
The Shooting of Jean Charles de Menezes: New Border Politics?

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The shooting of Jean Charles de Menezes in Stockwell Station, South London, on 22 July 2005, was described as a “tragic mistake” by Metropolitan Police Commissioner Sir Ian Blair. This framing of the killing has come to dominate responses to it in the mainstream media. However, such a framing stymies critical questioning about what happened and colludes in the reproduction of a particular framework of understanding within which sovereign power has retrospectively valorized his death. By contrast this article reads the shooting as one of multiple responses of the British state to the bombings of the London transport network on 7 July 2005 and locates Menezes’s death within the broader context of the global “War on Terror.” Rather than a “mistake,” the author argues that the shooting is symptomatic of systemic features of Western politics and in particular innovations in the ways sovereign power attempts to secure the spatial and temporal borders of sovereign political community. **KEYWORDS:** Menezes, London bombings, War on Terror, sovereign power, borders

Well, [Jean Charles] is a kind of fallen soldier. He died because of the war on terror, didn't he?

—Dagmar Almeida

It's still happening out there, there are still officers having to make those calls as we speak [. . .] Somebody else could be shot.

—Sir Ian Blair¹

At 10:05 A.M. on 22 July 2005 UK antiterrorist officers killed Jean Charles de Menezes aboard a stationary underground train at

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Stockwell Station in South London by firing eleven rounds at close range (seven bullets entered his head, one bullet entered his shoulder, and three bullets missed).² Five and a half hours after the shooting Metropolitan Police Commissioner Sir Ian Blair issued a statement in which he claimed that the operation had been “directly linked” to ongoing investigations into the attempted bombings in central London the previous day.³ At that time, Ian Blair announced that the person shot dead at Stockwell had been acting suspiciously and was challenged by police but refused to obey instructions.⁴ However, in a statement the following day the commissioner announced that a “mistake” had been made and that there was no evidence to connect Menezes with the attempted bombings or any other “terrorist activity.”⁵ Six months later, following the completion of the first part of the inquiry into the shooting by the Independent Police Complaints Commission (IPCC), Ian Blair commented: “In a terrible way, the Met was transfixed on other things. It was transfixed on: where are these bombers? And therefore, in a dreadful way, we didn’t see the significance of that. That was our *mistake*. It was. It was a bad *mistake*.”⁶

Any attempt to reflect on what happened on 22 July 2005 cannot get very far from what we might call the brute fact of Menezes’s death without invoking some sort of angle or frame.⁷ We rely upon such frames in the quest to comprehend events: They offer grounds upon which phenomena may be rendered intelligible through devices such as analogy, metaphor, and narrative.⁸ However, any given frame is not neutral or natural but a politically loaded assessment of actuality with potentially important implications: There is always a politics of framing.⁹ Discussion of the killing in the mainstream British media has been typically framed by Sir Ian Blair’s explanation that it was simply a mistake—an error, an aberration, or a lamentable one-off tragedy.¹⁰ According to one commentator this framing is entirely appropriate: “by recognising that de Menezes’ death was a freak mistake, we can deal with the reality of politics today—rather than worrying about whether we could be next, or wondering what the Met is hiding from us.”¹¹

On the one hand, the discourse of the mistake of the shooting of Menezes, especially when read alongside familiar accounts of the feverish manhunt for suspected bombers after the attempted attacks, perhaps offers a convenient way of making sense of the killing. On the other hand, an uncritical acceptance of the discourse of the mistake reifies rather than questions the very *framework* within which the killing of Menezes has been valorized. In other words, by merely accepting the discourse of the mistake as a starting point in reflecting on Menezes’s death we run the risk of

colluding *with* rather than offering a critique *of* the activities of sovereign power. This raises the problem of how it might be possible to analyze what happened on 22 July 2005 without risking the same form of collusion. One possible response is to examine how the dominant discourse of the mistake has legitimized and/or obscured particular political practices in the aftermath of the shooting. Such an approach allows for analysis of the way in which the above discourse has distracted attention from broader issues connecting the killing to the global War on Terror. In this context I seek to develop the argument that the shooting reflects innovations in the ways sovereign power attempts to secure the spatial and temporal borders of political community in the West.

"22/7"

Despite the emergence and subsequent entrenchment of a particular narrative about what happened to Jean Charles de Menezes on 22 July 2005 (22/7), there are many ambiguities and unanswered questions about the circumstances leading to and surrounding his death. To some extent, the long-awaited outcome of the findings of the IPCC investigation might cast new light on these circumstances, although there are still calls by the Menezes family and their "justice4jean" campaign for a full public inquiry.¹² However, irrespective of these findings, it is instructive to analyze how particular framings in the immediate aftermath of the shooting have led to the privileging of some questions over others and what the political implications of this agenda-setting have been. From here it might then be possible to consider alternative framings and open up new avenues of inquiry.

From Scotia Road to Stockwell Station

There are multiple blind spots in the detail of the killing of Menezes, which, in the quest to produce a coherent narrative, sometimes go unnoticed in accounts of 22/7. One blind spot relates to the elementary issue of precisely *who* was involved in the planning, management and carrying out of the killing. According to Nafeez Ahmed, the initial report given by the police had not mentioned anything about the surveillance operation mounted outside a block of flats located on Scotia Road in the Tulse Hill area of London on the morning of 22 July.¹³ We now know that the aim of that stakeout was to find suspects linked to the attempted bombings on the London transport network the day before—in particular Hussein Osman,

whose details, including a gym membership card leading to the Tulse Hill address, had been found at the site of the attempted blast in the Shepherd's Bush area.¹⁴ However, information about the surveillance team remains sketchy, and there have been unconfirmed suggestions about the involvement of military personnel and/or members of the Special Forces.¹⁵ Nevertheless, many reports obscure questions surrounding this involvement by focusing on the antiterrorist officer who was distracted from Menezes's emergence from the flats at 9:33 because he was "relieving himself" in nearby bushes.¹⁶

In one of the few extant academic treatments of the shooting, Joseph Pugliese has argued that Menezes's departure from the flats instigated a "regime of visibility," which led from practices of racial profiling to a situation whereby he was racially suspect and produced as guilty in advance of any crime he may or may not commit.¹⁷ In this way, according to Pugliese, "fantasy and fiction . . . transmuted into factual reality" and a Brazilian person became mistaken for an Asian one: "racial profiling . . . can be viewed as a type of persistence of vision: a racially inflected regime of visibility fundamentally inscribes the physiology of perception so that what one sees is in fact determined by the hallucinatory merging of stereotypical images that are superimposed on the object of perception."¹⁸ Yet, it is interesting to note that the surveillance team member otherwise occupied in the bushes had actually identified Menezes as an "IC1 male" (police code for a white man).¹⁹ Even though Menezes's racial profile did not match that of Hussein Osman or any of the other suspected bombers, antiterrorist officers followed him on his thirty-three-minute bus journey from Tulse Hill to Stockwell Station. At no point was he stopped or challenged.²⁰

A positive identification had been made before the bus arrived in Stockwell, and it is thought that Cressida Dick, the police officer in charge of the "Gold Command" center at Scotland Yard, authorized the use of lethal force if necessary to stop Menezes boarding an underground train.²¹ Yet, the reasons why Menezes was simultaneously mistaken as an IC1 male and Hussein Osman and not in any way challenged by surveillance team members seeking confirmation of his identity remain unclear. After alighting the bus, Menezes crossed Clapham Road and walked 1,000 meters into Stockwell Station, where, contrary to initial reports about his suspicious behavior, he picked up a free copy of *The Metro* newspaper, walked through the ticket barriers using his "Oyster Card" as payment, and took the escalator to the northbound Northern Line platform.²² He only began to run toward the platform once he had noticed that a train was arriving in the station.²³

Having boarded the stationary underground train, Menezes sat in a carriage facing the platform.²⁴ Undercover surveillance team members flanked him and held the car doors open for armed antiterrorist officers as they ran down the escalator and into the car in which Menezes sat.²⁵ According to one eyewitness Menezes “looked like a cornered fox” as the officers approached him.²⁶ An officer, known as “Hotel 3” grabbed Menezes, wrapped his arms around him, and pinned his arms to his side while he was shot seven times in the head and once in the shoulder.²⁷ Despite being fired at point blank range, three bullets missed his body.²⁸

One eyewitness account had suggested that Menezes was wearing a heavy winter coat with wires protruding from it.²⁹ However, images of Menezes’s body lying dead on the floor of the carriage clearly show that he wore a lightweight denim jacket in keeping with the mid-morning temperature (64 °F).³⁰ No explosives were found attached to his body, and he was not carrying a rucksack or bag. Despite these infamous images, there is scant footage recording Menezes movements from Scotia Road to the train car at Stockwell. According to police sources there had been “technical difficulties” with CCTV equipment on the platform and no cameras were operating in the car where the shooting took place because the hard drive had been taken away for examination following the failed attacks of the previous day.³¹ Yet, unofficial reports from the Tube Line Consortium, who are in charge of running the Northern Line service, maintain that at least 75percent of the cameras at Stockwell Station and all on the train should have been working.³²

The Juridical-Political Response to Menezes’s Death

Initially, the Metropolitan Police resisted the prospect of an IPCC inquiry into the shooting by denying investigators access to the scene of the incident for three days.³³ The purpose of the IPCC investigation was to consider whether any individual should be charged with criminal and/or disciplinary offenses for Menezes’s death, and after the initial delay the investigation proceeded. On 14 March 2006 it was announced that the results of the first stage of the inquiry (known as “Stockwell One”) were available but that these would not be made public until the completion of the investigation as a whole. The results of “Stockwell One” were sent confidentially to the Crown Prosecution Service (CPS) for a decision whether charges should be brought forward and, if so, against whom and on what basis.

In July 2006 the CPS finally announced that they were not going to carry forward charges against any individuals who had been

involved in the operation that led to Menezes's death on the grounds of insufficient evidence.³⁴ Instead, the CPS announced their intention to prosecute the Met under sections 3 and 33 of the Health and Safety at Work Act 1974 for "failing to provide for the health, safety and welfare of Jean Charles de Menezes."³⁵ The second part of the IPCC investigation, known as "Stockwell Two," focuses on the conduct of Sir Ian Blair following the discovery of Menezes's identity and is ongoing at the time of writing (December 2006). However, legal representatives of the Menezes family anticipate significant delays due to the noncompliance of some senior officers in the Metropolitan Police Service.³⁶ Moreover, despite their repeated calls, the Menezes family have still been denied a full juridical public inquiry to determine the circumstances surrounding the shooting including the controversial "shoot-to-kill" policy behind it.³⁷

The Public Response to Menezes's Death

It is possible to identify a range of variegated responses to the death of Menezes in the UK, and an exhaustive analysis of these responses is beyond the remit of this article. However, it is possible to sketch out some key features of these responses. On the one hand, according to Jonathan Freedland writing in *The Guardian* on the first anniversary of the 7 July London bombings, there had been some "initial sympathy" with the Met: The discourse of the tragic mistake seemed acceptable in light of the need to attempt to protect Londoners from further attacks.³⁸ On the other hand, Freedland notes that this sympathy did not last long, especially in light of the Met's decision to plead not guilty to the Health and Safety charges: "The Menezes case has continued to be toxic . . . imperilling Sir Ian Blair's position as Commissioner."³⁹ It might also be noted that to some extent different communities within the British public have responded with varying concerns. In the immediate aftermath of 22/7 the Muslim Council of Britain was inundated with calls from "distressed Muslims" about the shooting at Stockwell station.⁴⁰ One caller, for example, had simply asked: "What if I was carrying a rucksack?"⁴¹

To some extent the British public's increasing lack of sympathy with the Met and mounting dissatisfaction with Sir Ian Blair has translated into instances of collective action. On the Sunday after the shooting there was a public vigil organized by the Menezes family and the Stop the War Coalition, which was halted and eventually turned back by police as protesters approached Vauxhall Bridge.⁴² Moreover, to mark the first anniversary of Menezes's death, a joint demonstration was organized by his family and the families of those involved in the Forest Gate raids in east London on 2 June

2006 in order to protest against the use of force and question whether justice is possible in the context of the “war on terror.” However, the extent of collective action in Britain has been overshadowed by the public reaction in Brazil, where, for example, there have been a series of mass demonstrations and protests organized by the Landless Rural Workers Movement outside the British embassy in Brasilia and consulate in Rio de Janeiro.⁴³ Nevertheless, the government in Sao Paulo has adopted the dominant framing of the shooting, which was described by Brazilian Foreign Secretary Celso Amorim as a “lamentable mistake.”⁴⁴

An Autoimmune Crisis?

One of the political implications of the prominence of the discourse of the mistake is that many of the blind spots in the shooting of Menezes identified above remain obscured. Attention is distracted from what we still do not know in pursuit of a coherent narrative that foists shapeliness on events as if they were somehow scripted. In turn, this potentially acts as a disincentive to asking critical questions because it implies that the shooting can be explained by error alone.

By reading the killing of Menezes as an isolated tragedy we also run the risk of failing to appreciate the broader political context in which it took place. The main worry with the discourse of the mistake is that it isolates Menezes’s death from the ongoing global “war on terror” and policies and practices legitimized in the name of that war. Such a move to delimit 22/7 from other aspects of contemporary world politics is profoundly political and it is one that Sir Ian Blair and UK Prime Minister Tony Blair have both struggled to sustain.

Through challenging the dominant frame of the discourse of the mistake within which 22/7 has been located and discussed, it might be possible to think more critically about what is at stake in the shooting of Menezes. In order to do this the following discussion reads the shooting against the backdrop of the emergence of the so-called “shoot-to-kill” policy of the Metropolitan Police. Reading this policy as one of several responses of the British government to the events of 11 September 2001, I employ Jacques Derrida’s notion of an “autoimmune crisis” in order to try to advance the analysis of 22/7 beyond the parameters of the discourse of the mistake.⁴⁵

Kratos: “Shoot to Kill to Protect”

Since the attacks on the twin towers of the World Trade Center in New York on 11 September 2001 (“9/11”) the Metropolitan Police

Service has recognized the potential threat of suicide bombers in central London.⁴⁶ Soon after 9/11, Barbara Wilding, then deputy assistant commissioner (now chief constable of South Wales Police), was appointed chair of the Met's suicide bomber working party: "It was within about ten days of 9/11 that I was asked to review strategy and come up with a plan."⁴⁷ Wilding explains that the Met identified what they saw as a new or different terrorist threat in the capital: "With Irish terrorism there always tended to be a warning and an escape plan. The IRA didn't want to die. They wanted to leave their bomb and live."⁴⁸ According to Wilding the Met had not been prepared for copycat attacks in London, and so her working party quickly visited Israel, Sri Lanka, and Russia to find examples of how other police forces deal with the threat of suicide bombers: "We had a huge gap and we had to fill those gaps as soon as possible."⁴⁹

After 9/11 the Met's antiterrorist branch developed its own policy response to the threat of suicide bombers based primarily upon the experiences of the Israeli police who are told to shoot to the head if there is imminent danger to life. Roy Ramm, former Metropolitan Police specialist operations commander, claims that this constitutes a policy shift toward "shoot to kill."⁵⁰ Such a policy is now also widely known as "Kratos" meaning strength or force: "the power to decide, to be decisive, to prevail," as defined by Derrida.⁵¹ According to Peter Taylor, the Kratos policy was signed off on operationally at the headquarters of MI5 on 22 January 2005 and "from that point it was up and running."⁵² An article in *The Scotsman* suggests that Kratos was first mentioned by the UK government on 15 July 2005, when it was announced that "armed police officers could be given more aggressive shoot to kill orders, telling them to fire at the heads of suicide bombers."⁵³ However, as Nafeez Ahmed has pointed out, the formulation or implementation of Kratos as a specific policy has never been formally debated in the UK parliament.⁵⁴

On the one hand, it seems that the shooting of Menezes was one of the earliest instances of the use of Kratos in the UK.⁵⁵ On the other hand, there are aspects of what happened in Stockwell on 22 July 2005 that do not sit well alongside a common understanding of what Kratos is supposed to involve. As well as a lack of evidence that Menezes was indeed a suicide bomber, members of CO19, the Special Firearms Unit, were seen restraining and pinning him to the seat of the car while he was shot (and not only in the head but also in the shoulder). In a statement justifying shoot to kill Sir Ian Blair said on 24 July 2005 that "there is no point shooting at someone's chest because that is where the bomb is likely to be."⁵⁶ Yet, if the fear is that contact with the chest might detonate a live

device on a suspected bomber, it remains totally unclear why CO19 put themselves and other passengers in the train at Stockwell in such jeopardy by doing so in the Menezes case.

22/7 as a Symptom of a Broader Autoimmune Crisis

According to Ian Blair's statement on 24 July 2005, the Metropolitan Police Service are "quite comfortable that the [Kratos] policy is right."⁵⁷ Moreover, the commissioner warned, "It's still happening out there . . . there are still officers having to make those calls as we speak . . . *somebody else could be shot.*"⁵⁸ In order to locate the killing of Menezes in a broader context of the global "war on terror" it is instructive to question the conditions of its possibility: How is it that the activities of the police, which ostensibly seek to protect people, have ended up themselves posing an imminent threat to life?

In one of his many responses to the events of 9/11, Jacques Derrida argues that a peculiar feature of the global "war on terror" is that democratic states "must restrict . . . certain so-called democratic freedoms and the exercise of certain rights by, for example, increasing the powers of police investigations and interrogations, without anyone . . . being really able to oppose such measures."⁵⁹ Following Derrida's argument, it is possible to identify a raft of new measures introduced by the British government after the bombings of 7 July 2005, including: detention without trial for up to 28 days (in contravention of Article 5 of the EU Convention on Human Rights); a speeding up of the timetable for the introduction of identity cards; the cultivation of a harsher legislative climate; and heightened suspicion by public and forces of law and order. In this way, the UK, like the United States and other Western democracies, has arguably come to resemble its so-called enemies in corrupting and threatening itself in order to try to protect itself against the threat of terrorism.⁶⁰

For Derrida this paradoxical logic, whereby a democratic state adopts the very characteristics of that which it is threatened by, follows the structure of what he calls an "autoimmune process."⁶¹ By this process he is referring to "that strange behaviour where a living being, in quasi-*suicidal* fashion, 'itself' works to destroy its own protection, to immunise itself *against* its 'own' immunity."⁶² On Derrida's view, since 9/11 there has been a "vicious circle of repression" unleashed in the West, whereby, in declaring the War on Terror, the Western coalition has ended up "producing, reproducing, and regenerating the very thing it seeks to disarm."⁶³ This "vicious circle of repression" is not merely meant in the sense that such a declaration of "war" invites a response by "enemies." Rather, it points to the perverse dynamics of self-destruction within Western

democracies themselves: “What I call the autoimmune consists not only in harming or ruining oneself, indeed destroying one’s own protections, and in doing so oneself, committing suicide, or threatening to do so.”⁶⁴ Taking Derrida’s lead, one possible way of moving beyond the discourse of the mistake in analyzing the shooting of Menezes is to read 22/7 precisely as a symptom of the crisis of autoimmunity in the West more generally. According to this reading, the formulation and implementation of the Kratos policy in the UK can be understood as part of the broader series of repressive and antidemocratic measures introduced in the West to protect the public against imminent threats to life posed by terrorists. Yet, in London on 22 July 2005 the very mechanisms intended to protect life ended up not only threatening it but also ultimately destroying it: “Shoot to kill to protect” killed precisely what it was supposed to protect.

In his book *The London Bombings: An Independent Inquiry*, Nafeez Ahmed argues that the shooting of Menezes reflects the failure or breakdown of aspects of the British state: “the Menezes debacle was the last major tragedy [of July 2005] illustrating the extent to which the British national security system was behaving dysfunctionally.”⁶⁵ However, Ahmed’s argument must be distinguished from Derrida’s in that the crisis of autoimmunity is not an outcome of something going wrong in a conventional sense: Rather it is a symptom of an aporia at the heart of the concept of democracy that is revealed when democratic states are forced to respond to the threat of terrorism. Indeed, elaborating upon Derrida’s perspective and in contradistinction to Ahmed’s, it can be argued that 22/7 was far from a failure or breakdown of the system. On the contrary, as I argue in the next section, the shooting of Menezes can be said to reflect innovations in the ways in which sovereign power attempts to reproduce and secure the spatial and temporal borders of political community in the West. Accordingly, the shooting can be interpreted as an outcome of aspects of Western politics more than the discourse of the mistake would otherwise suggest.

New Border Politics?

Against the reading of 22/7 as a mistake, the shooting of Menezes can be viewed as a reflection of innovative ways in which, temporally and spatially, attempts are made by sovereign power to reproduce and secure the politically qualified life of the *polis*. On the one hand, the killing was a form of temporal bordering in the sense that the activation of the Kratos policy aimed to secure the borders of the state by effectively acting upon the future: It was a

preemptive strike in order to eliminate the threat of something that might have jeopardised the security of citizen-subjects. On the other hand, the killing was also a form of spatial bordering because it both resulted from and contributed to a culture of surveillance and fear in civic spaces in London that is becoming written into the architecture of those spaces. The novel spatial-temporal bordering practices of sovereign power as demonstrated on 22/7 defy conventional understandings of what and where borders are and point to the way in which alternative border imaginaries are ultimately necessary in the emerging context of the global War on Terror. Such imaginaries are necessary lest we are to fail to identify and interrogate different forms of bordering practices.

22/7 as a Form of Temporal Bordering

Reflecting on the killing of her son, Maria Otone de Menezes commented: “An honest policeman who was doing his job properly would have spoken to my son first, stopped him and asked him where he was going, and not just have shot and killed him without knowing who he was.”⁶⁶ Similarly, Alex Pereira, his cousin, remarked: “Jean had lived in Sao Paulo. It is a dangerous city and he knew the rules there: if you run away when the police tell you to stop, then you are dead. He knows you don’t run away and his English was perfect. There is no explanation for him ignoring a warning because there was no warning.”⁶⁷ Patricia de Menezes said: “They judged my cousin, and sentenced him, all in the space of a moment.”⁶⁸ What is striking and interesting about these reactions is that the family members complain in a very basic sense about the lack of *time* given to Menezes: He was denied the time to explain or defend himself as would be expected in the normal juridical process; time was quite literally “taken away” from him.

Indeed, all in the “space of a moment,” temporary sovereigns decided that Menezes’s life was not life worth living but a life that could (and should) be dispensed with. Borrowing from Giorgio Agamben, it can be argued that Menezes was produced as “bare life”: a form of life whose status is indistinct; banned from conventional law and politics and subject to exceptional practices.⁶⁹ The decision that Menezes’s life was not life worth living can be directly linked back to the concept/policy of Kratos, understood as “the power to decide, to be decisive, to prevail.”⁷⁰ On this understanding, Kratos is associated with notions of clear, confident, and forceful decisioning. Paradoxically, however, for this very reason the Kratos policy does not actually allow for decisionmaking or at least forms of decisionmaking that take time to deal with the dilemmas provoking the need for a decision in the first place.

Brian Massumi likens this form of decisioning to a “lightning strike” or “flash of sovereign power.”⁷¹ Moreover, he argues that this approach is the temporal equivalent of a tautology: “The time form of the decision that strikes like lightning is the foregone conclusion. When it arrives, it always seems to have preceded itself. Where there is a sign of it, it has always already hit.”⁷² The lightning strike decision is a foregone conclusion because it sidesteps or effaces the blurriness of the present in favor of a perceived need to act on the future without delay.⁷³ Illustrating his argument, Massumi suggests that this approach characterizes the presidency of George W. Bush for whom there is no time for uncertainty: “I have made judgements in the past. I have made judgements in the future.”⁷⁴ Citing Bush’s admission that it took just twelve minutes for him to “discuss” the invasion of Iraq with cabinet colleagues, Massumi points to the way the US administration tends to skip decisionmaking that takes time because:

Deliberation . . . in the current lexicon . . . is perceived as a sign less of wisdom than of weakness. . . . To admit to discussing, studying, consulting, analysing is to admit to having been in a state of indecision preceding the making of the decision. It is to admit to passages of doubt and unclarity in a blurry present.⁷⁵

For Massumi, the lightning-strike approach in general is one that seeks to act on the future or in other words one that responds to the threat of “an indefinite future: what may yet come.”⁷⁶ However, whereas traditionally threats were responded to through “prevention,” Massumi argues that we are witnessing the birth of a new form of response in the context of the global War on Terror: the politics of “preemption.”⁷⁷ This change is marked by a shift in temporal registers from the indefinite future tense to the future perfect tense: the “always-will-have-been-already.”⁷⁸ In other words the politics of preemption does not respond to events by simply trying to “prevent” them but actually effects or induces the event:

Rather than acting in the present to avoid an occurrence in the future, pre-emption brings the future into the present. It makes present the future consequences of an eventuality that may or may not occur, indifferent to its actual occurrence. The event’s consequences precede it, as if it had already occurred.⁷⁹

Massumi illustrates his point using the analogy of a fire. A politics of preemption does not simply predict but actually causes fires: “It is like watching footage of a fire in reverse: there will have been fire, in effect, because there is now smoke.”⁸⁰

The discourse of the foregone conclusion is one that is identifiable with the killing of Menezes. On the one hand, as we have already seen, Sir Ian Blair has referred to the killing as a mistake. But, on the other hand, he has also warned that we should be prepared for more killings like it: “These are fantastically difficult times . . . It’s still happening out there, there are still officers having to make those calls as we speak [. . .] *Somebody else could be shot.*”⁸¹ What seems to be at stake here is precisely an attempt to securitize the future by bringing it into present: “It’s still happening out there.” Ian Blair is effectively dealing with the consequences of future killings under the Kratos banner before they actually happen, irrespective of whether they actually do. In this way, the Kratos policy acts as a temporal bordering process: It preempts threats to sovereign political community that come from the future, thereby securing *time* as something that belongs to the state not terrorists. Hence, in the UK there are now distinct echoes of Pentagon policies post-9/11, which, as Didier Bigo has illustrated with reference to the film “The Minority Report” (2002), place emphasis on the capacity to preempt anywhere and at any *time*.⁸²

22/7 as a Form of Spatial Bordering

In the context of the “war on terror” the securitization of time and space are mutually implicated as Joseph Pugliese suggests: “The civic spaces of the city become spaces of uncivil danger, fraught with racialised taunts, repeated security checks and harassment, and the possibility of both symbolic and physical violence.”⁸³ Attempts at firming up the temporal borders of sovereign political community have been played out spatially through changes to the physical environment in London, which are often designed to manage rather than prevent flows among the population of the city. Sometimes these changes are visible, such as the installation of CCTV cameras across the city in tube stations, walkways, office blocks, and so on. In other ways these changes can be subtler and integrated into patterns of daily life, such as the use of Oyster Cards on the transport network. Yet, perhaps more subtly still, the introduction of new GPS satellite technology has also allowed for the development and emergence of new forms of electronic bordering. For example, from 12 noon to 16:45 on 7 July 2005 the mobile phone operator “O2” was ordered by the City of London Police to close their network to the public for an area totalling 1 km² around Aldgate.⁸⁴ This emergency zoning, as discussed in the London Assembly Report, was designed to assist the service needs of the City of London police, but it also prevented other emergency

services still reliant upon the O2 network from doing their job properly.⁸⁵ As such, this form of electronic bordering is intimately connected to questions about sovereignty, territory, and power, which are all raised as problems for future discussion in the Assembly Report.⁸⁶ William Walters has coined the term “firewalling” for this type of electronic bordering process, which reflects the need for “new metaphors and figures to capture the character of borders today.”⁸⁷

The implementation of these new forms of visible and nonvisible bordering practices in London has led, *inter alia*, to an erosion of the conventional distinction between the public and private spheres. Such an erosion and the importance of its implications is emphasised by Giorgio Agamben, who has argued that:

Every attempt to rethink the political space of the West must begin with the clear awareness that we no longer know anything of the classical distinction between *zoe* and *bios*, between private life and political existence, between man as a simple being at home in the house and man’s political existence in the city.⁸⁸

At earlier points in history the blurring of public and private space could be more readily identified as a localized phenomenon in exceptional, marginal, and peripheral areas, such as the concentration camps of the late nineteenth and early twentieth centuries:

Inasmuch as its inhabitants have been stripped of every political status and reduced completely to naked life, the camp is also the most absolute biopolitical space that has ever been realised—a space in which power confronts nothing other than pure biological life without any mediation.⁸⁹

According to Agamben, the camps were born out of the state of exception and martial law and constitute spaces that are paradoxically both outside the normal juridical order and yet somehow internal to that order.⁹⁰ He argues that the camp is a space that is opened up when the state of exception acquires a permanent spatial arrangement.⁹¹ As such, people in the camps “moved about in a zone of indistinction between the outside and the inside, the exception and the rule, the licit and the illicit.”⁹²

However, whereas the space of the exception was once localized in spaces such as the camps, Agamben implies that in more recent times it has become more widespread or generalized in contemporary political life: “The camp, which is now firmly settled inside [the nation-state], is the new biopolitical *nomos* of the planet.”⁹³ The

upshot of living in a permanent state of exception means that potentially we can no longer rigorously distinguish our biological life as living beings from our political existence: We all have the capacity to be produced as “bare life.” Bodies and spaces are increasingly characterized by confusion or zones of indistinction in which sovereign power is able to produce subjects as bare life. It is against bare life that “politically qualified” life is defined and so the production of bare life can be said to act as a mechanism through which attempts are made to shore up the borders of sovereign political community.

Applying Agamben’s argument, the killing of Menezes can be read as symptomatic of innovations in forms of bordering that rely upon the burring of public and private spaces. On the one hand, the production of bare life is not a new means of securing forms of sovereign political community as Agamben shows in relation to the figure of *homo sacer* in Roman law. On the other hand, what is arguably new about current bordering practices, of which the shooting of Menezes is symptomatic, is the location and method of the production of bare life. Menezes’s death, and its valorization by the authorities in their subsequent investigations, points to a new preparedness to make lightning decisions about life worth living (the politically qualified life of the *polis*) and life not worth living (bare life) potentially anywhere. With the advent of Kratos such decisions are no longer localized or fixed at particular border sites in the margins of sovereign territory but increasingly more widespread or diffused throughout society: a phenomenon that might be captured by the concept of a biopolitical generalized border.⁹⁴ After all, Menezes was not killed in a camp or space especially designated for such exceptional practices but in a tube station in central London. In this way Agamben’s chilling conclusion that “we are all (virtually) bare life”⁹⁵ is perhaps regrettably less sensationalist than it might first seem and calls for alternative ways of identifying and interrogating the types of bordering processes upon which sovereign power relies: “These are fantastically difficult times. . . . It’s still happening out there. . . . *Somebody else could be shot.*”⁹⁶

Conclusion

The discourse of the mistake of the shooting of Menezes not only stymies critical responses to 22/7 but also colludes in the reproduction of a particular framework of understanding within which sovereign power has retrospectively valorized his death. Critical resources are therefore required in order to question and rethink

this dominant framing so that we might then be able to resist such collusion in our analyses of what happened in Stockwell. By reading the shooting as one of multiple responses of the British state to the bombings of the London transport network on 7 July 2005 and the attempted bombings two weeks later it is possible to locate Menezes's death within the broader context of the global War on Terror in which the shoot-to-kill policy of the Metropolitan Police Service has emerged. In this context Derrida's identification of the autoimmune crisis in the West offers a potentially useful way of analyzing how the very mechanisms supposedly designed to protect life ended up not only threatening it but also ultimately destroying it in the case of Menezes. The move here is to refuse to accept that what happened on 22/7 was simply a one-off incident that can be easily isolated from broader aspects of contemporary political practice. Rather, following Derrida, the Menezes shooting is not so much a mistake as the outcome of features of the Western political system itself. Building upon this argument, 22/7 can be interpreted as a symptom of innovations in the ways sovereign power attempts to secure the temporal and spatial borders of political community in this system. While Agamben suggests that the production of bare life has always been a systemic feature of Western politics, we are arguably witnessing not only new methods through which this form of life is produced but also new locations in which this form of bordering takes place. On this basis, the shooting of Menezes is not only of local but also of global significance.

Notes

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