale of analysis by taking seriously the transversality of the security dispositif, which is too often reduced to a characteristic that varies along specific national states, whereas its organisation is both transversalised and transnational.[42]

Let us be clear, then, that this dispositif is not based on a 'new' episteme as such. It is not even a completely new turning point for biopolitics, but we have seen an authoritarian reconfiguration, linked to a political context of global counter-terrorism, that is returning to a condition that predates the foundations of parliamentary democracies and that we can call elective-despotism.[43] This change in the course of modernist progress, in the form of the Enlightenment and the welfare state, has revived ideas abandoned since the humanism of the 18th century and their discrediting after the Second World War and decolonisation (the death penalty, use of torture, confession of the subject and so on). These practices, common in the classical period and in authoritarian regimes, were abolished and replaced by an agenda of human rights institutions, including judges, but with the acceptance of certain forms of inquisition (suspicion, secrecy, no access to substantive justice) and an unleashed "right-wing" décomplexée (as French President Sarkozy said) that is not worried about its legacy (regarding the use of torture, racism and attacks on the poor, and which has brought these forms back as "solutions" to all kinds of insecurities in the context of permanent crises and emergencies, cloaking them with new adjectives; legitimate or reasonable for suspicion, scientific or true for prediction. The split between the alt-right and a "moderate" right wing is organised along this line, although some centre-left parties in power have also justified these changes of practice in the name of counter-terrorism, organised crime and even illegal migration, thereby ending up accepting the same procedures of detention and exclusion (ban). This argument for the primacy of suspicion as a way of protecting via prevention has been articulated within the liberal security-surveillance dispositif through contemporary beliefs in technology as a form of

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[42] T. Basaran, D. Bigo, E.-P. Guittet, and R.B.J. Walker, *International Political Sociology: Transversal Lines* (2016).
[43] Didier Bigo, "Security and immigration: Toward a critique of the governmentality of unease," *Alternatives* 27:1 (2002), 63-92; Didier Bigo, Elspeth Guild, and Elif Mendos Kuskonmaz, "Obedience in times of COVID-19 pandemics: a renewed governmentality of unease?," *Global Discourse* 11:3 (2021), 471-489. For more recent terminology, see: elective despotic governmentality of unease. Didier Bigo, "Transformations of the transnational field of secret services," in *Intelligence Oversight in Times of Transnational Impunity*, ed. Didier Bigo, Emma McCluskey and Félix Tréguer (2024), 70. Elective despotic governmentality of unease is not returning to fascism or ultra-populism; it is a larger process than the alt-right project and includes some right or left wings parties who want to play the game of a quasi-permanent exception in favour of the executive while keeping the key elements of liberal democracies as a structure but allowing more and more illiberal practices based on suspicion. This form of governmentality is still, in terms of diagram, a form of democracy led by elections and representative party politics, but it works as an attack against human rights principles, privacy, respect of international treaties and rights of foreigners, and it generates a strong argument in favour of the people in charge by creating links between a discourse of science with a will of prediction detained by an elite (for the good of the majority, which is reduced to ignorant masses). This elective despotic governmentality is not organised through the distinction between democratic and authoritarian regimes or through the category of an illiberal regime; it is a transversal aspect of a specific global security assemblage.

ultimate knowledge, thus giving these very old practices a new, more seductive 'cachet' of novelty. In other words, the link between preventive security and predicting the future is made by combining the desire to prevent "events" (often worst-case scenarios) based on predictive reasoning that claims to be scientific and has an attitude of categorical, systematic suspicion; suspicion in which it is up to each individual to prove that there is no reason to suspect him or her, thus de facto eliminating the principle of innocence or relativising it as less important than the societal, national or transnational stakes of political order.

THE RISE OF SUSPICION AS A NORMAL PRACTICE AND ITS IMPACT OF INNOCENCE AND FREEDOM

Suspicion and prediction are the new 'mantra' of a vision in which security becomes the ultimate, existential principle, justifying an inquisitorial logic as a way of looking at the world. As a result, technologies of surveillance, even on a large scale to collect information on categories of data, behaviours and populations, are justified in democracies as long as there are official boundaries around the protection of personal data and privacy and oversight bodies theoretically controlling the practices.[44] Suspicion is no longer just a matter of casting doubt in order to discover hidden truths but also a way of systematically justifying suspicion by claiming that democratic societies will only survive if they abandon the presumption of innocence (in the strongest sense of the word) of each individual by starting to calculate the percentage of risk and negative score that each individual carries for societal security.

In a way, as Mireille Marty has forcefully pointed out in her last writings, echoing Foucault on this point, this articulation of suspicion and prediction is a step backwards in time. Hegel and Beccaria, who fought against despotism, opposed this discourse and made the presumption of innocence an active process in which man's humanity is conceived in terms of his ability to amend himself, to change his mind up until the last moment before he acts and to have a certain freedom that saves him from predetermination.[45] Modern governmentality and freedom of choice in a sublunar world were constructed against fate and predestination. This was seen as the keystone of collective freedom and of liberty. Contrary to what many authors think, this attack is not specifically against

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[44] Didier Bigo and Stefan Salomon, "Passengers Name Records and Security," VerfBlog. https://verfassungsblog.de/pnr-security/ (accessed 27/04/2024). Didier Bigo, Emma McCluskey and Félix Tréguer, *Intelligence Oversight in Times of Transnational* Impunity (2023), 311.

[45] Mireille Delmas-Marty, *Libertés et Sûretés Dans Un Monde Dangereux* (2010). Mireille Delmas-Marty, *Pour Un Droit Commun* (2016). Elspeth Guild, Didier Bigo, Sergio Carrera, and R. B. J. Walker, *Europe's 21st Century Challenge: Delivering Liberty* (2013). Elspeth Guild, "The variable subject of the EU constitution, civil liberties and human rights," *European Journal of Migration & Law* 6:4 (2004), 381.

migrants or foreigners; it goes beyond them and has variable targets and subjects depending on the governmentality of unease and its priorities. However, the use of numbers, statistics, dossiers and the management of populations according to these criteria, along the lines of a biopolitics, has further subdued the category of freedom. A long series of elements has diminished the value of the term democracy, and its bureaucratisation has changed the idea of parliamentary or popular democracy.[46] In this move, statistics have favoured the idea that past trends are self-imposing, leaving no room for the capacity to change and allowing one to anticipate not only the future of a collectivity but even, if refined data allow it, the future of a specific individual.[47] Past trends are directly linked to the future, reducing the number of possible alternative scenarios. The ability of digitisation to change the scale and speed of data computation, as well as its ordering according to emerging criteria and the creation of profiles, has challenged the notion of individual freedom, and the belief in predetermination has been reintroduced in the hope that minimising errors in data will link past and future. Some discourses on the digital revolution and artificial intelligence are almost playing with the return of predestination, which occurs in order to justify that knowledge of the past gives its quality to predictions of the future. Statistically, freedom of choice is reduced to a rare singularity, a risk that does not change the future, and it is illusionary to take into consideration the small "anomalies" created by freedom since the possibility of change by a human being is minimal when confronted with the power of artificial intelligence, based on big data, algorithmic surveillance and profiling, to anticipate the future.[48]

COUPLING SUSPICION AND PREDICTION VIA THE FUTURE PERFECT

In this framework, suspicion and prediction reorganise preventive security surveillance. The knowledge that the individual conscience can change the course of action at the last moment, valued as an irreducible form of resistance in the face of totalitarian control, is now ignored and replaced by the belief that a 'trivial' operation of a risk calculation allows the logic of predictive algorithms to decide whether or not to include a whole series of

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[46] For a detailed analysis of the practices, see Anastassia Tsoukala, "Democracy against security: the debates about counterterrorism in the European Parliament, September 2001–June 2003," *Alternatives* 29:4 (2004), 417-439. See also Didier Bigo, E. Guild and R. B. J. Walker, "Introduction," in *Europe's 21st Century Challenge: Delivering Liberty*, ed. Sergio Carrera (2016).

[47] Ian Hacking, *The Taming of Chance* (1990); Alain Desrosieres, *The Politics of Large Numbers* (1998).

[48] Antoinette Rouvroy, and Thomas Berns, "Gouvernementalité algorithmique et perspectives d'émancipation," *Réseaux* 177:1 (2013), 163-196; Paul Henman, "Governing by algorithms and algorithmic governmentality," in *The Algorithmic Society: Technology, Power, and Knowledge*, ed. Marc Schuilenburg and Rik Peeters (2020), 2; Claudia Aradau and Tobias Blanke, "Politics of prediction: Security and the time/space of governmentality in the age of big data," *European Journal of Social Theory* 20:3 (2017), 373-391. We will come back to this topic and its "politics" by analysing the matrix of a Total Information Awareness.

people in lists of suspects, even though there is no evidence of wrongdoing in their past actions. The future then loses its dimension of chance, of "fortuna" or random bifurcation, and is instead constructed as the most probable future, i.e., a future perfect tense whose grammar makes it possible to know the most probable course of events and when it leads to a worst-case scenario. This justifies the actors in their own eyes to use surveillance and violence against others in the name of their moral obligation and political duty to change the (alleged) course of the future by taking so-called preventive action against the imaginary that constituted it as an initial danger.

The future perfect, also called the past future, thus allows for a series of eschatological narratives of the future as if it were already knowable. Certainly, temporality evokes undecidability, but it simultaneously proposes scenario(s) in which imagination is taken as a form of "truth" in a process of veridiction that transforms prophecies into highly probable facts. Trust in the machine replaces truth. A techno-solutionism is validated by emergency measures and limited deliberations. At present, this "anticipatory logic" is declared to be scientific, as opposed to those "inspired by religion" and based only on faith, but at the cost of eliminating coincidence in order to say that the prediction made will actually be realised because the data collected have been sufficiently substantiated by a technology where the knowledge of their past states at a given moment makes it possible to anticipate patterns through simulation software, not only for non-conscious phenomena but also in the case of collective and individual human behaviour.[49] The establishment of a behavioural profile for a category of risky population thus avoids the problem of the retroactivity of the conscience being observed, and it remains optimal when the process allows the discovery of (weak) correlations and patterns between an unknown individual and others who resemble him by various criteria which are sufficiently or reasonably coherent enough to create a specific category of population; an illustration of the ability to manage a biopolitics at a distance.[50]

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[49] On chance, see Richard Ned Lebow and Benoît Pelopidas. "Facing Nuclear War: Luck, Learning, and the Cuban Missile Crisis," in *The Oxford Handbook of History and International Relations,* ed. Mlada Bukovansky et. al. (2023). See also Benoît Pelopidas, *Repenser les choix nucléaires* (2022). On the predictive capacity of policing, see Bilel Benbouzid, "Des Crimes et Des Séismes: La Police Prédictive Entre Science, Technique et Divination," *Réseaux* 6 (2017), 95–123; Bilel Benbouzid and Dominique Cardon, "Machines à prédire," *Réseaux* 211:5 (2018), 9–33. See also Kathleen M. Vogel, Gwendolynne Reid, Christopher Kampe, and Paul Jones, "The Impact of AI on Intelligence Analysis: Tackling Issues of Collaboration, Algorithmic Transparency, Accountability, and Management," *Intelligence and National Security* 0:0 (2021), 1–22; For the consequences of this logic see Elspeth Guild and Didier Bigo, "The Worst-Case Scenario and the Man on the Clapham Omnibus," in *Security and Human Rights*, ed. Benjamin J. Goold and Liora Lazarus (2007), 99–121.

[50] Paradoxically, the Anthropocene terminology is sometimes used to negate chance and agency and to reduce the catastrophic narrative to a fate, i.e., an unescapable destiny.

PREDICTIVE POLICING AND DIGITAL SURVEILLANCE, A MAGICAL POWER?

The belief in the possibility of knowing the course of events is also linked to the fascination with digital technology, which, in the age of the Internet and social networks, can transform the management of individual bodies into the management of their "data doubles", to use Oscar Gandy's expression.[51] The ability of digital technology to compute data so quickly and massively, to leapfrog human reasoning and to discover correlations that humans are incapable of understanding in a timely manner, has finally given rise to a belief in an almost magical power of digitalisation, as if time travel and loop-back were possible.[52]

Today's predictions also celebrate their future results and hide their errors, urging faith in the next generation of scientific prediction where nothing will be impossible. Predictions thus emancipate themselves from the search for personal acts to determine a class of individuals who could all, at one time or another, potentially engage in the worst possible scenario (whether this involves triggering a disaster, committing a crime or wanting to cross a border without the prior consent of the authorities). Surveillance can become preventive through adequate prediction, and preventive surveillance becomes protection for all those who accept the project of abandoning the shadows of private life when the authorities need to collect their data.[53]

When predictive techniques and suspicion are entangled, preventive policing is no longer a science fiction novel; it becomes a technological capacity to predict in order to protect on the condition of full knowledge of the past and of total awareness. Once humanity's feedback loop of conscience is abandoned, there is no essential difference between predicting earthquakes and predictive policing; it is just a question of good methods.[54] Resistance in the name of individual privacy here is just a sign that there is something to hide.[55]

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[51] Oscar H. Gandy Jr., "Statistical surveillance," in *Routledge Handbook of Surveillance Studies,* ed. Kirstie Ball, Kevin Haggerty and David Lyon (2012), 125-132.

[52] Mark Andrejevic and Kelly Gates, "Big data surveillance: Introduction," *Surveillance & Society* 12:2 (2014), 185-196; Ed Finn, "The Black Box of the Present: Time in the Age of algorithms," *Social Research: An International Quarterly* 86:2 (2019), 557-579.

[53] Alain Bauer and François Freynet, *Vidéosurveillance et vidéoprotection* (2012). Au contraire David Forest, "Éric Heilmann, Philippe Melchior, Anne-Cécile Douillet, Séverine Germain, Vidéosurveillance ou vidéoprotection?," *Questions de communication* 22 (2012), 371-372.

[54] Bilel Benbouzid and Dominique Cardon, "Machines à prédire," *Réseaux* 211:5 (2018), 9–33; Kathleen M. Vogel, Gwendolynne Reid, Christopher Kampe, and Paul Jones, "The Impact of AI on Intelligence Analysis: Tackling Issues of Collaboration, Algorithmic Transparency, Accountability, and Management," *Intelligence and National Security* (2021), 1–22; Bonnie Sheehey, "Algorithmic paranoia: The temporal governmentality of predictive policing," *Ethics and Information Technology* 21:1 (2019), 49-58.

[55] For a strong counter argument, see Edward Snowden, *Permanent Record: A Memoir of a Reluctant Whistleblower* (2019).

Philip K Dick's novel *The Minority Report*, itself inspired by his own experiences of the riots of the 1970s and the behaviour of the police in American cities, explored the flaws of this surveillance of the future through a "predictive policing" approach, in which algorithms now replace his human precogs.[56] Unfortunately, despite its fame, this dystopia has not discouraged the development of a movement known as 'scientific policing', which proclaims the benefits of eradicating crime through arrest and detention and/or preventive surveillance. Preventive security has even become a commodity and a market.[57] For over twenty years, a company like Predpol, whose failings are now well known, was able to sell software that was supposed to solve police problems and to expand by creating a range of more sophisticated pieces of software based on the same assumptions and with the same results: undermining the logic of causes and events by a logic of correlations and suspects.

THE POLITICAL BENEFITS OF SUSPICION AND PREDICTION

Thus, if the dispositif of security surveillance as a means of exercising power has a very long history, what constitutes a rupture (or a bifurcation) in contemporary practices is the scale at which it can be deployed and the ease with which surveillance professionals can monitor large numbers of potential suspects with "a few clicks of the mouse". Combined with the use of an imaginary oriented towards apocalyptic futures, it serves to justify and govern present decisions; the transmission of data between security professionals around the world becoming a routine in which their communication is faster than the physical movements of the "targets", opening a window of opportunity to prevent action.[58]

In short, when used for surveillance purposes, the digital 'web' makes it possible to trace past actions, to accumulate data en masse (big data) and organise it into series using algorithms, and to apply reasoning based on correlations whose causalities elude logic, using what has recently become known as artificial intelligence with generative capacity. This makes remote and time-lapse surveillance a real "blessing" for all the protagonists of surveillance, especially the professional guilds of "security", i.e., Sigint secret services, special police forces, border guards, para-private companies and mercenaries – who are the main proponents of what they call "legitimate" suspicion with predictive and therefore

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[56] Philip K. Dick, *Minority Report: Volume Four of The Collected Stories* (2014).

[57] Lucia Zedner, "The Pursuit of Security 1," in *Crime, Risk and Insecurity*, ed. Tim Hope and Richard Sparks (2012), 200-214.

[58] See, for example, the role of PNR in air traffic security, the different regional and national travelers' databases and the interconnection platforms with other public and private databases. see Didier Bigo and Stefan Salomon (op. cit.).

preventive capacity.[59] Despite fundamentally different contexts and diversified threats, in this revised security dispositif, all professionals agree that the suspicion of their targets is not arbitrary but based on facts that cannot be attributed with certainty to a specific person but which are sufficiently probable to allow a surveillance operation with coercive consequences before the action is taken; a new definition of actuarial prevention that no longer has anything to do with structural prevention, which was opposed to coercion but is now a substitute for it.[60]

So, let us be clear. The trigger for this coupling of suspicion and prediction is not inherent in digital technology; it is a political move that has been present since the return of the conservative agenda justifying the priority of coercive security over liberal freedom of movement. If the European Union has been trying for years to articulate the two opposing faces in a kind of Mobius strip, entangling freedom of movement and fear of migration, the United States has not followed the same path with NAFTA when denying Mexicans internal freedom of movement.[61] This difference in choice has been crucial, but the sharp return to preventive, predictive policing, as opposed to liberal forms of security organising freedom of movement, already activated in the late 1990s, was accelerated by the call

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[59] On this argument of "legitimate suspicion", used in different forms of justification, see Fabrice deferrard, la suspicion legitime LGDJ 2000. Many authors are trying to use this term to escape the judges' limitations of reasonable suspicion or probable cause; for a discussion, see E. P. Guittet, F. Brion, "The New Age of Suspicion," in *Politics of Anxiety*, ed. E. Ekhlund, A. Zevnik and E. P. Guittet (2017); Didier Bigo, "Detention of Foreigner, States of Exception, and the Social Practices of Control of the Banopticon," in *Borderscapes*, ed. Prem Kuram Rajaram (2007); Marie-Laure Basilien-Gainche, "Leave and Let Die: The EU Banopticon Approach to Migrants at Sea," in *Boat Refugees' and Migrants at Sea: A Comprehensive Approach*, ed. Violeta Moreno-Lax and Efthymios Papastavridis (2016).

[60] It is impossible to discuss here the different strategic uses of the dispositif by the actors and their differential effects. This is often the limit of using a Foucauldian approach to theorising diversity but speaking too generally. For a more anthropological and sociological approach to the political, it is crucial to insist on the actors and their strategies of distinction. Each profession or "guild", based on a certain know-how, may have access to some "shared" surveillance technologies or databases (e.g., transatlantic or European security databases such as SIS, VIS etc.), but the selectors are often different because they have different profiles and priorities in mind, and their suspicions concern different categories when looking for criminals, political violence, regularity of travel or attempts to cross borders. This diversity also applies to the groups for which they would say maintain a principle of innocence or regularity, which is de facto a way of having an exceptional status for privileged groups to avoid the rigours of administrative and penal justice, whether based on class, race, gender or bureaucratic and political status. They also have asymmetric access and the possibility of combining different selectors to access what they call a "granularity" of the search, which in theory avoids collateral damage but not in practice. For the case of border controls, see Didier Bigo in *Security Dialogue*, op. cit.

[61] See the comparison between Schengen and NAFTA in terms of freedom of movement and border controls. Elspeth Guild and Didier Bigo, "Policing at a distance: Schengen visa policies," in *Controlling Frontiers* (2017); Karine Côté-Boucher, *Border Frictions: Gender, Generation and Technology on the Frontline* (2020); Steffen Mau et al., *Liberal States and the Freedom of Movement: Selective Borders, Unequal Mobility* (2012); Jean-Yves Carlier and Marie-Claire Foblets, "Law and Migration in a Changing World: General Report," in *Law and Migration in a Changing World*, ed. Marie-Claire Foblets and Jean-Yves Carlier (2022); Elspeth Guild and Valsamis Mitsilegas, eds., *Immigration and Asylum Law and Policy in Europe* (2022).

for a "war on terror" as a response to the violence of Al Qaeda.[62] If 11 September was certainly a key date, the decision of George Bush Junior's administration on 14 September may have been as important for our present as the attack itself by systematically linking suspicion and prediction to war and policing worldwide.[63] The justification for the War on Terror literally involved turning the principle of innocence on its head in the name of future danger to cover the practices of indefinite detention and the use of torture, which called into question the fundamental rights of their prisoners, detainees and suspects. This was not a matter of a simple excess of zeal.[64] The Republican administration and human rights lawyers such as Allan Dershowitz declared that it was better to imprison 9 innocent people if it meant finding someone guilty, thus establishing suspicion as a societal priority with the argument that terrorists had weapons of mass destruction (bacteriological, nuclear, chemical). The mantra after 11 September was therefore: "the question is not if, but when it (the next attack) will happen".[65] The perfect future of the worst-case scenario was then transformed into an apocalyptic future, without redemption, purely mortiferous, which functioned as a means of governing the present by silencing the criticism of the destruction of democracy that this approach implied.[66]

Despite the cessation of torture practices, it does not seem that we have really moved beyond the dispositif that has been put in place, according to which the dark future can be 'tamed' by technology. The Total Information Awareness programme, developed by DARPA in the 2000s and proposed in January 2002, is particularly emblematic of this vision of the future and is the structural equivalent of Jeremy Bentham's book on the panopticon at the end of the 18th century. In practice, this TIA programme was the only one to be rejected by the US Senate, but far from being abolished altogether, the programme, renamed Terrorism Information Awareness in February 2003, was extended in the name of the fight against terrorism, border control and the right of American sovereignty to project itself abroad and, implicitly, in the name of the need to strike first when a serious and imminent danger is detected.

It can be said to have served as the matrix for a number of contemporary programmes used by Western secret service coalitions, cybersecurity companies and the involvement

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[62] Didier Bigo, "14 September 2001: The regression to the habitus," in *Conflict, Security and the Reshaping of Society,* ed. Alessandro Dal Lago and Salvatore Palidda (2010).

[63] A. Dal Lago and S. Palidda, eds., *Conflict, Security and the Reshaping of Society: The Civilization of War* (2010).

[64] Shane Harris, *The Watchers: The Rise of America's Surveillance State* (2011); Elspeth Guild, Didier Bigo and Mark Gibney, *Extraordinary Rendition: Addressing the Challenges of Accountability* (2018).

[65] Alan M. Dershowitz, *Preemption: A Knife that Cuts Both Ways* (2007). See also in a moderate way, but almost with the same reasoning Michael Ignatieff, *The Lesser Evil: Political Ethics in an Age of Terror* (2013).

[66] D. Bigo, E. McCluskey, and F. Tréguer, *Intelligence Oversight in Times of Transnational Impunity: Who Will Watch the Watchers?* (2023).

in defence policy of computer giants who dream of quantum computers reversing the past-present temporal axis to change the nature of warfare.[67]

A history of the present based on the political imaginary of the variations in space and time of this apocalyptic future, and the belief that it will be scientifically known, has yet to be written. The organisation of suspicion as a legitimate principle of action has to be deconstructed and practically dismantled, but this step involves major questions about temporality, politics and freedom of movement as these can destabilise the doxa of geo-politics and the current narratives of international relations.

Against some sociologists of surveillance who see "no future outside surveillance" and whose pessimism reinforces the doxa of geopoliticians, I suggest that an international political sociology of transnational freedoms rooted in Foucauldian analysis can challenge this vision of an apocalyptic future perfect and open up our capacity to imagine and act to establish a refusal of the will to serve, as La Boetie put it. It's not a question of "restoring hope" but of acting on ourselves so as not to yield to the chains of complicity and weakness of will that lead to servitude. As Paul Veyne said so elegantly: "there is so much emptiness around these rare and vintage knick-knacks, so much space between them for other objectifications not yet imagined to appear"[68] that the future is never predetermined. This may not be enough to decompose the diagram of ban and servitude for all that transnational preventive suspicion-surveillance seeks to operationalise. This simple refusal coming from a self-reflection can, if shared, destabilise all the petty tyrannies and despotisms at work, and to fight against these deadly futures, it is necessary to give back to everyone the taste for singing "times of cherries", even after the initial loss of battles to reappropriate multiple futures against these catastrophic futures presented as unavoidable.[69] Everyday resistance is no small thing. It may not be enough to deconstruct the pattern of transnational preventive surveillance in one stroke, but it can be a start.

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[67] Congress, U. S., *Congressional Record, V. 149, PT. 2, January 21, 2003 to February 11, 2003* (2006); Roger Whitaker, "A Faustian Bargain? America and the Dream of Total Information Awareness," in *The New Politics of Surveillance and Visibility* (2006), 141–70. Mathieu Corteel, "Prospecter et Punir : Étude Critique Des Logiciels Blue Crush et PredPol," *Encyclo: Revue de l'école Doctorale* 382 (2015); Jamie Susskind, *Future Politics: Living Together in a World Transformed by Tech* (2018); Gavin Crooks, "Quantum Operation Time Reversal," *Physical Review A* 77:3 (2008). C. H. Yu, F. Gao, Q. L. Wang and Q. Y. Wen, "Quantum algorithm for association rules mining," *Physical Review A* 94:4 (2016).

[68] Paul Veyne, *Comment on écrit l'histoire: Suivi de Foucault révolutionne l'histoire* (1971), 355. See also Marie Gil, "Foucault invente l'histoire littéraire," *Fabula-LhT* 0 (2005).

[69] Paroles-musique.com, "Traduction Le temps des cerises en Anglais," https://www.paroles-musique.com/traduction-en-Renaud-Le-temps-des-cerises-lyrics,t675074

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