10 Adaptive states and the new transnational security regime

Ersel Aydinli

There seems little doubt among not only the scholars who have contributed to this volume but among academicians and practitioners in general, that the nature of security threats in the twenty-first century has undergone – and continues to undergo – a change. We are no longer in the era of a world clearly defined on the basis of polarity; a world in which states could be considered both the primary source of insecurity as well as necessarily the primary means of response to security threats. Instead, we are faced with insecurity threats from a far broader range of actors, and along a much wider range of issues than inter-state conflict. Whether we are talking about the very serious potential global threats from environmental degradation, the spread of lethal viruses, or terrorism beyond national borders, it is quite easy to come to agreement on the idea that security threats in the twenty-first century are complex and, if not entirely new in nature, at least new in their global reach and severity. What remains a far more contentious issue is the question of the appropriate response to these new security threats: who or what is best poised to counter them? Using what means? Are new actors emerging to respond to these threats or are traditional actors in the best position to adapt their means and step up to the plate?

These questions were the launching points for this volume and for the workshop that brought it about. Both in the workshop discussions and in the preceding chapters, scholars and practitioners have presented their ideas. In order to keep the discussions and chapters cohesive, they have all focused on one particular "new" threat, that of transnational terrorism, and, more pointedly, a specific dimension of the transnational response to it – intelligence cooperation. They have each made comments and arguments specific to a particular focus or case, but various common themes can also be found running throughout the different pieces.

Areas of consensus

Despite numerous areas of disagreement, on certain basic issues, a great deal of consensus could be found. As noted above, one clear point of consensus among all participants to the workshop and contributors to this volume, is the idea that current security threats have shifted from a traditional statist nature to a transnational one. Moreover, national security structures designed to counter statist threats must now

be questioned as to whether they can counter transnational ones. This understanding and subsequent assumption were expressed by all, regardless of professional experience or paradigmatic positioning, and can therefore be said to justify the starting point for this entire volume.

Similarly, all participants were in agreement with the idea expressed in Derek Reveron's chapter, that a critical key to countering transnational security threats is to build up more in-depth cooperation. This cooperation must be accomplished first internally, between and among domestic security agencies, but more importantly, it must be among states, through the sharing of intelligence at the state and sub-state levels.

Also a point for consensus and another starting point to the subsequent discussions was the issue of agency: participants and contributors believe there is an agency problem with respect to transnational (in)security governance. While most transnational security challenges originate and/or flourish in the constantly expanding transnational space, states and state capacity have remained primarily effective within the statist/international realm. As discussed in Chapter 1, the resulting gap begs for an institutionalization of security-providing actors for the transnational realm. The dynamics of the transnational space have proven incapable of producing such an institutionalization from within. Private armies, institutes, or various other non-state actors, who claim that they hold the potential to be part of such a response solution, remain, for now, premature. Most importantly, as it was very clearly revealed in the workshop discussions, these non-state responders have yet to establish credibility and legitimacy for such a public service. All of this leaves us with the conclusion that the state – or some form of statist capacity – is the only realistic agent currently able to expand into the transnational space and, by adapting and reorienting itself, counter new transnational (in)security challenges.

Finally, a point that was made and agreed upon by all practitioners attending the workshop was that since 9/11, we are in fact seeing a qualitatively different type of transnational security cooperation already taking place. This belief was supported by police and intelligence agents from countries as diverse as Pakistan, Israel, Egypt, Turkey, Russia, and England, just to name a few. They all made the point that far more frequent visits and personal contacts among the sub-state security organizations – and indeed, individuals within them – are having a distinct impact on creating a global culture of cooperation on insecurity issues. They also expressed the belief that this new wave may not be just a temporary one in the wake of 9/11, since such transnational cooperation practices seem to also be having a spillover effect into other areas of transnational security concerns, such as human trafficking, drug trafficking and related forgery networks, and so on.

Obstacles to transnational (in)security governance

When we look at the various chapters in this volume and again, consider the discussions at the workshop, another interesting issue that emerges is that of the obstacles cited to establishing transnational governance of security threats. When looking in particular at intelligence-sharing, which would be the core area of

progress for transnational security cooperation and therefore governance building, it appears that two classic problems of international intelligence-sharing remain major handicaps at the transnational level as well: defection and common goods. The issue of defection was most often linked with the importance of trust between partners, and the issue of common goods arose regularly with respect to questions about who would coordinate and shoulder the costs of any global institutionalized governance of insecurity. It was noted that such concerns and unanswered "common goods" questions for the time being tend to result in states continuing to opt for bilateral engagements.

On the question of trust and defection, James Walsh takes a slightly different perspective from the common one that stresses the utmost importance of insuring trust, when he argues in his chapter that the risks of cooperating with a partner with a high likelihood of defection may be offset or even countered by entering into a carefully considered hierarchical relationship. Conversely, this very issue of hierarchy was also viewed by others in the workshop as a negative point. A participant from Spain noted that a hierarchy in intelligence-sharing leads to relations built up in concentric circles, in which different circles have varying degrees of importance or seniority, and so on, and this imbalance is in complete contradiction to the major assumption that global insecurity is now indivisible – and therefore requires everyone's equally sincere and equally committed help. Yet another participant, representing a Southeast Asian country, made the argument that already "G5 countries are reluctant to share information with non-G5 countries" – a fact that he felt was very much counter-productive if we are to establish transnantional (in)security governance.

A third obstacle that was most clearly pointed out by Peter Gill in his chapter on rendition, is the idea that when it comes to new and different, often ad hoc, practices and patterns of security and intelligence cooperation, we find that they remain as yet uncodified and many times fall into the gray areas of international law and legality. This lack of clearly defined rules and procedures carries the potential of allowing these practices to remain non-transparent and may even make them controversial or provoke backlashes. In the effort to establish security governance at the transnational level, such a chaotic and non-transparent structure is a clear obstacle.

Characteristics of an emerging statist-transnationalism

Stemming from the discussions and preceding chapters it is also possible to identify a variety of characteristics and strategies that are emerging as signs of an embryonic statist-transnationalism – in the sense of state or sub-state entities expanding into the transnational realm. In general, these can be said to evolve around three main themes: apoliticization, informality, and demonopolization of international security cooperation.

Apoliticization

The first thing that can be said about apoliticization is that, for a future transnational (in)security governance, apoliticization of security exchanges appears a necessary and a good thing. Starting with the transnational threats themselves, it is clear that the less politically defined the threat, and, subsequently, the less politically formulated the countering frameworks and structure, the better the chances are for security cooperation and governance. Time and time again at the workshop, and in many of the chapters in this volume, such as those by Segell, Marenin and Deflem and, more tangentially, those by Yon and Nussbaum, it was made clear that when the focus is less political and, therefore, less contentious – e.g. crime control – the chances for mobilizing and overcoming obstacles to security cooperation are much greater. One can therefore appreciate the complexities and, indeed, risks involved when an agency such as INTERPOL or SOCA allow terrorism to become a part of their mandate. Perhaps most striking were the anecdotal accounts by active police officers of all ranks and positions who, at the workshop, gave examples of how their professional focus on threats as simply "crimes", made it easier for them to work with police officers from around the world, regardless of political, ideological, gender, or racial differences. When such an apoliticized mentality can be commonly shared, it remains only the criminal who becomes the "other", and the common target. The police become a common "us", without allegiances to any particular state or affiliation, and are able to therefore maintain the trust and committment necessary to cooperate fully and effectively.

Related to this general importance of apoliticization is the idea that at least among the police intelligence community, a new discourse is emerging. This discourse is again an apolitical one, described by a high-ranking Pakistani intelligence officer as a "new understanding about the nature of the threat and a new realization about the importance of terrorism." As he and others described it, this new discourse is focused on the case or problem. The problem may be transnationally defined, but at the end of the day it is being dealt with locally and in an apolitical manner. The emphasis of this discourse is a pragmatic, rational one of finding and solving the problem (in this case, transnational terrorism), but ignoring questions of whether one officer's country is in good political standing with the cooperating officer's country. Particularly when the discourse is taking place at the sub-state level and via face-to-face interaction (as it increasingly is), we are likely to see use of discourse that is increasingly apolitical and lacking in collective ideologies. Unlike the discourse of foreign-service officers with their more formal, distant diplomatic overtures, face-to-face interaction among cooperating and intelligence-sharing police officers plays up human-centric commonalities – from salaries and retirement plans to personal relationships, cars, and kids – as well as, most importantly, the "badness" (otherness) of the criminals. We may consider this as a rehumanization of security contacts vs. the dehumanization of traditional political security.

Yet another development that can be seen as both a hopeful sign and an "apoliticizing" strategy for future transnational cooperation is the growth in transnational education in the form of training courses and workshops for various intelligence

practices. Police education and intelligence-gathering training are taking place in a number of countries around the world, and are attended by officers from widely varying national backgrounds. New examples noted at the workshop included the OSCE academy in Bishkek, the very active international police training missions for Afghanistan and Iraq, and the Turkish police intelligence academy, that brings in officers primarily from Europe, the Middle East and Central Asia. Other established examples, such as the FBI academy training programs, which have been around for a long time, were also mentioned, though, interestingly, even these were shown to be undergoing transformations. In the past, it was noted, police or intelligence officers, often from periphery countries, would be brought in to the FBI Academy and taught about American techniques and styles of investigation. In recent years, it was reported, these same visiting officers are just as likely to be brought in to present to the FBI people their own styles and strategies for success. What was once a one-way knowledge dissemination has increasingly become a truly reciprocal exchange. As noted particularly in Marenin's chapter, perhaps the most significant aspect to these various training exchanges is that they emphasize and help construct a common culture among the attending sub-state security bureaucrats. The common understandings, discourses, attitudes, and even personal relationships that develop as a result of these training programs is at least as important as the actual content knowledge transmitted during the training, in terms of building up future transnational security cooperation.

Informality

The second general characteristic to emerge was that of informality. There were numerous reports during the workshop attesting to how face-to-face contacts and cooperation between people involved in security governance have increased in the post-9/11 environment. Moreover, there was a clear feeling among the practitioners that these personal, informal contacts have been leading to a growing reciprocity between states in terms of contributing to and helping out with each other's security problems. What we see in these personal contacts is a kind of humanization of security contacts and a reversal of the *de*humanized nature of national security conversations that generally occurs between countries. In this way, the realm of security, which was once fully an issue of formal, "high" politics, has started to become a part of informal low politics and a realm of daily, local actors. Interestingly, these informal face-to-face contacts that are generally initiated in response to the most urgent terrorist challenges, also appear to give opportunities to the actors involved to discover other venues of cooperation, identify other reasons for cooperation, and thus we see very real signs of a spillover impact in which cooperation on other transnational issues is also being realized.

A final positive note from the rise in face-to-face contacts and sub-state connections, is the apparent contribution they make to the issue of trust-building. As such, the growing institutionalization of informality may hold a key role in addressing earlier noted obstacles to cooperation, such as the defection problem and the hierarchy of sharing concern.

Demonopolization of international security cooperation

The third characteristic and pattern that we can see emerging is the overall increase in unconventional institutions becoming part of international relations by participating in the governance of transnational security issues. With their increased presence we see a demonopolization of international security cooperation, away from the days when such practices were dominated by governments, foreign services, and diplomacy. Sub-state entities that have never been a part of political international or transnational struggles are now taking more assertive and primary roles. As highlighted in the second half of this volume, for example, local police departments are now engaging in cross-national security cooperation, both through different forms of liaisonships as well as other innovative practices such as hiring non-professionals in advisory positions or as translators. The actions of these sub-state entities can be seen as signs of moving beyond national constraints – both physical and ideological – in the effort to address a common problem.

This departure from physical and ideological constraints has the potential of contributing to a departure from discursive constraints which also limit international and transnational security cooperation. In this case, the necessity for new kinds of action and the resulting new acts may be the underlying reasons behind new ideas and new ways of thinking. Sub-state organizations and innovative and powerful figures of these organizations have been much more courageous in discarding international constructs, such as secrecy, national interest, bureaucracy, or diplomacy, and by doing so have shown themselves able to surpass national agencies for quicker, more effective transnational security exchanges. Thus we see examples of the FBI moving faster than the CIA, or the New York City Police surpassing the FBI. Such a push by these new actors for transnational engagement may provide some impetus to traditional international agencies to reenergize and reorient themselves into the new transnational security environment. Basically, competition – and a demonopolization of security governance – has the potential of bringing about better, more innovative practices for transnational security cooperation.

Finally, it has been noted above and evidenced in the chapters by Yon and Nussbaum, in particular, that the pioneer builders of transnational (in)security governance are, rather unexpectedly and probably unwittingly, the police. Among the police, the very front line is usually the liaison officers. They are the entrepreneurs of a new kind of governance, as they expand into new territories, assume and adapt new types of functions, and all of this with the strength behind them of statist legitimacy, presitge, and capacity. They are the perfect actors to merge the advantages of statism and state capacity with the much needed adapted and evolving mission of transnational security practices.

Bypassing the international with a statist-transnational approach

Statist-transnationalism can be described as an approach that promotes taking advantage of statist legitimacy and capacity. At the same time it bypasses

traditional statist cultures, bureaucracy and practices, which have blocked sub-state entities from exploring and engaging in and therefore building up transnational ties, customs and institutions designed to facilitate a consolidation of a working transnational insecurity governance. Apoliticization, informality and demonopolization of international security practices are the cornerstone characteristics and building blocks of statist-transnationalism. Statist-transnationalism is based on a philosophy that the state, as a political agency, is a human-constructed tool that can be reshaped and reoriented by skillful new sub-state actors with transnational vision and reach. It holds out in the belief that the seemingly inherent resistance against going transnational can be overcome, and that the state can be transformed from within. Success of such sub-state transnationalism has the potential to transform the resilient, conservative cultures and acts of traditional nation state agencies and statesmen, into more innovative-thinking and progressive-acting bodies with respect to transnational security challenges in the post-international political era.