

# 1 Statist-transnationalism for a security cooperation regime

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The nature of global security threats has changed, from the primacy of state-based challenges during the Cold War era, to the rise of transnational issues and non-state actor challengers of recent years. These transnational threats have been linked to such diverse sources as: environmental degradation, disease and migration, crime and terrorism,<sup>1</sup> and their growing significance has spawned various efforts to describe and reconceptualize security in world politics.<sup>2</sup> It can be generally agreed upon, though, that we have entered into an era, in which newly empowered forces – from individuals to associations or organizations of various levels of formality – have been released,<sup>3</sup> not only in the realms of economic, social or political issues, but also in that of security. The result is an increasing gap between the practices and capacities of the non-state entities creating the transnational challenges and threats, and the practices and capacities of the state-based agents of response.

At a broader level, we can say that this gap is also the reflection of a much larger duality between the “international” and the “transnational”. While the former refers in the most general sense to states and practices of international engagement between states, e.g. creating and operating international organizations, conducting wars, and negotiating peace, the latter refers to non-state and sub-national actors, and to both peaceful and conflictive activities of transnational engagement – that is, activities without a direct tie to state entities. Global transformations of every kind, ideational, material, or scientific, should provide an equal opportunity to both international and transnational actors and processes to flourish and evolve further. However it is the transnational, arguably because of its direct ties with individuals, their desires and their ambitions, that seems to have an inherent advantage over the more bureaucratic actors and patterns of the international. For this reason, not only does the international/transnational gap exist, but it seems bound to expand.

The main goal in this volume is to try and understand the state response to this gap: have states and the state-centric world begun developing new responses to address the emerging non-state security challenges of a “post-international”<sup>4</sup> world? To answer such a question, it is necessary to examine a non-state security threat that has managed to generate a broad range of state response. The clear example of such a threat is transnational terrorism, and the state response to it, in particular, since 9/11. Unlike other non-state transnational security challenges like environmental degradation, refugee crises and human or small arms trafficking,

transnational terrorism, as generally associated with al Qaeda and the radical Jihadists, has provoked a major response by many states around the world. It has managed to garner greater state interest than other non-state security challenges first because its targets have included the world hegemon and other influential Western countries, rather than only less fortunate or powerful countries, and also because of the inevitable cycle of response that terrorist attacks demand – in order to appease public fear and outrage, governments feel obliged to respond without delay and generally without restraint. By looking therefore at states' countering practices towards transnational terrorism, we may be able to trace developments suggesting the emergence of post-international (in)security governance.

This chapter sets out to first explore the underlying reasons for the gap between the transnational threats and the international response by discussing the overall expansion of the political universe and resulting problems of governance. It looks in greater detail at transnational terrorism as the particular threat to be explored in this volume, then at the relatively recent history of responses to terrorism, beginning with a look at the responses of the late nineteenth–early twentieth centuries, when terrorism also had aspects of a transnational nature, and moving on to a critical look at the responses of the twentieth century, when terrorist threats tended to be more national and international.

Few would now question the assertion that security threats and terrorism in particular are becoming more transnational. They are perpetrated by increasingly independent non-state actors, who are more likely than ever to operate via transnational processes and to exhibit cross-border capacities. When it comes to these security challenges it can also be argued that, at present, states possess the most apt and efficient response mechanisms for dealing with them. Do they, however, have the ability to go transnational and close the gap?

## **Governance problems in an expanding political universe**

To find real dynamism, change, and growth in global political affairs, one generally needs to look beyond the statist realm. The traditional state-centric system and its international practices, from the formation of international organizations to diplomatic interactions, to regulating war and peace conditions, and so on, appears to have reached its physical and psychological boundaries in terms of innovativeness and forward progress, while arguably the most interesting and evolutionary developments in global political affairs – leaps in global mobility, new organizational formats, the construction of new patterns, rules, and forms of engagement between various types of actors – are taking place within the transnational space and with the contribution of sub-national entities. Indeed, a “transnational” nature has been said to be the “*defining quality* of world politics in the 21st century”.<sup>5</sup>

Dynamism and growth within one sphere inevitably leads to a gap between the two, in this case, the transnational and the international. Arguably, this is particularly so with respect to security issues. Consider earlier arguments from the field of comparative politics, in which the focus was on national level contexts. Various sources of instability, from abstract tensions between stability and change to the

concrete instability of revolutions, have been attributed to a gap between existing institutions and their limited ability to comprehend and manage rapidly expanding areas of political mobilization among the masses (consider arguments that modernization has “outpaced the progress of institutionalization”<sup>6</sup>). In other words, unregulated spaces lead to a growth in instability. If we transpose this argument to the global level, we might consider how a rapidly expanding transnational political universe will also quickly outpace the abilities of the existing international institutions to cope with the problems that emerge there – once again, creating a gap, but this time one between the unregulated realm of expanding transnational space and the global potential of governance by states and their international authorities.

Evidence of this gap is easy to find. Observers have considered the phenomenon of the expanding unregulated realm and concluded that, within it, non-state actors are improving their ability to “run and hide faster than states and statist international organizations are improving their ability to seek”.<sup>7</sup> Or, in the words of one terrorist under interrogation, “you come, we go, you go, we come back. We go wherever you aren’t and you can’t be everywhere.”<sup>8</sup> The recent wave of terrorism<sup>9</sup> has revealed the gap by showing us how unruly and unregulated spaces are now part of the global insecurity calculus. These unregulated breeding grounds for terrorism include territorial spaces from Khartoum to Afghanistan to Chechnya, but also others, not necessarily geographically distant, as in the example of ghettos in major Western cities, nor always physical, as in the case of cyberspace, and even in the shifting loyalties of individuals residing among us – all of which have become part of the global insecurity calculus. What all this shows us is evidence of an expansion of political space – both vertically and horizontally – both beyond states, and within them.

Complicating matters further is that mobility between these various unregulated spaces also serves to increase the gap between a transnational threat and the international capacity to respond. Take, for example, the case of transnational gun-runners. These non-state [in]security actors have taken advantage of unregulated spaces to accumulate an unprecedented level of power, such that they are able to gain prominence in a trade formerly dominated by states. It is now possible for a legal, state-produced weapon to go on a journey that turns it into an illegal commodity circulated by global non-state actors, and to then end up as part of an arms sale back to another state.<sup>10</sup>

That we are witnessing an expansion of the transnational does not automatically mean that it is something new. In fact, the transnational has always been a part of the political space, but it was suppressed. Advances by states and historical *internationalization* were themselves once the sign of a major expansion of the political universe, to such a degree that they overshadowed the previously existing transnational actors, patterns, and spaces. As an undercurrent, however, the transnational has not only remained intact but has maintained a tremendous power for change and evolution, since it carries within it the primary energy source of humans and their search for new opportunities and visions, which run beyond artificial frontiers and borders as well as beyond seemingly consolidated political constructs and institutions. The difference now seems to be that with the revolutionizing of that

human energy source,<sup>11</sup> we are now witnessing unprecedented levels of expansion in the transnational space.

The problem in such an expansion of the transnational is how to govern it. International expansion of the political universe, with its primary agent of the state and its international practices, governed its own realm with great effectiveness, so well, in fact, that statism came to represent for many the final stage of our political evolution – a stage in which the actors and products of statism, constituted the whole of the political universe. Such a conviction becomes a liability at a time of transnational resurgence. By underestimating the transnational and trusting in the superiority of the international, one reduces the likelihood of the international, making efforts to move into the major venues of the expanding transnational space. Such a conviction also leads to a major misperception of the transnational space, actors, and processes as its “other” – and automatically therefore as sources of danger, insecurity, and ungoverned rebellion.

Of course, a vision of the transnational as a problem is not necessarily unwarranted, since ungoverned spaces do tend to attract unruly pioneers of all kinds of activities, not only as shelters for existing ones but also as breeding grounds for new ones. For a long time the international world could afford to ignore the transnational as merely a troubling irritation, or to offset it with basic measures such as promoting statebuilding<sup>12</sup> (often repressive) or building high walls between itself and the unruly transnationals (via immigration practices, border controls, and so on). With the international having mastered (in)security governance tactics and strategies within its own realm (national/international organizations, alliances, and concepts like national security and survival), such practice was able to continue until the point at which it became clear that the unruly transnational is not only insecure by itself, but it has actors and processes and mastered tactics and visions that allow it to export that insecurity into the very heartland of the international world. The attacks of 9/11 came as the biggest indicator of such mobility of the insecurity from the transnational to the international. Now an increasingly dominant logic is reigning within the international world that if everyone is not relatively safe within the entire political universe, no one is really safe anywhere. In other words, both security and insecurity have become indivisible. The upshot is that the problem of a collective governing of the expanding political universe is an urgent one that must be addressed.<sup>13</sup> The main question that then arises – and which is intended to be answered in this volume – is whether the international has begun engaging in insecurity governance within the transnational space.

One of the few ways of analyzing such a possible initiation of governance of the transnational by the international, is to look at the most traditional and action-provoking challenge emanating from within the transnational: terrorism. By looking at this transnational challenge and how international forces have historically and contemporarily been responding to it, we may be able to locate the major parameters and dynamics of emerging transnational insecurity governance.

### **The return of transnational (in)security**

Changes that have been witnessed in the conduct and nature of terrorist acts over the last decade have led to discussions about the emergence of a “new” kind of terrorism. An examination of the characteristics proposed to constitute the “newness” of these acts show that what is really being emphasized is the increasingly transnational nature of terrorism. An important characteristic of “new” terrorism is commonly noted as its organizational structure, which is seen as changing from a hierarchical one to a networked and decentralized one.<sup>14</sup> In the “new” terrorist organization, the leader acts like a guru and draws only the general lines of conduct, as opposed to the top-down, strict command chain structure of more traditional terrorist groups. Spatially, the units or cells of the organization are no longer connected organically within a defined geographical area. They can, however, easily establish connections from distant locations via information technology, making it difficult to identify and comprehend the full extent of the terrorist organization’s structure. This organizational network structure is perhaps the clearest and most obvious indicator of the transnational orientation of new terrorism, as such a structure makes it possible for a group to elude national barriers and operate on a worldwide basis.

As noted above, the use of information technology is another important characteristic of “new terrorism”.<sup>15</sup> Revolutionized communication ability via developments in technology has proven revolutionary to terrorist groups both for their external and their internal communication capacity. Externally, the rapid development of real-time media coverage as well as the use of webpages and email have given terrorist groups the ability to get their message out – both to potential recruits and to the group’s enemies – quickly and efficiently. Internally, the internet in particular has given them the capacity to carry out debates among group members, a means that allows them to evaluate, adjust, and adapt their discourses and strategies. Basically, unlike the past when physical disconnect could be fatal to a group, terrorists can now communicate effectively over vast distances without having to pass through official international borders or rely on relatively easy-to-monitor means of communication, such as telephones. Beyond communication, technological developments have also changed the nature of terrorist attacks. New forms include acts of “hactivism”, such as blockades and e-mail bombs, but also include the specter of possible cyber-terrorism with potentially lethal results, such as causing harm to critical transportation or energy facilities that depend on computers.<sup>16</sup> As these types of attack are not territorially based, they have transnational potential – they can be carried out anywhere, from anywhere.

The third characteristic of “new” terrorism can be noted in terms of its goals, which may be rhetorically “global”, but more importantly in terms of the concretely global strategies and tactics used to achieve those goals. Even in cases when the actual goals remain local, the strategy for achieving them has become global. In the past, the reverse was more likely to be true, in that even terrorist groups with global goals and supporting ideologies (for example, Communist-based terrorist groups working towards global revolution), were nevertheless likely to employ

very much local strategies. They tended to adopt a piecemeal approach for achieving their global goals; an approach that involved attempting to first take over local power, and local national governments, and moving on from there. The resulting methods and strategies were restricted – and often determined – by the local and national constructs. “New” terrorists have been able to take advantage of advances in the transnational space to employ more globally executed strategies.

Interestingly, one side-effect of this shift towards transnational strategies and tactics has been an increase in the scale and the lethality of attacks. It may be that locally defined methods and tactics – despite the perceived indiscriminateness of terrorism – are still subject to certain restrictions. Terrorist groups that conduct “excessively” violent or completely indiscriminate attacks in a limited, local area still bear the risk of alienating even potential supporters of their cause. When the attack goes global, whatever restraint might have been felt is more easily shed. Perhaps for this reason, “new” terrorism is also distinguished by higher lethality levels<sup>17</sup> – with the September 11 attacks causing the highest number of deaths in a single attack. Such a shift towards more global strategies and more lethal attacks, including even the possible use by terrorists of weapons of mass destruction, has bred an equally transnational sense of fear and vulnerability. At least one study has examined how the attacks of September 11 and those in Madrid and London have influenced fear levels among people in North America and Europe.<sup>18</sup>

Yet another characteristic associated with recent patterns in terrorist activity is its increasingly religious nature. The current “wave” of terrorism has been labeled as a religious one,<sup>19</sup> and even before 9/11, the latest trends in terrorism were being characterized by their “amorphous religious and millenarian aims”<sup>20</sup> and by their being generally under the leadership of a spiritual leader.<sup>21</sup> Religion is also a concept, which overlaps with a transnational understanding. Religions are not usually directly associated with nations, but are rather created for humanity in general, meaning that a terrorist group operating based on religious imperatives has the potential of finding sympathizers and supporters all around the world. Since people that belong to a religion generally read the same texts, worship in similar ways, and share similar motivations, terrorist groups may create a common understanding among various groups or individuals around the world and more easily coordinate their activities.

Lastly, and arguably the most important characteristic revealing the transnational nature of new terrorism, is the new terrorists’ evolving relationship with states. In a distinct break from practices of the past, when terrorist organizations simply could not sustain themselves without some kind of state support, there is the understanding that new terrorists are no longer reliant on state sponsorship,<sup>22</sup> or, at least, if there is state sponsorship, it is minimal and difficult to expose. Amazingly, this leap in ability to survive without state support has occurred despite the massive degree of state persecution against them. The ability to “go it alone” stems in part from an increasingly easy access to cheap materials to produce weapons – even those of mass destruction – which then decreases the need for state-level financial support, and enables the rise of private financiers, such as Osama bin Laden. More importantly though, this argument relates back to the issue of new terrorists’ network

structures which, reinforced by easy communication capabilities, enable terrorists to establish coordination wherever they are in the world. Their reliance on states for safe havens is reduced, for as long as they can secure their communications they can establish a safe environment. They are able to locate or invent spaces for themselves both within the state-centric system and, more often than not, outside of it (e.g. in failed states), making them truly deterritorialized and more mobile.<sup>23</sup> It is this aspect of their transnationality (independence from state support and therefore being able to move beyond the international realm when deemed appropriate or necessary) that makes them most difficult to combat, as they are able to easily move from one area to the other, and particularly into areas in which there is minimal or no governance capacity to counter them. This was of course the case with al Qaeda, in its moves between Afghanistan and Sudan and today in Iraq; without established headquarters, the organization is highly mobile.

### **Dynamics of the governance of (in)security**

If the world is witnessing an increase in terrorism both in terms of numbers of attacks and their lethality, and in terms of the transnationalization of its nature and thus its broad risks, what can we say about the international response to terrorism? Discussion at the beginning of this chapter implied that it was natural to see a gap between the expanding transnational realm and the traditional, international forces responsible for governing these new unregulated spaces. How can we assess whether the international response has been successful in its attempts to bridge this gap – in particular with respect to our focus on the growth of terrorism within those unregulated transnational spaces? One way of assessing international response to transnationalized terrorism could be to look at the instituting of international understandings and mechanisms against terrorism, such as the establishment of common definitions of what constitutes terrorism, the creation of conventions and resolutions for combating terrorism, setting up counter-terror international organizations, and engaging in bilateral practices (e.g. extradition and rendition) as well as unilateral ones (e.g. surgical operations and assassinations). Indeed, these have constituted the backbone of the responses to transnational terrorism. However, those initiatives have been arguably limited in their success for a variety of reasons, from differences of state perceptions about terrorism, to the non-binding nature of conventions, or simply because of the inherent mistrust states harbor for each other.

An alternative way of assessing international response (governance of insecurity) is to look at the operational activities of military, intelligence, and police organizations. Traditionally, quantitative statistics, such as numbers of: thwarted attacks, killed or captured terrorists, cleared cases, or statistics on the amount of intelligence gathered and overall numbers of investigations or operations, have all been used as measures of success against terrorism. But these measures of success have also been called into question for reflecting a “short-term” approach that mainly tries to assess success in yearly fiscal terms, while terrorists take a longer view. Given subsequent assertions that effective counter-terrorism should

concentrate on delegitimizing the terrorists' causes and breaking their morale, measuring the achievement of such practices is not easy.

In fact, an overall assessment of counter-terrorism is that it is generally a reactionary practice, and is thus usually at least one step behind the threat. Logic would tell us that the ultimate measure of counter-terror success would be in looking at whether it can jump a step ahead of the threat, moving into a preemptive rather than reactionary position. Perhaps the best way of assessing response therefore, is to consider the adaptability of the responding actors and their practices. If the current innovativeness of terrorism is dependent on a transnational resurgence, then the obvious way to assess international counter-terror success is to ask whether the countering actors are themselves proving able to move into the transnational space, and build up effective and sustainable insecurity governance practices.

### **History of response to terrorism**

To organize a comparison of terrorist threats over the last century or so with corresponding responses, it is useful to draw on Rapoport's historical division of terrorist waves.<sup>24</sup> Figure 1.1 (opposite) provides a rough depiction of the history of the response to terrorism over the last 125 years, broadly reducing terrorism into just three waves (Anarchist, twentieth century, new terrorism), and designed to show general patterns between the threat and response – thereby providing a framework for a comparative analysis of the responses of different periods, and giving us a picture of past and present insecurity governance activities at the local, international, and transnational levels. The discussion below begins with an overview of the national, international, and embryonic attempts at transnational-level responses to the Anarchist wave of terror. It continues with a look at the international responses that dominated much of the twentieth century, and ends with an assessment of those international responses for engaging with a now better-equipped transnational threat.

#### ***The Anarchist wave***

The first wave of terrorism shown in Figure 1.1 is that of the Anarchists, spanning the late nineteenth and early twentieth centuries. From a post-9/11 perspective, two characteristics in particular make the Anarchists an interesting example to consider in terms of the type of threat they posed and, accordingly, in terms of the type of response that was built up by the states they threatened. The first of these is that, like today's "new" terrorists, the Anarchists presented an unprecedented degree of violence for their era. While state-level violence and wars were not uncommon, the degree of threat posed by the non-state Anarchist movement was new. Secondly, with their anti-statist, global aspirations, and influence from Europe to Asia to North and South America, they represented an early example of a truly transnational phenomenon and threat. As can be seen in Figure 1.1, the range of state responses was from the purely local, to the international, to some attempts at the transnational.



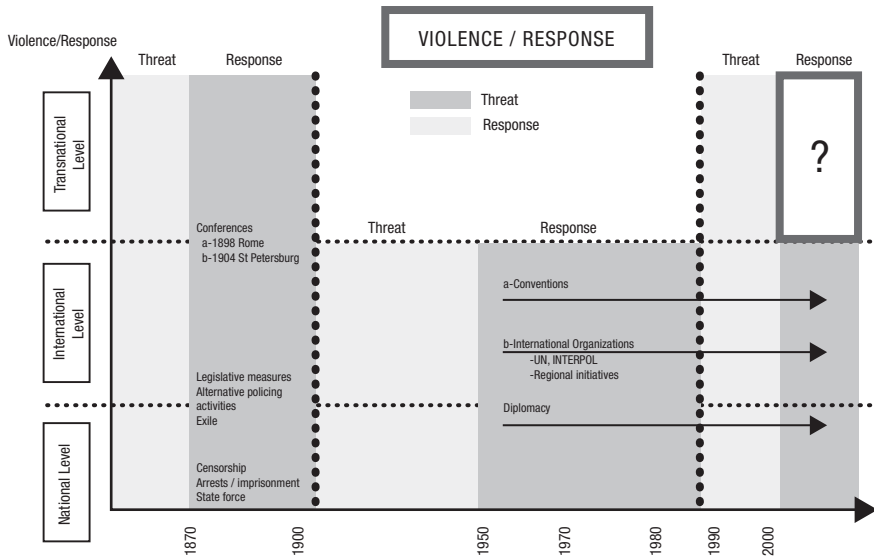


Figure 1.1 Violence/Response.

### ***Censorship, arrests, and imprisonment***

Responses to the Anarchist threat were wide and varied, and occurred at the domestic, international and, to some extent, transnational levels. Since the most common starting point for Anarchist action was the printing and distributing of texts – journals, books, pamphlets – the first obvious response by states was censorship, via a combination of efforts including fines, persecution, libel suits, or physically destroying the facilities producing the texts. Although these texts could be argued to have constituted a major contribution to the transnationalization of the threat since they could be widely distributed, the response was generally on the local level. The effectiveness of censorship on its own was questionable, since those producing the texts tended to move to new facilities or simply reopen under new names, as was the case with a series of French Anarchist journals (*La Tribune Ouvriere*, *La Fourmi*, *L'Avenir National*, and *Le Courrier Francais*) that were each subject to censorship and closure by the authorities.

Arrests and imprisonment were perhaps the most common responses by state forces, and were used widely by individual governments around the world. Depending on the conditions of the imprisonment, the practice was more or less effective. In some cases it had the unintended result of allowing the imprisoned the opportunity to actually increase their activities (the French Anarchist Proudhon took advantage of his prison time to produce even more Anarchist texts), in other cases, like that of the famous Russian Anarchist, Bakunin, arrest proved a more effective countering measure. Not only were Bakunin's ideas not easily allowed to pass outside the prison, but the nearly eight years he spent in prison also succeeded in ruining his health and taming him to some degree.

### ***Legislative measures***

Legislative measures ranged from mild moves to more drastic ones, and from more local ones to those directly addressing the Anarchists' transnational – or at least international – nature. At the mild end there are examples such as the levying of a stamp tax on all political literature – thus raising the price of popular Anarchist newspapers and reducing their circulation.<sup>25</sup> At the more drastic end were legislative measures such as those to guarantee the state's ability to imprison suspected Anarchists. In France, the terrorist acts of the 1880s and 1890s led to the infamous *lois sclerates*, which made it illegal to incite or even apologize for criminal acts, forbade "associations of malefactors" (and did so on the basis of mere intent to cause harm rather than only actual deed), and, finally, forbade any act of Anarchist propaganda of any kind whatsoever. Using these laws, the French government was able to completely bring the Anarchist press to a halt, to bring to trial virtually all the movement's leaders, and to break up the various groups around the country. The United States was particularly concerned with curbing the mobility of Anarchists, and trying to keep them a "distant" problem. So, despite its tradition of open borders for political refugees, US fears about violent Anarchists in the wake of the Haymarket Square riot and the assassination of President McKinley, led to the passing of a law in 1903 banning Anarchists from entering the country.<sup>26</sup>

### ***Alternative policing activities***

Innovative uses of police spies seems to have been quite extensive in various states' response to the Anarchist threat. One of the most famous cases was that of a French *agent provocateur* who managed to join in the Anarchist Congress in London in 1881. The police chief who arranged this particular move also devised an elaborate scheme to infiltrate the French Anarchists by setting up an "Anarchist" journal. Claiming to have gained funds as a gift from a British woman, a police agent was able to convince Anarchist leaders to use the money and set up the journal, *Le Revolution Sociale*. The journal ran for over a year, and allowed the police direct insights into the workings of the Anarchists, as well as an outlet for planting ideas and provoking others in the name of the Anarchists. Human intelligence methods were also successful in Italy, where the Committee for Social Revolution saw the majority of its plans for strategic uprisings foiled by the police, who gained key information about the plans and were thus able to intercept activists, and disrupt activities.

Yet another "alternative" countering means was the conducting of look-alike crimes in order to both create excuses for arrests and to sway public opinion against the Anarchists. During the peak decade of terror in France, for example, some bombings have been attributed to the police rather than the actual Anarchists, and even the famous Haymarket riot and shooting in Chicago has been argued to have been sparked by a police bullet rather than an Anarchist one.<sup>27</sup>

The police also developed a number of initiatives for internationalizing and even transnationalizing the response to the Anarchists. Moves at the international level

included the official establishing of bilateral agreements to cooperate or to allow for extradition between countries, but also convening multinational conferences, such as the 1898 Conference in Rome at which it was proposed that the police of different countries should communicate and exchange information in a systematic way to counter the Anarchist threat,<sup>28</sup> and the subsequent 1904 St. Petersburg conference, in which a protocol for an “international war on Anarchism” was signed.<sup>29</sup> Assuming a more transnational nature – in that it occurred at the sub-state level – national police organizations also established themselves a variety of ways in which information traveled beyond national borders, including a kind of liaison system in which countries either placed their own officers abroad or brought in officers from other countries. Police chiefs had agreements to share information (e.g. monthly lists of expellees from their countries), technical strategies and tactics were shared, and informal individual contacts between high-level police officers became common. While these various efforts can not be precisely assessed for effectiveness – how many Anarchists were caught due to these initiatives, how many attacks were averted – their very existence and the fact that the sub-national organizations and individuals saw the need to try and develop them in the face of this new kind of threat, is in itself interesting. They also offer a starting point for comparison to see whether currently, when faced with a threat that shares some of the Anarchists’ transnational characteristics, the response again turns to such sub-national initiatives.

### *Exile*

Another common state response against Anarchists was to force them into exile. In other cases, Anarchists themselves chose to go into a kind of “self-exile” to escape persecution. In the nineteenth and early twentieth century, exile could be considered as a somewhat successful response. Working from even as close by as Belgium complicated Proudhon’s efforts in the mid-1800s to get his journal (*La Presse Ouvriere*) past customs officials and back into France. Further-off places, like the United States, were even less accessible, and made matters even more difficult for the Anarchists. It is interesting to note for example that in the early 1870s, Karl Marx chose to move the General Council of the International to New York in order to protect it *from* the influence of the Anarchists, but later regretted it, as in that distant place the Council “languished and quickly died from sheer inaction.”<sup>30</sup> The challenges and frustrations of being in exile (and therefore, in a sense, the effectiveness of exile as a response measure) are described in the book *Jours d’Exil*, by French Anarchist, Ernest Coeurderoy. Exile also proved useful for the state in the Italian case, when, in the late 1870s, the exiling of the Anarchist leaders Cafiero and Malatesta were factors in the failure of the International in Italy. Looking at the case of the United States, the deportations of Emma Goldman and Alexander Berkman were also successful from a countering perspective. Even if they could have gotten their ideas back into the US, their physical absence stripped the movement of powerful, inspiring personalities, and the movement faded into complacency.

In fact, however, the movement's transnational nature made the effectiveness of exile as a countering measure less than clear in many other cases. Some Anarchists in exile became connector figures, who spread and shared their ideas across borders and continents. Certain cities in Switzerland and England in particular became centers for exiles, and, subsequently, very fertile areas for exchanging ideas and plans. Switzerland in the late nineteenth century was a gathering place for radical Russians. Bakunin, for example, was not originally a self-proclaimed Anarchist, but after leaving Russia by choice and meeting with intellectuals, bohemians, and exiles in Switzerland and other countries, he adopted Anarchist principles over his pan-Slavist tendencies.<sup>31</sup> He was also subjected to deportation and imposed exile; deported from France in the late 1840s, for example, and exiled to Siberia in the 1850s. Even in the far east of Siberia, though, he was able to meet with people, and, eventually, to escape, via Japan, across the USA, and back to Europe. Proudhon's case is again interesting in the sense of mixed benefits, for while his exile in Belgium on the one hand restricted his ability to propagandize in France, he was far from being cut off from Anarchist activity. It was during his time in Belgium that he was able to meet with Tolstoy, and messages were delivered to him from Bakunin, who was at the time in exile in Siberia. He was also approached by groups of workers from France who came to him for advice.

As suggested above, an interesting aspect to the practice of exile – and its ultimate success as a countering means – is the relationship it holds to the question of whether the movement was transnational or national. Were exiled Anarchists allowed to continue practicing the ideas or acts that had led to their exile in the first place or did some form of international cooperation between states keep them under pressure in the host country? In many cases it appears that for exiled Anarchists whose main message was non-threatening to the host country, either by being a nationalist message (and thus directed at a nation outside of the one in which they were exiled), or a non-violent one, they were allowed to continue speaking out without persecution. Kropotkin, for example, despite his leading position in the Anarchist movement, spent more than 30 unpersecuted years in England. There he represented not only the face of Anarchism as a theory of social change but, more pointedly, restricted himself to activities that did not directly threaten the British state, such as lecture tours, founding periodicals, and theorizing, and increasingly moved away from his earlier support for violent methods.

For those in exile whose message was broader and/or more violent, and thus posed a potential threat to the host country as well, there is evidence of greater international cooperation to keep them under pressure. Examples include the French keeping a close eye on the Italian Malatesta when he was within their borders, Russian pressure leading to Bakunin's exile from France, and the deporting of a younger, less "peaceful" Kropotkin from Switzerland in 1881. Evidence of international state alliances to counter the Anarchists can also be seen at times when the Anarchists seemed to be presenting a significant threat beyond specific national levels, such as when they took power in Spain. At this point there emerged an alliance of nation-states – directly on the part of Germany and Italy, indirectly

on the part of the Russians and French – who jointly refused to sell arms to the Anarchists, thereby cutting off their ability to compete militarily.<sup>32</sup>

### ***State force***

Moving up the scale of response measures, the final countering means to be considered in the case of the Anarchists is the use of brute force by national-level police or military. This was generally used by states facing more significant threats, such as violent insurrections, but not always. Of course, while state force could often succeed in crushing the immediate problem, the after-effects were less predictable. This was particularly so if the state's reaction was perceived to have been excessive in response to the original crime, in which cases the harsh response only succeeded in more violent acts and in greater popularity for the Anarchist cause. Examples of this were the support gained by the Anarchists after brutal repression of the Paris commune (1871) and after the Sacco and Vanzetti killings in 1927.<sup>33</sup>

### **Terrorism in the twentieth century**

With the winding down of the Anarchist wave, there emerged a series of nationalist movements and left-wing groups that conducted the bulk of terrorist activities throughout much of the rest of the twentieth century, and are shown as the middle section of Figure 1.1 (see p. 9). This era also corresponded with the major expansion of the international, such as the end of colonialism, the emergence of new states, and therefore was exemplified by primary tenets of the international: state-building, nationalism, and inter-state struggles. Perhaps unsurprisingly, then, unlike the Anarchists, the motivations and ultimate goals of most terrorist groups of the twentieth century were determined by the participants' local and national identities and loyalties. Terrorist groups, from Irgun in Palestine, to the IRA in Ireland, to ETA in Spain, were often inspired by goals of national independence. Even ideologically-driven groups, such as the Red Army Faction, the Italian Red Brigades, or Direct Action in France, as mentioned earlier, were still likely to act on a national-level basis, in spite of having broadly global goals. Reflecting this largely national nature of the terrorist threat, we see a shift in responses. As a largely local problem, both the definition of what it constituted and the responses to it, were largely determined at the national level. It is no surprise that it was during this era that the common saying, "one man's freedom fighter is another man's terrorist" came to represent this local focus of terrorist activities and responses.

In the later decades of the twentieth century, the local took on a more international flavor with the increasing use of international strategies and tactics still most often for local purposes (e.g. the airline hijackings and attacks on European soil by the PLO). Again, the response shifted to address this internationalization of the threat, this time with increased emphasis on international initiatives – various efforts at international governance of international insecurity, from diplomacy to the setting up of international organizations. In light of the resurgence of the transnational in the form of "new" terrorism, the following section provides a brief

overview of these still commonly relied upon international responses, and discussion of their effectiveness for dealing with transnational threats. The question that will be addressed in the rest of the volume is: If these international institutions and efforts are not able to handle the transnational threats, are we seeing the emergence of new, more effective, and more transnational forms of response by states?

### ***Diplomacy***

The most obvious approach to dealing with terrorist threats that spread across national borders has been through various forms of diplomacy, in other words, establishing relations and coordination between states through the channels of the foreign office or state department. Such efforts are not without problems, since states reflect their individual interests and understandings of the world through their diplomatic actions, and, unsurprisingly, existing differences between states may negatively influence international-based responses. Only when states' interests coincide or overlap in cooperation against terrorism, is diplomacy able to produce benefits. This need to find common ground constitutes a problem for any kind of issue being dealt with via diplomacy.

Diplomacy traditionally has required two or more states, with more or less equal commitment to and similar understandings of an issue, to get together and reach an agreement. Terrorism, by definition of any kind, has often proven impervious to consensus. Two things have complicated matters still further: first, terrorism has affected different countries to very different degrees, and, therefore, starting-level understandings are very different; and second, many states – because of existing traditional inter-state tensions – have found it convenient to view a neighbor's terrorism problem as an advantage or asset in their interstate rivalries. State-support of terrorism in the twentieth century, in which one state supports the terrorists acting against one of its rivals, has been a tool of interstate invisible warfare. With such a background, it is extremely challenging to envision diplomacy and diplomats of different countries to suddenly harmonize their different visions and practices vis-à-vis terrorism in its new transnational form.

### ***Conventions***

Conventions are legal instruments addressing a particular subject. They are signed by states, which are then expected to abide by the rules of those conventions. Efforts to establish conventions addressing terrorism date back to the 1930s, including the 1937 UN Convention for the prevention and punishment of terrorism – though, admittedly, this Convention never came into force. Subsequent UN conventions on terrorism have tended not to cover terrorism as a holistic problem, but to focus on specific issues, such as offences against aircraft and civil aviation safety, crimes against internationally protected persons, taking hostages, or suppression of bombings. As such they often are reactionary in nature, that is, they are created when specific issues became a problem.<sup>34</sup>

Have these conventions been useful in terms of closing the gap between

transnational threats and their international responses? What types of problems have states continued to face with respect to transnationalization of the threat despite the presence of these conventions? The clearest acknowledgement of the imperfections of conventions in serving to bridge the gap between transnational threats and their international responses, is seen on the webpage of the UN itself, where it notes the organization's inability to urge states to conform to terrorism conventions and regulations. Obviously the establishing of a convention or regulation is not enough, what is important is getting them to work in a binding manner. Moreover, efforts to produce meaningful international conventions with binding results are further hampered by time – it may take such a long time to achieve consensus simply on the definition of the focus of the Convention, that, by the time it is complete, the nature of what has been defined may have already changed. In the second half of the twentieth century, for example, while Soviet involvement with terrorist groups helped feed into certain assumptions, most conventions on terrorism were concentrating on getting states' full commitment to international cooperation. The principle being that without state support, terrorist organizations could not survive. As we now know, as early as the 1980s, some violent non-state groups were already acquiring skills and strategies for surviving without state support.

### ***International organizations***

In terms of international organizations with connections to countering terror, the largest is the United Nations. The United Nations has been working on general crime-related issues since its establishment in 1945, and has also worked at trying to codify the governing of insecurity at the international level. While it has been unable to establish a universally acceptable definition of terrorism, it has succeeded over the last half century in defining certain terrorist acts through the establishment of 12 conventions and several resolutions in the fight against terrorism. These resolutions only criminalize certain acts of terrorism, such as hijacking, though a thirteenth convention on the suppression of nuclear terrorism has been adopted and opened for signature. In the years since 9/11, the UN Security Council has also adopted Resolution 1373, which “obliges all States to criminalize assistance for terrorist activities, deny financial support and safe haven to terrorists and share information about groups planning terrorist attacks.”<sup>35</sup> The same resolution established the Counter-Terrorism Committee (CTC) to monitor the implementation of the resolution, and in 2004, Resolution 1535 created the Counter-Terrorism Committee Executive Directorate (CTED) to provide the CTC with expert advice.

The second largest international organization dealing with international terrorism is INTERPOL. Created in 1923, it has 184 member countries, five regional bureaus in Africa, the Americas, Asia, Europe, and the Middle-East/North Africa, and a mandate to “facilitate cross-border police co-operation, and support and assist all organizations, authorities and services whose mission is to prevent or combat international crime”.<sup>36</sup> Terrorism is still relatively new to INTERPOL's agenda but

has gradually taken a role since 1984, when the Luxembourg General Assembly permitted the organization to become involved with terrorists acting outside of their home territory. In 1985, a specialist Anti-Terrorism Group was established at the Washington General Assembly and in the years since 9/11, the organization's counter-terrorism-related activities have increased dramatically, making terrorism one of INTERPOL's priority areas.

INTERPOL appears to have transformative capacity and the ability to respond to immediate challenges, as can be seen in the immediate launching of a Fusion Task Force after the 9/11 attacks. However, the individual needs and desires of the member states can still prove a major stumbling block to its effectiveness. States have been criticized as expecting more from INTERPOL than they are willing to contribute to it<sup>37</sup> and as generally seeing INTERPOL as a place to appeal to when they are in trouble. When they aren't in trouble, they do not necessarily go out of their way to provide information and contribute to INTERPOL's databanks. Moreover, INTERPOL's original foundation was about apolitical international crimes – with the reasonable rationale that politicized issues make cooperation (the fundamental building of INTERPOL itself) impossible. Now that terrorism is becoming an increasing focus for INTERPOL, the highly politicized nature of the issue and the resulting potential for interference stemming from various states' diverse definitions of, experiences with, and approaches to terrorism, seem inevitable. It is not yet clear how this institution will be able to handle it. This potential problem may keep the institution's seeming transformative capacity at the rhetorical level but without concrete developments in terms of actual government response.

Turning finally to regional-level international organizations focusing on crime and terrorism, it is clear that Europe is a very active region. Since 1975, countries of the European Community and European Union have had in place a system of anti-terrorism cooperation. Since 9/11, this cooperation has increased, and the European Union (EU) has issued several decisions in the struggle against terrorism, including those focused on aligning terrorism-related legislation, setting out minimum rules on terrorist offences, setting cooperation between member states, combating the financing of terrorist groups, and promoting information sharing between countries.

Europe has several police cooperation initiatives such as EUROPOL, the Southeast European Cooperation Initiative (SECI), and the Nordic Police and Customs Cooperation (PTN). The best known European initiative, EUROPOL, was put into operation in 1999, and is established on a liaison system, in which member countries send a representative to the EUROPOL headquarters in the Hague. In addition to attending general meetings, representatives at the central headquarters can be sent to speak directly with other on-site representatives. According to EUROPOL representatives, a critical advantage of EUROPOL is as a mechanism for the rapid spreading of information: "If there is a vital issue to be shared among all member countries, gathering all the representatives together only takes a matter of minutes – a tremendous advantage as it allows for all countries to be immediately informed about an urgent issue."<sup>38</sup>

Regional police cooperation initiatives in other parts of the world exist as well.



In Africa, for example, there are the Eastern, Western, Central and Southern African Police Chief Organizations, which focus on cooperation against terrorism. Throughout Asia, police cooperation is generally focused in South Asia, where the Association of Southeast Asian Nations (ASEAN) and the ASEAN Chiefs of National Police, or ASEANAPOL, play an important role in police cooperation. Leaders of ASEANAPOL member law enforcement agencies gather annually to discuss police matters, and exchanges of personnel and training are common. The South Asian Association for Regional Cooperation (SAARC) also facilitates law enforcement cooperation.

In the Americas, the relationship between the USA and Canada is quite close. An example of cooperation between the USA and Canada is the International Association of Chiefs of Police (IACP), a police association created in the USA, but with members from both countries. Within South America there are bilateral, regional, and multiregional initiatives. The most important regional initiative is MERCOSUR, which is a trading block similar to the European Union, and formed by Brazil, Uruguay, Argentina, and Paraguay. The national heads of police forces of MERCOSUR states have regular meetings.

When assessing the general effectiveness of international organizations in bridging the gap between transnational threats and international response, it is impossible to ignore the underlying problems with international organizations that they cannot behave individually; they are by nature reliant on their member states, and are thus restricted by the many different concerns and understandings that those states bring with them. It is particularly complicated therefore to establish a common strategy in multilateral settings for a political issue like terrorism. Large international organizations may serve best as coordinating bodies or as a means of sharing of information, but counter-terrorism also requires operational capacities. In other words – there is the need for strength and legitimacy and consensus to conduct specific operations, to gather, process, and disseminate intelligence, and to organize follow-up operations. On this front, the international organizations are far less effective, which is why this operational capacity today still overwhelmingly belongs to national agencies, which fall under national authorities and national governments.

Turning to the regional initiatives, we see a greater capacity to both work together in exchanging information and conducting actual operations. Building up shared understandings also seems to be easier within regional initiatives, which is not surprising since common regional issues are likely to be the impetus behind the setting up of such initiatives. Despite the gains made by regional efforts, they tend to remain just that – regional. They do not necessarily contribute to solving a truly transnational and global level problem. What can be drawn from the lesson of the regional success stories and the problems of the international efforts is a recommendation for a response comprised of a totality of national agency initiatives, rather than a single, globally conceived and executed strategy and framework. How this might work, and whether such a piecemeal approach is already occurring, will also be questions to be considered in the subsequent chapters in this volume.

### **(In)Security governance in a transnational world**

The preceding analyses and the information in Figure 1.1 show us some major characteristics about today's global politics with respect to (in)security challenges. Three main observations can be made from the above. First, with respect to security, today's world is one in which security is indivisible. That is, no one in this world is truly safe unless everyone is experiencing a basic sense of security. Gone are the days when the world could be partitioned into zones of conflict and zones of peace. Second, as discussed, there is evidence of a gap between the transnational and the international, and, with respect to security issues, between threats emanating from or using the transnational, and responses that seem necessarily to come from the international. Finally, and related to the above, we can observe that traditional statist approaches, tools, and institutions that were valid for an international (in)security framework, appear increasingly obsolete when applied to transnational (in)security challenges.

Based on these observations, it is possible to make certain assumptions about the relationship between international governance and transnational (in)security. We can begin with the assumption that an independent institutionalization of an autonomous transnational governance of security, using indigenous (transnational) security provider actors, does not seem to be realistic. Transnational governance remains in such an embryonic state, that it would be hopelessly optimistic to expect it to be able to take care of its own security issues. We can therefore assume for now that security governance will continue, as it has traditionally done in recent history, to fall into the hands of states and statist institutions. As can be seen in Figure 1.1, at least over the last 125 years or so, no non-state actor has emerged to serve as the primary responder to the major security threat of terrorism. Having said this, a further assumption is that states, as primary security providers, cannot only rely on traditional, statist means of governing transnational security. These means, from diplomacy to preparing conventions to war waging, are not adequate to comprehensively govern the highly dynamic insecurity of the transnational.

Which brings us to the following conclusions: at the theoretical level, while liberal institutionalism's capacity for conceptualizing an independent transnational (in)security governance, appears to demand revisions with respect to transnational (in)security governance, there are also obvious limits of the classical tools and strategies of the realist paradigm and its statist security thinking. Over-emphasis on the state has over the years overshadowed the analysis of states' transformative and adaptive capacities for non-conventional security challenges. An obvious alternative perspective to consider both conceptually and practically is that of trans-governmental actors and practices. Based on Keohane and Nye's long-standing distinction of activity occurring between "sub-units of governments on those occasions when they act relatively autonomously from higher authority in international politics",<sup>39</sup> transgovernmentalism highlights the idea of "sub-state" authorities coordinating and building up networks with other sub-state entities. Until now, such activity has been noted primarily in non-security-related realms, from the environment to human rights activism, from finances to legal matters.<sup>40</sup> The growth

of such networks in the security realm has also been pointed out,<sup>41</sup> and the need for exploring networks in transnational security issues has been expressed both for methodological purposes<sup>42</sup> and as a means for countering terrorism.<sup>43</sup> There has been, however, scarce coverage of security-related transgovernmental activities.<sup>44</sup> The question remains, therefore, what such a transgovernmental perspective might reveal about the current state of the state with respect to security, and, specifically, to the question of whether states are adapting their response practices to meet new challenges.

Moreover, there is the question of to what extent networking activities by sub-state entities that are *not* operating “relatively autonomously from higher authority” still fall under the transgovernmental mantle. If transgovernmentalist activities occur between sub-state entities without the disconnection and defiance of state capacity that the label presumes, perhaps a more appropriate term to describe such activities might be “statist-transnationalism”. The practical interpretation is that for today’s most urgent new (in)security challenges, the job to be done is transnational; the tool at hand to deal with them is the state, but the state is unfit if it relies only on traditional international means. If global security has truly become indivisible, and a global response is urgent and necessary to confront the challenges, then states, as the only able bodies of authority must be facing a tremendous pressure to devise mechanisms of transnational (in)security governance. The following chapters will therefore seek to provide input to the following questions: are states, or anyone else with state capacity, going transnational? Can we observe an emerging pattern of transgovernmentalism or what we can label as “statist-transnationalism” in the current (in)security environment and if so, what are its defining characteristics?

## Notes

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