



COUNTERTERRORISM AND INTERNATIONAL POWER RELATIONS

THE EU, ASEAN AND HEGEMONIC
GLOBAL GOVERNANCE

CORNELIA BEYER

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*To my parents, and theirs, for all the good
things they passed on*

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1

INTRODUCTION

One of the most important ongoing tasks of international relations scholarship is to explore the manner in which hegemonic states exercise power over other nations (Ikenberry and Kupchan 1990).

A dialogue between established International Relations theory and global governance literature may promote a novel synthetic framework for understanding the 'Global War on Terrorism' (GWOT). The author wishes to explore and develop a new security studies perspective which will restate and reinterpret George W. Bush's GWOT.

The argument promoted here centres around the claim that in its GWOT the USA has engaged in the creation of an under-researched form of global governance, hegemonic governance, by which the hegemon persuades and coerces states across the globe to cooperate in the battle against sub-state terrorism. This requires a new understanding of global governance, as usually the main strand of global governance literature theorises and describes global governance as heterarchic, with equal partners interacting to order their common affairs (Miura 2004; McGrew 2000).¹ The main purpose of this study is to challenge this particular assertion.

Therefore this work is concerned with reworking notions of power in global governance and challenging and adding to the current use of the latter term. It argues that power plays a prominent role in structuring the processes of compliance and cooperation (hence participation) in what is here called hegemonic global governance.

The issue of power is addressed in *Power in Global Governance* (Barnett and Duvall 2005). This edited volume, however, largely neglects

the factors which are going to be looked at here: the ordering power of the USA as a hegemon within the framework and as a source of global governance.² Another prominent publication which refers to 'hegemonic governance' is Gilpin's *War and Change in World Politics* (1981). However, whereas Gilpin views hegemony from the structural realist perspective in thinking about *systemic change* (i.e. change in the distribution of power) in world affairs, this study wants to explain *participation* (hence stability) in them. For this purpose, critical and realist international relations (IR) theory are used. The need for both critical and realist perspectives on global governance, in order to understand the phenomenon better, is explicitly stated in Ba and Hoffmann's *Contending Perspectives on Global Governance* (2005).

Hegemonic governance, in the case of counterterrorism, has two effects on international relations. Firstly, it is dangerous. The USA, in a highly unilateral manner (Fehl and Thimm 2008) is able to use³ – and has used – its position of power to launch a war against whatever and whomever it has determined a terrorist, a sponsor of terrorism or a haven for it (compare for example the justifications for the intervention in Iraq, McCartney 2004). This was possible as largely checks and balances with respect to this policy have been either absent or just ignored by the USA. This is to an extent different from traditional global governance and certainly different from normative accounts on global governance (cf. for a critical discussion Held and Koenig-Archibugi 2005). For example, in the United Nations and the world community the USA displayed a combination of dominance and neglect, to be interpreted as signs of exceptionalism and unilateralism (Huldt 2005). Furthermore and partly related to this, the process of creating hegemonic governance in the GWOT has had for example unfortunate implications for human rights (Ignatieff 2002; Luban 2002; Fitzpatrick 2003; Gareau 2004; Rose 2004; Sontag 2004; Welch 2004) and civil liberties (Dworkin 2003; Gearty 2003; Leone 2003).

Secondly, this hegemonic governance has been progressive in creating a form of integration in the security sphere – particularly with respect to counterterrorism – which was absent before. Nearly all states started to collaborate in a policy field where formerly they had cooperated only

to a very limited extent. The GWOT is certainly a case of global governance, and it therefore implies a remarkable evolutionary change.

To summarise, global governance can be said to have expanded to and been transformed in the sphere of counterterrorism. As 'hegemonic governance' it is potentially even more marked by US dominance than global governance in the sphere of low politics, being based on the unipolar power – particularly in the military realm – of the USA. But also, counterterrorism governance leads states across the globe to cooperate in policy fields where integration was thought difficult before, such as in financial control, the control and policing of crime, and military intervention. There has been a quite remarkable degree of such cooperation in the security field since 9/11.

This introduction will interrogate the literature which provides the background for the overall argument. Firstly, this chapter gives an overview of the traditional literature on global governance; it then describes hegemony and how it relates to critical and realist theory and to 'hegemonic governance'; thirdly, it will present the concept and structure of this book.

Global governance and IR theory⁴

The concept of global governance deals with considerations of how processes to order international relations can be established and which form these should take. Needless to say, different theories of international relations have different views and perspectives on these questions.

Two very influential approaches in the study of global governance are institutionalism and functionalism. They view order, which provides security, as an outcome of institutions created to cope with interdependence, able to take over the role of a sanctioning and monitoring agency and of a forum for communication and cooperation (Rittberger and Zangl 2003). For example, they stabilise expectations, ensure compliance and support the formation of identities. Institutions can thereby enable order and regulate the cohabitation of states. In functionalism, the concept of 'security communities' became prominent. The concept was developed, for example, by Deutsch (1957) and Adler and Barnett (1998).⁵ It describes how states develop rules by interacting with each other. During a long process of socialisation and mutual learning, rules

become established and common identities are formed, as a basis for peaceful relations among states. These rules provide for stable expectations and thus increase security.

Constructivism argues, along similar lines, that global governance is the result of a self-perpetuating interactive process of norm- and identity-creation in the global sphere. One main protagonist of constructivism even goes a step further to argue for the necessity of global governance in the form of a world state (Wendt 2003).

What people and groups really want is not so much security. What they really want is recognition, from other groups and other individuals . . . They will want that recognition institutionalised in law. And of course . . . everybody wants recognition from everybody else, but that does not mean that you want to give recognition to them. And so, the real challenge is to get all the actors to recognise, or to realise, that they have to recognise the other players, as such, imminently having rights, and so on. And I argue . . . that what derives from that kind of realisation is that this right is something which causes conflict . . . if you have recognition struggles that produce war over time, technology makes war more costly. And in the end it just becomes crazy to pursue (Wendt, interview with the author, 2007).

Liberal approaches assume that conflict is not a necessary attribute of international relations. Particular motivating factors for peace are democracy, trade and interdependence. If democratic states are coupled to each other in webs of mutual dependence and exchange, their cost-benefit calculations would be violated by conflict, which is therefore not to be expected.⁶ In addition, bottom-up processes in democratic societies are thought to be opposed to wars and to promote peace. According to these assumptions, liberals argue that also global governance is a rational outcome of interdependence, trade and democracy.

Finally, realism does not consider global governance as such since anarchy is thought to dominate the international system of states. States face each other in unregulated relations, and thus generally have to fear, and defend themselves, against each other. There is no superior power

or authority and therefore security, necessary for cooperation, cannot be provided for. Anarchy is in the state of nature of the international system and it cannot be overcome simply by the states' interactions. There remains, however, one possibility of anarchy being transformed: when one state becomes powerful enough to be able to control most of the other states and to visit sanctions on aberrant behaviour (Jervis 1978: 167). In this case we speak of hegemony. Hegemonic stability is the result of there being one very powerful state in the system. The hegemon will provide public goods and establish norms, other states will follow suit and can be rewarded or sanctioned (Kindleberger 1981). Gilpin, discussing hegemony, explicitly uses the term 'governance of the international system' (1981: 29).

Concepts of global governance⁷

All concepts of global governance rest principally on the idea of regulation beyond the nation state. Among them, different levels are brought into focus and different actors are described as regulators. In order to separate the concepts with respect to their systemic description, Brühl and Rittberger differentiate between three different versions of global governance: 'authoritative coordination by a world state'; 'order as a result of horizontal self-coordination: governance without world government', and 'hierarchical though not authoritative coordination: governance under the hegemonic umbrella' (2001: ch. 1).

Authoritative coordination by a world state

This connects the notion of global governance with that of a supranational authority. Its protagonists argue that coordination and cooperation cannot be expected under the condition of anarchy (for example Wendt 2003; Beyer 2009). As long as states cohabit in anarchy, they have to fear for their security. There is no mutual expectation of peaceful change and cooperation will only be the exception. Such systemic insecurity can only be ended by creating hierarchy in international relations which does transform the system. Hierarchy establishes the possibility of negative sanctions being imposed by a superior authority, a leviathan. This leviathan would therefore have a protective function for all states, and could control their behaviour. Thus, it would create

stable expectations and enable (if not enforce) cooperation. The model has been criticised: it would be difficult for a global leviathan (assuming the problem of its establishment could be solved) to meet democratic standards. For one thing, there is as yet no global demos (i.e. a people viewed as a political unit) that could serve as a legitimisation basis for global rule (Hirst 2000: 16). It is also thought that this demos could not develop even in the medium term. Secondly, there is the danger of possible abuse: how could such power be held in check? Thirdly, some argue that in an integrated world state, there would be the risk of a general civil war (Shannon 2005), as conflicts would just be shifted to the 'intra-state' dimension.

A well known model of how world government can be imagined as remedying many of these most important concerns was provided by Höffe (1999). He conceptualises the world state not as a centrally organised entity, not marked by top-down processes, but characterised by regional formation and subsidiarity. Other authors openly decry the possibility of world government created by analogy with national governments: 'World government during our lifetimes seems highly unlikely, at least in the absence of an overwhelming global threat that could only be dealt with in a unified way' (Nye and Donahue 2000a: 13). Such views seek justification in the lack of support among populations for such an idea. Global governance was much more to be understood as a 'networked minimalism' (Nye and Donahue 2000a: 13), not as a set of hierarchies. 'Minimalism' here also refers to the fact that global governance could never proceed beyond what is nationally accepted.

***Order as a result of horizontal self-coordination: governance
without government***

'Order as a result of horizontal self-coordination' refers to the possibility of coordination out of the 'logic of appropriateness' alone. There is no need for control exercised by or sanctioning mechanisms used by a superior power. States will be rational enough to adopt cooperation:

In this model, the coordination of international activities is affected by states agreeing, for their mutual benefit, upon norms and

rules to guide their future behaviour and to create mechanisms which make compliance with these rules and norms possible (i.e. in each actor's self-interest), (Brühl and Rittberger 2001: 27).

As this is the most common model in the literature on global governance, it will be dealt with here at some length before turning to the hierarchical coordination model, which best explains current global governance in the sphere of counterterrorism.

The term '(global) governance without government' has many protagonists, e.g. Rosenau and Czempiel, who published an edited volume in 1992, *Governance without Government: Order and Change in World Politics*. With this, Rosenau and Czempiel became to many the most popular authors on a 'diagnostic concept of global governance'. Overall, their concept remains empirical, is not normative or prescriptive, and provides a description of real processes of change in the international system (Brand et al. 2000: 29). In their analysis, Rosenau and Czempiel differentiate between government and governance. The former is based on formal power, legally defined and having the monopoly of force. The latter describes a system of rules that, given the absence of a central power, is carried out by a diversity of actors at different levels. The concept of global governance then refers to more than the formal institutions and organisations that have been established to regulate international relations. It encompasses informal and formal structures and systems of order at all levels of human action. A criterion for subsuming these structures and systems of order under global governance is that they exert control, and that this has a transnational effect (Brand et al. 2000: 30). Actors can be states, regimes, international organisations (IOs), non-governmental organisations (NGOs), transnational enterprises, social movements, cities, micro-regions or transnational criminal organisations. Governance structures emerge in an evolutionary process of self-organisation, not politically controlled, from the bottom up (Brand et al. 2000: 30).

Another important point of reference when discussing governance without government is the Commission on Global Governance (CGG), which was founded at Willy Brandt's initiative in 1990 and worked under the umbrella of the United Nations (UN). It produced the report *Our Global Neighbourhood*, first published in 1995, in which

it described the processes of transformation in global politics over the preceding decades. It identifies the end of Cold War, and of bipolar confrontation, as one of the major changes, along with decolonialisation, the revolution in the communication sector, immense growth in worldwide productivity, and tendencies towards integration into a common world market. The report considers existing institutions as inadequate for the effective solution of problems such as poverty, instability, environmental degradation and violence. Global governance is understood as the solution to these problems. It is the sum of the regulatory processes pursued by public and private institutions and by individuals with respect to their common problems. It encompasses formal institutions as well as systems of rule-like informal regulations. Global governance, furthermore, can be described as a continuous process marked by a balance of interests and by cooperation. The CGG maintains that no state can progress without recognising insecurity and poverty in other states. It therefore argues normatively, and demands a cognitive change towards a 'global neighbourhood'. This means, each state should regard itself as close to others' concerns, treating them as its own.

Also, the overall aim of the CGG is not world government or a world federation, since there would be the mentioned danger of democratic deficits in such a constellation. Its aim is much more to achieve the broadest possible cooperation in order to solve global problems, cooperation which should involve sub- and supra-state actors and states. Civil society should be strengthened, more possibilities for participation are called for, and a culture where human rights are placed before the states' rights is envisioned. The role of civil society should be that of a watchdog between market and state, it would be integrated into the UN system by a 'forum of civil societies' (Messner and Nuscheler 2003: 12ff). Even given these revolutionary ideas, states would remain the principal actors in the CGG's concept. Messner and Nuscheler therefore describe it as a form of institutionalised multilateralism (Messner and Nuscheler 2003: 13). Evidence for this is the following: in order to secure cooperation, the CGG points to the paramount necessity of leadership, the quality of which ultimately depends on political state leaders (Commission on Global Governance 1999: ch. 7). Some concrete measures are proposed

regarding the reform of the UN system. The Security Council should be reorganised, the UN Economic and Social Council (ECOSOC) should be replaced by an Economic Security Council, and the General Assembly (GA) should be revived, accompanied by the named forum of civil societies. Finally, though the CGG's main focus is on the global level, regions are understood to be elements of global governance, and are even thought to be more appropriate levels for dealing with certain problems than the global level (Mürle 1998: 10).

In Germany, the research institutes *Stiftung Entwicklung und Frieden* (SEF) and *Institut für Entwicklung und Frieden* (INEF) have pondered the question of global governance. The INEF adopted the report of the CGG and developed a number of more concrete proposals for political action; this was the basis for the global governance concept of Messner and Nuscheler, which recognisably builds on the work of the CGG. They use the term *Weltordnungspolitik* (world order politics) to distinguish it from world government and world public policy, as they do not understand global governance to be a precursor of a world state. *Weltordnungspolitik* is also not to be conflated with US President George W. Bush's concept of a new world order, as the aim is not the assimilation of economic and political systems. A hierarchical order in global society is opposed (and here we find the normative aspect). But still, global governance is more than the simple sum of nation states' activities. It is beyond these two poles, being the common effect of actors and their activities from the local to the global level (Brand et al. 2000: 34ff). Hierarchies do continue in global governance, since nation states remain the strongest and most powerful actors in this scheme. However, they are under pressure. Sovereignty has to be redefined as no longer indivisible. It has now to be shared with regional, local and global organisations. Furthermore, global governance aims at the establishment of 'regimes' in order to legalise the international relations of cooperation. Finally, global governance implies the acceptance of the necessity of cooperation and of a foreign policy oriented towards the common good. The architecture of global governance, therefore, is comprised of nation states, international regimes, regional integration projects, UN organisations, civil society and local politics. The nation state remains the most important entity, but under different preconditions. It is now

its duty to manage interdependence and to coordinate policies. It has to cede its traditional tasks in order to gain control over globalisation. It loses autonomy in many policy areas due to its involvement in interdependence structures (Messner and Nuscheler 2003: 15ff). In this architecture of global governance regions are gaining some importance: ‘The redistribution of global economic and political power, described as “multipolarisation”, is accompanied by a process of regionalisation’ (2003: 15ff, translation by the author).

Table 1. Selected concepts of global governance

	<i>Rosenau and Czempiel</i>	<i>CGG</i>	<i>Messner and Nuscheler</i>
Actors	Pluralistic, from the family, to NGOs, to states and IOs	Mainly states with a special role for leading actors, but non-state actors also involved	States as the main actors, IOs, regions and NGOs
Governance	‘System of rule’ or ‘order plus intentionality’, with no central power	Cooperation in institutionalised multilateralism	Global neo-corporatist policy networks in a multi-level polity
Ideal form of governance	Not government, but governance, not normative	Governance with a tendency to multilateral government in reformed institutions	Global governance as the transformation of sovereignty
Role of regions	Regions as one level of action among many	Regions as one subordinate level, but according to the principle of subsidiarity also an important element	Regions as an element in the multi-level architecture of global governance, the EU serving as a model

Table 1 summarises the various aspects of global governance in the concepts presented, and shows that even within the traditional notions of global governance there is a strong element of diversity. The actors which figure in the literature of traditional global

governance are generally states, but can also encompass IOs and non-state actors. Apart from that, the term 'governance' itself bears different meanings with different authors, and in a continuum between 'order by cooperation' and the more differentiated forms of Messner and Nuscheler. The 'ideal form of governance' describes the normative implications of the concepts and is important for an understanding of the authors' arguments. Regions (the units chosen for the case studies) are referred to in all concepts, but the importance attached to them varies; going furthest in this regard are Messner and Nuscheler. One important observation is that most of such concepts (and all of those presented) centre around the notion of ordering processes between various members, with states being the most important and acting on an equal level. It is important to remember here that this study challenges this implicit notion of factual equality.

Many other prominent authors describe forms of global governance. Held and Jackson, for example, provide a model for a world covenant (Jackson 2003; Held 2006). However, given limitations of space, they will not be dealt with here further.

Hierarchical but non-authoritative coordination

'Hierarchical but non-authoritative coordination' describes the case of one superior power taking over leadership and providing security in order to facilitate cooperation. The difference between this and the former model of a world state is that the superior power is a hegemon already in existence, rather than a leviathan to be created. Such a hegemon has the power of negative sanction, and can thus establish stable expectations; it is an equivalent to a supranational authority. Due to the superior power resources which the hegemon has at its disposal, it presides over the means of ensuring compliance with international norms and rules (Brühl and Rittberger 2001: 26).

In order to understand the concepts behind hegemonic governance, a neo-Gramscian perspective has to be combined with a realist one. Hegemony was introduced from the Gramscian use of the term (ch. 7) into IR proper by Robert Cox. He stresses the presence of *consensus and*

coercion, with the latter always the exception in hegemony (Cox 1996). Furthermore, he writes about the USA as a hegemon:

In the third period, following World War II (1945-65), the United States founded a new hegemonic world order similar in basic structure to that dominated by Britain in the middle of the nineteenth century but with institutions and doctrines adjusted to a more complex world economy and to national societies more sensitive to political repercussions of economic crises (1996: 136).

The US hegemony was (and is) based on international institutions:

One mechanism through which the universal norms of a world hegemony are expressed is the international organization. Indeed, international organization functions as the process through which the institutions of hegemony and its ideology are developed. Among the features of international organization which express its hegemonic role are the following: (1) the institutions embody the rules which facilitate the expansion of hegemonic world orders; (2) they are themselves the product of the hegemonic world order; (3) they ideologically legitimate the norms of the new world order; (4) they co-opt the elites from peripheral countries; and (5) they absorb counterhegemonic ideas (1996: 137ff).

Also according to realism, cooperation is only possible when there is a hegemon in the international system. A hegemon, according to Hobson,⁸ meets five defining criteria:

- It must have a *preponderance* of economic and military power. This is clearly the case of the USA in the current international system.
- A hegemon must be a liberal state, 'because only liberal states have the will to pursue hegemony: authoritarian states prefer imperialism, moreover, only liberal states are concerned to create an open and liberal world order' (2000: 39). The USA

is regarded as a liberal state par excellence,⁹ and it attempts to create a liberal world order by spreading the values of free trade, capitalism and democracy.

- A 'rudimentary consensus' for hegemony among the major states is necessary. Such a consensus is more or less present in the current world order, at least where the major states are concerned.¹⁰ The US hegemony is, however, criticised by a number of smaller states (particularly Iran and others) as well as in the public sphere.
- A hegemon must have a long-term perspective on the setting-up of international regimes.¹¹
- 'A hegemon must be willing to make short-term sacrifices in order to achieve benefit in the long term' (2000: 40).

Hobson also concludes that in the current world system the USA is a hegemon. It has made sacrifices in the sense of performing the role of a world policeman and provided a military shield for the Western alliance; it secured asymmetrical gains from trade with its major trading partners until the 1950s, but thereafter promoted free trade; the dollar functioned as the global currency, and the USA made sacrifices in investment and aid (Hobson 2000: 40). Hobson further argues that there are two phases of hegemony: benign and predatory. The first phase (benign) describes the USA from 1945–1973. 'This is followed by the predatory phase in which the declining hegemon (the United States from 1973 to the present [2000]) eschews its policy of self-sacrifice and pursues its own selfish national interest' (2000: 40). This predatory behaviour is detectable now in unilateral policies that even tend to hamper global governance.

Therefore, in conclusion, hegemony is based on dominant power which is exerted via (at times) coercion and always via influence within and outside of international institutions and organisations; hence hegemonic governance. Whereas coercion leads to compliance and cooperation, influence is additionally necessary to achieve the consensus without which hegemony would deteriorate into imperialism.

The term 'hegemonic governance' thus serves to introduce the factor of power into the discussion of global governance. This implies that we are not dealing with – as is implicitly often assumed, especially in the normative concepts – an egalitarian ('heterarchic') form

of global governance in the case of counterterrorism. States which are the main actors in global governance preside over different power potentials. This aspect will be covered by the new term 'hegemonic governance'. Hegemonic governance assumes that in the international system we observe a unipolar constellation. In the current world order, the USA, at least as far as hard power is regarded, has superior capabilities at its disposal (Brooks and Wohlforth 2002: 21; Bacevich and Myers 2005). Also, in the sphere of soft power, the USA is a strong actor (disregarding the aberration of the Iraq war, which led to a significant but temporary decline in soft power due to the unilateral application of force). Finally, it establishes norms of behaviour, its ideology inspires international politics, and it has a dominant voice in most international institutions.

Hegemonic governance thus describes the fact that we cannot negate the predominant position of one actor in global governance, in this case the USA. The USA can and does apply coercion and influence (arguably comparable to hard and soft power) to cause others to behave in its own interest. The decision to use coercion or influence most often depends on relations with the other states concerned, their compliance, and any possible threat they pose, as well as on the strength of traditional relations (alliances, for example). Generally, coercion is thought to be only used in exceptional cases; influence is the rule. This means that the USA can rely on the cooperation (hence participation) of states simply because they share interdependence with the USA, are under its influence, are willing to accept its authority, or at times because they are coerced to comply.

A word on method

The author therefore makes the argument that in the sphere of counterterrorism we have to deal with hegemonic governance. In pursuing this argument, two case studies are conducted, focusing on the European Union (EU) and on the Association of South-East Asian Nations (ASEAN), as actors presumably under US hegemony. The question is posed as to the reasons they participate in the GWOT. If reasons are found which relate to dominance, coercion and influence on the part of the USA, then hegemonic governance is assumed to be present.

For establishing the factors presumably causal for participation in global counterterrorism under hegemony, neo-Gramscian as well as realist theory are looked at. From this, factors such as the following are established as reasons for participation under hegemony:

- the absolute power (dominance) of the USA, and the relative power of the other actors;
- active coercion, US pressure on the target states and entities;
- passive coercion via asymmetrical interdependence;
- rhetorical influence, creating an enhanced perception of a terrorist threat, as a precursor of issue-specific consensus; and
- the legitimacy and authority of the USA among elites, as a sign of general influence and a precursor of general consensus.

The strategy is furthermore to integrate several literatures on critical theory, realism and global governance, and additionally to introduce a security-studies perspective. This will not only broaden the empirical and theoretical scope of thinking on global governance, but will also give a more accurate description of the GWOT.

Furthermore, it is argued here that participation in global governance is particularly dependent on the very *structure* of global governance, as well as the enactment of power within it. That is to say, in hegemonic governance the mere hegemony of the undertaking is one cause of participation in it.

Methodologically, this study is based on Bhaskar's assumptions and principles of critical realism: ontological realism, epistemological relativism, and judgemental rationality (Bhaskar 1998, 1986). A 'critical realist' approach (in a slightly different, but logically consistent, meaning from above; Patomäki 2002) can tell us the story of participation, as it is capable of explaining issues of military (hard), economic ('sticky') and ideological (soft) power as possible reasons for cooperation, compliance and therefore participation. He highlights the interconnected and interdependent role of explaining and understanding, the need to broaden our perceptions of 'levels of analysis' in current international affairs (hence the focus on regional actors) and the need to address 'causal complexes' rather than to search for single causes. Also, Patomäki

(2002: 120) encourages further theoretical adaptation and specification of his critical realism, which focuses ontologically on action, structure, power, and the system. For this reason, this study combines Patomäki's hermeneutical propositions with Gramscian and structural realist ontology, which then could be termed 'neo-critical realism'. This study started under the assumption that participation in global governance generally, and the GWOT in particular, could be explained with liberal theory, such as neofunctionalism, or other integration-oriented theories. The results from the empirical analysis, however, indicated the need to focus on hegemony and power in diverse forms (material, immaterial, active and 'passive'), which resulted in the choice for this kind of theory-synthesis.

The method used in this study is 'grounded theory' (Glaser 1992). Grounded theory is a dialectical approach which uses data to reformulate theory and theory to reinterpret data. It is also an open approach which does not imply any specific research method to establish the data, though it generally uses interviews or text analysis. In grounded theory, the researcher moves back and forth between data and theory. Data are coded via a number of keywords. From these keywords a 'story' is creatively established, and the story is checked against the theory. If they match, more specific keywords are established and the data are checked once again against these keywords. The dialectical movement between theory and data serves to integrate both elements better and to enhance theory building. Grounded theory was combined in this study with focused interviews conducted in ASEAN and the EU. In both areas, interviews were conducted with scholars as well as members of the organisations themselves. Though the number of interviews was limited by the availability of experts on the questions at issue, in all cases interviews were conducted in-depth with highly knowledgeable individuals on (their specific) regional security politics and on counterterrorism policy in particular. The limitation on interview numbers is therefore not thought to present a major impediment to reaching conclusions. Expert interviews were mainly conducted with scholars rather than public officials. Firstly, the former were more readily available for interview; secondly, they were assumed to be freer from political constraints and thus able to answer questions

more objectively. The study's time frame are the years 2001–8, i.e. the years of George W. Bush's GWOT. It is still uncertain how the GWOT and global counterterrorism will develop under the new US administration, and the current situation is therefore not considered here.

Structure of the book

Chapter 2 presents the research design, referred to above. Firstly, participation as a new issue in global governance is elaborated upon and defined. Secondly, the causes of participation in the GWOT are established, as a measurement of hegemonic governance. If hegemony in the global governance of counterterrorism is present, and exercised, it is then argued that this exercise of power should influence (hence in part cause) participation in global counterterrorism. Signs of hegemony could therefore be regarded as causes of participation in hegemonic governance. Following critical-realist theory on hegemony and international governance, possible measurements of hegemony are established, which will inform the latter analysis as hard test-variables. The variables (the dominance, coercion and influence of the USA, for example) are mentioned above.

Furthermore, this study looks at the two most similar cases (EU and ASEAN) with regard to their supranational set-up. Internationally, there are no regions more similar than these two (Gramegna and Beng 1997). However, they differ strongly in the extent of their political integration and in their relative power compared to that of the USA, as well as certainly in their economic and ideological relations with the USA. Chapter 3, therefore, elaborates on these 'units' chosen for the case studies and establishes them as actors. Even though classical IR theories do not regard regions as actors in their own right, it is argued here that it makes sense to speak of the EU (as well as ASEAN) as 'collective actors'. Several criteria are developed, using the research of Bretherthon and Vogler (1999; 2005) to measure the 'actorness' of the EU as an example for both regions. The EU is then tested to see whether it meets the criteria of actorness in the field of counterterrorism. The conclusion is that the EU can be regarded an actor in its own right in this policy field, even if it often lacks a common voice. It is a 'collective actor', which describes the fact that the EU member states act together

or at least with reference to each other, though not necessarily always in consensus. In the case of ASEAN it is more difficult to speak of actor-ness. The main ASEAN actors are still the member states, and are careful to retain their sovereign powers. Yet at the intergovernmental level ASEAN does play an important role, and here it is understood as an 'emerging collective actor', a term implying that the member states increasingly use ASEAN to come to some form of collective action, even if they do not always cooperate or agree on common strategies and policies.

Chapter 4 starts with the first case study, elaborating on the EU participating in global governance of counterterrorism, and the reasons for it doing so. It can be clearly discerned that the EU does indeed participate in the GWOT, even if only partially through military undertakings. It also takes over the role of a strong promoter and manager of counterterrorism, enabling the states to cooperate among themselves and coordinate their policies. As for the causes of participation, the main factors were found to be the dominance of the USA and the perception of terrorist threat, the latter of which in the EU is presumably the effect of US influence. Also, authority and legitimacy as causes of participation are clearly discernable. Active coercion was confirmed as being present by half of the interviewees. It can overall be concluded that hegemonic governance is a strong causal factor in the EU's participation in counterterrorism.

Chapter 5 comprises the second case study, looking at ASEAN's participation in counterterrorism and its causes, in the context of global governance. Such participation by ASEAN is clearly to be found, even if as an organisation it seems too weak to make much impact on the nations comprising it. ASEAN rather takes over the role of a coordinator and manager, supporting the notion of 'collective actor-ness'. Causes for participation are found to be again the dominance of the USA, passive coercion, and the US authority and legitimacy. It can therefore be concluded that hegemonic governance does indeed play a dominant role also in ASEAN's participation in the GWOT.

Chapters 6 and 7 go on to describe the structure and processes of global governance, both specifically in respect to counterterrorism and more generally. Chapter 6 focuses on the global governance of

counterterrorism and the ways in which hegemony is present and exercised in global governance in this field. The main actors in the GWOT comprise the USA, the UN, the North Atlantic Treaty Organization (NATO), and the Group of Eight (G8), with Russia, the United Kingdom (UK) and the EU also playing major roles. Still, rather than being a heterarchic undertaking, global counterterrorism is described as being hegemonic in nature, with the main driving force behind the efforts being the USA. Furthermore, the USA uses its dominant power position in many international organisations as well as vis-à-vis other actors in order to exercise control over global counterterrorism efforts.

Chapter 7 additionally theorises about hegemonic governance more generally. Firstly, it deals with power and hierarchy in global governance applying an empirical and theoretical focus. In the empirical part, it looks at the question of US unipolarity, dominance and domination (power exertion via force, coercion and influence). The theoretical part analyses the conditions for hegemonic governance (particularly coercion and consensus), its effects, scope and stability.

Finally, this study makes the argument that power counts, and that we should not forget what is established in realist and critical theory when speaking about the emergent reality of global governance. Global governance bears the hopes of mankind for the future, but neglecting its inherent hierarchy and exercise of power would be a dangerous mistake. To prevent this mistake is one of the goals of this book.

PARTICIPATION IN GLOBAL GOVERNANCE AND ITS CAUSES¹²

Critical- and realist-inspired IR theory (C&RIR) and global governance theory have so far existed and developed in parallel, but there has been little communication between these two strands of research. This is unfortunate, as global governance theory has a lot to benefit by listening to critical and realist IR theory, as well as vice versa. This study attempts to combine C&RIR and global governance theory with the prospect of achieving a new theoretical as well as empirical description of global governance, respectively ‘hegemonic governance’, which was created, for example, in the GWOT under the last US administration. This perspective is novel since, as already mentioned, hegemony and power in global governance are blatantly undertheorised, or even openly negated in the literature (Robert Cox 1992). Without taking a normative turn, the author argues that hegemony is a reality of global governance. Furthermore, this study is also taking a security studies perspective on global governance (Krahmann 2003 for an approach to conceptualise security governance). There are studies on governance in the security sphere (Martin 2008), but mostly these remain single-issue-specific. This study, even though it centres on counterterrorism, attempts to construct a broader argument about security governance.

This research sets out to look particularly at participation in the global governance of counterterrorism, or to frame it differently: Why do actors participate in the GWOT? This specific policy field was chosen due to the author’s familiarity with it, stemming from

previous publications (e.g. Beyer 2006; 2008¹³). It is clearly a case of global governance, described as;

purposive systems of rules or normative orders apart from the regularities (natural orders) emerging from unrestricted interactions of self-interested actors in a state of anarchy. This implies that the actors recognize the existence of certain obligations and feel compelled, for whatever reason, to fulfil them (Brühl and Rittberger 2001: 5).

Global counterterrorism is more than a 'regime', given the complexity of the issue, fields and policies involved (more on this in Chapter 6). It is also a case for hegemonic governance, as the Global War on Terrorism (a term which can be used to describe the global efforts to counter terrorism under the auspices of the USA) is marked by strong US dominance. The USA is the clear leader in the global efforts to counter terrorism, and, therefore, its GWOT is more or less equated with global counterterrorism. Other actors that participate in global counterterrorism remain, therefore, under the strong leadership and influence of the USA.

This research thus focuses on the following questions:

- How do actors participate in hegemonic governance?
- Which structural factors are causal for participation?
- What does this tell us about hegemonic governance?

It is assumed that participation is caused by the structure underlying global governance, hence hegemony. If hegemony is present, certain features of it should cause participation in the GWOT. This follows from critical and realist theory, soon to be discussed. Forms of participation (a dependent variable) include compliance with US inspired regulations, active participation in multilateral programmes, promotion of counterterrorism, and congruent rhetoric. The test variables (independent variables) established were dominance of the USA, active and passive coercion, authority and influence. These variables, if shown as

causal for counterterrorism participation, would indicate hegemonic governance.

Participation in IR

There is little about participation in global governance to be found in the literature. However, the main results of what existing research there is will be presented here. Auer writes about 'Who participates in global environmental governance', contending that it is not only states and international organisations, but also NGOs which do so. However, it is states and state-derived institutions that make the rules: 'The supremacy of state and state-derived institutions in international environmental rule-making is amply illustrated by research on international environmental regimes' (2000: 159f). Still, non-state actors play a role, even if a possibly minor one: 'Non-state actors are major players, too – creating, assembling and disseminating knowledge, and lobbying for regional and global environmental protection' (2000: 160):

Other students of global civil society contend that while NGOs and other non-state actors are increasingly politically savvy and are insinuating themselves in global environmental problem-solving institutions, these entities are less successful than states in reaching into and influencing the lives of ordinary citizens, and that global civil society is unlikely to replace the state system as the main source of global environmental governance (2000: 164).

He comes to the conclusion that global environmental governance is a multi-level, multi-actor process, and 'one that bridges local, national, and supranational environmental and policy contexts' (2000: 163).

Fisher and Green also write about participation in global governance in the case of civil society and in that of developing countries. They come to the conclusion that 'though both groups are widely perceived as critical for the creation and implementation of effective international policy for sustainable development, developing countries and representatives of civil society still face obstacles that impede their participation in the multilateral arena' (2004: 66). They start to develop a model for understanding the extent of these two actors' political engagement in global governance. One factor is disenfranchisement:

the fact that, 'despite their legal standing, developing countries are still frequently unable to exercise the level of influence they wish and to achieve their desired outcomes' (2004: 69). The realities of multilateral processes create barriers to their participation: limited resources and personnel, lack of training, and so forth. In the case of civil society, disenfranchisement refers to its perceived legitimacy and the organisational forms it takes. As factors contributing to disenfranchisement, Fisher and Green single out endogenous resources, transnational connectivity and geopolitical status. This model is then used to study the extent of disenfranchisement in the participation of developing countries and of civil society representatives.

The only other article to be found that addresses the question of state participation in global governance is Sassen's 'The participation of states and citizens in global governance' (2003). However, even here the focus is on citizenship and the participatory opportunities afforded for citizens by the denationalisation of the state, rather than about the causes of participation by state actors themselves.

Thirdly, Nanz and Steffek write about 'Global governance, participation and the public sphere'. They argue that the participation of NGOs in the case of the WTO would enhance its legitimacy and accountability:

[W]e explore the possibility of democratic and legitimate decision-making at the global level – in both its normative and its analytical dimensions – from the perspective of a deliberative theory of politics. This theory claims that democratic legitimacy can be generated by means of deliberation between a variety of social actors (e.g. government officials from different national communities, scientific experts, NGOs, etc.). Political decisions are reached through a deliberative process where participants scrutinize heterogeneous interests and justify their positions in view of the common good of a given constituency. In our view, any bestowal of democratic legitimacy on Global Governance must ultimately depend on the creation of an appropriate public sphere, i.e. an institutionalized arena for (deliberative) political participation beyond the limits of national boundaries. More-

over, we argue that actors from organized civil society play an important role in the creation of a public sphere (2004: 315).

The argument is thus made, using the WTO as an example, that the participation of civil society in international organisations enhances the legitimacy of global governance.

Clark and others have researched NGO participation in UN world conferences, and Weiss and Gordenker (1996) 'NGO participation in the international policy process'. However, this research has never addressed the causes of participation in the terms used here, being limited to civil society actors alone, as is Loy's (2000) article on 'Public participation in the World Trade Organization'. These works are linked to a debate about stakeholdership in global governance, which addresses the need for participation of sub-state actors (NGOs) in global governance for reasons of democracy and efficiency (Hemmati 2002; Pigman 2007; Vachani 2006).

There is thus a need for further research on participation (particularly on the part state and supra-state actors) and the causes of such participation in global governance. Results on these issues appear to be lacking in the current literature. We need this research in order to understand the mechanisms and processes that lead to states pursuing the common goal of global governance. If global governance is indeed to be the model for world politics in future (Rajae 2000: ch. 4; McIntosh 2007; Wendt 2003), we need a better understanding of how it can be achieved, constructed and spread. The different actors in the world will in any event need to cooperate in solving such diverse global problems as climate change, health challenges, migration and global violence (terrorism being one part of the latter, Väyrynen 1999). It will therefore be useful to know how this cooperation can be brought about, and which causal mechanisms it depends upon.

Participation as cooperation and compliance in global governance

Weiss and Gordenker define global governance as the attempt to find orderly and accountable responses to social and political problems that

surpass the capacities of individual states. It is based on the absence of a supranational authority, and also on the assumption that cooperation of governments and other actors is necessary (1996: 17).

Participation in hegemonic governance is here understood as a more complex form of cooperation, the latter being a central feature of any form of global governance. Such governance is in principle based on the idea of cooperation, which in international relations is not a given but more a theoretical and practical problem. For this reason, this chapter will first tackle the question of cooperation (and compliance) in order to derive a definition of participation.

Cooperation

In realism as well as neo-realism cooperation is possible but is not the primary choice of action:¹⁴ 'For realists, international anarchy fosters competition and conflict among states and inhibits their willingness to cooperate even when they share common interests'; realist theory also argues that international institutions are unable to mitigate anarchy's constraining effects on interstate cooperation' (Grieco 1993: 116). The reasons for (particularly) neo-realists' pessimism about the possibility of cooperation are as follows:

- states are seen as rational egoists: the maximisation of their own gains – and thus power and security – is in their interest;
- as states are positioned within the international system, relative distribution of power also counts, and it is thus against their interest to have another state also gaining (Grieco 1993: 127; Carr 1964: 111).

How cooperation is possible under these conditions is described by the theory of hegemonic stability (Kindleberger 1973; 1981; 1986). In the case that there is one strong actor in international relations that presides over enough resources of power to command the behaviour of other actors (by providing benefits or by coercion), cooperation is possible (Snidal 1985; McKeown 1983).

Among the liberal approaches there are a number of theoretical assumptions regarding cooperation that can only be dealt with here

in part. Generally, it can be argued, as Schieder does, that republican liberalism (inspired by the works of Immanuel Kant) does explain cooperation by looking at the democratic constitution of states. Pluralist liberalism highlights a balanced distribution of power as beneficial for cooperation, which results in fewer struggles over this distribution; sociological liberalism sees the cause of cooperative behaviour in transnational relations; and trade liberalism sees it in open trade-relations and interdependence (Schieder and Spindler 2003: 172). Liberals generally have a different understanding of actors than do realists. Actors here are also understood as gain maximisers, but absolute gains are in their interests, whereas realists focus on relative gains. The causes of this difference are to be found in the liberal respect for domestic politics and in a strong focus on that level, and thus on the regarding national societies (Axelrod and Keohane 1993: 101). Yet the logic of anarchy is not denied: liberalism also assumes that insecurity stemming from anarchy can lead to a breakdown of cooperation (Jervis 1999).

Liberals as well as realists refer in their arguments to rational choice theories in order to explain cooperation (Axelrod and Keohane 1993). In rational choice, one way of describing the problem of cooperation is the 'prisoner's dilemma'.¹⁵ Participating actors cannot be certain about the intentions of the other actors and have to fear that their own willingness to cooperate is not returned in kind. Even when mutual cooperation here does lead to the optimal results, such an outcome is not generally to be assumed. For the single actor, the best result of any interaction is the constellation: 'I defect, and you cooperate'. Secondly, mutual cooperation follows, then mutual defection. The worst outcome of any interaction is the constellation: 'I cooperate, and you defect'. As in realism, the rational actor here is not interested in cooperation: if there is no security as to the behaviour of the other actors (this is the case in realist approaches), even the altruistic actor will decide against cooperation (Wagner 1983).

The situation changes slightly if the interaction is repeated a number of times. Even here, the principle of non-cooperation can become dominant with increasing repetition if the length of the game and the number of repetitions are not known (Wagner 1983). This even holds true if absolute information is possible. Only under the condition that

the game is repeated endlessly and the participants are aware of this fact does cooperation become rational (Wagner 1983: 344; Taylor 1976).¹⁶

		Player 2	
		C	D
Player 1	C	5, 5	10, -5
	D	-5, 10	0, 0

Fig. 1 Prisoner's dilemma. *Source:* Wagner 1983: 332.

The conditions minimally necessary for [cooperation] include transparency of action, capacity to monitor any noncooperative behavior and punish the same in a predictable fashion, a sufficiently low discount (high appreciation) rate for future gains from the relationship, and an expectation that the relationship will not end in the foreseeable future (Hopf 1998: 188).

Thus, an existing hegemony or institutions as regimes or international organisations are positive factors for cooperation, as they increase transparency, monitor behaviour, and possibly can sanction it and reduce uncertainty. These would be the realist and institutionalist (Oye 1986; Axelrod and Keohane 1993) answers to the question of cooperation under the security dilemma.

Constructivism, as the youngest of the approaches presented here, is in concordance with liberalism insofar as it assumes that cooperation is possible under the condition of anarchy (Wendt 1999). Yet, it explains cooperation differently. In so-called 'communities of identity' the presented games of cooperation no longer take place in this form. Communities with a common identity are marked by the characteristic that the actors understand it to be in their interest to cooperate (Hopf 1998: 189). They become altruistic, and see themselves more as 'partners in some common enterprise' (Hopf 1998: 191). Insecurity, which is also assumed in liberalism, is decreased due to norms, practice and identity.

Compliance is a form of cooperation under the condition of inequality. Compliance is looked at in what follows, in order thereafter to help define participation.

Compliance

‘Compliance can be said to occur when the actual behaviour of a given subject conforms to prescribed behaviour’ (Young 1979: 104).

Compliance and realism/ neo-realism

Classical realists argue that the primary concern of states is their territorial integrity; and it follows that all other aims are subordinated to this. With respect to compliance, this means that everything is judged by its effect on integrity. In the case that non-compliance leads to a threat to integrity, compliance is to be expected. It follows that compliance mainly depends on the fact that there is a state that possesses superior power potentials (firstly), and that this state threatens with sanctions in the case of non-compliance (secondly; Haas 2000: 51. Haas does not discuss the possibility that compliance could threaten integrity). Thus, compliance is determined by cost-benefit calculations about national interests.

Compliance and neo-liberal institutionalism

International institutions can also influence states’ aims and preferences. Institutions can be defined as ‘persistent and connected sets of rules (formal and informal) that prescribe behavioural roles, constrain activity and shape expectations’ (Keohane 1989: 3). Neo-liberal institutionalists claim that institutions fulfil functions that lead states to compliance, basing their argument on the will to comply: ‘Institutions serve a therapeutic role in encouraging compliance and deterring non-compliance by eliminating barriers to self-interested compliance. However, they may not exercise a direct influence on state preferences that were formed previously’ (Haas 2000: 53). International organisations, for example, exercise three different functions with which to propagate compliance: they improve the conditions that are laid down in treaties and that influence the decisions of states (for example by the establishment

of special decision-making procedures and regular meetings); they allow for changes in states' preferences (for example, monitoring and increased transparency leads to pressure from other states or civil society); and they improve national capacities (Haas et al. 1993). These institutional factors do not influence all states to the same extent, however. Particularly influential in the effective creation of compliance are the role, preferences and power of national interest groups. Secondly, the degree of vulnerability is decisive (Haas et al. 1993). Vulnerability can be measured in the extent of foreign trade, foreign direct investments (FDI) and foreign debt, and leads to diminished possibilities of evading the negative effects of external shocks. During the course of globalisation, the vulnerability of all states has been increased, so it can be deduced that the will to comply will increase accordingly.

Compliance and constructivism

Constructivism highlights the role of ideas and norms. In constructivism, these count as independent variables for explaining states' behaviour. Constructivists assume that rational decisions are made on the basis of norms rather than information, given that correct information in a more and more complex world is increasingly hard to come by. States thus behave according to a 'bounded rationality', a rationality formed by cognitive frames. The latter can be socially-generated convictions regarding ethical and moral behaviour (norms), or convictions regarding causal relations and the effects of compliance on the state: 'From a constructivist's perspective compliance is more likely if there exist relevant widely shared causal beliefs about the operation of the issue to be controlled, and the degree to which the actual rules promote valued ends' (Haas 2000: 62).

Definition of participation

Compliance as a term, therefore, is also well-established in IR theories (Börzel 2007; Raustiala and Slaughter 2002: 539f). The term describes the fact that actors conform to existing norms and rules in the international community. Thus compliance is only part of cooperation; cooperation also entails those actions which are pursued disregarding

existing rules and norms but which are in the interest of the actor in question. Compliance, as well as cooperation, mean that the actor behaves not solely self-interestedly. In the case of compliance, it also acts in the interest of the international community, or of the entity that has established the norms or rules. In the case of cooperation, its actions are in the interests of the addressed actors. Both categories of actions are positive in respect of the mode of interaction: the interests of others are taken into account. In both cases, of course, there can also be negative implications: the interests of a third actor or the acting actor itself might be violated. In the present study, these aspects will be dealt with only marginally.

Compliance here is further understood as taking place in a structure of factual and possibly formal inequality.¹⁷ Potentially, it can be enforced by the producers of the norms. The compliant actor is therefore usually subordinate to the enforcer. Cooperation, however, is taking place in a structure of at least formal equality. Thus, to reflect the hegemonic structure of global governance marked by formal equality but factual inequality (Cosnard 2003), participation here encompasses both compliance and cooperation.

Participation in global governance is defined, therefore, as compliance and cooperation with the central actor (the USA) and with its policies in global governance in the field of counterterrorism.

Possible forms of participation

In this study, active and passive participation are distinguished. The former might involve a contribution to military programmes, or the implementation of common policies and programmes, but also the promotion of standards, policies and norms. Passive participation is no more than the adoption of the dominant rhetoric.

Active participation

Participation in multilateral actions means to play an active role in them, for example by the commitment of military personnel and materiel to common undertakings, or by financial support for these undertakings. The implementation of common policies also counts as active participation.

Furthermore, an actor can become a promoter by supporting common policies vis-à-vis third parties, and in trying to convince them to also participate. Such promotion can be seen in cases where one state actively encourages other states to change their behaviour, or lobbies for common norms and standards.

Passive participation

The adoption of common terms and rhetoric is a form of passive participation. Such discursive changes are understood here as participation since they can be the first step towards the adoption of norms. They can be interpreted further as acceptance of certain patterns of behaviour on which concrete policies can then be based. This acceptance is thought to precede concrete and active participation.

The importance of external factors

According to Börzel, political power plays an essential part in determining compliance with European law, its presence results in less compliance from the powerful. Economic power, on the other hand, does not have an effect on compliance.

The political weight in the Council of Ministers ("SSI") has a significant effect on infringements per legal act. Member states like France, Italy or Germany have more Council votes and violate European law more frequently than member states with low voting power, such as Denmark, Finland, Sweden, or the Netherlands . . . Greater economic power, by contrast, does not substantially affect a countries compliance record (Börzel 2007: 24f).

Checkel (2001) also researched the causal conditions for compliance. In the case of human rights policies in Germany and the Ukraine he found that domestic institutions played an important role in compliance and non-compliance, and that national institutions can hinder compliance as well as further it. For the Ukraine, the isolated position of the institutions led to a situation where convictions and learning became more important factors for compliance. In the case of Germany's pluralist institutions, social sanctions played an important role. Norms

already in existence were decisive in influencing actors with respect to their compliance with new norms. Counter-intuitively, norms already in existence in Germany posed a barrier to compliance, whereas their absence in Ukraine led to a faster adoption of the new norms.

The importance of external factors for states' participation in regional integration had been a secondary question until the 1990s (Roloﬀ 1999: 75). The first systematic work on the importance of external factors stems from Zimmerling. She refers in her work to Nye, who in the 1960s had already mentioned the importance of such factors. Zimmerling distinguishes between negative and positive external factors as imperative causes and as influencing decisions on integration. As negative external factors, she cites common threats and challenges: nation states, according to this view, become interested in the formation of a collective as soon as they face external costs that they are unable to meet on their own (Zimmerling 1991: 145). So, for example, international terrorism as a common threat could have an influence on community building and integration. Positive external causes are, for example, benefits and advantages that result from cooperation or integration. Even with a lack of common threats, the formation of a collective can bring advantages. It is possible that cooperation takes place in order to realise benefits that could not be realised by the single states on their own (Zimmerling 1991: 150). Examples of these advantages can be the improvement of the relative positions of the states vis-à-vis a third party, a larger sphere of action, competitive advantages, or a heightened bargaining power. Zimmerling herself states that the demarcation line between positive and negative causes is always a relative one, as every positive can also be interpreted as a negative cause, and every negative cause can lead to positive effects.

Haas (2000) deals with the causes of compliance, particularly in integration projects. He distinguishes between endogenous (or domestic) and exogenous (or systemic) causes. Technological and political factors count as endogenous causes. States, for example, might lack the technological capability to implement treaties and the policies specifically required; this refers particularly to developing and underdeveloped states, and less to highly-developed Western states. The population's acceptance of policies is a relevant, political factor. If

there is serious opposition to the policies to be implemented, the state is less likely to comply (Haas 2000: 46). Haas refers to IR theories for the description of exogenous causes of compliance: in the world view of realism and neo-realism, the causes of compliance are to be found in material resources; neoliberal institutionalists, meanwhile, focus on rules framed by formal institutions; constructivism, finally, highlights the role of shared assumptions and values. All these three factors count as causes of states' behaviour, and thus of compliance.

Roloff, finally, presents Hurrell in order to point out the importance of external factors:

In the modern world there can be no wholly self-contained regions, immune from outside pressures. Systemic theories underline the importance of the broader political and economic structures within which regionalist schemes are embedded and the impact of outside pressures working on the region (Hurrell 1995: 339).

**Neo-critical realism and causes for participation:
force, coercion, and influence in hegemony**

This study argues that the hegemony to be found in the global governance of counterterrorism is one cause for participation in the GWOT (the type of 'counterterrorism governance' that the USA developed). Hegemonic governance will be further elaborated upon in the following chapters. Here, this chapter will finish with the factors, particularly external ones, causal for participation in it. External factors are of importance; realist theory looks at the structure – hence at international rather than intranational factors – for explanations. Describing the distribution of power as a cause of participation is taking a structural realist approach. However, this realism is combined with the ideas of Gramsci and others; this approach can be termed 'neo-critical realism' (ch. 1).

'[R]ealist theory addresses the key questions in international relations: What are the causes of conflict and war among nations, and what are the conditions for cooperation and peace among them?' (Grieco 1997: 163). In neo-realism, states are unitary actors, meaning that they are essentially alike (neo-realism does not open the so-called

'black box') and fulfil the same functions, because there is no division of labour between them.

States vary widely in size, wealth, power and form. And yet variations in these and in other respects are variations among like units . . . States are alike in the tasks that they face, not in their abilities to perform them. The differences are of capability, not of function (Waltz 1979: 96ff).

This fact derives from anarchy: 'From one country to another, one can identify the effects of structure by noticing similarities of behaviour in polities of similar structure' (Waltz 1979: 88). Anarchy is thus the structural condition, the ordering principle between the units. It refers to the absence of an international government (Waltz 1979: 89). Structure and anarchy – terms normally having opposing meanings – are used here synonymously. However, anarchy is only one possible expression of structure, hierarchy being at the other end of the continuum. Yet this possibility is not realised: global governance does not qualify as the realisation of the opposite of anarchy, hierarchy being 'the presence of a legitimate and competent government' (Waltz 1979: 114). Yet international political systems are thought of as being more or less anarchic (Waltz 1979: 114). Thus global governance is referred to by Waltz in terms of a state of structure between these two extremes, it is: 'International politics . . . [is] flecked with particles of government and alloyed with elements of community – supranational organizations whether universal or regional, alliances, multinational corporations, networks of trade, and what not' (Waltz 1979: 114).

Waltz, in his theory, refers to anarchy for reasons of simplicity, not reality: 'That would be to move away from a theory claiming explanatory power to a less theoretical system promising greater descriptive accuracy' (Waltz 1979: 115). In anarchy, states are absolutely responsible for their own survival: 'Whether those units live, prosper, or die depends on their own efforts . . . states seek to ensure their survival' (Waltz 1979: 91). As there is no superior power in an anarchical structure, states have to take care of their survival by gaining the most power possible, or at least more power than that of competing states.

Even if states are functionally alike, they can be differentiated according to their capabilities: 'Although states are like units functionally, they differ vastly in their capabilities' (Waltz 1979: 105). These capabilities are the basis of power. If power is distributed in the system very monopolistically, we can speak of a hegemon which might take over the task of ordering international affairs:

Hegemonic stability theory . . . argues that . . . stability is most likely when there is a single dominant state . . . The basic contention of the hegemonic stability thesis is that the distribution of power among states is the primary determinant of the character of the international . . . system. A hegemonic distribution of power, defined as one in which a single state has a predominance of power, is most conducive to the establishment of a stable . . . system, [and the hegemonic state has] symbolic, economic, and military capabilities that can be used to entice or compel others . . . (Webb and Krasner 1989: 183f).

Webb and Krasner use hegemonic stability theory particularly for explaining the economic effects of this configuration on the system.

Cooperation, power and hegemony

The causes of cooperation under the condition of hegemony are described by Gilpin (1981). He singles out dominant power and authority as the main factors that determine cooperation by less powerful states with the hegemon; cooperation under hegemony is first and foremost an effect and result of *power*:

The distribution of power among states constitutes the principal form of control in every international system. The dominant states and empires in every international system organize and maintain the network of political, economic, and other relationships within the system and especially in their respective spheres of influence. Both individually and in interaction with one another, those states that historically have been called the great powers and are known today as the superpowers establish and enforce the

basic rules and rights that influence their own behaviour and that of the lesser states in the system (Gilpin 1981: 30).

Power here refers to the economic, military and related capabilities of a state and ensures that 'one actor within a social relationship will be in a position to carry out his own will despite resistance, regardless of the basis on which this probability rests' (Gilpin 1981: 30). Yet it is not only the power of mere force that leads to cooperation, but also the perception of power – authority and 'prestige':

The second component in the governance of an international system is the hierarchy of prestige among states. In international relations, prestige is the function[al] equivalent of the role of authority in domestic politics. Like the concept of authority, prestige is closely linked to but is distinct from the concept of power . . . Authority (or prestige) is the 'probability that a command with a given specific content will be obeyed by a given group of persons' (Gilpin 1981: 30).

According to Gilpin, prestige and authority have a moral and a functional basis. Cooperation on the part of the less powerful states (or other actors) develops because 'they accept the legitimacy and utility of the existing order' (Gilpin 1981: 30). Thus, it is implied that the system, whether hegemonic, bipolar or multi-polar, has to serve at least some of the interests of the less powerful states. In a hegemonic system, the hegemon thus has to provide some basic public goods in order to appease the less powerful actors and to gain legitimacy: 'Empires and dominant states supply public goods (security, economic order, etc.)' (Gilpin 1981: 30). Authority¹⁸ is thus centrally based on legitimacy, in the absence of which there would only be power by force. Force and authority, coercion and consensus, are, therefore, complementary.

Ultimately, however, the hierarchy of prestige [i.e. authority] in an international system rests on economic and military power. Prestige is the reputation for power, and military power in particular . . . prestige refers . . . to the perceptions of other states

with respect to a state's capacities and its ability and willingness to exercise its power (Gilpin 1981: 30ff).

Gilpin implies that not only is respect an indication of authority ('numerous factors, including respect and common interest, underlie the prestige of a state', Gilpin 1981: 30) but also fear. Yet authority implies that force does not necessarily have to be applied. Cooperation is not a result of the use of strength, but of the 'implicit mutual recognition that deadlock at the bargaining table could lead to decision on the battlefield' (Gilpin 1981: 31).

Both factors, material power and authority, lead to cooperation, particularly under the condition of hegemony: 'Thus, both power and prestige [i.e. authority] function to ensure that the lesser states in the system will obey the commands of the dominant state or states' (Gilpin 1981: 30). Further, possible factors contributing to cooperation are 'rules' and 'cost-benefit calculations'. Cost-benefit calculations determine whether a state or other actor decides to cooperate or not: 'States make cost/benefit calculations in the determination of their foreign policy and . . . a goal of a state's foreign policy is to . . . enhance the state's own interests' (Gilpin 1981: 50). In political realism, these interests are power and security: 'Every state desires to increase its control over those aspects of the international system that make its basic values and interests more secure' (Gilpin 1981: 50). If a state pursues the goal of securitisation, for example, it is dependent on its calculation regarding the costs and the benefits of such a policy. If the costs for measures undertaken to enhance security would exceed the benefits implied, it will abstain. If the benefits weigh more or have a higher priority (Gilpin 1981: 51), it will pursue the policy. Further, the decision to cooperate depends on the 'historical experience' of a society. Here, the factor of socialisation enters the equation: 'What, in particular, have been the consequences for the country from past attempts [to cooperate], and what lessons has a nation learned about war, aggression, appeasement etc.' (Gilpin 1981: 51).

Finally, we must take one step back. The idea of hegemony (as it is in use today) originated with Gramsci. Gramsci describes hegemony as 'a relation, not of domination by means of force, but of consent by

means of political and ideological leadership. It is the organisation of consent' (Simon 1991: 22). In this later description of hegemony, he introduced the idea of oppression or coercion, hegemony being based on 'a combination of force and consent' (Gilpin 1981: 51).

The starting-point for Gramsci's concept of hegemony is that a class and its representatives exercise power over subordinate classes by means of combination of coercion and persuasion. In his notes on Machiavelli's Prince, Gramsci evokes the mystical Greek centaur, half animal and half human, as a symbol of the 'dual perspective' in political action – the levels of force and consent, authority and hegemony, violence and civilization. Hegemony is a relation, not of domination by means of force, but consent by means of political and ideological leadership. It is the organization of consent. In some passages in the *Prison Notebooks*, Gramsci uses the word *direzione* (leadership, direction), interchangeably with *egemonia* (hegemony) and in contrast to *dominazione* (domination). (The use of the term hegemony in the Gramscian sense must be distinguished from the original Greek meaning, the predominance of one nation over another. There are, however, a few passages in the *Prison Notebooks* where Gramsci uses hegemony in its ordinary sense of predominance to refer to relations between nations . . .) (Simon 1991: 21).

Also, Gramsci concurs that 'at the centre of hegemony is power operating with legitimacy' (Howson and Smith 2008a: 6).

In conclusion, this study construes hegemony as the exercise of dominant power by a superior actor, accompanied by a degree of consensus. What exactly is hegemony based on? It can be understood as a combination of a set of structural features as well as of an actor's characteristics and behavioural features. The structural features refer to the position in the world system, and in the normal use of the term 'hegemony' it is clearly based on unipolarity. Unipolarity implies domination, i.e. the command of great power, but not necessarily outright control. Further, unipolarity is enacted in certain ways. Power is exerted by means of soft power (such as ideology) or the application of

'sticky' power (Russell Mead 2004, referring to economic power due to asymmetric interdependence) and hard power (force). Whereas the use of soft power results in influence, meaning the capacity to 'affect policies and behaviours of other states', sticky and hard power result in control, meaning force and coercion or the 'ability to achieve goals even in the face of opposition'. Here it must be referred to Wartenberg (1990) in order to explain the use of the term 'power'; for other conceptualisations of power in hegemony see Lentner (2006). Wartenberg distinguishes between force, coercion, and influence to describe forms of power, and understands domination as the continuous exertion of power over another actor.

*Force or 'control'*¹⁹

An exercise of power by an agent *A* over an agent *B* is an exercise of *force* if and only if *A* physically keeps *B* from pursuing the action-alternative that *B* wishes to pursue or causes a certain behaviour to apply to *B* that *B* would avoid if possible. Force achieves its ends by keeping an agent from doing what she wishes. An exercise of force relies on the physical ability of an agent to keep another agent from doing what she would prefer to do or to get something to happen to the agent that she would prefer did not (Wartenberg 1990: 93).

Force equals the application of hard (military) power. It can be found in international relations in the form of interstate war. Intrastate wars, according to the classic definition, are not a form of international force even if international involvement is possible and international effects are frequent, which has resulted in the increasing acceptance of intrastate wars as a topic of concern in IR. Other forms of force are intervention (one state wages war against another without the other state responding in kind) or international terrorism. Force, as we have learnt from Gramsci, is not the only feature of hegemony, as otherwise it would be termed imperialism or dictatorship.

Coercion

Coercive power ... targets the set of action-alternatives that constitutes one aspect of an agent's action environment. When an agent is in a

position to threaten to use a resource or ability [and by these means affects] the action-alternatives of another agent, then the agent can exercise coercive power (Wartenberg 1990: 96, emphasis added).

Coercive power is exercised if inequality in power resources can be used to threaten another actor and if this threat results in adaptation or behavioural change in the threatened actor. Keohane and Nye describe coercion (interestingly, they do not speak of force in their discussion of power) as a form of behavioural power, which is understood as the 'ability to get others to do what they otherwise would not do through threat of punishment or promise of reward' (Keohane and Nye 2001: 220). Byman and Waxman (2002) argue that: 'Coercion is not destruction. Coercive strategies are most successful when threats need not even be carried out.' Furthermore, coercion 'boil[s] down to inducing the adversary to choose a different policy than he otherwise would'. Also, 'The flipside of threatening an adversary with economic or political sanctions is the offering of inducements for compliance' (Byman and Waxman 2002: ch. 1).

Influence

In general, the distinctive feature of influence is that it occurs through the acceptance by the subordinate agent of something that the dominant agent tells her. In moving from force through coercive power to influence, one moves from a non-discursive form to a purely discursive one. Influence is a pure form of communicative interaction, one in which no non-discursive action is involved (Wartenberg 1990: 104ff).

Influence results in compliance when it leads to acceptance or consent on the part of the affected actor. Power here is used in a 'legitimate' way: it has the approval of the affected actor. Whether this approval is based on misperception or is well-informed does not affect the concept of influence (even if it seems clear which form of power is ethically superior). Influence in terms of IR theory can be described as 'soft power'. The term was coined by Nye to describe power resting on 'attraction rather than coercion . . . because the others want what

you want' (Keohane and Nye 2001: 220). Rhetorical or discursive influence as a sign of hegemony is extensively discussed in Laclau and Mouffe (1985).

All these three forms of power are exerted by the USA to varying extents: force is mainly exercised outside or alongside global governance and will not be relevant for the case studies, while coercion and influence are to be found within global governance by the hegemon (ch. 7). Coercion and influence are typical features of hegemony, they lead to participation. They will be used here as causal factors. How can coercion and influence be conceptualised and operationalised for this purpose?

Coercion is based on sanctions: the threat or the mere *possibility* of sanctions (Wartenberg, in opposition to Nye) that induce a shift in the cost-benefit calculations (Byman and Waxman 2002: ch. 1) of the exposed actors. Coercion can be active and then is understood as pressure, which is the threat of negative sanctions or the grant of positive rewards to other actors (Byman and Waxman 2002: ch. 1). Coercion can also be passive, and understood as making use of asymmetric interdependence. Asymmetric interdependence entails sensitivity and vulnerability and the possibility of a superior and less dependent actor to induce costs for the more dependent actor. This mere *possibility* can be understood as passive coercion. If an actor calculates that it is better for it to follow the way of the stronger actor because it depends on it, and a deterioration of the relationship might entail unbearable costs for it, it is coerced to adapt its behaviour even if the more powerful actor does not threaten the use of this possibility. Therefore, the threat of sanctions as well as the possibility of inducing costs are taken as examples of coercion.

Influence is based on the discursive power that can be employed to change the rationale and actions of the actors in question. Influence is power applied directly to the thinking, the values and beliefs of another actor. Influence, furthermore, contributes to the consensus on which hegemony is based.

We should also discuss authority and legitimacy. As we learn from Gilpin, authority and legitimacy in global governance rest on others' perception of material dominance, on the assumption of beneficiality, and on the production of a general good or goods. Authority and

legitimacy are not only conducive to participation, they are also further producers of consensus in global governance, both by the induction of fear (induced by material dominance) and fearlessness (induced by the idea of beneficiality and the production of a general good or goods).

Material dominance, finally, is measured as the relative power on the world stage, comparing the regions to the USA. It is the basis for coercion and authority. Socialisation and cost-benefit calculations, as they are not central to Gilpin, are not regarded in the following analysis.

Research design

Following Patomäki's 'critical realism' (2002), the analysis to be conducted here will be a multi-causal one. From the above-mentioned works in this chapter, the following factors contributing to participation can be deduced for the analysis.

Dependent variable: participation in global governance

As one form of participation we may include active participation (of the majority of the member states or the organisation itself), for example in political programmes and military sorties, and the promotion of the policies and compliance with the norms established by the USA. Passive participation entails rhetorical assimilation. Participation overall will be measured by analysing the counterterrorism policies, strategies and accompanying rhetoric of the regions. It is researched by analysing official documents and the available literature.

The test variables (causes of participation, see below) are researched by analysing interviews with security-policy experts in the respective regions.

Independent variable 1: relative power

Relative power describes the relative positioning in the international system. It can be based on resources (such as military and economic capabilities) as well as on control over outcomes. Hegemony (dominance of one actor, the USA) is thought to lead to participation in the GWOT. This is in concert with Börzel's findings that higher relative political power in the states expected to comply (hence less power or hegemony in the inducer) is leading to a decline in participation.

Independent variable 2: active coercion or pressure

Pressure can be exerted by diplomatic, economic and/or even military means. But pressure, as opposed to force, means only the threat of the application of power on the part of the major actors in order to create participation in the regional actors. It is assumed that pressure leads to participation.

*Independent variable 3: interdependence
and passive coercion*

Interdependence is a situation in which two or more actors are mutually dependent, which means each is sensitive – perhaps even vulnerable – to the others' actions. Change in the actions of one actor leads to effects on the others. Interdependence is mostly based on economic transactions, but can also be found in the security sphere. Asymmetric interdependence leads to increased vulnerability for the weaker side (for a discussion of this assumption Mansfield and Pollins n.d.), and therefore to a willingness to compromise in order to avoid costs. This is congruent with the assumption that the mere possibility of inducing costs in any interdependent relationship can be interpreted as 'passive coercion'.

*Independent variable 4: perceived threat of
terrorism as influence*

A higher perception of threat should lead to more willingness to participate in the global governance of counterterrorism, to reduce the threat and protect the population concerned. A higher threat perception does not, of course, necessarily have to correlate with a higher threat; still, it is assumed as causal for participation. Threat is regarded here as an indicator of hegemonic governance as, arguably, the perception of threat as such might be a sign of the 'influence' (the discursive or agenda-setting power) of the USA (Steger 2005: 32ff). Jackson argues that 'language has been used to deliberately manipulate public anxiety about terrorist threats to gain support . . . to normalize a global campaign of counterterrorism' (Jackson 2004: 173) and describes this as a process of the formation of consent (2004: ch.1). His fourth chapter, 'Writing Threat and Danger', examines how such a 'minor form of criminal activity which poses a miniscule risk to personal

safety – statistically, there is a greater chance of choking to death on one's lunch than of dying in a terrorist attack – has come to be accepted as the single greatest threat' by the use of the rhetorical influence of the USA (Jackson 2004: 6). Threat perception, therefore, counts here as influence of the USA. To check against misinterpretation, this factor is compared to statistics on factual terrorist attacks.

Independent variable 5: authority and legitimacy

Authority and legitimacy of the major actors describe their acceptance within the regions. If their authority and legitimacy are high they should lead to more participation.

Hypotheses

From the considerations presented, the following hypotheses can be deduced:

- all or most of the factors (variables 1–5) seem causal, which implies that hegemonic governance is causal for participation in the GWOT; and
- none or few of the factors seem causal, which implies that hegemonic governance is not causal for participation.

REGIONAL ACTORNESS IN COUNTERTERRORISM: THE EU AS AN EXAMPLE²⁰

The main actors looked at in this study are regions, understood here as macro-regions, meaning entities comprising a number of states in a common organisation. These are generally not established as actors in global governance, at least in the academic literature on the phenomenon. In the majority of theories of global governance, regions are only marginally seen as actors. Yet there has recently been an increased attempt to conceptualise regions, in particular the EU, as actors (Telo 2007; Lucarelli and Fioramonti 2009). This study argues that they are seen to participate, and thus are actors and worth studying as such. Participation in itself might be seen as one feature among others (like external effect, common strategies, etc.) for defining an entity as an actor (ch. 3). As the selected regions do indeed participate, it is possible to establish them as relevant actors in respect of research on causes of participation in the GWOT.

Regions were chosen as case study-units for two reasons: regions are gaining in importance as actors in global governance, and the focus on regions allows for the study of causes of participation in global governance without having to take into account additional supranational influences, which might have distorted the results for states. If European states were studied, for example, the analysis would have to take into account possible effects being caused by both the European Union level, as an intermediary at least, and other external causes. Choosing the regional organisation as the unit, therefore,

seemed to remove this problem. The EU and ASEAN furthermore are most similar in terms of integration, but differ in terms of level of participation. Variance in the dependent variable is therefore present, as far as possible. There are internationally no cases of absolute non-participation, apart from states that are declared 'terrorist' states or 'states supporting terrorism' (currently the only apparent case would be North Korea, even Cuba and Iran engage in counterterrorism of sorts). Similarity in characteristic of the units again simplifies the analysis by reducing the number of potential additional internal causal factors.

This chapter will be concerned with the question of regional actorness in counterterrorism, using the EU as its example. It will develop a scheme for measuring actorness and then test the counterterrorism cooperation of the EU in respect of these criteria. The European Commission, in its 'Agenda 2000', has developed a blueprint for the European Union as an actor:

The Union must increase its influence in world affairs, promote values such as peace and security, democracy and human rights, provide aid for the least developed countries, defend its social model and establish its presence on the world markets . . . prevent major damage to the environment and ensure sustainable growth with an optimum use of world resources. Collective action by the European Union is an ever increasing necessity if these interests are to be defended, if full advantage is to be taken of the benefits of globalization and if the constraints it imposes are to be faced successfully. Europe's partners . . . expect it to carry out fully its responsibilities (cited in Bretherton and Vogler 1999: 15).

In this document the assumption is expressed that in a number of policy fields the EU is an actor in its own right. To the question of whether the EU is indeed an actor, especially in the field of security, one has to look first at the concept of actorness in IR. What constitutes an actor? Are only states actors – as in the realist understanding – or can regions also fall into this category? How is actorness defined? In addition, one has to examine the relative effectiveness of an entity, and thus its capabilities and capacities as criteria for actorness.

Actorness in IR

The discipline of IR provides an answer to the question of actorness. The classic actors, of course, are states. The EU is a special case. Its globally and politically unique character differentiates it from other actors, which are much easier to classify. It is more than an international organisation, yet less than a federal state, and for this very reason the question of the EU's actorness has been given considerable attention. In practice, however, attempts to classify the European Community and later the EU as an actor have been only moderately successful; existing categories of classification were simply inadequate.

Realist approaches – here referring to the neo-realist version of the theory – take states as their main actors: 'For realists, the fundamental unit of political organization for the past several centuries has been, and present[ly] is, the nation-state' (Grieco 1997: 164), and:

States set the scene in which they, along with nonstate actors, stage their dramas and carry out their humdrum affairs. Though they may choose to interfere little in the affairs of nonstate actors for long periods of time, states nevertheless set the terms of the intercourse . . . When the crunch comes, states remake the rules by which other actors operate (Waltz 1979: 94).

Gilpin observes that 'the state is the principal actor in that the nature of the state and the pattern of relations among states are the most important determinants of the character of international relations at any given moment' (1981: 18), and Krasner justifies states as the basic actors in the international system by arguing that: 'The behaviour of other actors, including multinational corporations and international organizations, is conditioned and delimited by state decisions and state power' (1985: 28). Yet, other actors also, such as international institutions, multinational enterprises and transnational bodies, are recognised by realists (Grieco 1997: 164). Even the European Community (now the EU) is understood as a potential actor, even a potential superpower in Waltz's seminal work, *Theory of International Politics*, which is the most fundamental account of neo-realism:

The United States is the leading country . . . the question to ask is . . . whether a third or fourth country will enter the circle of great powers in the foreseeable future . . . Western Europe is the only candidate in the short run – say, by the end of the millennium. Its prospects may not be bright, but at least the potential is present and needs only to be politically unfolded. Summed, the nine states of Western Europe have a population slightly larger than the Soviet Union's and a GNP that exceeds hers by 25 percent. Unity will not come tomorrow, and if it did, Europe would not instantly achieve stardom. A united Europe that developed political competence and military power over the years would one day emerge as a third superpower, ranking probably between the United States and the Soviet Union (1979: 180).

In another passage he refers to Europe as a potential 'third great power' and a potential 'unit' (1979: 201f).

A broader approach to IR is that of the world society, developed by Burton (1972), Bull (1977) and their followers, wherein entities like IOs are regarded as actors equal to states. For example, Rosenau (1990) developed such an approach, giving entities from individuals up to social movements a place as actors in IR. Rosenau differentiates between micro- and macro-actors in international politics: micro-actors can be citizens, officials, leaders and private actors, while macro-actors encompass states, IOs and social movements. The EU is considered a macro-actor. Even given the relative crudeness of the scheme, this seems to be the most applicable classification for thinking about the EU's actorness due to its high degree of openness.

Since the 1970s, theoretical attempts have been made to integrate new actors into IR. The need to do so is caused by what Keohane and Nye (2001) term 'complex interdependence', given the increase in relations and actors at the international level. Keohane and Nye (1973: 380) differentiate 'governmental, intergovernmental and non-governmental' actors, which in turn are distinguished by the extent of their centralised control to arrive at a six-part classification scheme. The EU (then the EC) was not explicitly discussed in this scheme, but would theoretically fall into the intergovernmental category. This accords with

international law, but cannot adequately cover the multidimensional nature of the actor (Bretherton and Vogler 1999: 20).

The most comprehensive account of the concept of actorness with regard to the EU has been developed by Bretherton and Vogler; they establish internal and external factors for measuring actorness.

The attribution of actorness does more than simply designate units of a system. It implies an entity that exhibits a degree of autonomy from its external environment, and indeed from its internal constituents, and which is capable of volition or purpose. Hence a minimal behavioural definition of an actor would be an entity that is capable of formulating purposes and making decisions, and thus engaging in some form of purposive action (1999: 20).

Furthermore:

Presence conceptualizes the relationship between internal developments and external expectations. *Opportunity* encapsulates factors in the external environment that enable or constrain actorness. *Capability* refers to the capacity to respond effectively to external expectations and opportunities (Treacher 2004: 50).

Bretherton and Vogler (1999) further distinguish between region-ness as well as actorness in order to describe the concept of actor. The capacity to act is of relevance internally as well as externally, yet the actor can be known by his external actions. Whereas region-ness refers mainly to the internal dimension, actorness describes the external dimension of common action. Actorness is a result and function of region-ness, as common action in the external sphere can only manifest itself due to cohesion within and due to common action in the internal sphere. An actor, thus, is the result of internal as well as external factors.

Following this, Bretherton and Vogler establish five criteria for measuring actorness:

1. Shared commitment to a set of overarching shared values and principles;

2. The ability to identify policy priorities and to formulate coherent policies;
3. The ability effectively to negotiate with other actors in the international system;
4. The availability of, and capacity to, utilize policy instruments;
5. Domestic legitimation of decision processes, and priorities, relating to external policy (cited in Hettne and Soederbaum 2005: 537).

Overall, Bretherton and Vogler use the concept described here to characterise the EU as an actor in environmental politics (Bretherton and Vogler 1999; Vogler 2005). The concept was simplified slightly with the following edition of *The European Union as a Global Actor* (the five criteria above were summarised under ‘presence’, ‘the ability to formulate policies’ and the ‘availability of policy instruments’) and it was now used to describe the EU as an actor in more than one policy dimension (Bretherton and Vogler 2005). In the following, a scheme is presented which builds on that of Bretherton and Vogler but distinguishes in addition three dimensions of measuring actorness, in all of which the actor has to realise itself. The concept will be used to test for actorness of the EU in the sphere of counterterrorism.

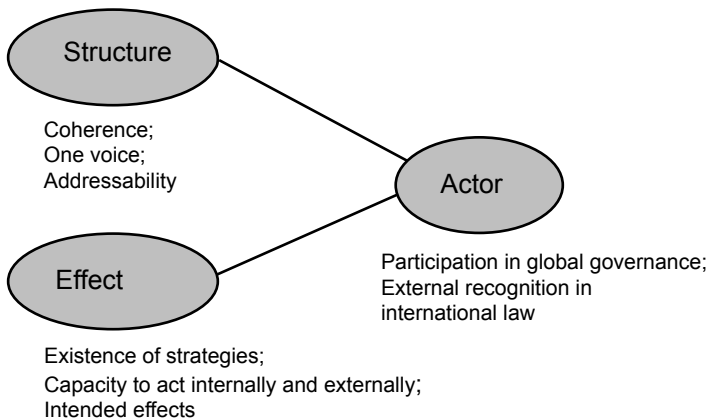


Fig. 2 A concept for measuring actorness
(Developed in cooperation with Siegmur Schmidt).

The schema differentiates between internal (structural) and external (effectual) criteria, as well as measuring actorness as such (actor-specific criteria). Coherence refers to region-ness in Bretherton and Vogler's sense, as a measure of regional integration. 'One voice' and 'addressability' refer to the capability of communicating actively and passively with the external world. With regard to the external effects, the existence of common strategies seems important, and they are considered more thoroughly in the following. Also, the capacity to take external and internal action is looked at. Finally, intended effects are regarded as a measure of actorness. With regard to the actor-specific criterion, participation in global governance seems important and is also a factor to be considered here and in the following chapter, along with recognition under international law.

Measuring actorness

Coherence

Bretherton and Vogler's understanding of coherence (shared values, principles and common policies, issues which are discussed in their monograph) being somewhat different to the use here, coherence will be discussed more generally.

A region can be defined as a geographical sphere that under certain conditions, for example political or economic, forms an entity and is distinguishable from other neighbouring regions (Der Große Brockhaus 1980: 399). One can distinguish between national, sub-national and international regions. Here it is international regions that are mainly of interest, regions that encompass a number of states. Roloff defines the region along these lines as 'a geographic area comprised of a number of independent states sharing common economic, social and political values and goals' (cited in Yalem 1965: 15). Thus, the term 'region', beyond its geographical and territorial reference, can encompass further economic, political and even military aspects. Regionalism, according to Nye, can be defined as the formation of interstate associations or groups on the basis of regions, and even the propagation of these formations (Nye 1968: vii).

The region according to the definition given above is a space where we find a certain degree of homogeneity, as well as a core centre and

external borders. Geographical closeness serves as a condition for political and ideological integration (Frey-Wouters 1969: 466). The academic literature further distinguishes between political and economic regions, which describe the underlying motive for cohesion or integration. The term 'political region' describes a geographical entity in which individual states form a group; it can also be employed over far distances. The political region presides over coincidence or complementarity of interests, and a certain degree of solidarity as an ideological and cultural entity. Within the political region, institutional structures emerge due to common interests and due to the necessity for coordination in order to deal with interdependence. Political regions can also be divided into five types: regions of conflict, of confrontation, of coexistence, of cooperation and region of consensus. Such political regions can be in the process of formation (left to right), or in the process of dissolution (right to left). In this schema, certainly, the EU is a political region in the process of formation.

The economic region is in general subordinated to the political region; it is a part of and precondition for it. It develops from the interdependence between single economic entities and from the complementarity of their national economies and their elites. Cooperation between states is the aim of economic union, which is realised as economic integration, in the finality of the formation of a political region. An economic region can exist other than in a political region, but the lesson of historical experience is that an effective political region presupposes – at least in the long term – a functioning economic region.

The region is not only a geographical, economic and political entity; it can also be understood as showing the quality of actorness. This is caused by the fact that, where we are dealing with many other economic and political regions, these entities form common organisations (Hettne 2005: 11). These can be conceptualised as 'a system of intentional acts, which would include numerous actors operating in some way in concert' (Hettne 2005: 11). The differences between this and a state here are gradual: whether one can speak of a region as state-like depends on the closeness of its supranational community. In the available examples worldwide, the EU is of course the most state-like region.

The capacity of a region to take collective action changes with time, which also depends on the integrating power of the organisation. The more intensive the integration, the more the region can act as a single entity and thus become an actor. 'When different processes of regionalisation in various fields and at various levels of society intensify and converge within the same geographical area, the distinctiveness of the emerging region increases' (Hettne 2005: 11). The term region-ness then means that the region develops from a geographically defined space into an actor, and also is increasingly able to articulate interests.

To strengthen the argument by applying Bretherton and Vogler's criteria for coherence, common values are regarded as a fundamental basis for current European integration and enlargement (Emerson 2005; Rehn 2005). Comparing the member states' policies on counterterrorism allows us to measure coherence:

The initial post 9/11 reactions of the selected countries show no significant differences among the countries analysed. Top ministerial steering committees and task forces were quickly put together in all countries to provide leadership and a focal point in the confusion that followed the attacks. In particular the security and surveillance of commercial aviation, designated objects and components of critical infrastructures, dignitaries and, to a lesser extent, country borders were immediately strengthened. Intelligence gathering and intelligence sharing were increased, both domestically and internationally. All countries engaged in and adhered to international negotiations, most notably within the EU, but also with the UN, the USA and NATO, except Finland, which is not a NATO member. [And] in line with international resolutions, all countries have particularly stepped up their investment in the prevention of terrorism by increasing the capacity of intelligence, increasing the capacity to prevent money laundering, and strengthening the legal and law enforcement structure to deter terrorism and to bring terrorists to justice quickly, with increasing European harmonisation regarding the penal code (van de Linde et al. 2002: 4).

One voice/addressability

The criteria of one voice and addressability are only partially fulfilled in the EU. Addressability of the EU is provided by the so-called 'Troika' and by the Counter-Terrorism Coordinator, now Gilles de Kerchove. This long-standing problem for the EU (Kissinger: 'Who can I call when I want to speak to Europe?') has been solved.

Yet in the case of Iraq, for example, we have seen the EU facing serious difficulties in speaking with one voice (Reckman 2004). Interests and policies have differed starkly. The EU generally does participate in the GWOT, but in the case of Iraq it was divided: 15 of 25 member states were in opposition to participation in the war, or undecided. A number of states, for example France and Germany, openly opposed participation in 'Operation Iraqi Freedom'. These differences over the Iraq war have been debated in public; of special interest have been the related questions of whether there were indeed weapons of mass destruction (WMD) in Iraq and of whether an intervention was necessary. The differences over such questions made it impossible for the Europeans to establish a common standpoint.

The EU failed to think early on about proceeding in common. The two regular Council meetings in the first half of 2002 did not deal at all with the question of Iraq (Reckmann 2004: 125). The two permanent members of the UN Security Council – the UK and France – evinced strong interest in avoiding the issue outside the UN, and especially within the EU. Under the Spanish Council presidency there were single declarations in support of Resolutions 1284 and 1409. Beyond this, a common Council standpoint was issued (in July 2002) only in reference to the embargo against Iraq. Europe overall, in 2002, kept a low profile on this question (Reckmann 2004: 125). As the conflict proceeded, rhetorical and political differences emerged between the European states. So, for example, the UK offered its support to the USA, if necessary without a UN mandate, a move which arose from the tradition of a 'special relationship'. France, in turn, criticised the unilateral policies of Washington but on the other hand stressed that further disregard of UN resolutions by Iraq would not be tolerated. Under a new resolution of the Security Council, France would have participated in a military intervention; it was France's primary aim

not to allow the Security Council to be further weakened. Germany, meanwhile, completely opposed a military solution in Iraq. Any such solution, or any German participation in it, was categorically rejected. Instead, the necessity of solving the Israeli-Palestinian conflict was pointed out (Reckmann 2004: 128).

Due to these very different approaches taken by just three of the most important EU member states, a common policy (and voice) was rendered impossible. Still, at an informal meeting in Helsingör in 2002 the states came to a compromise that brought the USA once again to the Security Council and led to a resolution which introduced new weapons inspections in Iraq, but with no automatic mechanism for military intervention (Reckmann 2004: 129; the resulting report delivered by Iraq, however, was not accepted by the USA).

Further differences within Europe in the following period developed into a serious foreign-policy crisis. France threatened a veto in the Security Council, and, together with Germany, asked for the support of Russia. The consequence was a dispute that came into the open in the Security Council as well as in NATO about proceeding against Iraq. The EU member states, as well as the candidates for membership, found themselves on opposing sides (Reckmann 2004: 131). Whereas Poland and other states supported the USA, France used the EU to 'soft-balance' the USA. Internal tension thus was reflected at the supranational level. Commission President Prodi referred to an intervention against Iraq as unnecessary. On the other hand, the High Representative for the Common Foreign and Security Policy, Javier Solana, finally accepted a war against Iraq, as a last resort. Yet in June 2003 he delivered a strategy paper supporting a strong and assertive role for the EU in international relations, criticising the unilateralism of the USA, and describing a multilateral world order as the overall aim of the EU. Therefore, even at the European level, internal differences were obvious and it was hard to find a common voice. It was clear that this was due not only to the integration of new member states, as might have been assumed, but reflected the situation in the core of Europe.

Later, in the framework of the conflicts with Iran and North Korea, the EU showed less opposition to the US position, but also did not

focus predominantly on the military option the USA proposed (European Commission 2009).

Common strategies

The EU has (even if comparatively late) formulated a common strategy against terrorism. In the counterterrorism strategy adopted after 2005, terrorism is referred to as a crime, 'criminal and unjustifiable under any circumstances' (Council of the European Union 2005: 6). Terrorism is thus not taken to be an act of war. It is made clear that due to its internal freedom the EU is a target for terrorism and thus special protection is needed. This protection – 'to reduce the threat' (Council of the European Union 2005: 6) – was proclaimed as the aim rather than the extinction of terrorism. The necessity of cooperating with IOs (especially the UN) and other nations was highlighted, though the USA is not specifically mentioned in this context. The strategy further builds on four pillars: prevention of terrorism; protection of citizens; interdiction of terrorism; and reaction to terrorist attacks. The root causes of terrorism are mentioned at the outset, as well as the necessity of addressing them: 'To prevent people turning to terrorism by tackling the factors or root causes which can lead to radicalisation and recruitment, in Europe and internationally' (Council of the European Union 2005: 3). The security of citizens is to be improved by enhanced border and transport security, and by the protection of critical infrastructure. Terrorists are to be interdicted in Europe and at the international level and their criminal activities prevented. Captured terrorists are to be brought to justice. Finally, and in a spirit of solidarity, capacities for responding to a possible attack are to be improved.

Toye is very critical of the EU strategies:

At the hands-on level, the EU has so far come up with a number of 'common strategies'; it has formulated targeted policies against terrorist financing, and launched three military operations . . . [However] the common strategies are unfocused and the military operations were so small that they would barely have been noticed had they not been the first military missions for the EU (Toye 2005: 118).

Writing four years later, the author does not agree with the above interpretation: particularly in distancing itself clearly from the predominantly military approach to countering terrorism and by focusing on preventive measures instead, the EU with these very strategies has shown a decisive actorness. More on the common strategies of the EU is to be found in Chapter 4.

Capability of action within and without

The capability of a common foreign policy (even if not laid down in the initial treaties), as a sign of capability of action 'outside', is described by Treacher as follows:

trade with third countries, development policy, the Common Agricultural Policy (CAP), the Single Market, humanitarian relief and the single currency, not to mention enlargement. Moreover, the Union's economic weight has enabled it, to a greater or lesser extent, to impose economic and political conditionality on the third countries it deals with. Irrespective of any military dimension, it became, and remains, a significantly influential international actor, whether this be in the forum of the World Trade Organization, in the reconstruction of former Yugoslavia, in the promotion of liberal market reform and democratic practice in central and eastern Europe, or in tackling global underdevelopment (2004: 51).

In the field of counterterrorism, however, the picture is somewhat unclear. The genesis of European cooperation in that area was in the 1970s, when cooperation was still problematic due to the nation states' fear of loss of competencies. This situation has generally improved, but as a problem has up to now not been totally solved (Keohane 2005). The EU member states started their cooperation in counterterrorism in 1979, when a common police task-force against terrorism was established (Lugna 2006: 116). The group assembled representatives of national police forces in order to harmonise the methods to be used in the fight against the IRA, the Red Brigade and the Baader-Meinhof group. The increase in transnational criminality and in violent excesses

at football games in the 1980s hastened European cooperation in this regard. The Maastricht Treaty of 1991 made police cooperation a common policy.

After 9/11, the EU governments directed more resources to the fight against terrorism (Lugna 2006; and European Commission n.d.). A European Arrest Warrant was established that rests on a common definition of terrorism and that allows the member states to cooperate in the prosecution of terrorists and criminals; a common list of terrorist groups was also established. There have been common exercises for police forces in the EU, and governments have given additional resources to Europol and created a special force for counterterrorism operations. 'The governments also created Eurojust, the EU's nascent law enforcement agency, to help national magistrates work together on cross-border investigations' (Keohane 2005: 17). In November 2004, the ministries for justice and the interior agreed on a five-year plan known as the Hague Programme (European Commission n.d.). The plan covers all aspects of their security policy and legal cooperation and will operate until 2010. It further encompasses a number of measures that will be used in the fight against terrorism; an example is the right of police officers to demand information from police agencies in other countries. Cooperation with regard to information-sharing on aviation passenger-lists has been debated.

In March 2004, three days before the attacks in Madrid, Javier Solana presented a report on the status of EU efforts on counterterrorism (Keohane 2005: 18). The report hinted at three serious shortcomings: some member states had not implemented the common agreements (for example, the EU arrest warrant). The EU lacked sufficient resources to play an important role in counterterrorism, and coordination between the representatives in the different policy fields remained weak. After the attacks in Madrid, Gijs de Vries was named the EU's Counter-Terrorism Coordinator; yet he did not have the resources to implement his ideas, apart from the power to compel. He did not have a budget and could not propose legislation. De Vries was supposed to influence cooperation between the Commission and the Council (Keohane 2005: 19). The Commission develops legal texts for a number of measures against terrorism (as, for example, in the fight against criminal funding) and

proposes them. In the Council, the interior and foreign ministries meet in order to decide on common EU policies.

Furthermore, even given certain common approaches against terrorism, EU governments differ in their legal procedures. For example, Germany, Belgium and the Netherlands have only weak laws for the fight against terrorism, and often fail to arrest suspects. In Germany, those suspected of belonging to terrorist groups (according to Keohane) are allowed to go free, whereas in other states they would be arrested. For example, in the UK counterterrorism laws are stricter, and the intelligence services dominate internal counterterrorism, while France and Spain provide special courts to deal with terrorists. States also differ in the organisation of their police forces. France and Italy, for instance, have two different kinds of police. The carabinieri in Italy and the gendarmes in France are the responsibility of the defence ministry, whereas the rest of the police forces work under the ministry of the interior. Denmark, Finland and Ireland have national police forces that are centrally managed. The UK and Spain have decentralised police forces. In Britain there are more than 50 different police entities. It should be clear from this that there are large differences in the structures employed in counterterrorism, which makes it difficult for the EU to act internally. However, there are common structures in development, such as Europol, whose powers have been enhanced after a Council decision:

Europol is now also competent to investigate, for instance, murder, kidnapping, hostage-taking, racism, corruption, unlawful drug trafficking, illegal immigrant smuggling, trade in human beings, motor vehicle crime etc. Moreover, the Council has adopted a Framework Decision which enables Member States to set up joint investigation teams (Lavranos 2003: 262).

A problem for counterterrorism 'within' the EU is that it is not a well-defined policy field. Broadly understood, it can encompass a large number of such fields and of accountabilities, like border control and foreign and defence policy, as well as legal issues, intelligence, financial policies, information policies, and so forth. Therefore national governance faces problems in coordinating its own ministries

and agencies, which are all in some way accountable for countering terrorism. It is even more problematic to coordinate the efforts of the (now) 27 member states. However, the EU is currently unified in the conviction that cooperation with regard to counterterrorism is necessary as it deals with a transnational problem that cannot possibly be solved or even addressed by single states alone. On the other hand, a high level of willingness to allocate to the EU competencies and resources needed for it to be truly effective is still not present; and the EU is therefore limited mainly to the difficult task of coordinating the counterterrorism policies of the member states.

Externally, the EU is collectively active, for example in Afghanistan, where the member states participate in the International Security Assistance Force (ISAF). The EU as an organisation provides aid to the country, it has sent a police training mission, and in Iraq it has been participating since 2006 with the EURJUST mission (Council of the European Union 2006a, ch. 4). Its military capabilities for possible involvement in military operations in the GWOT are estimated as follows:

The combined armed forces of the EU-25 total over 1.8 million. From these, the Headline Goal (HG) agreed at the Helsinki European Council (December 1999) aims to make available to the EU the necessary capabilities, including the necessary command and control, intelligence, logistics and air and naval assets, to enable the deployment of 60,000 troops within 60 days and sustainable for a year (Biscop 2004: 512).

The EU is very much in favour of and engages in international cooperation in the sphere of counterterrorism. For example, it works together with the USA in the Financial Action Task Force (FATF); Europol and the USA have signed two strategic cooperation-agreements, and consultations regarding further cooperation are taking place (Kerber 2007). The EU is also in contact with Russia over counterterrorism questions as well as other states with which it has cooperation mechanisms (European Commission 2006). Counterterrorism legislation is integrated into treaties with other states,

and with many states there have been common declarations (and also with other regions, such as ASEAN). In some cases, the EU supplies other states with technical aid in order to facilitate the implementation of Resolution 1373.

Further, the EU is active in preventing the recruitment of terrorists in third countries:

Through its military and civilian crisis management operations under ESDP the EU contributes to improving the security environment which influences the conditions for violent radicalisation in third countries. Examples include the Aceh operation (2006), the Rafah border monitoring mission (Gaza), and the planned police support mission in Afghanistan (2007). Additional civilian capabilities to prevent and counter terrorism under ESDP are being identified within the Civilian Headline Goal 2008 . . . EU aid projects to third countries in the field of good governance and the rule of law are addressing factors which can contribute to radicalisation and recruitment (Euromed, Western Balkans, ASEM, cooperation with Algeria and Morocco). . . . With the Euromed countries the EU has organised expert meetings to analyse and compare processes of radicalisation in the Mediterranean area. The Commission will organise a Euromed conference on the role of the media in preventing incitement in 2007 (EU Council Secretariat 2007: 2).

Counterterrorism is a cross-pillar policy field (Stetter 2004; Monar 2007). It is addressed at the first, second and third pillars, or European Community (EC), Common Foreign and Security Policy (CFSP), and Police and Judicial co-operation in Criminal Matters (PJCC). Whereas in the first pillar the EU has traditionally the capability to act outside its own borders, this situation is less clear in the second and third pillars. In the second pillar, it is still mainly the member states that decide on foreign policy. Regarding the third pillar, Monar (2004) writes that the 'Council can make use of the CFSP provision enabling it to negotiate and conclude agreements with third countries or international organizations'. However, 'not the Union as such can

conclude such agreements but only the Council in the name of the Member States' (Monar 2004: 400).

We could argue here rather for collective action, and therefore collective actorness, than unity. Musu confirms this interpretation with his observation on 'the development of a stronger convergence of Member State policies as a result of the influence exercised by a number of exogenous and endogenous variables' (2003: 48). Monar also provides us with arguments for this interpretation: firstly, the legitimacy of common action if it stems from the EU's treaty-defined objectives and tasks for the safety of citizens; secondly, the involvement of the Council as an organ of the EU, as well as the fact that EU institutions are bound by collective action; and thirdly, the widespread use of majority voting, which all seem to speak for the actorness of the EU in this field.

External effect

It is difficult to estimate developments in international terrorism, as the numbers published differ to such a large extent. Firstly, the data from the RAND Corporation must be cited: there were 104 international terrorist attacks in 2000, 298 in 2002 and 302 in 2005. These data show a decrease in the late 1990s and a strong increase after 2001 (RAND MIPT database). The National Counterterrorism Center (NCTC), set up by President Bush, counted 3,192 attacks with 28,433 victims in 2006, and 11,770 attacks with 50,000 victims in 2008 (National Counterterrorism Center 2008). The Human Security Report (2005) has also found an increase in terrorism since 2001. Officials of the State Department and the NCTC have referred to these new numbers as 'dramatic uptick'. Experts like Hoffman have spoken of an increase in the personal basis of international terrorism and predicted a further increase for the coming years (World Economic Forum 2005). Given these numbers, it seems clear that terrorism is increasing rather than on the decline. However, there is no obvious way of measuring the external effect of the EU on terrorism, and in any event other factors (such as the intervention policies of the USA and others) clearly influence that effect. Furthermore, the overall increase in terrorism is reflected in some regions, but not in all. For example, the data do not support the

assumption of an increase of terrorism within the EU itself, which in turn could be a sign of effectiveness of EU counterterrorism policies internally.

Where the EU does have a clear impact is in promoting counterterrorism cooperation. As the counterterrorism expert Bauer has stated (interview with the author, 2007), the EU is constantly trying to convince other states to improve their counterterrorism measures and is backing these demands with technical help, for example to ASEAN (ch. 5). Common declarations have been signed by which ASEAN's compliance with international norms and over cooperation with the EU is being improved.

Participation in global governance

The classic concepts of global governance (e.g. by Rosenau and Czempiel or the Commission on Global Governance) contain little elaboration on the role of regions as actors in global governance. The first explicit reference to regions was made by Messner and Nuscheler (2003). In their concept, regions are regarded as one level in global governance, and one type of actor in it. The EU in particular is explicitly termed a 'laboratory for Global Governance' (Messner and Nuscheler 1997: 351). In the final report of the Enquete Commission of the German Parliament, *Globalisierung der Weltwirtschaft – Herausforderungen und Antworten* (Enquete-Kommission 2002) regions are also seen as actors in global governance. The report states that global governance has to be based and built on regional cores of cooperation. Whether the EU can be termed an actor in global governance, therefore, might depend on the level of participation therein.

To give some examples of its participation, the EU has developed a number of regulations in order to implement the resolutions (particularly 1373) of the UN Security Council. For example on 26 January 2002 the EU signed the UN protocol on the illegal production and trade in small weapons, their parts or ammunition. The EU is currently working on implementing the protocol in its repertoire of legislation, the *acquis communautaire* (Brasack 2007). The signing and ratification of the 12 counterterrorism conventions is the responsibility of the single member states, but all of them are called upon to do so

within the common position adopted by the Council's note 2001/930/CFSP (Eur-Lex 2001) of 27 December 2001. The process of ratification is monitored at the EU level. In addition, the member states are cooperating in the Financial Action Task Force, which is an element of global governance. At the EU level, lists have been drawn up that name individuals, groups and other entities that are to be made subject to financial control measures; al Qaeda is one of them. The EU cooperates with the USA on extradition, mutual legal assistance and the exchange of police data (Mitsilegas 2003), as does Europol (Lavranos 2003). The issue of participation in global governance will also be a central feature of Chapter 4.

Recognition in international law

International law, by recognising the EU, identifies it as a 'legal personality' and thus provides a formal answer to the question of the EU's actorness. Since the peace of Westphalia, the state has normally been the main actor in international law, and is thus a legal personality in IR. States can enter into treaties, for example, and be held accountable for their policies by the UN Security Council: 'Legal actorness confers a right to participate, but also to be held responsible by other actors, and to incur obligations' (Bretherton and Vogler 1999: 16). Since the middle of the twentieth century, with increasing globalisation and a decrease in individual states' sovereignty, the assumption that the state is the only actor has been challenged. The first formal recognition of this change was made by the establishment of the UN as a legal personality by the International Court of Justice. 'On this basis the European Community achieved legal personality, although its formal status has been that of an intergovernmental organization and it is entitled to act only in areas of legally established competence' (Bretherton and Vogler 2006: 14). Lavranos concurs with this interpretation:

In my view, the EU has an implicit international legal personality, which it has indeed exercised already by concluding so far at least three international agreements with a third state. In fact, the 'Working Group III on Legal Personality' which advised the European Convention unanimously proposed to include in

the new European Convention a provision granting one legal personality for the whole EU (Lavranos 2003: 263).

Conclusion

The EU can indeed be termed an actor in the security field of counterterrorism. It is still a weak actor, as is shown in certain critical fields, and there are for example limitations regarding a common voice for the EU. Yet overall it does show characteristics of an actor: it can be addressed, it has an effect on other countries and regions, and it is termed an actor in international law. However, due to the problems mentioned above over a common voice and the internal capability to take action, it might be sensible to speak of a 'collective actor' here. 'Collective actorness' would describe the fact that the member states always act within the common frame of reference and with regard to each other, though not necessarily in consensus. Others have also argued for the actorness of the EU: Monar (2004), for example, described the EU as an international actor in the domain of Justice and Home Affairs (now called Police & Judicial co-operation in Criminal Matters).

In the case of ASEAN, it is more difficult to speak of actorness (Rüland 2002: 6). Eaton and Stubbs (2006) argue that it is particularly from the constructivist perspective that ASEAN can be regarded as an actor (and as a powerful one) in international affairs. Realist scholars more often tend to dispute this interpretation. It is usually agreed that the main actors in ASEAN are still the member states. However, ASEAN does play an important role at the intergovernmental level. These features will be better described in Chapter 5. Meanwhile, ASEAN can be understood as an 'evolving' or 'emerging' collective actor, a term that describes the fact that the member states use ASEAN to come to some form of collective action, even if they do not always cooperate or agree on common policies. This concurs with the interpretations of others (Soesastro 2003; Philippine Information Agency 2008, Rüland 2001; Nischalke 2000):

Notwithstanding a high degree of external cohesion, decision-makers in the ASEAN countries have shown reluctance to abide by the norms of consultation and consensus. The need

to harness support and external pressure explains best the only modestly high degree of norm compliance. Put starkly, the 'ASEAN way' has proven to be a myth. As an international actor, ASEAN has constituted a community of convenience based on functional considerations rather than a community of shared visions. These findings cast doubt on optimistic accounts of ASEAN as an emerging security community. On the other hand, optimism can be derived from the fact that ASEAN has been able to arrive at common positions and present a cohesive front towards outside powers even when beset by internal disagreements. ASEAN's behaviour bespeaks a latent reservoir of 'we-feeling' that could provide the seed for a community in the future (Nischalke 2000: 113).

EU COUNTERTERRORISM: PARTICIPATION AND CAUSES

The threat scenario

A Europol report describes the threat situation thus:

Table 2. Terrorist attacks in the EU in 2006 by types of terrorism

<i>Member state</i>	<i>Islamist</i>	<i>Separatist</i>	<i>Left-wing</i>	<i>Right-wing</i>	<i>Other/not specified</i>	<i>Total</i>
Austria	0	0	0	0	1	1
Belgium	0	0	0	0	1	1
France	0	283	0	0	11	294
Germany	1	0	10	0	2	13
Greece	0	0	25	0	0	25
Ireland	0	1	0	0	0	1
Italy	0	0	11	0	0	11
Poland	0	0	0	1	0	1
Portugal	0	0	1	0	0	1
Spain	0	136	8	0	1	145
UK	0	4	0	0	1	5
Total	1	424	55	1	17	498

Source: Europol 2007: 13.

Eleven member states were targeted by 498 terrorist attacks in 2006. During October–December 2005, 51 terrorist attacks were carried out in the EU. Despite the high number of terrorist attacks, the vast majority of them resulted only in material damage and [were] not intended to kill. There were no successful Islamist terrorist attacks in the EU in 2006. However, a coordinated but ultimately failed attack aimed at mass casualties took place in Germany. The vast majority of terrorist attacks were perpetrated by separatist terrorist groups targeting France and Spain (Europol 2007: 13).

The RAND MIPT database counts only 152 cases of terrorist attacks in 2006. It is interesting to note (according to this database) that since the time of the 9/11 attacks, the general occurrence of terrorism in Western Europe has not increased. Whereas the database (now merged with the National Consortium for the Study of Terrorism and Responses to Terrorism, START) counts 205 attacks or threats of attacks per year for the period 1970–97 (5,540 overall in Europe²¹), it counts 207 attacks or threats of attacks per year for the period 1998–2004 (1,246 overall, according to START).

Counterterrorism in the EU

The beginning of European cooperation in the sphere of counterterrorism dates back to the 1970s. Cooperation was at that time hampered by fears of losing national prerogatives. However, in 1976 the so-called Trevi (Terrorism, Radicalism, Extremism and Violence International) Group of interior and justice ministers was established:

This was largely an intergovernmental forum for collaboration outside of the formal treaty structure and it lacked a permanent secretariat, but provided the law enforcement authorities in the European Union with a limited, yet useful way to communicate and exchange information on various transnational crimes, as well as to share best practices to combat them (Lugna 2006: 105).

The group brought together representatives of national police forces to coordinate methods in the fight against the IRA, the Red Brigades

and the Baader-Meinhof Group. With increasing transnational crime and violence in sports events in the 1980s, cooperation in this field also increased. With the Maastricht Treaty, police cooperation was introduced into the common policies of the EU (Lugna 2006: 116).

After September 2001 governments provided more resources for the fight against terrorism. A common arrest warrant was introduced in the EU as well as a common definition of terrorism. A European list of terrorist groups was established, as were joint exercises by the police forces of the member states. The governments provided Europol with additional resources and established a joint task-force for counterterrorism. Furthermore, 'the governments also created Eurojust, the EU's nascent law enforcement agency, to help national magistrates work together on cross-border investigations' (Keohane 2005: 17). In November 2004, the member states' ministers of justice and the interior agreed on the so-called Hague Programme. This five-year plan addresses cooperation in security policy and judicial matters, and is to continue until 2010. It comprises a number of measures to be pursued in the fight against terrorism, for example, the possibility of police forces calling for information from bureaux of other member states. It has also considered the handling of flight-data lists. With the Hague Programme, the ministers of the interior took up a leading role in the fight against terrorism (Keohane 2005: 17).

In March 2004, three days before the attack in Madrid, Javier Solana issued a report on the status of the EU's efforts in counterterrorism (Keohane 2005: 18). He pointed out a number of shortcomings: a number of member states would not implement common agreements, e.g. the European Arrest Warrant; the EU lacked sufficient resources to be an important player in counterterrorism; and cooperation between responsible figures in individual institutions was weak. Against this background, and following the attack in Madrid, Gijs de Vries was installed as the Counter-Terrorism Coordinator (ch. 3).

Up to now, the EU's member states have been the main actors in European counterterrorism. The EU itself, according to Keohane, only has the role of a coordinator. Among the member states, individual states such as France, Spain, the UK and Ireland are leading in cooperation. If the EU had more competencies in counterterrorism

related policy fields, it could facilitate cooperation and broaden it to the whole community, as happened with the European Arrest Warrant. Many fora exist for the member states to cooperate outside the formal EU framework: for example, the so-called G5 Group of the biggest five member states (France, Germany, Italy, Spain and the UK) meet to coordinate their political counterterrorism measures.

Institutional setting of counterterrorism

Counterterrorism in the EU can be described as cross-pillar politics (Stetter 2004; Monar 2007), as more than one pillar is involved. However, counterterrorism is officially located in the so-called 'third pillar'. The third pillar formerly concerned Justice and Home Affairs, but has now been renamed to address Police and Judicial Co-operation in Criminal Matters; it is one of the two intergovernmental pillars (the second and third).

The European Council discusses proposals by the Justice and Home Affairs Council and the General Affairs and Foreign Relations Council at least once a year. In June 2005, it adopted the Plan of Action (containing some 100 initiatives on combating terrorism). It also identified a number of priority areas, including information-sharing, combating the financing of terrorism, mainstreaming counterterrorism action in the external affairs of Europe, and improving civil protection and the protection of critical infrastructures (Lugna 2006: 108). However, the European Council's resolutions often remain mere declarations.

The Committee of Permanent Representatives (COREPER) prepares the decisions of the Council. It has established a contact group of persons from the member states' permanent representations in Brussels which deals with all aspects of terrorism, and whose task is also to act as a central contact-point to gather all the information related to counterterrorism (Lugna 2006: 108).

Table 3. The three pillars of the EU

<i>First pillar (European Communities, EC)</i>	<i>Second pillar (Common Foreign and Security Policy, CSFP)</i>	<i>Third pillar (Police and Judicial Co-operation in Criminal Matters, PJCC)</i>
Common policies: • Agriculture, fisheries • Trade • Transport • Customs union and internal market • Economic and monetary policy • Industrial policy • Regional policy • Policy to strengthen economic and social cohesion • Employment and social policy • Energy • Research and development • Environment • Consumer protection • Culture • Audiovisual policy • Public health • Education, training and youth • Trans-European networks • Development aid • Competition • Taxation and approximation of laws • Judicial cooperation in civil matters • Citizenship of the Union • Asylum and immigration • External borders	Foreign policy: • Cooperation, common positions and joint action • Peacekeeping • Human rights • Democracy • Aid to non-member countries Security policy: • With the support of the WEU: questions concerning the security of the EU • Disarmament • Economic aspects of armament • In the long term: European security framework	• Judicial cooperation in criminal matters • Police cooperation • Combating racism and xenophobia • Fighting drugs and the arms trade • Fighting organised crime • Fighting terrorism • Combating criminal acts against children and trafficking in human beings
EURATOM		

Source: Eur-Lex 2009.

In the Justice and Home Affairs Council, justice and interior ministers meet on average once a month to discuss the development of cooperation in the sector. The Council has adopted 'important legislative measures to facilitate cross-border cooperation', particularly 'by national law enforcement authorities and intelligence agencies' (Lugna 2006: 109). It is supported by the Article 36 Committee, which brings its views to the attention of the Council and coordinates the work of several third pillar working groups (dealing with police cooperation, judicial cooperation in criminal matters, the Schengen information system, etc.). It is also supported by its Terrorism Working Group, which was established specifically to address terrorism and counterterrorism issues. The group consists of representatives from the member states' ministries of the interior and law-enforcement agencies, and addresses internal threat assessment, and practical cooperation and coordination among EU bodies (Lugna 2006: 109). It covers only aspects of cooperation in law-enforcement, as opposed to the third pillar (PJCC) elements in the fight against terrorism (such as visa policy, document security, etc.). The Working Group on Civil Protection is concerned with early-warning mechanisms and consequence management. The Strategic Committee on Immigration, Frontiers and Asylum coordinates the work of the various working groups in the field of migration, visas, borders and asylum.

The General Affairs and External Relations Council mainly updates the EU list of terrorist groups and individuals. It is supported by the Political and Security Committee, which coordinates the second pillar working groups, and by the Working Party of Foreign Relations Counsellors which deals with the freezing of assets of terrorist organisations. The Working Party on Terrorism also deals with issues related to external matters, threat assessments and policy recommendations as regards third countries, as well as implementation of UN conventions (Lugna 2006: 111).

The Counter-Terrorism Coordinator is affiliated with the Council Secretariat, coordinates the work of the Council in combating terrorism and maintains an overview of all the EU instruments and mechanisms at its disposal for fighting terrorism. However:

[He] has virtually no powers, apart from persuasion as he cannot force governments to act, in addition he has no budget and cannot propose legislation nor can he chair meetings of national justice or foreign ministers to set the anti-terrorism agenda (Lugna 2006: 111).

The Counter-Terrorism Coordinator is thought to influence the cooperation between the Commission and the Council in counterterrorism matters. The Commission proposes legislation for measures in the fight against terrorism and in the Council; interior and foreign ministers meet to plan the EU's strategic policies. Within the Commission, better coordination of the directorates is necessary. However, the Commission is sceptical of the Counter-Terrorism Coordinator – it was feared he could hamper the competencies of the Commission. In addition, a number of other institutions and agencies (such as Europol and Eurojust) have a role in countering terrorism, all tackling different aspects of the task. It is also the responsibility of the Counter-Terrorism Coordinator to coordinate those. The EU's counterterrorism structures are very complex, and it was the task of the Coordinator to rationalise them. One proposal was the installation of a 'European security committee' (Keohane 2005: 20).

The EU Commission makes proposals, together with the member states, for EU legislation in the fields of Justice, Freedom and Security. It also monitors its implementation.

Generally, the Commission, which until 1997 had virtually no role in the area of law enforcement and security, is now fully associated with the work and indeed has generated, in response to the requests from the Council and the European Council, most of the proposals in the field of counterterrorism (Lugna 2006: 112).

There is an internal working group of the Commission on counterterrorism dealing with external and internal aspects. Below that level there are groups focusing on one or the other of those aspects. The Monitoring and Information Centre is the central instrument of cooperation between the national emergency systems, able to provide

assessment and coordination teams. In addition, there is a Situation Centre staffed with national experts to analyse intelligence reports from the member.

There are also a number of independent agencies dealing with counterterrorism at the EU level. They are under the intergovernmental control of the member states. The first is Europol, which is the 'European Union law enforcement organization that handles criminal intelligence' (Lugna 2006: 113). It maintains a European database used to analyse and investigate crimes, and assists national police forces by sharing this information. Whereas Europol has established a Counter-Terrorism Task Force, Eurojust serves to improve cooperation between investigators and prosecutors of crimes, including terrorism. The European Border Agency, meanwhile, coordinates operational cooperation between the member states with regard to the management of their external borders.

Also, member states cooperate outside the Council in the Counter-Terrorism Group (CTG). It brings together the security services of the member states and is a follow-up to the so-called 'Group of Bern' (Lugna 2006: 115). In the G5 Group, the biggest five member states meet to coordinate their political measures. Beyond this, there are other multinational groups in existence, such the Salzburg Group and the Baltic Sea Task Force.

European strategies against terrorism

The European Security Strategy

In December 2003, the EU member states issued a common European Security Strategy which *inter alia* addresses the problem of terrorism: 'Europe is both a target and a base for such terrorism . . . Concerted European action is indispensable' (cited in Keohane 2005: 6). The document calls for a broad-based strategy against terrorism: 'none of the new threats is purely military; nor can any be tackled by purely military means . . . Dealing with terrorism may require a mixture of intelligence, police, judicial, military and other means' (Keohane 2005: 6).

Though there are similarities with the US strategy, the two differ fundamentally. The Europeans in general do not believe in the possibility of success in a war on terrorism, as the Americans do. The regime changes in Afghanistan and Iraq are only partially supported and are not regarded

as primary in the fight against terrorism. The US approach to terrorism, furthermore, is understood to be too short-term oriented and ignores the long-term aspects of dealing with the problem: 'Many think that the US approach concentrates too much on averting terrorist attacks in the short-term and not enough on the long-term political challenge of militant Islamist terrorism' (Keohane 2005: 7). Gilles Andreani, a former director in the French foreign ministry, described the American strategy as 'a good cause' but 'the wrong concept' (cited in Keohane 2005: 7). Europe understands terrorism to be more a means than an end in itself, and that the focus has to be on the root causes of the phenomenon. The EU is therefore more interested in long-term strategies against terrorism.

Plan of Action on Combating Terrorism (Hague Programme)

The Madrid attacks prompted the Council of the EU to create the EU Action Plan against terrorism. The Council of the European Union Declaration of 25 March 2004 set out the following seven objectives for the EU's Action Plan against terrorism:

- To deepen the international consensus and enhance international efforts to combat terrorism;
- To reduce the access of terrorists to financial and economic resources;
- To maximize the capacity within EU bodies and Member States to detect, investigate and prosecute and to prevent terrorist attacks;
- To protect the security of international transport and ensure effective systems of border control;
- To enhance the capability of the European Union and of member States to deal with the consequences of a terrorist attack;
- To address the factors which contribute to support for, and recruitment into, terrorism;
- To target actions under EU external relations towards priority Third Countries where counterterrorist capacity or commitment to combating terrorism needs to be enhanced (Council of the European Union 2004).

EU counterterrorism strategy

In the 2005 strategy of the EU on terrorism, the latter is described as a criminal act: 'criminal and unjustifiable under any circumstances' (Council of the European Union 2005: 6); it is not, therefore, an act of war. It is stated that the EU, due to its internal freedoms, is a target for terrorism and that there is a need for special protection. This protection – 'to reduce the threat' (Council of the European Union 2005: 6) – is declared the goal, rather than the wholesale elimination of terrorists. The strategy further states that cooperation with international organisations (IOs) – especially the UN – and with other nations is necessary.

The strategy is based on four pillars: prevention of attacks, protection of citizens, pursuit of terrorists and reaction to terrorist attacks. The strategy states at the outset that the root causes of terrorism must be tackled: 'To prevent people turning to terrorism by tackling the factors or root causes which can lead to radicalisation and recruitment, in Europe and internationally' (Council of the European Union 2005: 3). For the protection of citizens, border security was to be enhanced as were the safety of transport and the protection of critical infrastructure. Terrorists were to be pursued in Europe as well as at the international level, and hindered from carrying out their activities. Here, the EU explicitly mentions the network character of new terrorist organisations and the necessity of controlling financial transactions and interdicting terrorist access to weapons. Finally, terrorists must be brought to justice, and in addition, in a spirit of solidarity, the capacities to deal with a possible attack must be enhanced (Council of the European Union 2005: 3).

'Prevent'

Importantly for the prevention of terrorism, the causes of radicalisation of parts of societies are often similar (Council of the European Union 2005: 7), so it is possible to speak of root causes that must be addressed. Here, the focus is primarily on terrorist recruitment, for countering which the responsibility rests with the EU member states. It remains the task of the EU to facilitate the exchange of information, to pass on information on best practice,

and to coordinate national policies. It is further stated that national governments alone will not be able to solve the task of preventing terrorism: 'This challenge . . . will require the full engagement of all populations in Europe and beyond' (Council of the European Union 2005: 8). The factors which facilitate radicalisation are: autocratic governments and bad governance; rapid modernisation without adaptation; lack of political and economic options; and lack of education. Such factors are not generally to be found in the EU, or only in some segments of the population. As an external counter-strategy, the promotion of good governance, human rights and democracy are proposed (the strategy being in such respects similar to that of the USA). Also, education and economic progress would have to be promoted, as would the resolution of conflicts (Council of the European Union 2005: 9). Inequalities and discrimination must be addressed, and intercultural dialogue and integration facilitated.

The strategy further refers to the recruitment of terrorists. Facilitators for recruitment are identified as: the spread of globalisation (with regard to travel and communication); the activities of radicalisers; training for future terrorists; and the internet (Council of the European Union 2005: 8). Terrorism is explained as the result of an extremist world-view spread by means of propaganda, which has to be met by counter-propaganda and publicity.

Finally, a list of priorities regarding prevention is presented, which addresses firstly the prevention of Internet misuse, followed by prevention of terrorist recruitment in zones of particular danger. The promotion of democracy and foreign aid are mentioned in third and fourth places.

'Protect'

The protection of citizens is the responsibility of the member states. Transnational traffic and border control, however, demand collective action by the EU.

Explicitly mentioned is the protection of external borders to prevent the immigration of terrorists. Here, the European Borders Agency (Frontex) is to be used for a risk analysis. A visa information-system is to be established as well as a second-generation Schengen information

system. In addition, the security of transport is to be enhanced, particularly at ports and airports.

The vulnerability of critical infrastructures is to be reduced. For this, a programme was already in operation (Council of the European Union 2005: 11). There is elaboration on further measures in this area: 'We must . . . ensure that our collective work . . . contributes to developing methodologies for protecting crowded places and other soft targets from attacks' (Council of the European Union 2005: 11).

Priorities in the protection of citizens are:

- the enhancement of passport security by introduction of bio-metric data;
- establishment of a visa-information system and a second-generation Schengen information system (SSIS);
- risk analysis of external borders by Frontex;
- common standards in transport security; and
- finalisation of a European programme for the protection of critical infrastructures (Council of the European Union 2005: 11).

'Pursue'

The EU is to enhance its efforts to pursue terrorists and to hinder them in carrying out their plans (Council of the European Union 2005: 12). While the pursuit of terrorists is highlighted, human rights and international law are also mentioned: ' . . . while continuing to respect human rights and international law' (Council of the European Union 2005: 12). The member states are to be supported by the Union in exchanging information and cooperating in matters of justice and intelligence. At the national level, the authorities must provide the necessary means for gathering and analysing information. A peer-evaluation process of practices is to be installed. Decision-makers will be kept informed of the threat status by the Joint Situation Centre.

There is a particular focus on juridical cooperation (e.g. on the European Arrest Warrant), as well as on cooperation between police forces. In addition, the Internet will be kept under surveillance and communication data from it will be gathered (Council of the European

Union 2005: 23). Finally, action on the prevention of criminal financial transactions is described, including the necessity of cooperating with the UN. An additional aim is mentioned here: to prevent terrorists from acquiring WMD, and as well as from acquiring support from third states.

‘Respond’

In response to attacks, all available measures are to be implemented, including the Civil Protection Mechanism. This involves the participation of 30 European states, pooling their civil-protection resources and making them available to disaster-struck countries. In the case of transnational damage, the necessity of rapid and all-encompassing cooperation is highlighted. Here again, the main responsibility rests with the member states, which should consider establishing a common data-bank for capability assessment.

Overall, the strategy highlights the responsibility of the member states. The role of the Union lies in four fields:

- strengthening of the capacities by enhanced information exchange;
- facilitation of European cooperation by legislative measures;
- development of collective capabilities: here, the existing institutions on EU level shall be used (Europol, Eurojust and others); and
- promotion of international cooperation, particularly with the UN and central third countries, including the search for consensus on measures in counterterrorism (Council of the European Union 2005: 4).

**International cooperation in counterterrorism:
participation in global governance**

Participation in global counterterrorism efforts will be measured below. It can be concluded that the EU is active in all formerly designated spheres of participation. However, it must be reiterated that – just as in ASEAN – the main responsibility for implementation and activity rests with the member states themselves, with the EU acting as a facilitator or manager of counterterrorism participation.

Active participation

The military participation of EU member states in the Afghanistan war was significant. Special forces operations against the Taleban were accompanied with participation in the US led Operation Enduring Freedom. Member states sent more than ten Provincial Reconstruction Teams to the country. In 2006, the Council approved a European Security and Defence Policy (ESDP) mission to Afghanistan.

23 EU member states are deploying troops to ISAF [International Security Assistance Force].²² Following stage 4 of the geographic expansion phase to the South (October 2006), their combined contribution to ISAF is approx. 15,800 troops. EU member-state deployments to ISAF started in December 2001 and have increased steadily over time, from about 3,000 in 2002 to about 5,000 in 2003, 6,000 in 2004 and 10,000 in the second half of 2005 (including additional temporary deployments in conjunction with the elections). Several Member States have been expanding personnel and assets in 2006 and/or are planning to do so in 2007 (Council of the European Union 2006a).

Also, since the International Security Assistance Force's (ISAF) intervention, the EU has been participating with the 'EUPOL Afghanistan' mission to train police officers. Finally, the financial contributions to Afghanistan made by the EU (and its member states) are substantial: of all reconstruction aid allocated, a third is stemming from the EU and its member states combined, making it the second largest donor to Afghanistan. Only in political assistance the EU does not score high (Krow 2009: 5).

In the case of Operation Iraqi Freedom, on the other hand, a number of states (for example France and Germany) refused their cooperation in the intervention.

Differences over the Iraq war have been made public in Europe. There was particularly a dispute about the question of whether there were indeed weapons of mass destruction (WMD) to be found in Iraq, and whether a military intervention was necessary. These differences made a common approach impossible. Furthermore, there was a lack

of coordination of positions early on; the two Council meetings at the beginning of 2002 did not address the issue of Iraq (Reckmann 2004: 125). The two permanent members of the Security Council – France and the UK – in particular were not interested in addressing the issue outside the framework of the UN, and especially not in the framework of the EU. Under the Spanish presidency, single declarations were issued supporting Resolutions 1284 and 1409. Apart from this, the Council has only taken a common position over the embargo against Iraq. Europe overall retained a low profile on the Iraq question for a long time (Reckmann 2004: 126).

After the intervention, the EU has sent the 'EUJUST' mission to Iraq in order to help strengthen the rule of law and promote respect for human rights. Since 2003, the EU provided more than €900 million on humanitarian aid and reconstruction. Also, the EU supports the political process in Iraq (with €84 million since 2004), the establishment of 'rule of law' (€14 million), the elections (€20 million) and provides aid for the refugee crisis (€140 million, European Commission 2009).

General cooperation

The EU has adopted a number of regulations in order to implement Security Council Resolution 1373. The signature and ratification of the 12 anti-terrorism conventions is the responsibility of each member state. All of them are called upon to do so by a Common Position of the Council (2001/930/CFSP of 27 December 2001). The ratification process is monitored at EU level.

The EU has developed a definition of terrorism, for legal/official purposes, which is set out in Article 1 of the Framework Decision on Combating Terrorism (2002). It states that terrorist offences are those criminal offences against persons and property which:

given their nature or context, may seriously damage a country or an international organisation where committed with the aim of: seriously intimidating a population; or unduly compelling a Government or international organisation to perform or abstain from performing any act; or seriously destabilising or destroying the fundamental political, constitutional, economic

or social structures of a country or an international organisation (Statewatch Bulletin 2001).

Concrete action taken includes the following: A European Arrest Warrant was introduced 'to reduce the ability of terrorists and other criminals to evade justice by exploiting differences in national legal systems'. Furthermore, judicial orders with regard to financial transactions and their freezing were mutually recognised. The EU established a common definition of terrorist offences and a list of terrorist groups, individuals and entities. 'Minimum sentences for terrorist offences were established and the direction of, support for and incitement to terrorist activity was criminalized'. Eurojust was created to improve coordination between prosecutors in Europe, and Europol serves as a cooperative pool for police forces and to collect and analyse terrorist-related information (Council of the European Union n.d.).

In the field of illegal immigration, all legislative instruments now have the 'public order' clause which allows member states to extradite members of third states, if security demands this. Frontex, the European Agency for Management of External Borders, was set up to control the management and surveillance of Europe's external borders. A 'regulation introducing minimum security standards and biometric identifiers into passports and other travel documents issued by Member States was created'. The Visa Information System (VIS) 'will allow the exchange of data regarding visa applications and applicants between member states', and Interpol is collecting data on stolen passports. Customs control has been strengthened and security legislation for aviation and shipping has been created, also under the management of a new Energy and Transport Security Directorate (Council of the European Union n.d.).

The main responsibility for the prevention of terrorist financing is vested in the member states. The established terrorism list facilitates the freezing of funds. Furthermore, 'a new anti-money laundering directive was adopted to extend the anti-money laundering defences to cover financing of terrorism'. Exchange of information between member states' financial investigative units has been enhanced, and an electronic database on all persons subject to EU financial sanctions established (Council of the European Union n.d.).

External relations

Firstly, the EU supports the key role of the UN and promotes the implementation by all states of the international conventions on counterterrorism. Furthermore, it collaborates with the UN Counter-Terrorism Executive Directorate, the UN Office on Drugs and Crime, OSCE, the Council of Europe, the G8 and the Financial Action Task Force (FATF). It has developed counterterrorism related technical assistance for third countries (some 80 countries in total, including a number of specially selected priority-target countries), 'including for the drafting of counterterrorism legislation; financial law and practice; customs law and practice; immigration law and practice; extradition law and practice; police and law enforcement work; illegal arms trafficking and judicial capacity building'. All agreements with third countries entail counterterrorism clauses to promote effective policies against terrorism. In order to help prevent the growth of terrorism and to tackle its root causes, development aid is used, with a 'focus on poverty reduction, good government and participatory democracy'. The EU is funding regional capacity-building in Africa and Asia to counter terrorism (e.g. through the African Union Terrorism Research Centre in Algiers, and the Jakarta Centre for Law Enforcement Cooperation, JCLEC), and finally, as already mentioned, is participating in training missions in Iraq and Afghanistan (Council of the European Union n.d.).

Specific cooperation with the USA

The EU and the USA work closely together to combat terrorism; their cooperation is based on the EU-US Declaration on Combating Terrorism (White House 2004). This document states that:

- EU and US will work together to deepen the international consensus and enhance international efforts to combat terrorism;
- EU and US reaffirm their total commitment to prevent access by terrorists to financial and other economic resources;
- EU and US commit to working together to develop measures to maximize their capacities to detect, investigate and prosecute terrorists and prevent terrorist attacks;

- EU and US will seek to further protect the security of international transport and ensure effective systems of border control;
- EU and US will work together to develop further their capabilities to deal with the consequences of a terrorist attack;
- EU and US will work in close cooperation to diminish the underlying conditions that terrorists can seize to recruit and exploit to their advantage; and
- EU and US will target their external relations actions towards priority third countries where counterterrorist capacity of commitment to combating terrorism needs to be enhanced (White House 2004).

In practice, EU member states are cooperating in the FATE, are sharing flight-passenger data with the USA, and are cooperating in container security. They work together on the establishment of global security standards, have set up a Policy Dialogue on Border and Transport Security, and established contacts between Eurojust and the US Department of Justice. Europol and its US counterparts have strategic agreements, including the sharing of intelligence and personal data.

The EU and the USA have successfully:

- Completed bilateral protocols to implement the US-EU Extradition/Mutual Legal Assistance Agreements with twelve Member States;
- Developed joint biometric standards to enhance the security of travel documents and closely consulted to ensure the future interoperability of border control systems;
- Concluded the US-EU Passenger Name Record agreement, which allows airlines to provide EU-origin passenger data for flights to the US;
- Established an informal dialog on terrorism finance issues and initiated implementation of an expert-level work program to encourage sharing of information, promote cooperation

- on Financial Action Task Force (FATF) issues, and explore options for joint technical assistance initiatives; and
- Finalized cargo screening and inspection procedures under the Container Security Initiative with several Member States, further protecting the security of international transport (US Mission to the EU 2005).

Promotion of counterterrorism

Overall, the EU is deeply committed to international cooperation in the sphere of counterterrorism, and there has been close cooperation in particular with the USA (e.g. American representatives participate in the second and third pillar meetings). Cooperation mechanisms with other states have been established, for example with Russia, and a number of common declarations issued. The EU provides many of these states with technical aid in order to improve the implementation of Resolution 1373. As Keohane points out, the EU strongly promotes counterterrorism in its external dealings with other states (Keohane, interview with the author, 2007). According to Kahl, the EU promotes global standards in counterterrorism, particularly within the FATF and UN frameworks, and this applies particularly to the so-called 'rogue states' (Kahl, interview with the author, 2007). However, Lindstrom (interview with the author, 2007) states that the EU takes more indirect measures, compared to the USA, such as the non-proliferation clause on WMD in negotiations with other countries. It does not 'go out there proactively' to promote counterterrorism (Lindstrom, interview with the author, 2007).

It should be mentioned that, with regard to norm compliance, claims emerged that human rights in the EU are not always adhered to.

After surveying a wide range of counterterrorism initiatives at EU level, it is clear that the lack of concrete, legally-binding human rights safeguards is not only leading to serious breaches of human rights but has created legal confusion and uncertainty. Cross-border cooperation to prosecute and remove people suspected of terrorist involvement is increasing, but fundamental human

rights safeguards are being left behind at the borders (Amnesty International 2005).

Generally it can be stated that at the EU (i.e. supranational) level, norm compliance is often demanded and referred to, though of course the EU itself does not have the means to require absolute compliance at the level of member states. This situation is comparable to the situation in ASEAN, with the difference that it contains non-democracies which it is safe to assume comply even less with human rights norms than non-compliant democracies in the EU.

Passive participation

The EU and other main actors generally agree on the threat of terrorism and the need to counter it, and they also use common rhetoric:

Rhetorically, the United States and Europe are united in their opposition to terrorism. Governments on each side of the Atlantic frequently assert that counterterrorism cooperation is essential to solving the problem, and they join together to condemn outrages such as the July 7, 2005 attacks in London. In terms of doctrine, the U.S. National Security Strategy of 2002 and European Union Security Strategy of 2003 are remarkably similar in their descriptions of the new threats to national security. Both highlight international terrorism, the proliferation of weapons of mass destruction (WMD), and ungoverned spaces that might foster terrorism as the central security concerns for the future (Shapiro and Byman 2006: 33).

Javier Solana agrees with the US administration that international terrorism is an attack on Western values and freedoms:

It was often said that terrorism represents an attack against the values and principles on which our societies are based: freedom, democracy and the rule of law. Maybe this basic truth would sometimes get overlooked because we said this so often, almost like a mantra. Still, it was worth making this basic point, once again.

Terrorists aimed to undermine our societies and our way of life. By using violence to attain their ends, they showed their complete disregard for national and international law, the democratic process and, most of all, the sanctity of human life (Solana 2005).

Solana demands respect for these values even in the fight against terrorism: 'we must not jeopardize our values and principles' (Solana 2005), a point rarely made in US rhetoric. A failure to preserve these values would be regarded as a 'victory for the terrorists'. Therefore, all states would have to 'ensure that any measures they take comply with their obligations under international law, in particular international human rights, refugee, and humanitarian law' (Solana 2005).

In addition, there is a difference with regard to the role of state sponsors. The EU writes that well organised terrorist groups were receiving support from 'sympathizer networks in many countries', and had rear bases and sizeable financial resources (Council of the European Union 2006). Particular states are not named in this context. Generally, the terms 'haven state' and 'state sponsor' are not used as widely in the EU as in the USA. Thus, the role of particular states as sponsors or havens of terrorists is not made as explicit as it is with the USA. In addition, the EU takes a slightly different and more focused view on the root causes of terrorism. Causes are seen to be, for example, 'terrorist propaganda in the media, youth vulnerability, and integration failure' (Council of the European Union 2006). These root causes have to be addressed: 'After all, people are not born as terrorist, they become one' (Solana 2005). Therefore, so Solana, one 'should reflect on what factors drive people to commit atrocities and ask whether we can do something about that or not' (Solana 2005).

Further, it was highlighted by Solana that terrorism is not the only threat the EU or the global community faces.

But terrorism is by no means the only threat facing the international community. Think for a moment on the tragic events created by the tsunami. The threat of proliferation of weapons of mass destruction gets a lot of attention on the international conference circuit – and rightly so. The same is true for long-standing

regional conflicts on Europe's doorstep and further afield. On top of that, millions of lives are blighted by civil wars, collapsing states, infectious diseases or, simply, the absence of clean water. We all know this, and it should not be forgotten. It is my firm belief that we need to pay attention to all the threats to people's lives and livelihoods. This is no doubt difficult. Our resources and attention spans are limited. But that is what we try to do in the EU, seeking comprehensive solutions to the full range of security problems we face (Solana 2005).

Generally, also, terrorism and terrorist attacks are referred to in the EU as crimes, crises or disasters, not as warfare, in contrast to the US coinage 'the Global War on Terror'.

Causes of counterterrorism participation

In the following, the results of the interviews conducted with EU scholars and practitioners with regard to the evaluation of factors causal for participation in counterterrorism are presented.

***Relative power*²³**

Bauer (interview with the author, 2007) maintains that the EU is an important actor in counterterrorism, and a powerful one. This can be seen in its action plans and strategies. However, bureaucratic problems limit the power of the EU, for example in disaster management, and there are often problems in formulating a common standpoint. Still, at the international level the EU's economic standing makes it powerful. Its power can be used (particularly in relation to neighbouring states) to exert pressure on other actors and to impose the EU's will and policies. This does not apply to dealings with the USA, though, which is a stronger actor than the EU. On the military plane, the EU is very weak compared to the USA, and to others. On the world stage the EU deals with terrorism more on a political level. For instance, it is trying to negotiate with Iran and to help to solve the Israeli-Palestinian conflict. Its actorness and power are therefore to be found at lower levels than those of the USA, i.e. more at the economic, diplomatic and political level.

Keohane (interview with the author, 2007), on the other hand, contends that the EU as an organisation is not a strong actor in comparison to the nation states which comprise it, or to the USA. The main responsibility to counter terrorism rests with the nation states. However, on the international level the EU is more adapted to countering terrorism than other IOs – such as NATO, or even the UN – due to its internal integration, control over resources, ability to legislate internally, and so forth.

Kahl (interview with the author, 2007) confirms the leadership role of the USA and states that the EU has relatively little competence in the fight against terrorism. It has only a coordinating role. Some elements of counterterrorism, belonging to the first pillar, are under the responsibility of the EU: tackling external terrorism through border security, for example. Other aspects of counterterrorism, which fall into the second (foreign policy) and third (policing and intelligence) pillars, depend more on the nation state.

The strategies developed by the EU serve the member states as visions of how to pursue counterterrorism, says Lindstrom (interview with the author, 2007), though the member states themselves decide on ways of implementing those strategies. The EU's role is to try to find synergies, to harmonise and to overcome specific constraints. Internally, it is more a clearing house, leaving the member states to realise the policies. The EU is therefore a relatively weak actor, unless the members act in concert.

This concurs with Signore's view (Signore, interview with the author, 2007) that the EU is strong when able to take common decisions. This is more a practical problem: proposals are adopted in a short time when all parties agree (such as the European Parliament (EP), the member states, and so forth) and in such cases the EU is able to act quickly and can be regarded as very strong. When the member states fail to agree, the EU is weak. However, failure – in opposition to the common perception – is not very frequent in EU decision making. The EU is usually able to find a solution. However, internationally, the EU still derives its strength from its close links with the USA, the latter being the strongest actor on the international scene and in counterterrorism.

Active coercion or pressure

Kahl (interview with the author, 2007) claims that the example of passenger data sharing shows clearly US pressure on the EU to cooperate. Such informal pressure can be severe and is exerted through diplomatic channels. As Kahl points out, this was observed particularly over participation in the Iraq war.

Lindstrom (interview with the author, 2007) also contends that the USA certainly exerts pressure on other actors: examples are Personal Name Records (PNR), visa regimes, and many others. There is very strong pressure from the USA particularly regarding the visa issue, where the USA is pushing the EU to take certain measures. Moreover, this pressure is having an effect: the Europeans are trying to address these requests.

In Bauer's view (Bauer, interview with the author, 2007), on the other hand, pressure is not exerted, at least officially. Also according to Kuhne (interview with the author, 2007) there is no pressure from the USA to cooperate. The EU participates in global counterterrorism for its own rational reasons and in its own interest, though there might be exceptions to this general rule. Also, Singore (interview with the author, 2007) states that there was no pressure on the EU to cooperate. There was no need for it, as the fight against terrorism was a top priority for the EU, and it was not external pressure.

According to Keohane (interview with the author, 2007), the USA certainly wants to work with the Europeans to counter terrorism. He states that there is no overt pressure to be found in the dealings of the Americans with the EU, but he also states that such pressure was exerted on national governments, e.g. those of France, Italy, Spain and the UK. Pressure is more likely to be exercised bilaterally.

Interdependence and passive coercion

Bauer (interview with the author, 2007) argues that interdependence sometimes plays a role. It was observed in the case of the sharing of passenger data. Here, costs were feared in the event of non-cooperation.

According to Lindstrom (interview with the author, 2007), interdependence is only effective to a certain extent, depending on the measures to be implemented. He understands interdependence

with the USA being less important than other factors. The decision to counter terrorism is not economically motivated, but based on self-interest. The EU sees itself as a possible target of terrorism and therefore has to cooperate. Interdependence can be understood only in the sense of a common exposure to threat.

In Keohane's view (Keohane, interview with the author, 2007), economic interdependence is not likely to be a factor for participation. Interdependence could be found, nonetheless, in the EU's entanglement with American intelligence services. Kahl (interview with the author, 2007) states that in his experience EU officials have never mentioned interdependence as a cause for cooperation. Economic repercussions were threatened by the USA at the beginning of the Iraq war, but were without consequences. In his perspective, this is an indication of highly symmetric interdependence, which is harder to utilise as a tool of coercion. Singore (interview with the author, 2007) could not confirm the interdependence hypothesis (it being a cause for participation) either.

Authority and legitimacy

Generally, the USA in particular is seen as a legitimate actor, according to Keohane, though 'it depends on which government you ask' (Keohane, interview with the author, 2007). The Europeans are not much in favour of the GWOT and think that the Iraq war has not helped the cause of tackling terrorism. It is even thought that US foreign policy has increased the threat. The EU is principally not supportive of all aspects of US foreign policy. It is particularly critical of the USA '[lumping] together all Islamist groups' under the category of 'terrorists' (Keohane, interview with the author, 2007), and there is ongoing transatlantic dialogue on this topic. But the USA is generally understood to be the real target of international terrorism, so it is regarded a legitimate leader in global counterterrorism efforts. Furthermore, the EU and the USA agree on the severity of the threat.

Kahl (interview with the author, 2007), however, claims that the USA has lost authority with the Iraq war and the failure to legitimate it. He mentions particularly the question of WMD and the fact that none were found after the intervention. Bauer (interview with the

author, 2007) explains that the authority of the USA plays a role in participation, but this factor is limited. This can be seen in the case of Iraq where there was overt opposition to the interventions. On the other hand, the strategies of the EU directly refer to the UN, which has a higher level of legitimacy than the USA. According to Kuhne (interview with the author, 2007), both the USA and the UN are seen as legitimate actors in global counterterrorism. The UN in particular is the reference point concerning legitimacy, and cooperation with it in turn serves to raise the legitimacy of the EU. The USA is also seen as an undoubtedly legitimate actor, though there are practical and political differences between the EU and the USA.

Lindstrom (interview with the author, 2007) says that some of the measures the USA takes against terrorism raise serious concerns about freedoms, and it is felt that some degree of legitimacy has been eroded. Meanwhile, the USA will react to external pressure: for example, there is no longer much rhetoric about the 'War on Terror', for which now other terms are used. This proves that efforts have been made to accommodate European concerns. Finally, some governments see the USA as a legitimate authority, others object to this view. Only on the UN they seem to generally agree: it is seen as legitimate, but as less than powerful.

To elaborate on that, Singore (interview with the author, 2007) contends that there are differences of approach between the USA and the EU in countering terrorism. That said, the fight against terrorism is now an international priority in which the USA is a frontrunner, but not the leader. The risk of terrorism is general, faced by the states of the Middle East, Russia, the EU and others, and there is no need for a specific leadership in this struggle. However, there is a specific role for the UN to coordinate the efforts of the different regions and countries. According to Kuhne, cooperation is more about a common 'fate'. There is cooperation because the Western states 'sit in the same boat' (Kuhne, interview with the author, 2007). Terrorists regard the West as an entity, which compels Western countries to cooperate. Bauer (interview with the author, 2007) speaks of a common identity, the EU and the USA having much in common – more than the EU and China, for example – which facilitates counterterrorism cooperation.

Perceived threat of terrorism

Keohane (interview with the author, 2007) states that the threat of terrorism in Europe is an important motivator for counterterrorism, and the greatest cause of counterterrorism cooperation are terrorist attacks. This became apparent after 9/11 and the later attacks in Europe. 'Nothing is better than a disaster to get people to do something' (Keohane, interview with the author, 2007). However, of course, the threat differs between states with respect to their history of terrorism. Therefore, for example, Spain and the UK have a large interest in countering terrorism, whereas other states are more negligent. At the European level terrorism is just one priority among others. Keohane sees it as an important priority, but other security interests are even more important. Kahl (interview with the author, 2007) agrees with the assertion that terrorism is seen as an important problem, and that the perceived threat is causal for participation in global governance. Cooperation and compliance occur because terrorism cannot be tackled by unilateral measures alone, as is understood in the EU. However, the style and extent of participation depends on the nation's political culture and understanding of the nature of the threat. Kahl reiterates that it even depends on different actors in different nations who influence the national decision making processes. The responses to terrorism differ from those of the USA because terrorism in the EU is understood more as a crime than a military problem. For example, the attacks in London and Madrid are phenomena which pose a problem for intelligence and police forces, but not for the military. Further attacks are expected, not large attacks like 9/11 but smaller attacks as in the past, and the EU is preparing for these smaller, but more likely attacks. The EU generally, according to Kahl, seems not to be threatened by attacks coming from foreign countries but by internally generated attacks. This is another reason for less consideration of military options and the stronger focus on policing in the EU.

Bauer (interview with the author, 2007) also states that terrorism is an important issue for the political agenda in Europe. He also asserts that the EU differs with the USA insofar as terrorism is more understood as a criminal threat and less a military issue. While terrorism is lower on the agenda in the EU than it is in the USA, as he claims, the threat

of terrorism is in fact higher in the EU than in the USA due to the EU's large immigrant communities, problems with integration, the proximity to the Middle East, and the general closeness of the societies to, and more freedom for, potential terrorists.

According to Kuhne (interview with the author, 2007), it is essentially the factor of a common threat perception that causes counterterrorism cooperation and compliance. Lindstrom (interview with the author, 2007) also contends that the threat of international terrorism is particularly important for counterterrorism cooperation. The perception of the threat, however, differs between EU member states. Threat perception is higher in countries like Spain and the UK, and lower in others, such as Sweden and Finland. Therefore, it is difficult to speak of a general sense of a threat shared by all member states to the same extent. However: 'If you look at some of the public opinion data concerning the main threat Europeans face, terrorism is high on the list' (Lindstrom, interview with the author, 2007). Moreover, in the EU security strategy, terrorism is mentioned as one of the five key threats that the EU faces. To some extent, therefore, there is a common perception of threat.

Singore (interview with the author, 2007) contends that countering terrorism is a top priority of the EU, along with climate change, energy security and migration. The Vice President of the Commission has described the risk of terrorism as very high. It is thought to be higher, of course, in some member states than in others, but substantial throughout the EU.

Conclusion

Even though the USA is clearly dominant, the EU is seemingly a strong collective actor in the field of counterterrorism. It is furthermore apparently to a high degree under discursive influence: In the case of the EU, 'threat perception' is arguably a strong indicator of US influence. The main motivation for fighting terrorism, it was stated, is the threat that it poses to the security of Europe. According to Kuhne (interview with the author, 2007), it is essentially the factor of a common threat that causes counterterrorism cooperation and compliance (indicating influence or discursive power). This threat is thought to be shared with the USA in particular, but also

with other nations, and can be understood here as an external factor, which provokes a defence community between the EU and USA. With respect to the above mentioned threat scenario, which does not indicate an increase in terrorist threat, it could be argued that the high threat perception is actually a sign of influence of the USA. The high threat perception, therefore, would be regarded as an indicator of hegemony.

Furthermore, also supporting the hegemony hypothesis, pressure from the USA on the EU was confirmed as a factor for participation by half the interviewees. Also, the interviews seemed to indicate that the authority and legitimacy of the USA are still present in the EU, even given the criticism raised in the context of the Iraq intervention.

In opposition to the hegemony assumption, economic interdependence does not seem to be of causal importance for counterterrorism participation by the EU. Interdependence between the USA and the EU seems to be relatively symmetric, which makes the possibility of domination in this sphere less likely.

In conclusion, we can speak of some indications for hegemony and the exercise of power. Factors that were confirmed were: dominance, discursive power (influence), authority, legitimacy and probably some active coercion (pressure); passive coercion as a factor was negated. The author interprets the interviews, therefore, as overall providing confirmation for the hegemony hypothesis. This would even hold if 'threat perception' was not regarded an indicator of hegemonic influence but as an independent factor.

The results of the interview are summarised in Table 4.

Table 4. Presentation of the causal factors for participation (EU)

Factor/interview	Keohane	Kahl	Bauer	Lindstrom	Singore	Kühne
Test variables						
External power ²⁴	+	+	+	+ -	+	
Pressure (active coercion)	+	+	-	+	-	-
Interdependence (pass. coercion)	+ -	-	+	-	-	
Authority (influence)	+	+ -	+	+ -	+ -	+
Threat (influence)	+	+	+	+	+	+



Positive
response



Neutral
response



Negative
response



Not
answered

ASEAN COUNTERTERRORISM: PARTICIPATION AND CAUSES²⁵

The threat scenario

In the 1990s, the problem of terrorism in the Asia–Pacific region became a serious one (Gunaratna 2002: 129): there are now terrorist elements in Central Asia (Tajikistan and Afghanistan), South Asia (Kashmir and Pakistan) and Southeast Asia (the Philippines and Indonesia). Thus, there arose a threat potential within as well as outside the region. Within the region there are foreign groups such as the Islamist Sunni, as well as indigenous, ethno-nationalist groups. The Southeast Asian region has had to deal with a number of security issues since the end of the Cold War, terrorism being only one: others are crime, the drug trade, piracy, ethno-nationalism, religious fundamentalism, migration and refugees, and the trade in small arms. At the beginning of the third millennium piracy posed one of the biggest problems; it is of special interest as pirates can collaborate with terrorists. There were 189 pirate attacks in Southeast Asian waters in 2003 alone (Frost 2006).

Terrorist attacks in general have increased in Southeast Asia since 1997, and there has been a diversity of governmental responses to the problem. Islamists, especially from Afghanistan and the Middle East, have visited the region in the past and established links with local groups. Countries with large Muslim populations, such as Thailand, Malaysia, the Philippines and Indonesia, became recruiting grounds for these groups. Thailand is even counted as a safe haven for terrorists and criminal groups by the USA (Heiduk and Moeller 2004: 4ff).

Gunaratna considers that overall the threat of terrorism is on the increase:

The threat is increasing. Because of three reasons: The Muslims after 9/11 perceive that America is attacking Islam and killing Muslims. This is not true, but their perception is that. Second is that the US invasion and occupation of Iraq has angered Muslims, which has been exploited by terrorist groups. Third is that the American leaders have failed to explain in very clear English to the world that this is not a fight against Islam and this is not a fight against Muslims. Also the regional leaders have failed in their public relations campaigns (Gunaratna, interview with the author, 2006).

There are a number of additional causes for the increase of radical Islamist groups in Southeast Asia. One of them is seen in globalisation (and the USA is often held responsible for the dangers it poses). There is also the frustration caused by government oppression of these groups. Also, ideology and the idea of a pan-Islamic Southeast Asia play a central role (Gunaratna, interview with the author, 2006).

Table 5. Statistics of terrorist attacks in selected countries of Southeast Asia
(September 2001 to January 2006)

<i>Country</i>	<i>Attacks</i>	<i>Victims</i>	<i>Fatalities</i>
Cambodia	6	1	5
Indonesia	131	1,044	358
Laos	8	8	1
Malaysia	2	0	5
Philippines	140	1,050	357

Source: The MIPT Terrorism Knowledge Base, which also counts threats of attacks.

Over the five years before and the five years after 9/11 terrorist incidents increased about threefold in the region (MIPT Terrorism Knowledge Base), or alternatively at least from 97.5 attacks or threats of attacks per year (2,633 between 1970 and 1997) to 199 per year (714 between 1998 and 2004, according to START).

The Association of Southeast Asian Nations

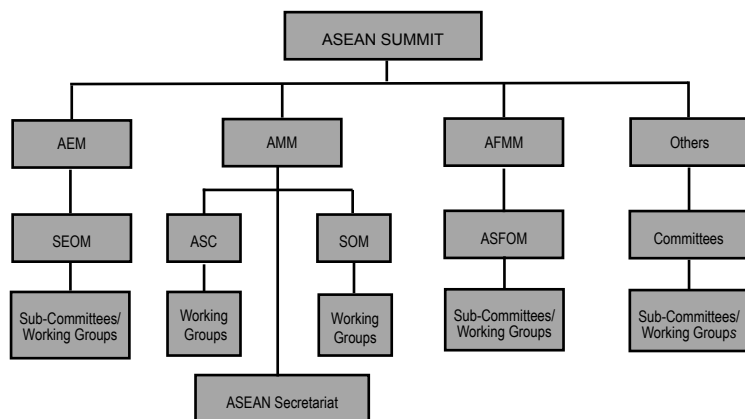
The Association of Southeast Asian Nations was established in 1967, with Indonesia, Malaysia, the Philippines, Singapore and Thailand as founding members. Brunei Darussalam, Vietnam, Lao, Myanmar (Burma) and Cambodia joined later. The aims and purposes of ASEAN, according to its Declaration are:

- (1) To accelerate economic growth, social progress and cultural development in the region and (2) to promote regional peace and stability through abiding respect for justice and the rule of law in the relationship among the countries in the region and adherence to the principles of the United Nations charter (ASEAN Secretariat, n.d.a).

ASEAN adheres to a number of fundamental principles, according to its Secretariat, such as: 'mutual respect for independence, sovereignty, equality, territorial integrity, and national identity of all actors'; 'the right of every State to lead its national existence free from external interference, subversion or coercion'; 'non-interference in the internal affairs of one another'; 'settlement of differences or disputes by peaceful manner [sic]'; 'renunciation of the threat or use of force'; and 'effective cooperation among themselves' (ASEAN Secretariat n.d.a).

In 2003, the ASEAN leaders promoted their organisation as comprising three pillars: a security community, an economic community and a social-cultural community. If this was realised, ASEAN would resemble the EU even more than does any other international regional organisation. The Meeting of the Heads of State and Government is the highest decision-making body of ASEAN; a Summit is convened each year, as is a Ministerial Meeting

(ASEAN Secretariat n.d.a). Ministerial meetings on terrorism and transnational crime, among other issues, are held regularly.



- AEM : ASEAN Economic Ministers
 AMM : ASEAN Ministerial Meeting
 AFMM : ASEAN Finance Ministers Meeting
 SEOM : Senior Economic Officials Meeting
 ASC : ASEAN Standing Committee
 SOM : Senior Officials Meeting
 ASFOM : ASEAN Senior Finance Officials Meeting

Fig. 3 The organisational structure of ASEAN.

Source: ASEAN Secretariat n.d.a.

Counterterrorism in ASEAN

The attacks of 11 September 2001 shocked not only the USA, but also the rest of the world, including Southeast Asian countries. For example, Singapore strongly supported the USA in its declaration of war against terrorism from early on. At an assembly in the national stadium, before an audience of 15,000, Prime Minister Goh Chok Tong confirmed that Singapore would join the USA in the GWOT, even though he would have to consider the regional and domestic situation. In addition, Prime Minister Mahathir of Malaysia condemned the attacks (September 11 News n.d.). The opposition in his country supported Osama bin Laden, and Mahathir, in the following period, went to some lengths to fight

militant Muslims in Malaysia. Indonesia's President Megawati was the first head of state to visit the USA after the attacks; this was a symbolically very strong gesture of support, given that her country has the world's largest Muslim population. On her visit, Megawati condemned the attacks and promised to support the GWOT. Yet public opinion in Indonesia at this point was strongly anti-American; there have been a number of demonstrations against the USA and for the expulsion of US citizens. Even the large, moderate parties in Indonesia joined this chorus, whereas in the mosques, there was sometimes a call for jihad. With this background in mind, it is understandable that Indonesia kept a low profile over the intervention in Afghanistan, viewing it with a degree of concern. Overall, the ASEAN states condemned the 9/11 attacks and supported the GWOT. In November 2001 ASEAN issued a common declaration to condemn terrorism and to work together in the fight against it (Chow 2005).

*ASEAN's strategy and concrete measures in the
fight against terrorism*

ASEAN has been dealing since the early 1970s with the problem of transnational crime, of which terrorism is seen as one manifestation. The general term also encompasses drug-trafficking, people-trafficking, money-laundering, piracy, international economic crime and cyber crime. However, terrorism receives special attention from ASEAN.

In the ASEAN Declaration on Transnational Crime (ASEAN Secretariat 1997), issued at a conference held by the ministers of the interior in 1997, terrorism is clearly mentioned. The exchange of information and the coordination of policies are particularly identified as important in reacting to crime and terrorism. The declaration showed that ASEAN was convinced regional cooperation was necessary in order to fight transnational crime effectively, and the document details a number of measures to be taken to that end:

- strengthening the obligation of member states to participate in regional crime-fighting activities;
- establishment of meetings of the ASEAN Ministerial Meeting on Transnational Crime at least every two years, in order

- to coordinate the activities of the relevant organs (e.g. the ASEAN Senior Officials on Drug Matters and the ASEAN Chiefs of National Police, or ASEANPOL);
- agreements on mutual legal assistance, treaties, memoranda of understanding, and other such matters;
 - establishment of an ASEAN Centre on Transnational Crime (ACOT) to coordinate regional attempts to fight crime and to engage in the exchange of critical information, harmonisation of policies and the coordination of operations;
 - establishment of an ad-hoc expert group, which, with the support of the ASEAN Secretariat, would fulfil the following tasks in the years to come: to develop an ASEAN Action Plan on Transnational Crime; to develop plans for an institutional framework for Asean countries' cooperation in this field; and to conduct a feasibility study for the establishment of ACOT;
 - a request for each member state to name representatives and coordinators for cooperation;
 - networking between the relevant national institutions;
 - strengthening of member states' efforts in the fight against transnational crime, with the ASEAN Secretary-General requested to integrate this field into his working programme;
 - the necessity of cooperation with other international institutions, such as the UN, and with intraregional organisations; and
 - strengthening of Secretariat resources, necessary to support the member states in their fight against transnational crime (ASEAN Secretariat 1997).

Most of the measures outlined above have been implemented to varying extents, though the idea of ACOT has been abandoned (Tatik, interview with the author, 2006). Some ASEAN member countries, notably Indonesia, Malaysia and Thailand, have established centres dedicated to countering terrorism: the Jakarta Centre for Law Enforcement Cooperation (JCLEC) in Indonesia, the Southeast Asia Regional Centre for Counter-Terrorism (SEARCCT) in Malaysia,

and the International Law Enforcement Academy (ILEA) in Thailand. However, these centres belong to the respective ASEAN member countries, not ASEAN as a regional grouping.

The 1999 ASEAN Plan of Action to Combat Transnational Crime (ASEAN Secretariat 1999a) described the threat of transnational crime as being connected to economic well-being in ASEAN countries and as having evolved as a consequence of globalisation. It proposed measures to fight transnational crime which were explained in detail. In a working programme (ASEAN Secretariat 2002e), concrete steps were described that would be necessary for the fulfilment of the Plan of Action. For example, all member states should make their national law accessible to all other member states and inform them if resolutions have been signed. Further, overall measures were established for the prevention of trafficking in drugs and in people, and other security threats were also dealt with. Finally, the document referred to terrorism. The ASEAN Secretariat was called upon to analyse in which ways cooperation with and within ASEANAPOL and with other international institutions could be made possible. Another aim was to improve the exchange of information between ASEAN and the member states with respect to the use, and possible misuse, of critical technologies for relevant security-policy practices and by terrorist organisations. A database of international agreements and treaties was to be established by the secretariat. The working programme further set out steps to be taken by police in the legal sphere, and measures regarding extra-regional cooperation.

Legal measures: The member states have been called upon to provide information about legal instruments in the fight against terrorism. At the same time, it was to be established whether there were possibilities for cooperation in the legal sphere to facilitate the arrest, prosecution and conviction of terrorists. Common seminars and exchange visits were planned to further this aim. All relevant conventions were to be signed and ratified. The ASEAN Secretariat was to provide an assemblage of the important conventions, as well as a study on how these were compatible with the law in ASEAN countries. An ASEAN convention on the fight against terrorism was mooted, as was an agreement on mutual legal assistance.

Police: The ASEAN Secretariat was made responsible for naming focal points to provide coordination for the member states in respect of counterterrorism, and a common seminar for police forces on counterterrorism measures was planned.

Training: Member states were called upon to make proposals for regional training programmes and conferences, while states that had already mounted training programmes were asked to open these to others.

Institutional capacity-building: The ASEAN Secretariat was made responsible for supporting member states in improvement of national mechanisms. Also, cooperation within and between the organs of ASEAN itself was to be improved. Programmes for the improvement of capacities were to be proposed by the member states. Scientific institutes were to work together, particularly in producing a list of biological and chemical weapons that could be used by terrorists and thus be regarded as a potential threat.

Extra-regional cooperation: Possible methods of integrating the 'Plus Three' states (China, Japan, and the Republic of Korea) in the GWOT were considered. Also, the secretariat was made responsible for analysing how the implementation of UN resolutions could be facilitated.

Because of the increase in terrorism in Southeast Asia, after 9/11 the USA declared the region the 'second front' in the GWOT. At the same time, it became clear that only by regional and multilateral cooperation would effective measures against terrorism be possible. For this reason, a number of initiatives have been taken at the regional level. The infrastructure for the fight against terrorism at the level of ASEAN itself was underdeveloped until 2001, but has since improved. Until 2001, the main focus was piracy, but the new threat was rapidly understood and ASEAN began to work towards a better way of fighting terrorism.

In reaction to the 9/11 attacks, the 2001 ASEAN Declaration on Joint Action to Counter Terrorism was issued (ASEAN Secretariat 2001c). The terrorist attacks on the USA were condemned, and understood as an attack on the whole of humanity. Terrorism was described as a threat to peace and international security, in line with

the declarations of the UN. At the same time, and this was repeated over the following years, any connection between religion or race and terrorism was denied: '*We reject* any attempt to link terrorism with any religion or race' (ASEAN Secretariat 2001c). In this, ASEAN departs from the line followed by the USA, which is somewhat casual about delinking terrorism from Islam. In the declaration, ASEAN also committed itself to the Charter of the UN:

We unequivocally condemn in the strongest terms the horrifying terrorist attacks in New York City, Washington DC and Pennsylvania on 11 September 2001 and consider such acts as an attack against humanity and an assault on all of us;

We view acts of terrorism in all its forms and manifestations, committed wherever, whenever and by whomsoever, as a profound threat to international peace and security which requires concerted action to protect and defend all peoples and the peace and security of the world;

We believe terrorism to be a direct challenge to the attainment of peace, progress and prosperity of ASEAN and the realisation of ASEAN Vision 2020 (ASEAN Secretariat 2001c).

The 9/11 attacks were understood as attacks on humanity, and thus also as attacks on ASEAN, which committed itself to the fight against terrorism: '*We commit* to counter, prevent and suppress all forms of terrorist acts in accordance with the Charter of the United Nations and other international law, especially taking into account the importance of all relevant UN resolutions' (ASEAN Secretariat 2001c).

ASEAN committed itself also to effective policies and strategies to promote the well-being of its populations, which was regarded as an element in the fight against terrorism. The declaration thus understood terrorism as a threat both to peace and stability in the region and to its economic development. It was acknowledged that this threat could only be confronted by regional as well as international cooperation. In the declaration, the following measures were established. The states were to test and check their national measures against terrorism and

strengthen them. Any international conventions with reference to terrorism were to be signed and ratified as soon as possible. Relevant international conventions on terrorism were to be studied 'with the view to integrating them with ASEAN mechanisms on combating international terrorism' (ASEAN Secretariat 2001c). Information exchange and cooperation, both between ASEAN member states and with other regional institutions, were to be improved. Regional programmes for the increase of capacities in the fight against terrorism were to be established. Police cooperation was to be strengthened, including the sharing of best practice. Information exchange between the relevant agencies and cooperation within ASEAN and between organs that dealt with counterterrorism was to be improved. ASEAN would support member states in their fight against terrorism (by detecting, investigating, monitoring and reporting on terrorist acts). 'Practical ideas and initiatives to increase ASEAN's role in and involvement with the international community' were to be discussed and explored, 'including extra-regional partners within existing frameworks such as the ASEAN + 3, the ASEAN Dialogue Partners, and the ASEAN Regional Forum (ARF), to make the fight against terrorism a truly regional and global endeavour' (ASEAN Secretariat 2001c). ASEAN's role at the international level in the fight against terrorism was to be strengthened, as was regional and international cooperation (ASEAN Secretariat 2001c).

With respect to the results, Ms Tatik made the following statement:

There are a large number of concrete activities that ASEAN Member Countries need to implement in their joint efforts to counter terrorism. These include capacity-building programs aimed at enhancing the capability of ASEAN law enforcement agencies in handling the threats of terrorism. Each year, during the annual meeting of the SOMTC (ASEAN Senior Officials Meeting on Transnational Crime), each Member Countries reports their progress in implementing the Work Programme. The Work Programme was revised at the 6th SOMTC, held in Bali, Indonesia last June, to maintain its relevance in responding to the current situations (Tatik, interview with the author, 2006).

It can be seen from this statement that the implementation process is ongoing, and not yet completed.

In the ensuing period, there has been multilateral cooperation at diverse levels, with cooperation between intelligence agencies, the establishment of a common set of rules and laws, and a work programme on the Joint Action Plan. This programme envisions the training of intelligence officers, workshops on the fight against terrorism, and logistical support for the detection of bombs, document fraud and airport security. Singapore proposed the creation of an anti-terrorism team in each member state, which was generally accepted.

During the ASEAN Summit of October 2002, measures for the fight against money-laundering and the funding of terrorism were established. In addition, the regional Counter-Terrorism Centre (SEARCCT) was established in Kuala Lumpur.

However, Tan (2006) claims that regional cooperation in the fight against terrorism up to this point was not well-coordinated. The reasons for this were conflicting national interests, restrictions and policies, and mutual mistrust. Whereas Singapore, Malaysia and the Philippines promoted enhanced cooperation in the fight against terrorism, there was repeated opposition, especially from Indonesia (Ramakrishna and Tan 2003: 130). General tensions between the member states have hindered cooperation so far, the historically-rooted tensions between Malaysia and Singapore meriting particular mention here.

In reaction to the attacks in Bali in October 2002, the Declaration on Terrorism of the Eighth ASEAN Summit was issued in November 2002 (ASEAN Secretariat 2002d); here also, any connection between terrorism and any specific religion was denied. The commitment to the measures established in the Declaration on Joint Action to Counter Terrorism was reiterated. The international community was also called upon to support ASEAN in its fight against terrorism.

In 2004, there was a regional ministerial meeting in Bali (ASEAN Secretariat 2004d) to deal with counterterrorism. It produced a voluminous document in which the member states were called upon to adopt a number of measures. Once again, any connection between a particular religion or race with terrorism was denied, and ASEAN re-committed itself to the principles of the UN. The ministers also

committed themselves to regional cooperation and to the coordination of relevant national institutions, especially of the police, the military, the judiciary, customs and immigration agencies, and other relevant bodies. The states were asked to take practical steps to improve the cooperation of these institutions, to improve their capacities, and to analyse terrorist attacks more thoroughly. It was established that members of the judiciary would have to be better educated in the effective prosecution and punishment of terrorists. Mutual assistance was to be improved; diverse measures were to be taken to improve maritime security; and terrorists were to be interdicted from access to WMD. Member states should also cooperate more closely in the prevention of terrorist funding.

Finally at this meeting, various ad-hoc working groups were established to evaluate the measures taken and to propose further measures for improvement.

In the meantime, there has been an agreement and a treaty (ASEAN Secretariat 2004e; 2002g). The agreement refers to the 'exchange of information and the establishment of communication procedures' (ASEAN Secretariat 2004e), and with regard to terrorism, among other offences, establishes the following:

[to facilitate proper coordination and collaboration] where individual resources of a party may be inadequate; to establish common understanding and approaches; to strengthen national and subregional capacities to manage terrorism and other crimes through information exchanges, agreed communication procedures and training; to review and enhance internal rules and regulations, both legal and administrative; to ensure proper, effective, and timely collaboration, and in times of operational constraints in the implementation of defence, border and security arrangements; provide opportunities for the parties' duly authorized representatives to establish linkages to facilitate cooperation; facilitate dialogue among the parties on criminal and crime-related activities committed in their respective territories which may adversely affect the interests of any or all of the other parties; and establish mechanisms for immediate response and assistance among the parties (ASEAN Secretariat 2002g).

The treaty refers to mutual assistance in the fight against crime, the prosecution of offenders and the resulting procedures. Mutual assistance can mean:

taking of evidence or obtaining voluntary statements from persons, making arrangements for persons to give evidence or to assist in criminal matters, effecting service of judicial documents, executing searches and seizures, examining objects and sites, providing original or certified copies of relevant documents, records and items of evidence, identifying or tracing property derived from the commission of an offence and instrumentalities of crime, the restraining of dealings in property or the freezing of property derived from the commission of an offence that may be recovered, forfeited or confiscated, the recovery, forfeiture or confiscation of property derived from the commission of an offence, locating and identifying witnesses and suspects; and the provision of such other assistance as may be agreed and which is consistent with the objects of this Treaty and the laws of the Requested Party (ASEAN Secretariat 2002g).

Cooperation does not extend to offences of a political nature, and this opens the way for disagreement and non-cooperation if terrorism was defined as a political offence. It could be argued that terrorism is by definition a political act, and the treaty would therefore not apply. However, the ASEAN Secretariat maintains that the treaty is aimed particularly at terrorism.

The ASEAN Convention on Counter Terrorism was not established until 2007. In this document, the need to address root causes was mentioned; apart from this, it reads less like a strategic paper and more as a defence of national states' authority over counterterrorism. Article II, for example, deals with sovereign equality, territorial integrity and non-interference, and article 4 with the preservation of sovereignty. Meanwhile, a number of areas of cooperation are established, with states undertaking to:

- Take the necessary steps to prevent the commission of terrorist acts, including by the provision of early warning to the other Parties through the exchange of information;
 - Prevent those who finance, plan, facilitate, or commit terrorist acts from using their respective territories for those purposes against the other Parties and/or the citizens of the other Parties;
 - Prevent and suppress the financing of terrorist acts;
 - Prevent the movement of terrorists or terrorist groups by effective border control and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;
 - Promote capacity-building including training and technical cooperation and the holding of regional meetings;
 - Promote public awareness and participation in efforts to counter terrorism, as well as enhance inter-faith and intra-faith dialogue and dialogue among civilisations;
 - Enhance cross-border cooperation;
 - Enhance intelligence exchange and sharing of information;
 - Enhance existing cooperation towards developing regional databases under the purview of the relevant ASEAN bodies;
 - Strengthen capability and readiness to deal with chemical, biological, radiological, nuclear (CBRN) terrorism, cyber terrorism and any new forms of terrorism;
 - Undertake research and development on measures to counter terrorism;
 - Encourage the use of video conference or teleconference facilities for court proceedings, where appropriate; and
 - Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice
- (ASEAN Secretariat 2007).

The document goes on to deal with states' jurisdiction and with the distribution of authority and responsibility for responding to an attack. Fair treatment and compliance with human rights are ensured

in the treaty, for the first time. The status of refugees is dealt with, again in accordance with human rights and international law, and the parties are called upon to promote the sharing of best practice in rehabilitation programmes. Mutual assistance in criminal matters is addressed, and the issue of extradition is solved. However, an opt-out clause ensures that each party can leave the treaty at any time. This is ASEAN's strongest proclamation so far of compliance with human rights and of cooperation in the field of counterterrorism, but like many of its other declarations in essence leaves the sovereignty of the state untouched.

International cooperation

In January 2003, a meeting of ASEAN and EU foreign ministers was held in Brussels, and a declaration was subsequently issued (ASEAN Secretariat 2003). The parties pointed out the leading role of the UN in the fight against terrorism and committed themselves to implementing UN resolutions and supporting the Counter-Terrorism Committee. The GWOT would have to be waged within the framework of international law and norms. Human and humanitarian rights must be observed. Terrorism could not be defeated at the military level alone, but would have to be tackled through economic, diplomatic, legal and military measures, and by attention to its root causes. The parties also committed themselves to further cooperation in the GWOT, especially to the universal implementation of the relevant Security Council resolutions and UN conventions and protocols against terrorism, and to addressing the funding of terrorism and further mutual assistance and cooperation (for example with regard to information exchange). Furthermore: 'The cooperation of the police agencies of the EU and ASEAN should be improved, between the single member states as well as between ASEANAPOL and EUROPOL' (ASEAN Secretariat 2003).

Along the same lines, there have been agreements between ASEAN and the USA, Japan and Australia on cooperation in the fight against terrorism, for example on the sharing of information. With the USA, cooperation runs as follows: the ASEAN states reaffirm the importance of a framework for cooperation to prevent, disrupt and combat international terrorism through the exchange of information and intelligence. This cooperation is to be enhanced and to be made

more efficient. ASEAN and the USA are committed to 'continue and improve intelligence and terrorist financing information-sharing on counterterrorism measures, including the development of more effective counterterrorism policies and legal, regulatory and administrative counterterrorism regimes', to 'enhance liaison relationships amongst their law enforcement agencies to engender practical counterterrorism regimes', to 'strengthen capacity-building efforts through training and education; consultations between officials, analysts and field operators; and seminars, conferences and joint operations as appropriate', to 'provide assistance on transportation, border and immigration control challenges, including document and identity fraud to stem effectively the flow of terrorist-related material, money and people', to 'comply with United Nations Security Council Resolutions 1373, 1267, 1390 and other United Nations resolutions or declarations on international terrorism', and to 'explore on a mutual basis additional areas of cooperation' (ASEAN Secretariat 2002f). In July 2002, the USA and ASEAN signed a common declaration on improving cooperation between intelligence agencies. ASEAN has also signed Joint Declarations on cooperation with all ten of its Dialogue Partners, including Australia and China. With China, ASEAN has also signed a declaration on cooperation over non-traditional security issues. To follow up on the Joint Declarations, annual work plans were developed setting out concrete plans for joint activities in various areas relating to counterterrorism and combating transnational crime.

The Secretariat states:

We have developed annual work plans with China and the US, and are implementing them. We are developing a similar work plan with Australia and Russia. We are now working on a joint cooperation project on border management and document security with the EU. We have also just concluded [the] ASEAN-Japan Counter Terrorism Dialogue, held in Tokyo on 28–29 June 2009. Various joint projects had been proposed to be funded under the JAIF (Japan-ASEAN Integration Fund) for 2007 fiscal year (Tatik, interview with the author, 2006).

Finally, there has been some active counterterrorism participation through military and political cooperation. Military cooperation at the supranational level is not possible since ASEAN has no forces at its disposal. However, several member states support the GWOT militarily. The Philippines cooperate with the Special Operations Centre, Pacific Command (SOCPAC), which supports the government in its fight against terrorism. In Mindanao and the Sulu Archipelago, special forces of the Philippines are deployed for countering Abu Sayyaf and Jemaah Islamiyah. Thailand participated in the context of the Iraq intervention with joint military exercises with the USA. Malaysia and Thailand enabled use of its airspace, provided fuel for aircraft and logistical support. Singapore supplied police training personnel, a C-130 aircraft, three deployments of KC-135 aerial refuelling tankers and three deployments of Landing Ship Tanks (LST) to the USA in the context of Operation Iraqi Freedom. It furthermore cooperates with the USA in respect of cargo security (Thayer 2005: 11). In political terms, ASEAN member states participate, for example, by implementing counterterrorism legislation, surveillance policies, or legislation on the prevention and persecution of terrorist finances, and by policing terrorism (Thayer 2005).

Similarly to the EU, the issue of Iraq in particular divided the member states: 'The deep split among the members was apparent during the annual retreat of the ASEAN foreign ministers who met in Sabah on the eve of the war with the aim to find a common ground on the issue' (Prawindarti 2008: 20). On the other hand, however, 'US high involvement in combating terrorism in Southeast Asia in general has induced a better regional cooperation in this matter . . . sharing of meaningful information . . . is improving' (2008: 21) and cooperation may be facilitated by participation in the joint exercise Cobra Gold, as well as generally improved in the context of the GWOT.

Within ASEAN, there has been a modest increase in multilateral defense cooperation. For instance, in November 2001, ASEAN army chiefs met and pledged to increase military-to-military cooperation and intelligence sharing. Counterterrorism also led to the first ever meeting of regional defense intelligence chiefs . . .

and subsequently led to the first meeting of ASEAN ministers of defense in April 2006' (2008: 21).

Evaluation of the counterterrorism measures

Is ASEAN therefore active in the fight against terrorism? What has been said so far indicates that there remain serious problems. However, the organisation has been very effective in improving relations between the member states: 'ASEAN has not been able to solve many problems or to come up with conflict resolution mechanisms. But to some extent it has been very successful in improving relations and in managing those disputes' (Emmers, interview with the author, 2006). On the other hand, and this problem can also be seen in the EU as well, ASEAN is dominated by elites. 'Frankly, I think if you go to remote parts of Cambodia, Thailand or the Philippines, they may never have heard of ASEAN' (Emmers, interview with the author, 2006). ASEAN is a project of the urban elite in the capital cities (Liow, interview with the author, 2006). This, of course, makes it difficult for the organisation to assert itself among the populations at large, and it will depend on those populations whether ASEAN can develop into a genuine security community (Emmers, interview with the author, 2006). Other actors, such as civil society groups, NGOs and so forth, will have to be better integrated in the processes. Only if this proviso is met will ASEAN be able to fight the root causes of terrorism.

Furthermore, ASEAN is in particular an instrument for rhetorical participation, by issuing declarations and agreements. ASEAN itself has stated repeatedly that terrorism poses a problem for Southeast Asia that has to be addressed. There is consensus among the ASEAN states, and also common interest, in the fight against terrorism within the region, and in this way the global and national 'wars on terror' are supported. In a sense, the organisation is relevant even if it lacks a military pillar, but centralised structures that could be used politically in the GWOT are also lacking (Emmers, interview with the author, 2006). There is a lack of will to create just these supranational structures: 'this is primarily because the countries in the region do not want to establish them. They don't want to give up sovereignty' (Emmers, interview with the author, 2006). The principle that ASEAN was founded on is that

of national resilience (Hock, interview with the author, 2006). This implies that ASEAN will only be as strong as its member states. While there is the political will to integrate economic cooperation, in the sphere of security sovereignty remains strictly with the national states. Finally, there is no sanctionising mechanism in ASEAN. In the event of non-cooperation by certain states, there is no way of changing their behaviour apart from diplomatic efforts; there is not even a possibility of sanctions against non-cooperation (Liow, interview with the author, 2006).

However, 'ASEAN also offers an opportunity for discreet discussions among various home ministries among officials at the highest level, so that the multilateral gathering can then actually be translated into a bilateral and trilateral series of agreements' (Emmers, interview with the author, 2006). In this way, cooperation was inspired between Singapore and Malaysia, and also between Indonesia and other states. At the multilateral level, ASEAN is a forum to generate trust, which in turn facilitates cooperation between member states. This trust and cooperation then makes the member states capable of action. In addition, ASEAN can be understood as a forum for engagement with third parties, in particular the USA and the EU.

In its strategy and the measures that followed, ASEAN took the role of promoting counterterrorism cooperation. At the same time, its rhetoric departed from that of the USA: a common definition of terrorism was not established (Ramakrishna 2003), and race, culture and religion were rejected as root causes, with poverty and underdevelopment being highlighted instead.

Terrorism was linked to transnational crime, which made it particularly threatening. ASEAN committed itself to the following principles in the fight against terrorism: 'consensus through consultation on the basis of equality, mutual respect for sovereignty, gradual process, and flexibility and effectiveness in our cooperation' (ASEAN Secretariat 2004a). China, Japan and the Republic of Korea would have to be integrated in its efforts. With the declaration of the ASEAN Concord II (Bali Concord II) at the Ninth ASEAN Summit in Bali in October 2003, it was decided to build ASEAN into a security community with the aim *inter alia* of fighting terrorism more effectively.

Also, among ASEAN member states multilateral cooperation in the sphere of security is increasing since 2001. The Philippines, Indonesia and Malaysia started cooperation in information exchange, for example. Indonesia, Malaysia and Singapore agreed on coordination in the combat of piracy (Thayer 2005: 4). However, much of the cooperation within the GWOT seems to be taking place rather bilaterally than between ASEAN and the USA. Many ASEAN nations participated in the GWOT by cooperating directly with the USA in intelligence information sharing, in border security, against money laundering, and so forth (Thayer 2005).

Furthermore, ASEAN has been broadly cooperating with other actors on the world stage, for example with the USA, China, Japan and the EU. Most of this cooperation was aimed at creating declarations and at the implementation of, for example, information-sharing, border management, and document security. There has also been active participation in the promotion of counterterrorism. ASEAN has promoted the fight against terrorism vis-à-vis both its own member states and other actors. However, ASEAN could do more in this role, and its seeming reluctance may be due to respect for the principle of non-interference in the concerns of its member (or possibly other) states. Finally, ASEAN participated on the regional level with regard to compliance with norms. The norms of the international community have been referred to repeatedly, as has ASEAN's willingness to abide by the principles and declarations of the UN. Even if criticism on the possible violation of human rights in the fight against terrorism might be raised with regard to member countries, ASEAN itself is committed to the principles and declarations of the UN. On the state level, however, serious concerns are raised with regard to human rights violations.

According to Human Rights Watch, for example:

The Indonesian parliament is now considering . . . anti-terror legislation. The decrees and draft legislation threaten to seriously curb fundamental rights, invoking broad definitions of terrorism that could be used to target political opponents. Critics argue that existing Indonesian criminal laws are sufficient to address

the country's security needs. Under the draft law, suspected terrorists can be detained by the police for up to seven days on the basis of scant preliminary evidence and then for a further six months for questioning and prosecution. The draft law would allow intelligence reports to be admitted as *prima facie* evidence in order to detain suspects. The military would be allowed to conduct arrests, bringing the Indonesian military back into direct involvement in policing and criminal investigations, powers it abused in the Soeharto era. Investigators would also have the authority to go through personal mail and parcels and to tap telephone conversations or other forms of communication. While intelligence-gathering actions have to be reviewed by a judge, the Indonesian court system is so weak and corrupt that judicial review cannot be relied upon to constitute a meaningful safeguard. The draft law allows for the death penalty (2003).

There has also been some passive participation, i.e. common rhetoric: terrorism was understood as a first-rank security threat endangering the peace and security of the world community. Yet, differences remain regarding the definition of terrorism (ASEAN itself has yet to find a common one) and its root causes. Regarding the latter, ASEAN's approach, as we have seen, differs from that of the USA, citing poverty and underdevelopment and rejecting race, religion and culture.

Causes for participation in ASEAN

Relative power

Regarding relative power on the world stage, the interviewees conclude that ASEAN is a medium power. Some evidence is provided by Tatik:

ASEAN has been the driving force behind regional initiatives such as the ARF (ASEAN Regional Forum), ASEAN Plus Three (ASEAN + China, Japan, the Republic of Korea) and the newly-launched initiative of East Asian Summit (ASEAN, Plus Three Countries, Australia, New Zealand and India), (Tatik, interview with the author, 2006).

Nathan even states that it is an important power; otherwise Condoleezza Rice would not have come to visit ASEAN recently. Moreover, he thinks it is growing in importance. Emmers states that: '[It is] a very popular idea ... that ASEAN was the most successful example of cooperation outside of the EU. I think to a large extent that is probably still true' (Emmers, interview with the author, 2006). (Hock argues similarly, further stating that ASEAN has looked to the EU constantly to learn from its history.) However, Mercosur is also in competition for the position of the second most successful regional organisation. There, more has been achieved in the last 20 years than is even aimed at by ASEAN, especially in the sphere of economic cooperation. But ASEAN remains influential, and has just proved this by trying to build further regional organisations in the wider East Asia. However, again the limitations of ASEAN are mentioned, which also translate into an international weakness. ASEAN after all is composed of small to medium powers and still lacks tangible structures to address their own problems. Another source of weakness, according to Emmers, is that many bilateral relations, internally and externally, are still less than ideal. However, ASEAN is giving the Southeast Asian countries a voice:

But of course it does give a voice to the Southeast Asian (SEA) countries, a voice which it would not have otherwise. Dr Rice would not be coming to SEA every year, I suspect, unless there was this organisation which was managing to pull in the big powers like China, India, Japan and others. But it is a credible actor in the international politics in East Asia; it has been given a lot of attention. But whether it is really capable of changing the structure of politics in East Asia, I would be doubtful (Emmers, interview with the author, 2006).

ASEAN has become at least a relevant actor, especially given its relations with China, Japan and India. But it remains questionable whether the organisation has the power to change the political situation in the region (Emmers, interview with the author, 2006).

Liow describes ASEAN as a 'pressure group'. The organisation has been especially successful (on the internal as well as on the international

level) when it dealt with issues that are of common interest and likely to prove consensual. An example he gives is the question of Cambodia.

Singh concludes that ASEAN is not a strong actor in international affairs:

ASEAN is not as strong. It is a regional organisation and it is not [as] cohesive an entity like a nation state, it is not like the European Union. It is an organisation of sovereign independent states. There is no political union or attempt to political union. So, they don't always agree. Sometimes they agree and they cooperate. So, it can not be as strong as nation states, like China or so. But compared to other regional organisations in the developing world, it is quite strong (Singh, interview with the author, 2006).

Not surprisingly, all interviews indicate that the USA is clearly the dominant power in this relation.

Active coercion or pressure

Officially, there is no pressure to participate in the GWOT: 'ASEAN commits itself to rooting out terrorism from the region because it poses grave threat to its security, progress and prosperity. There is no external pressure on this' (Tatik, interview with the author, 2006).

Singh confirms that some countries do not need any pressure: Malaysia does not need pressure; Singapore does not need it. But he also qualifies this statement: 'I am sure there was pressure on President Megawati, especially when Indonesia was in a state of denial' (Singh, interview with the author, 2006).

Emmers explains that the USA is pursuing a mainly bilateral approach to cooperation with the states of ASEAN. This is rational, as the main field for cooperation is intelligence sharing, which can best be done by single states. For this reason, one cannot really speak of pressure on ASEAN itself. At the bilateral level, there is often some kind of 'soft pressure' exerted: training and funding is offered and some information shared, and mutual relations, especially between the USA and Indonesia, have improved as a result. However, cooperation is not always mutual (possibly another indicator of unilateralism and

hegemony): 'And this of course often also leads to frustration in SEA because there is not always that much information being given to the SEA countries' (Emmers, interview with the author, 2006). With respect to ASEAN overall, maybe there was some discursive pressure involved, as the USA has stated again and again at ASEAN meetings that the GWOT is very important and cooperation is in the US interest.

Liow, on the other hand, comes to the conclusion that pressure was definitely exerted at ASEAN. It was exerted especially through the Senior Officials Meetings, but also bilaterally. In ASEAN, the reaction has been uneven. There was no real willingness to be the 'second front' in the GWOT, but the attention paid by the USA was welcome. There has been conflict with Indonesia and Malaysia, who were irritated and even possibly felt threatened by the 'with us or against us' rhetoric. Still, these countries had to be included in order to make the GWOT not seem a war on Islam *per se*.

Nathan confirms Liow's impression and states that of course there was pressure, even if only informally. That said, the USA, due to its prominent role in the region, does not really have to exert pressure. States will anyway go along with American policies:

Of course, the US will not give anything for free. There is no free lunch as they say. So, if you want access to their markets, you will buy their support. Many of these countries have higher level of prosperity because of their relations with the US. It's quite important . . . [Pressure is] not directly exerted, it shows itself more in confidential discussions. But it is quite clear that many of the countries here go along, because the US can exert another kind of pressure on them: economic pressure, diplomatic pressure, even military pressure. Not that people here hate the US . . . but they learn to go along with it (Nathan, interview with the author, 2006, also hinting at passive coercion).

Ramakrishna (interview with the author, 2006) follows this line of argument that the USA does not really need to put pressure on ASEAN governments to do more on counterterrorism. The latter see that it is in their interest to appear firm. Otherwise, there would be strong economic repercussions (i.e. passive coercion).

Interdependence and passive coercion

For Emmers, it is clear whom the ASEAN states depend on: 'It is essentially the big powers.' The most important of these, for ASEAN, are the USA and China. Still, he claims that individual states do not always take the same position. The relations between Singapore and the USA, for example, are fundamentally different from those between the USA and Cambodia. ASEAN takes note of other actors, especially China and the USA. The former's rise is a cause for concern, and leads to a wish for the USA to maintain an ongoing presence in the region, as a security guarantee. In addition, Japan is also an important power after the USA, especially economically. China is in this sense still backward. Moreover, there is a big unknown: how India will develop. The rise of India has been anticipated for the last 15 years, and only now can it finally be observed. 'But how the rise of India is actually going to have an impact on SEA security relations is still very unclear, is still undefined' (Emmers, interview with the author, 2006). These are the states that ASEAN has to pay attention to, which can be practically observed in the activities of the ARF and other institutions.

Singh comes to the conclusion that in economic terms the USA is no longer the only actor in the region. Only in the security sphere the USA still looms large. Most ASEAN countries are quite small, they are not powerful, and they are very much dependent on outside trade and investments. But in this they are not just dependent on one partner, such as the USA. In their foreign policy decisions they have to bear in mind other actors, such as China and Japan, the latter of which is a big investor in Southeast Asia. In the future there will be India, and also the EU is important as an investor and due to its markets. The rationale for how to engage in these interstate relations differs from country to country, but it is generally multifactorial. For example, for Laos and Vietnam, China features very prominently. Indonesia, on the other hand, considers the USA as much more important. It needs its investments, its goodwill, its cooperation in international bodies like the International Monetary Fund (IMF), and so forth. The USA furthermore is a security guarantor in a general sense, by maintaining the balance of power in the region with regard to China. Nevertheless, security guarantees for particular countries only exist in respect of Thailand and the Philippines.

Ramakrishna again hints at economic asymmetric interdependence:

ASEAN governments recognise that if they are seen not to be taking a firm stand against terrorism, there will be a negative political impact, both domestically as in terms of foreign direct investment, and this is very important to ASEAN, especially because it sees itself in competition with other Asian regions and states. So they have to show that they are serious in dealing with terrorism (Ramakrishna, interview with the author, 2006).

Nathan believes that dependence on the USA is declining because other actors are entering the picture: 'ASEAN is now also getting more leverage, because of the rise of other actors . . . for example China, India. The United States in the economic dimension is no longer the supermom. The United States is not in the position to control' (Nathan, interview with the author, 2006). However, he goes on to state that:

These governments have a stake in the international system, in which the US is a big player. So, they do fight with the international system. You fight to protect your own assets, you cooperate with the big powers, and there is a strategic consensus.

According to Liow, globalisation has increased mutual relations and thus dependency on other actors. It is ASEAN's strategy to bring itself 'in' to remain relevant. The aim is to engage partners in order to secure ASEAN's voice and relevance. This is the more important as ASEAN does not have a foreign policy as such, but is trying to speak with one voice.

Hock (interview with the author, 2006) states that, generally, ASEAN's interdependence with far distant states is less strong. However, again, an exception is the USA (a 'leader' of ASEAN). The region is dependent on its military presence for the security of all its states.

Authority and legitimacy

Emmers argues that one has to make a distinction between public opinion and the views of decision makers when thinking about authority of the USA:

Mahathir for instance was always very critical of the US, primarily because this is what public opinion wanted to hear. But at the same time Malaysia had extremely close military ties with the US and Malaysia wanted the US to be part of the region (Emmers, interview with the author, 2006).

However, the legitimacy question is 'a huge one' and it is true that the USA has lost a large part of its legitimacy in the Muslim states of Southeast Asia as a result of the war in Iraq and (less so) of that in Afghanistan. 'The war in Iraq in particular had cost a lot of political good will in SEA' (Emmers, interview with the author, 2006). The backlash against the Iraq war was comparable to that in Europe, but is now less at the forefront: 'but there was a big backlash and there was a lot of anti-Americanism. That sentiment was on the rise in SEA, but I would not argue, however, that this has been automatically translated into a shift of thinking in some of the ASEAN countries' (Emmers, interview with the author, 2006). Nonetheless, the political view that the USA acted as the region's security guarantor remains unchallenged. While interventions are not always welcome, the US presence in the region is regarded as very important. 'I think those capitals would be wary of seeing the United States disengaging from the region' (Emmers, interview with the author, 2006). Emmers also believes that the Bush administration became more careful in its second term about how to prosecute the GWOT, and the effects can be felt in ASEAN. 'So, I think relations and this very strong sense of anti-Americanism might not be on the decline but might be stabilising at least' (Emmers, interview with the author, 2006).

Ramakrishna takes a more historical perspective:

There has been a generational change perhaps in the past. In the decolonisation phase, they were more suspicious about the colonial masters. This was in the 1950s and early 1960s. But since then you have a generational change. I don't think these kinds of considerations are in effect now (Ramakrishna, interview with the author, 2006).

Liow (interview with the author, 2006) says that one cannot speak of a common ASEAN position. Indonesia and Malaysia have important reservations about the GWOT, for example over the issue of Muslim immigration. And while the war in Afghanistan was accepted, the intervention in Iraq continues to be seen as unlawful. Meanwhile, the Philippines and Singapore joined the US bandwaggon, while Thailand first sent troops to participate in the Iraq intervention, then withdrew them following internal pressure and criticism. There is thus a broad spectrum of policies within ASEAN, reflecting the differences of views on US authority and US legitimacy.

Nathan introduces a further dimension: a distinction should be drawn between the elite and the populations. The elite still rely on the US presence in the region, and support close security relations with it. Even for purposes of internal control in their countries, they have an interest in maintaining ties with the USA. The USA has tremendous resources; it can provide training; and then there are the economic benefits of cooperation with the USA, which all in the long term can benefit the development of ASEAN countries. To a certain extent there is also commonality of interests with the USA. With particular focus on counterterrorism, however, there is a lack of congruence between some, especially the Muslim dominated, ASEAN states and the USA. 'I think the Islamic factor also gets in with Indonesia and Malaysia, they don't agree with the Global War on Terror, with Iraq, and with the situation in Israel to 100 per cent' (Nathan, interview with the author, 2006). However, overall the presence and influence of the USA is accepted. Even the military presence of the USA in the region is not seen as a threat.

I don't think anyone is asking the US to get out. Everybody recognises the importance of the US. Even Vietnam does not [ask it to get out]. As China's importance grows, [the] US might be seen in a more positive light as a balancer, as the EU too (Nathan, interview with the author, 2006).

Singh thinks that the USA has lost some of its authority because of the Bush administration's policies, but most governments still regard it

as legitimate. The Singapore government, for example, may say: 'Bush may be an idiot. But still, we want you around' (Singh, interview with the author, 2006). This is due to the dominant power of the USA, which is needed for economic development and security. Compared to the USA, the UN, for example, features less prominently. It has a good image and is supported, though it is not seen as very effective.

Because they are repeatedly mentioned in the interviews, the factors of political culture and religion will be briefly considered here. Tatik discounts the negative influence of this factor: 'The fact that ASEAN is home to the world's largest Muslim community, for instance, does not prohibit its relations with the other countries and regional organisations' (Tatik, interview with the author, 2006). The complementarity of the elite is an important question more within ASEAN itself (Emmers, interview with the author, 2006). ASEAN today is different from the ASEAN of ten years ago. Now there are three legitimate democracies in Southeast Asia: Thailand, the Philippines and Indonesia. Moreover, Indonesia regards human rights and democratisation as elements in the concept of security. Still, there are differences with new members like Myanmar (also Hock, interview with the author, 2006). For this reason, the interactions within ASEAN are in a state of flux, especially in the cases of Cambodia, Vietnam and Myanmar. Regarding external relations, the effect is different. Here, political cultures are less a factor, particularly because after 9/11 the USA largely abandoned its human rights policies. Other values, such as security, currently loom larger in interactions, which makes political culture less of an issue.

Human rights, democratisation . . . all of that sounds very 1990s, Clinton administration. The Bush administration has not been pushing for real hard-core democratisation of SEA. I think, if anything, this is happening within SEA itself, [it is] within public opinion itself. This has not been an area where the US has been particularly engaged in SEA (Emmers, interview with the author, 2006).

Liow concludes that religious differences and differences in political culture can even be conducive to the relations especially with the USA.

'If you have a Muslim dominated government in Malaysia, then it is better not to have democracy there, given the security interests of the United States' (Liow, interview with the author, 2006). The 'hawks' in the US administration are particularly eager to cooperate with authoritarian regimes, as these are more effective in the fight against terrorism, so Liow. Islam, therefore, does not necessarily hinder cooperation. According to Huntington (1996), one could suspect such an effect, but in reality, the opposite was to be observed. Yet, Liow also states that many Islamic leaders perceive the GWOT as a war on Islam, and therefore only cooperate out of necessity. Counteracting this effect is the knowledge that ASEAN needs the US presence in the region to balance China's power and to secure peace within the region itself. For this reason, the Islamic leaders policies are more pragmatic. They also depend on investment and technology from the West (compare the section on interdependence and passive coercion above). More an issue of concern are the religious leaders, not the political elites. Religious leaders can be very anti-American, and their popularity brings them political immunity. The real difference, therefore, is to be found less in the political, more in the civil sphere (Nathan, Liow, interviews with the author, 2006).

Nathan supports the opposing argument that religion might lead in particular to non-cooperation in counterterrorism:

I think a problem arises with Islam itself. You are dealing with certain members in SEA who are seeing everything through the prism of Islam. The Islamic ideology does interfere in a certain way – in Indonesia, Malaysian leaders are trying to process everything through a religious lens. They say: there are no Muslim terrorists! . . . As well, the element of Islamisation is growing in certain states among the leaders, for example Malaysia (Nathan, interview with the author, 2006).

Hock tries to solve this dispute in stating that the dichotomy between Islam and democracy is a false one. There were many interpretations of Islam and many of these are inherently democratic. He also states that the USA has to be sensitive in its handling of the cultural situations in the region. The USA needs to understand that the opposition of Islam

to the US interest in democratisation is only superficial: 'I don't see there is a problem unless the United States is blind to all these local contexts' (Hock, interview with the author, 2006).

Singh states that religion overall does not have any impact on counterterrorism cooperation:

It (religion) does not lead to a difference in the sense that both ASEAN and [the] US recognise that terrorism is a problem. There is a threat and that must be stopped. So, whether you are an Islamic country in SEA, that makes no difference (Singh, interview with the author, 2006).

However, the difference which does remain is that the Islamic countries do not agree on how to deal with terrorism. Each of their religious leaders will have very clear ideas on how the problem should be addressed (Singh, interview with the author, 2006). The USA, of course, has a negative reputation among a large part of the Muslim populations. Their leaders therefore have to consider fighting terrorism very subtly, and finding their own policies. An extreme example of this is that in Indonesia the terrorist group Jemaah Islamiyah (JI) is not a declared terrorist organisation. For a long time (until the Bali bombing) the authorities had been in 'complete denial'. But 'the way of dealing with terrorists and the perceptions about the causes of terrorism might be different, but not on the threat as such' (Singh, interview with the author, 2006).

Finally, Ramakrishna confirms the impression that there is no major negative effect of religion on cooperation.

More important than political culture or religious factors are the points of interest. We have a lot in common with [the] EU and US, because there is a shared threat. It is the shared sense of interest that is contributing to the real cooperation (Ramakrishna, interview with the author, 2006).

Perception of a terrorist threat as influence

Tatik responds to the question of rhetorical influence as follows: 'ASEAN views terrorism as a profound threat to international peace

and security and a direct challenge to the attainment of its own goal of peace, progress and prosperity' (Tatik, interview with the author, 2006). Ramakrishna elaborates that terrorism is not a new threat within ASEAN. For example, during the Cold War many countries in ASEAN, especially Malaysia and Singapore, had to combat Communist led terrorism. And in the Indochina conflict, the Communists sought power through terrorism as well as guerrilla warfare. This was a phenomenon affecting the whole Southeast Asian region. Regarding the threat perception, he supports Tatik's statement:

Especially since the end of the Cold War and the rise of religiously motivated terrorism ASEAN takes the threat very seriously, because any successful attack in the region tends to cause a great deal of political concern, especially over the prospect of FDI. This is very important to the region. So, ASEAN governments are very confident to fight terrorism (Ramakrishna, interview with the author, 2006).

Terrorism is therefore perceived as a prominent problem in ASEAN. However, the perceptions of various governments in ASEAN differ. Some of them have taken the threat very seriously (the Singaporean and Malaysian authorities have mobilised substantial resources in the fight against terrorism) others have not, preferring to consider their own domestic political situation (Ramakrishna, interview with the author, 2006).

Gunaratna confirms once more that, even if the direct risk of an attack can be regarded as low, preventing terrorist attacks is of high importance.

We have identified 47 terrorist and extremist groups. If you look at the national security threats, there are four principal threats. One is terrorism, second is crime, and third is proliferation, and fourth there are another range of security issues like smuggling and piracy and all that. But in terms of classification, terrorism is the most serious security threat. It is the tier-one security threat. But still the probability of an attack is very low. But, if an attack

occurs, it will have grave consequences for the stability. Thus we have to prevent terrorism (Gunaratna, interview with the author, 2006).

Nathan maintains that the perception of terrorist threat, the relations to the USA and participation in the GWOT are all interdependent. Singapore has very close connections with the USA, and therefore willingness to cooperate is high. The Philippines, Indonesia, Malaysia and Thailand have less close relations, and therefore less inclination to participate. Furthermore, Indonesia and Malaysia do not agree on terrorism being a threat because the majority of their populations are Muslim. They 'don't buy how the United States defines terrorism and what is done' (Nathan, interview with the author, 2006). Other states 'just go along with what is done' (Nathan, interview with the author, 2006). Vietnam, for example, has no terrorist threat, nor does Cambodia, but they comply with any ASEAN declaration.

Emmers furthermore qualifies the above statements by pointing out that terrorism is not a problem that all states face to the same extent. 'Even organisations such as Jemaah Islamiyah, for instance, are very small in terms of their numbers, capabilities and so forth. So, it is a significant problem, but I would not argue that it is a critical one. It is a problem which is particularly significant for some countries' (Emmers, interview with the author, 2006). Terrorism is a particularly urgent problem for three states: the Philippines, Indonesia and Thailand (Emmers, interview with the author, 2006). In southern Thailand, the government has to deal with a traditional conflict that started well before 9/11, and in the southern Philippines there is a conflict that is no less than 500 years old. However, there is currently a terrorist component in these conflicts that makes them more problematic. The developments in Indonesia, meanwhile, are more recent, stemming mainly from the Suharto period. These three states in particular, as Emmers explains, are facing the threat of terrorism, and therefore they take that threat very seriously. However, 'Terrorism is not a big issue for most SEA countries' (Emmers, interview with the author, 2006). For this reason, the states in question resort particularly to bilateral and trilateral cooperation, since they cannot count on the cooperation of the wider community. At this level, there-

fore, there has been more cooperation than within ASEAN itself: 'This is where the most interesting forms of cooperation have been taking place. Not at the multilateral level, including all the Southeast Asian countries, but increasingly at the bilateral and trilateral level' (Emmers, interview with the author, 2006). Finally, Southeast Asia does not see itself as a 'second front' in the GWOT, as it is the US perspective on Southeast Asia. This might indicate that US influence on threat perception or, according to Emmers, even the threat itself are not overly strong.

Singh confirms this perception:

[The threat] exists mostly in Indonesia, Malaysia, Singapore and the Philippines (and Thailand, even if Thailand has a different threat). Even within these four countries the priority given to the threat varies. Although serious in the Philippines and Indonesia, Indonesia does not regard it as [a] number one security threat. Their challenges are really political stability and such. To Singapore, terrorism is very high on the agenda, even though they did not have a terrorist attack. They take it very seriously, more than any other country, even if the threat is more in other parts like Indonesia and Philippines (Singh, interview with the author, 2006).

Liow further explains that terrorism is seen more as a short- rather than a long-term threat, even though it has continued, notably in the Philippines:

I think that ASEAN leaders see it as an immediate problem, short term. But I think they have articulated a number of occasions really that in the longer term they have bigger concerns: integration, rise of China, Sino-Japanese relations, American engagement etc. In the short term I think it is a security problem. . . . But I think the regional states have adjusted to these new security realities over the past three, four years. Therefore, while they still see it as an immediate problem, it is not such a major one as it was in October 2002 (Liow, interview with the author, 2006).

Gunaratna concludes that terrorism is still underestimated in the ASEAN states, even if they take the threat very seriously.

Conclusion

ASEAN is in part under the influence of the USA and its participation in the global efforts to counter terrorism is in part motivated by US hegemony and ASEAN's dependence on the USA. As the ASEAN nations are heavily dependent on US foreign direct investment (FDI) and protection, they are more willing to cooperate than they would otherwise be. Furthermore, even though the increase in threat is higher than for the EU, the threat perception is lower. Influence, therefore, could be a factor (as well as pressure) but the evidence is weak. Limits on participation are most likely attributable to the lack of internal political strength within ASEAN.

Overall, the argument can be made that there are internal as well as strong external systemic factors responsible for counterterrorism. According to an analysis of the interviews, the main external factors might be the US dominance and asymmetric interdependence with the USA (by a very large margin) hence passive coercion, but also legitimacy and authority. The most probable explanation for participation in the GWOT is that there is some pressure, even if mostly informal, by the USA to go along with its policies. Participation then occurs because non-cooperation would lead (or is expected to lead) to economic repercussions in the form of loss of foreign direct investments. Also, the security oriented relations with the USA could be compromised by non-participation, which is not in the interest of ASEAN states. For each state, the prominent role of the USA was emphasised, as was its dependency on the USA in several dimensions. The USA serves as a security guarantor as well as providing open markets, technology and so forth. Therefore, we find dominance, passive coercion and authority in this case study as the main causes for participation in counterterrorism.

In conclusion, the interviews provided clear indications of dominance, the exertion of power via passive coercion, and the use of authority. Therefore it is argued that the assumption of hegemonic governance bears explanatory power for participation by ASEAN in the GWOT under George W. Bush. The results of the interviews are summarised in Table 6 below.

Table 6. Presentation of the causal factors for participation (ASEAN)

<i>Factor/Interview</i>	<i>Emmers</i>	<i>Liow</i>	<i>Singh</i>	<i>Nathan</i>	<i>Hock/ Gunaratna</i>	<i>Rama- krishna</i>	<i>Talik</i>
Test variables							
External power ²⁴	+	+	+	+	+	+	+
Pressure (active coercion)	+ -	+	+ -	+		-	-
Interdependence (pass. coercion)	+	+ -	+	+	+	+	
Authority (influence)	+	+ -	+	+		+	+
Threat (influence)	+ -	+ -	+ -	+ -	+	+	+



*Positive
response*



*Neutral
response*



*Negative
response*



*Not
answered*

THE GLOBAL GOVERNANCE OF COUNTERTERRORISM²⁸

Coercion is difficult to measure
(Byman and Waxman 2002: 31).

Global counterterrorism is regarded here as a policy field of global governance. Counterterrorism is pursued internationally through multinational cooperation in order to manage national policies aiming to reduce terrorism worldwide. This multinational cooperation is marked by the leading role played by the USA. Even in the UN, the USA is the leading power, and sometimes acts unilaterally in the pursuit of counterterrorism. Of course, here the term ‘hegemonic governance’ does not exclude the possibility that the hegemon is interacting with other states as equals and cooperating in a multilateral manner. Yet, the term includes the notion that, finally, the hegemon holds the prerogative of exercising its power or acting unilaterally, at times even against the principles of the international community. In the following sections, the main global actors in counterterrorism are presented and their strategies, policies and rhetoric evaluated. Even alongside the well-reported military actions and ambitions of the USA, power in the GWOT is also exerted elsewhere, even on allies and other (neutral, or at least not target) states. This chapter will firstly define the GWOT as an emergent area of global governance, and then look at the use of power (force, coercion, and influence) as measurements of hegemonic governance in the GWOT. This chapter argues that hegemony can be discerned in different dimensions in the GWOT. Firstly, the USA

plays an independent and leading role in this undertaking, itself a sign of power. Power is further exerted by using force against declared adversaries, and by coercion and influence via others. The USA acts here partly as a policy entrepreneur, convincing other nations, IOs and regions to participate in the GWOT and to go along with most of its policies. Therefore, a hegemonic relationship seems to exist.

The GWOT as global governance

Cooperation in global counterterrorism, hence the GWOT, is certainly more than a regime. Ruggie talks about regimes as 'a set of mutual expectations, rules and regulations, organisational plans, energies and financial commitments that have been accepted by a group of states'. Another definition stems from Krasner, regimes are 'sets of implicit or explicit principles, norms, rules and decision-making procedures around which the actors' expectations converge in a given area of international relations' (both cited in Leonard 2005: 108ff). Whereas the first of these definitions comes close to describing counterterrorism in the global sphere, the second is certainly not broad enough. Global counterterrorism cooperation encompasses more than certain rules of behaviour over a particular issue. For one, counterterrorism cooperation is reflected in a large number of areas (as mentioned in Chapter 4), such as financial control, border control, immigration regulation, intelligence cooperation, traditional security policies and so forth. Many other areas, such as health policy, media control, etc., are affected by cooperation in counterterrorism, and therefore belong in the broad sense to the GWOT. It therefore seems unjustified to speak here of a 'given area'. The term 'war on terror' has been used to capture so many policies under a large political-ideological umbrella, that a single-issue area is hardly discernable. Furthermore, it encompasses more than 'rules and regulations', 'plans' and 'energies' affecting cooperation. While rules and regulations are clearly present in the UN counterterrorism conventions, for example, and strategies (including 'plans') are frequently mentioned and discussed here, counterterrorism cooperation goes further. It encompasses external and internal policies, rhetoric, and a whole ideology comparable to the ideology and discourse on globalisation prominent in the 1990s. Rosenau speaks of 'order plus intentionality' as

a marker for governance, and suggests that it is comprised of fundamental markers (the distribution of power, for example) and routinised actions (trade, postal and passport procedures), whereas regimes in comparison consist of 'more specialised arrangements that pertain to well-defined activities, resources or geographical areas and often involve only some subset of the members of international society' (Rosenau 1992: 9). For all these reasons, here the choice has been made to speak of global governance in, rather than a regime of, counterterrorism. Welch and Kennedy-Pipe even speak in the case of counterterrorism about global 'government' rather than 'governance' (2005: 144). The term used in this study, 'hegemonic governance', in turn tries to bridge the divide between governance and government by suggesting a hierarchy in global governance headed by one superior actor, though one which does not exercise absolute control.

The US strategy against terrorism

The USA was the state directly attacked on 9/11, and is even thought to be one of the main targets of transnational terrorism.²⁹ In addition, its international power makes it only natural that it is the main actor in pursuing terrorism.

The US National Security Strategy (NSS) of 2002 refers to the problem of international terrorism.³⁰ It starts by emphasising that the principles of freedom and equality relevant to all societies must be defended on a global scale. Reference to terrorism is made in the second paragraph, from which one sentence became widely known: 'We will not hesitate to act alone, if necessary, to exercise our right of self-defence by acting pre-emptively against such terrorists' (White House 2002: 6). This willingness to take unilateral action was greeted by international dissent. Beyond this, intervention in haven states is mentioned in the strategy as:

direct and continuous action using all the elements of national and international power. Our immediate focus will be those terrorist organizations of global reach and any terrorist or state sponsor of terrorism which attempts to gain or use weapons of mass destruction (WMD) or their precursors (White House 2002: 6).

The decision was thus to adopt a military approach to terrorism in taking preventative measures and in responding to attacks; the pre-emptive option is explicit here. Another section of the strategy deals with rogue states, and mentions Iraq in this context. Iraq and similar states threatened the USA and for this reason a proactive strategy was necessary: 'We must deter and defend against the threat before it is unleashed. We must ensure that key capabilities – detection, active and passive defences, and counterforce capabilities – are integrated into our defense transformation' (White House 2002: 14). Support for free markets follows as a further element in the strategy. It was hoped that this would lead to an increase in global wealth (Hobson's second criterion for hegemony, chs. 1, 7). As terrorism is understood as stemming from the embitterment of a few, this could be seen as part of a strategy against it. Yet the connection between development and terrorism is only made indirectly: 'Economic growth . . . reinforces the habits of liberty' (White House 2002: 17).

Finally, there is also reference to development as such. A world, it is argued, where half the people live on less than two dollars a day is neither just nor stable. Development has thus been one of the highest priorities for the USA, but classic development aid is abandoned, as it has so far led not to success but simply to malpractice and misuse. For this reason, all measures are to be coupled with political changes. Resources will only be made available to those nations that show political reform (again, this can be interpreted as an intention to restructure and change other states according to US interests, ch. 7).

In 2003, the US administration presented its National Strategy for Countering Terrorism, this time designed to address terrorism specifically. It was again stressed that the USA would not hesitate to act unilaterally and pre-emptively: 'If necessary . . . we will not hesitate to act alone, to exercise our right to self-defense, including acting pre-emptively against terrorists to prevent them from doing harm to our people and our country' (White House 2003: 2), reinforcing its proclivity for unilateralism. Some countries are again understood as haven states in this context: 'States around the world still offer havens' (White House 2003: 2). US behaviour towards states would differ according to their willingness to cooperate: 'We will reinvigorate old

partnerships . . . we will support them . . . convince them . . . we will act decisively to counter the threat they pose' (White House 2003: 12). Counterterrorism needs further impetus: 'we must continue to take aggressive action' (White House 2003: 5), clearly a sign of power politics based on US military predominance, though not as such necessarily a sign of hegemony, and 'extending our defenses' (White House 2003: 12). Beyond the interdiction of safe havens, the direct fight against terrorism, the fight against root causes, as well as the defence of the homeland are elements of a '4D-strategy' (defeat terrorist organisations; deny further sponsorship, support and sanctuary; diminish the underlying conditions; defend the USA).

The first of these elements refers to military and police deployment against terrorist organisations. In addition, control of terrorist finances as well as intelligence operations are hinted at here. The second refers implicitly to military interventions in states that harbour terrorism (this could possibly be interpreted as an attempt at imperialism, rather than hegemony). States that were not cooperative were to be held accountable. On the fight against underlying causes, the administration's intention is to mount a policy of development as well as to wage a war of ideas. Nevertheless, in the same paragraph, it is made clear that the USA is not willing to carry out this part of its strategy alone (contrary to the military pillar, where the wish for or necessity of multilateralism is not even mentioned, in all likelihood another hint at unilateralism). Other states concerned about terrorism must take part in aid programmes and in the war of ideas, though no further elaboration of these two aims is given, apart from the statement that development aid is in any event ongoing. (In this context it should perhaps be remembered that the USA, like many other states, is far beneath the internationally agreed target allocation for development aid of 0.7 per cent of GNP (Organisation for Economic Co-operation and Development n.d.). On the war of ideas, it is stated that the aim is to defeat the ideology of terrorism, and to delegitimise it, so the terrorists will no longer be able to recruit.

In 2006 another NSS was published, which does not greatly differ from that of 2002. The pre-emptive option is restated, but without a reference to unilateralism. Yet from the earlier NSS can be construed a policy that might continue the GWOT against Iran, and possibly Syria:

'We make no distinction between terrorists and those who knowingly harbour or provide aid to them' (White House 2002). Under 'further steps,' it is claimed that: 'In the short run, the fight [against terrorism] involves using military force and other instruments of national power to kill or capture the terrorists, deny them safe haven or control of any nation' (White House 2006a: 9). Particularly in the Middle East, the following is to be achieved: prevention of further attacks, of the possession of WMD for rogue states and terrorists, of safe haven for terrorists in rogue states and of terrorist control of such states. In this context, Syria and Iran are mentioned explicitly: they must be 'held accountable' by the world (again indicating a rather imperialist, as opposed to hegemonic, approach). Finally, the paper addresses the root causes of terrorism. Poverty, US foreign policy and the conflict between Israel and the Palestinians are dismissed as causes. It refers instead to authoritarian regimes and the resultant political alienation, lack of participatory rights, unjustified allegations, and subcultures characterised by conspiracy theories, disinformation, and an ideology that justifies murder. Democracy is presented as a solution to all these ills.

The 2003 National Strategy for Countering Terrorism was revised in 2006. This new paper firstly describes successes in the GWOT, and the phenomenon of terrorism itself. What follows is a presentation of a concrete strategy against terrorism. The long-range strategy is to further the spread of democracy and to support democratic change (again, Hobson's second criterion for hegemony). Democracy is seen as the 'antidote to the ideology of terrorism' (Embassy of the United States 2006). The causes of terrorism mentioned earlier are repeated, with the argument that democracy is capable of diminishing all of them. Political alienation is replaced by participation; frustration and allegations are replaced by the rule of law and peaceful conflict resolution; the culture of conspiracy theories finds a remedy in freedom of speech and the free exchange of ideas. Finally, an ideology that furthers violence is to be replaced by respect for human dignity. Democracy is therefore both the antithesis of and the solution to terrorism. In the short term, though, military means will continue to be used. Terrorist organisations will be attacked in all their manifestations, and their own offensive capability thus diminished.

Measures in the fight against terrorism

The US strategy and its policies in the GWOT can be divided into three pillars: a military, potentially unilateral pillar; a civil, more multilateral pillar; and finally, protection of the homeland as a pillar in its own right (which will not be discussed here). Presented here are the measures taken as part of hegemonic governance; the argument for hegemonic governance as such will be supported further in the next chapter.

Military measures and the application of force

Force via military measures is mainly exerted by the USA by interventions. As soon as the USA throws in the weight of its predominant military, the latter's sheer size and power ensure that an element of pressure is always involved. Military force is, however, mainly exerted against countries declared to be 'non-cooperative' or 'haven' states in the GWOT, such as Afghanistan and Iraq. However, the mere existence of these undertakings might suggest a rationale for other states and actors to comply with the policies of the USA, in order to avoid being targeted in the future. While it is unlikely that such a rationale would be relevant in an EU nation, for example, which considers itself a long-standing ally of the USA and coupled to it in a security community, it might well be relevant to another state or region that had weaker ties with the USA, a prospect furthered by the 'with us or against us' rhetoric of the USA. So, one might ask whether these undertakings, particularly the intervention in Iraq, are part of global governance, even if a hegemonic one. Kustermanns argues that it can indeed be so understood: 'Hegemonic law, [and, therefore, hegemonic governance] . . . is grounded on the recognition of inequality, on an exceptional position for the hegemonic power, and on the right to intervene' (2007: 14).

This therefore would cover all the military measures that have been pursued in the GWOT. Whereas from a European perspective the intervention in Iraq has not been part of the fight against terrorism, the US administration has made an explicit connection between them (Garamone 2002).

In the following, a short analysis will be presented of 'Operation Enduring Freedom' and 'Operation Iraqi Freedom' as the main elements, in the US understanding, of the GWOT. Directly after 9/11,

the defence budget was raised to \$379.4 billion (US Department of Defense 2002). Since then, it has increased further: in 2005 it was \$450 billion (US Department of Defense 2005). The war in Afghanistan implies the spending of some \$1.8 billion per month; overall, the cost of this war was estimated at \$37 billion up to February 2003 alone (Byrd 2003). The Iraq war is estimated to have cost between \$410 and \$630 billion (Krueger 2006); some less conservative estimates give significantly higher figures.³¹

These two interventions can be regarded as expressions of hegemonic governance exerted in a partly unilateralist manner; the military sortie in Iraq, in particular, has been said to show a high degree of unilateralism (Sauer 2002).

The last decade of the twentieth century began with an extraordinarily wide Security Council authorization to resort to force and ended with a massive unilateral use of force without any Security Council authorization at all. In both cases, the principal actors were exactly the same. The first decade of the new millennium also began with a large military operation, in response to the most horrific terrorist attack, outside the framework of the collective security system set up by the Charter. And again, the principal actors remained the same (Kohen 2003: 226).

And:

Indeed, some might see in recent developments the incipient demise of sovereign equality as the organizing principle of the international order. The increased ability and willingness of the United States . . . to use force, without recourse to established procedures and without the felt need to give legal explanations responsive to established doctrines, might be taken as evidence . . . of the emergence of a different kind of peace and security order – one in which the United States participate in, but is not subject to, international legal institutions (Roth 2003: 261).

Afghanistan

A kind of loose coalition, and one to be determined after the mission began, was aimed at after the attacks of 9/11. According to Donald Rumsfeld, then US Secretary of Defense:

This war will not be waged by a grand alliance united for the single purpose of defeating an axis of hostile powers. Instead, it will involve floating coalitions of countries, which may change and evolve. Countries will have different roles and contribute in different ways. Some will provide diplomatic support, others financial, still others logistical or military. Some will help us publicly, while others, because of their circumstances, may help us privately and secretly. In this war, the mission will define the coalition – not the other way around (US Department of Defense 2001).

Yet the intervention was backed by a Security Council resolution³² (Greenwood 2002). States from all over the world participated in the war and its aftermath. Turkey, for example, sent more than 1,300 soldiers to Kabul to take over the leadership of the International Security Assistance Force (ISAF); it is the only country that has twice been in charge of ISAF. Overall, the following NATO and non-NATO countries have participated in the Afghanistan operation (NATO 2005).

- NATO nations: Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxemburg, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Turkey, UK, USA;
- 'partner' nations: Albania, Austria, Azerbaijan, Croatia, Finland, Former Yugoslav Republic of Macedonia, Ireland, Sweden, Switzerland;
- non-NATO nation: New Zealand.

Norway, Denmark and the Netherlands sent F-16 fighter jets to Kyrgyzstan for air operations over Afghanistan, and Romania sent

an infantry battalion to the country. Special troops from Canada, Germany as well as other nations have served on the ground in the search and prosecution of the Taleban as well as in intelligence operations. Australia, France, Greece, Germany and other nations sent air force to monitor the airspace of Afghanistan as well as elsewhere (NATO 2005). Some of the captured Taleban and members (and supposed members) of al Qaeda were taken to the US base of Guantánamo in Cuba. This proceeding is highly debatable under international law, and was met with protests from human rights organisations. Also the bombardments in the context of the war in Afghanistan, which claimed numerous civilian deaths, have been criticised by these organisations. Terrorist attacks and hijackings are common since the intervention and the nation is in a state of insurgency. On the other hand, there were free elections under the supervision of the ISAF forces, in October 2004 and September 2005, and again in August 2009. Even if the intervention was apparently based on multilateralism, the war has frequently been referred to as an instance of US imperialism (Stabile and Kumar 2005; Mallaby 2002; Petras 2002). Since Western presence has been established in Afghanistan, the USA and other nations helped to train the Afghan national army and police force. By 2003, a total of 18 battalions of troops had been trained, i.e. more than 10,000 soldiers; and 38 countries had promised weapons, munitions and financial support for this exercise. The task of establishing an Afghan national army aims to be completed by 2010.

Iraq

The war against Iraq started differently. The Project of the New American Century, an American think-tank, had lobbied for an invasion of Iraq since 1998 (*Washington Times* 1998). In 2003, together with the UK, the USA proposed a resolution in the Security Council arguing that Iraq possessed WMD, apart from its connections with terrorism. It was emphasised that an intervention would prevent the possibility of the regime providing terrorists with such weapons (*Human Rights Constitutional* 2003). Yet proof of these accusations was weak (*USA Today* 2005), so the other Security Council members vetoed a resolution to intervene militarily in Iraq, and in the following period

employed soft-balancing to prevent such an intervention (Pape 2005). Some, particularly American, scholars, argue that the intervention was still justified by international law (Yoo 2003), though many experts dispute this claim.³³ Gray, for instance, argues that precedents are to be found in the intervention in Iraq in 1998 and that in Kosovo in 1999, when the USA and UK in particular used Security Council resolutions with a degree of flexibility (Gray 2002). It would follow from this that there has been a polarisation in the field of collective security. International law in the aftermath of 2003 is also referred to as 'hegemonic international law' ('HIL', Vagts 2001). HIL could here be counted as evidence of unilateralism and (general) hegemony. The issue of hegemony in the creation of international law is extensively discussed in Byers and Nolte (2003). Ignoring the absence of legitimisation by international law and the international community, the USA declared war on Iraq and intervened, with many states refusing to cooperate in the military project due precisely to this lack of legitimacy under international law. The states that participated formed the so-called 'Coalition of the Willing' (BBC 2003; White House 2003b). Some of them ended their participation after increasing internal or external opposition (e.g. Spain, Ukraine and Nicaragua). Turkey threatened to end its participation after repeated attacks on the northern Iraqi city of Talafar, where many Turks live.

Anderson et al. (2003) argued in the wake of the Iraq war that coercion on other nations to participate was likely:

Although Administration officials have said publicly that they will not attempt to bully nations into supporting their Iraq policy, there is ample precedent for the United States using coercion to garner support for its military actions overseas (2003: 1).

Coercion was indeed effective in the creation of internal (in the USA) and (to lesser extent) external consent in the run-up to the intervention in Iraq:

[Accounts of the Iraq war] have emphasized the effects of international unipolarity, the political polarization that supplied

incentives to deploy Iraq as a wedge issue, presidents' capacity to speak with unquestioned authority with regard to foreign policy, the administration's embrace of neoconservative ideas about international affairs, its manipulation of classified information, the fracturing of the Democratic opposition, the uncritical stance of the mainstream media, internal and external pressures that led intelligence agencies around the globe to misread and exaggerate Iraq's weapons of mass destruction programs and stocks, and individuals' reasoning errors with regard to risk (Krebs and Lobasz 2007: 410).

The invasion furthermore led to an insurgency with increased and seemingly unending violence and fighting in Iraq. Terrorist attacks occur on nearly a daily basis, and in 2006 the UN referred to a civil war-like situation in the country. In September 2005, for example, more than 200 people were killed in only three days (*USA Today* 2009). In securing the country, Coalition forces are supported by a number of private security firms. Estimates of numbers of these private military contractors in Iraq differ, but it could be assumed that they might present a larger force than the US troops engaged there (Miller 2007). Military bases were established on a semi-permanent basis in both Iraq and Afghanistan; and overall, the USA has close to 800 military installations in other foreign countries (Johnson 2009). The latter clearly supports the hegemony thesis.

The war against Iraq was also criticised for the justification advanced for it. After referring to the terrorist threat and an alleged connection between Saddam Hussein and al Qaeda, and thus a link with 9/11, the Bush administration claimed to be threatened by Iraqi WMD. Yet, none of these accusations could be proven (CNN 2004; *Washington Post* 2006). Indeed, the connection to al Qaeda has come to be seen as non-existent, and since the invasion no WMD have been found in Iraq. A later justification presented included bringing democracy to a country that had suffered under dictatorship.

Both interventions show a high level of the application of force as a use of power, in the case of Iraq without legitimacy under international law. This is clearly a case of hegemonic behaviour, some might even argue

an imperialist one. (The author has argued before that this behaviour is more imperialist towards specific regions, but can generally be termed hegemonic; Beyer 2008.) It is a case of hegemonic and therefore *global* governance, as it implies global ordering activities by parts of the world community, or at least by the most powerful state. Furthermore, it is also a case of the creation and implementation of international rules with a claim to global validity, as these interventions can be understood as a precedent for further such actions, and as marking the development of an emerging rule of pre-emptive intervention (similar to the norm of 'humanitarian intervention' which emerged in the 1990s; Molier 2006). Interventions here are understood to be one prime example of hegemonic governance.

Apart from the interventions discussed above, operations under the GWOT have taken place in the following countries: Georgia, Indonesia, Yemen, Pakistan, the Philippines, Djibouti, Kenya, Tajikistan, Kyrgyzstan, Uzbekistan and Colombia (Feickert 2005). Such operations have comprised the use of airports or harbours, stationing of soldiers, financial support for the army (in Indonesia and the Philippines), unspecified support for the army (in Georgia and the Philippines) and support in operations against terrorists (in the Philippines) as well as joint cooperation against terrorists (in Yemen and Pakistan), (Schneckener 2003: 8ff).

Coercion and multilateral measures

Coercion can be understood as being based on potential sanctions (i.e. active coercion), or making use of asymmetric interdependence (i.e. passive coercion). A number of the multilateral measures put forward by the USA most probably entail one of the two versions of coercion. Multilateral measures will be discussed in what follows. One can describe the multilateralism of the US government as 'selective' (ch. 7). Cooperation is only aimed at where partners are compliant in following US interests. This selective or instrumental multilateralism retains at its core a strong unilateral component (Winter 2004: 26). With respect to cooperation in the sphere of soft policies, for example, the USA pursues a policy of selective multilateralism. There is a tendency to decline international agreements that could bind the USA and limit its

capacity to act independently and in its own interests. For example, it did not support the establishment of the International Criminal Court and claimed not to be under its jurisdiction; yet the Court might develop into a powerful tool in the fight against terrorism (Banchik 2003; Goldstone and Simpson 2003). In this context, coercion was used by the USA, as will be explained in the following chapter.

Multilateral, civil measures are generally regarded as more appropriate in fighting terrorism which springs itself from a multinational, transnational network. However, the US government relegated such measures to a secondary role, behind military force. Among the multilateral policies, for example, were cooperation in the implementation of international law, in the control of terrorist financial organisations, and in support for other nations in prosecuting terrorists. A multilateral strategy was also based on cooperation with the international community, particularly through the UN, which has long attempted to mobilise the international community in the fight against terrorism. There are more than a dozen conventions and protocols on terrorism in existence which have been written under the umbrella of the UN or its affiliated organisations. Resolution 1373 obliges all member states to cooperate against terrorism, against its finances, by denying it safe haven, against its acquisition of weapons and by border protection. These measures were pursued by the USA in cooperation with the international community. It also has supported other states, in many ways, in complying with anti-terrorism laws. For example, there has been strong cooperation with a number of regional as well as issue-specific organisations over the exchange of information that could lead to the capture of terrorists, over improvements in border security and over the interdiction of terrorist financing (US Department of State 2003).

Finally, mention should be made of preventive measures. At the end of 2002, US Secretary of State Colin Powell presented an initiative involving cooperation with Arab states, particularly in the sphere of democratisation (Olivastro 2002). This encompassed economic reforms, development of the private sector, the strengthening of civil society and political participation, and support for education. The initiative, which derived from European *démarches* like the Barcelona

Process and European Gulf Cooperation, evolved into the Broader Middle East Initiative, in which the core element is a forum for dialogue ('Forum for the Future'), organised by the USA with European participation. This might be one of the more promising attempts to countering terrorism long-term, but it also elicited criticism. In 2007, \$120 million overall was planned to be spent for this purpose (White House 2006c). Positive coercion, in the sense of rewards, is clearly present here and is used to support efforts to counter terrorism.

*Cooperation in the sphere of international law
and financial control*

Since 9/11, the US government has cooperated with states and in IOs to improve cooperation in implementing the law and in taking financial action against terrorism. Efforts in respect of the latter have led to the freezing of terrorists' accounts.³⁴ In the first 16 weeks after 9/11, the USA froze around \$68 million of terrorist organisations' funds; and in the first two years after 9/11, a total of \$113 million was frozen by the Federal Bureau of Investigation (FBI, Schneckener 2003: 4). The financial war against terrorism was supported by some 208 states, and 167 have acted by freezing terrorists' accounts. Others have asked the USA for help in improving their legal and regulatory systems for the control and prevention of terrorist financial activity. The participating states have together frozen an additional \$77.9 million (White House 2002b). In 2003, \$10 million has been spent on improving the capability of nearly two dozen countries to deny terrorists the funding they need for their activities, clearly another case of positive coercion.

In addition, the Financial Action Task Force (FATF) has been established, with the USA playing a major role. The FATF is an 'inter-governmental body whose purpose is the development and promotion of national and international policies to combat money laundering and terrorist financing' (Financial Action Task Force 2006).

Cooperation has also aimed at preventing the recruitment of terrorists, their transit and the establishment of safe havens, and at the prosecution of terrorism as a criminal act. The US Department of Justice, in cooperation with the Department of State, works on issues of criminal prosecution. The main bureaux of the FBI have established

closer working relationships with foreign intelligence agencies, and international police cooperation between over 90 states has been improved, with more than 2,400 suspects arrested.

The USA has cooperated further with the Organisation of American States (OAS), the Asia-Pacific Economic Cooperation (APEC), the Egmont Group, in the International Monetary Fund (IMF), the G8, the Counter-Terrorism Experts Group and the Lyon Group, for example. In the area of international aviation security, it has participated in the Aviation Security (AVSEC) panel of the International Civil Aviation Organization (ICAO) (Consulate General of the United States to Hong Kong and Macau n.d.).

Positive coercion via foreign aid

Positive coercion, via rewards, is potentially to be seen in the provision of US foreign aid as an incentive to counter terrorism.

In the 1970s, the USA (and other Western nations) committed themselves to spending 0.7 per cent of GNP on foreign aid. In 2003, the USA achieved no more than 0.14 per cent (\$16,136 million). In 2006, this had improved somewhat to about 0.17 per cent (\$22,828 million). While the USA, of all states worldwide, undoubtedly spends the largest amount in foreign aid, this is still far below the help it could be expected to provide for poorer nations. It must also be mentioned that the biggest share of foreign aid is directed to the Middle East, particularly to Egypt and Israel (more than two thirds of the total goes to these two; Beyer 2006).

At an international conference in 2002 on development financing in Monterrey, Mexico, President Bush proposed to increase US foreign aid by 50 per cent; so whereas in 2001 the USA spent only about 0.15 percent of its GNP (\$14 billion) on foreign aid, the figure had reached about 0.17 per cent (\$23 billion) by 2006.

There has been special and intensive aid since 2002 towards Afghanistan. 'In January of 2002 the United States pledged \$297 million in humanitarian and reconstruction aid to help the people of Afghanistan. Since October 2001, the United States Agency for International Development (USAID) has provided over \$350 million in aid assistance to Afghanistan' (United States Agency for International

Development 2008). The USA has provided aid in terms of foodstuffs, supplies, healthcare, transport and communications. Furthermore, it is engaged in reconstruction with regard to supply housing, roads, water systems and support for agriculture.

In the case of Iraq, \$28.9 billion aid has been provided in the years 2003–6, \$17.6 billion of which for economic and political reconstruction (Serafino, et al. 2006: 2). USAID in 2008 provided estimated \$6,782 million on security assistance and \$2,235 million on economic aid (United States Agency for International Development 2009: 4). The US State Department's budget for the goal 'achieving peace and security', of which countering terrorism is a part, comprised \$11.2 billion. Compared to all other strategic goals, such as 'promoting economic growth and prosperity' (\$3 billion) and 'governing justly' and democratically (\$2.6 billion), this item is therefore the best funded (US Department of State 2008).

Foreign aid, it can be argued, is still not a primary tool for coercion. It figures in US foreign policy, but is not a dominant factor. However, what may be interesting is the focus on military aid and aid for security purposes and therefore the attempt to use foreign aid as a new tool in the GWOT. There has been:

[a] revival of security assistance within the mix of US development/military aid. The latter has been on the decline since the Cold War, in line with the normative expectations of the OECD-ODA regime, but has returned as a central element of the US war on terrorism (Hook and Rothstein 2004).

Therefore, it could be argued that foreign aid (even if generally not a dominant factor in US strategy) is increasingly used as a tool for exerting power in the GWOT.

Generally, it can be discerned that in many of its cooperative measures, the application of active or passive, positive or negative coercion was clearly or probably present. This is particularly the case with respect to Pakistan, China and Australia, and also Belgium (Archik 2006: 4), and has been confirmed in the two preceding case studies. Coercion, however, has been less reported and researched than

military action. It is also reported that in many cases pressure from (or at least the influence of) the USA led to a depletion in respect for norms of human rights as the price paid for effectiveness in counterterrorism measures (Foot 2005). The case that coercion is at least at times used in cooperative measures, for example in IOs, is illustrated by Rademaker with regard to the IAEA's dealings with Iran: '[t]he best illustration of this is the two votes India cast against Iran at the IAEA. I am the first person to admit that the votes were coerced' (Campaign Against Sanctions and Military Intervention in Iran 2007). Later chapters contain more discussion of general coercion in hegemonic governance.

Influence: the rhetoric of the George W. Bush administration

In the following section, the US administration's rhetoric on terrorism will be discussed (Beyer 2006). Generally, it can be said that terrorism was mainly thought of as located in haven states. The connection to such states was frequently made, particularly in the period preceding the two interventions. There was much less reference to transnational terrorism as a multinational network, and even less talk about terrorism being located in the home country.

To reach conclusions on the main themes of the US rhetoric, a vast number of statements and speeches have been selectively scanned. A collection of 30 examples referring to the GWOT and published by the Department of State between 2001 and 2006 were analysed: only five of these documents referred to terrorism as being present in the USA itself; nine to terrorism as a transnational network; and 16 referred to terrorism as an external national phenomenon to be found in haven states. Even though the US rhetoric is not adopted wholesale, generally a stated need to 'wage war on terrorism' can be understood as a sign that this rhetoric has had an influence. Certain characteristics of the US description of terrorism reappear in the rhetoric of the UN, the EU and other organisations; in some important respects these descriptions also differ.

The haven-states thesis

Of particular interest to the USA, seemingly, were haven states. Where al Qaeda was understood as a transnational network, it was nonetheless

presented in relation to haven states. It was thought to be harboured and funded by such haven states as Afghanistan and Iraq (which might even provide the network with WMD):

There are still al-Qaeda scattered around Afghanistan. There are, I'm sure, going to be efforts by them to try to organize themselves enough so that they can launch an attack at least on our forces in Afghanistan. We see intelligence to that effect . . . [we must ensure that Afghanistan] can never again become a sanctuary for a terrorist organization like Al Qaeda (CNN 2002).

Moreover, al-Qaeda is not the only global terrorist network. And terrorist networks have growing relationships with terrorist states that harbor and finance them – and may one day share weapons of mass destruction with them. What this means is that Afghanistan is only the first stage in a long, difficult and dangerous war on terrorism (US Department of Defense 2002a).

With this, and in the context of the war against Iraq, a new category had been created: 'terrorist states', which may be 'sponsor states' or 'haven states' (which 'harbor and finance' terrorists). Transnational terrorism was thus seen in relation to specific states, which then became targets.

This argument was highlighted with respect to the so-called 'axis of evil', and became particularly obvious in the case of Iraq. Donald Rumsfeld, for example, stated that Iraq could not be seen as separate from the GWOT (Garamone 2002). Instead, it was a part of this war. The intervention in Iraq was understood to be a key factor in hindering other so-called haven states from developing, using or spreading WMD. Again according to Rumsfeld, the threat scenario then current was characterised as follows: there is on the one hand unipolarity, on the other WMD produced by rogue states, and finally proliferation. Here the link to transnational terrorism enters the equation. Rogue states were thought to have relations with terrorist networks, and even to harbour their members. To make this connection even more obvious, these states (particularly Iraq) were termed 'terrorist states'.

They were said to pose a 'grave and growing danger' for the USA, a claim made in an attempt to legitimise an otherwise unlawful intervention. A number of states count as haven states,³⁵ and as Colin Powell put it in 2002: 'The war on terrorism is not confined to the Middle East' (Olivastro 2002).

With the intervention in Iraq, the US rhetoric changed: the former haven state was now presented as a threat in itself – the connection to terrorism had become secondary:

Confronting Saddam Hussein was also essential. His regime posed a threat to the security of the United States and the world. This was a regime that pursued, had used, and possessed weapons of mass destruction . . . He had links to terror (White House 2003a).

With the increase in terrorist attacks in Iraq the argument was revived that international terrorism was the main target of US policy; but the erstwhile connection between Saddam Hussein's regime and terrorism was no longer drawn. Instead, the regime was presented as undemocratic, inhuman and an enemy of the USA:

This brutal and dangerous dictator against whom we went to war in 1991, against whom we used military force in 1998, who was shooting at our forces in no-fly zones to try and keep his forces down, that brutal dictator is gone (US Department of Defense 2004).

Since Iraq could no longer count as a haven state the argument on the terrorist threat had changed. Now the discourse referred to haven-seeking by the terrorists. President Bush said:

As they once did in Afghanistan and are trying to do now in Iraq, they will seek to gain control of an entire country – a base from which to launch attacks and conduct their war against non-radical Muslim governments (White House 2006b).

Thus it was implicitly acknowledged that the location of terrorists in a haven state and the subsequent attack on that state had not been

successful in the fight against terrorism. With the haven state no longer in existence, the danger now came from the ensuing vacuum. Instead of a general strategic adjustment, the previous rhetoric had simply been shifted to other states: 'They are sheltered and supported by authoritarian regimes – allies of convenience like Syria and Iran . . . State sponsors like Syria and Iran have a long history of collaboration with terrorists – and they deserve no patience from the victims of terror' (White House 2006b); 'The Iranian regime is today the world's leading state sponsor of terrorism' (Münchener Konferenz für Sicherheitspolitik 2006).

Transnational networks

Transnational terrorism – so the US administration claims – had its roots in Afghanistan, but has since evolved into a well-financed international conspiracy (US Department of State 2001). So terrorism was to be understood as a transnational phenomenon represented all over the world by its financial transactions, networks and so-called 'sleepers'. Donald Rumsfeld stated: ' . . . they have trained literally thousands of terrorists who are now at large across the globe. These "sleeper" cells undoubtedly have plans for further attacks' (n.d.).

Overall, international terrorism is said to have spread in the past few years, and the linkages between the single organisations to have improved and intensified, particularly with respect to al Qaeda. US Attorney General John Ashcroft stated: 'If you look carefully at the face of terrorism in the last several years, there have been cross reinforcing links between the al-Qaeda organization and a number of other terrorist groups' (US Department of State 2001).

Terrorism presents itself as a transnational pattern of single groups linked by networks, or so goes the assumption. It remains a matter of further research as to how the groups are organised and if a cell is connected to different groups. Regarding its structure, international terrorism (most often this refers to al Qaeda) is thought to be independent of a single leader (e.g. Osama bin Laden). Rumsfeld claimed:

He's important, but there are plenty of people – six, eight, 10, 12 people, probably – who could take over the al-Qaida. They know

where the bank accounts are. They know the names of people who were trained. They know the sleeper cells that exist around the world . . . the key task is not a manhunt for bin Laden, but rather a continuing effort to deal with the terrorists and the countries that are providing safe haven to them (United States Mission to the European Union 2002).

Terrorism is thus not a phenomenon led by a single individual, who can figure as the fount of all evil. Instead, terrorist structures are understood to consist of an agglomeration of groups and cells all over the globe. Yet, even in this description, the strong link to haven states was observable in the rhetoric.

Domestic terrorism

The 9/11 attacks originated in the US 'homeland', and were partly planned and prepared there: 'The four planes were hijacked by between 3 and 6 individuals per plane, using knives and box cutters and in some cases, making bomb threats. A number of the suspected hijackers were trained as pilots in the United States' (US Department of Justice 2001).

The US administration saw the country exposed after 9/11 to a 'wave of terrorism'; and terrorism was also understood as present in the USA. As Dick Cheney said: 'For the first time in our history, we will probably suffer more casualties here at home than will our troops overseas' (cited in *New York Times* 2001). Even President Bush referred to terrorism as a domestic issue: 'Today, terror cells exist on nearly every continent and in dozens of countries, including our own' (US Department of State 2003). While talk of domestic terrorism was common directly after 9/11, the distinction between the internal and external dimensions was not been made at the time of the Iraq war – most probably this would not have had served to raise support for the war and was thus seen as inopportune. Only after the intervention did the issue of domestic terrorism become visible again, with Donald Rumsfeld stating: 'The battle . . . is less Iraq and less Afghanistan and more here in the United States and the capitals of Western nations' (US Department of Defense 2006).

'Root causes' of terrorism

As to the motivation and causes of terrorism, few explanations have come from the US administration. Terrorism – according to the official standpoints – cannot be explained by the predominance of the USA, nor does it have any connection to its foreign policies (Beyer 2008 on the discussion of root causes and the relation to foreign policy).

Failed or failing democratisation was seen as an explanatory variable for terrorism, President George W. Bush claiming: 'America is now threatened less by conquering states than we are by failing ones' (White House 2002c). A political motivation also was ascribed to terrorism. In the National Security Strategy of 2001, terrorism was defined as 'premeditated, *politically motivated* violence perpetrated against innocents' (White House 2001a, emphasis added). This political motivation was not further elaborated upon.

Furthermore, hatred presumed to be directed at modern democracies and at the values of Western civilisation itself was highlighted. Colin Powell said: '[The attackers] will never be allowed to kill the spirit of democracy. They cannot destroy our society. They cannot destroy our belief in the democratic way' (Johnson 2001). The US President made his understanding of the underlying conflict very explicit when he stated: 'They hate our freedoms – our freedom of religion, our freedom of speech, our freedom to vote and assemble and disagree with each other' (White House 2001).

The US rhetoric on international terrorism has arguably, and for a long time, been highly influential in the GWOT (many states worldwide have strengthened their anti-terrorism policies and laws after 9/11, even if they were not themselves directly threatened). Therefore, in the discussion of influence here the notion of 'discursive power' will be used (Jackson 2004). Due to the rhetoric on terrorism since 9/11, the discourse on 'globalisation' (which was formerly a measure of US influence) has been replaced (Solana 2005a: 169ff), presenting terrorism as the dominant security threat (before any other but linked to all others). This discourse is referred to by Thrall and Cramer (2009) as 'threat inflation'.

Also, propaganda has been widely used in the struggle for influence, particularly with respect to the Middle East, as 'part of a broad effort

underway within the Bush administration to use information to its advantage in the war on terrorism' (Mazzetti 2004; also Taylor 2002). Directly after 9/11, the Office of Strategic Influence (OSI) was established for this purpose, but shut down in 2002 'after reports that the office intended to plant false news stories in the international media' (Mazzetti 2004). Plans had been established 'such as e-mailing journalists and community leaders abroad with information that undermines governments hostile to the United States' and using 'black propaganda' (i.e. the planting of fake stories in foreign newspapers, BBC 2002). However, Mazzetti goes on to state that the OSI's mission (using information as a tool of warfare) has been assumed by other offices in the US government. Hoffman claims that 'diplomatic' efforts in the GWOT are still quite weak compared to military operations, or to 'diplomatic' efforts in the Cold War:

[D]uring the Cold War, we used to have the United States Information Agency, whose mission was public diplomacy and information operations. Now that's just an office within the State Department, and that's a reflection of under-resourcing, and also a neglect of what I think is an important component in the war on terrorism (Radio Free Europe 2006).

As a concluding remark, it should be mentioned that some scholars even speak of an 'expansion of the US sphere of influence' due to the GWOT (Peterson 2002) and of the 'War on Terrorism' as 'propaganda' with the purpose of establishing a 'benevolent global hegemony' (Behan 2007; Kristol and Kagan 1996).

Presented above are the counterterrorism policies of the USA, and an argument that these effectively constitute hegemonic governance. A more general claim of hegemonic governance is to be found in Chapter 7. The present chapter concludes with a description of the counterterrorism policies of other actors, on which the USA exerts a major influence.

The UN as a dependent actor in counterterrorism

The UN has always played a role in the global fight against terrorism, and has created the necessary political and legal standards. Only one

day after the terrorist attacks of New York the General Assembly reacted with a consensual resolution that condemned the attacks and called for preventive and repressive measures to be taken.

Resolution 1368 declares a threat to peace and security posed by named acts of international terrorism, and on these lines asserts the right to self-defence according to Article 51, Chapter VII, of the UN Charter. Resolution 1373 describes states' obligations with regard to countering terrorism. The focus is on the prevention of the financing of terrorist activities and on interdicting safe havens for the perpetrators. For example, it calls in the following terms for measures to be taken:

Take the necessary steps to prevent the commission of terrorist acts, including by provision of early warning to other states by exchange of information [and . . .] Prevent those who finance, plan, facilitate or commit terrorist acts from using their respective territories for those purposes against other states or their citizens. [Further, it calls for states to] ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice (Security Council of the United Nations 2001).

With these resolutions, the UN (at least in the US interpretation) gave legitimacy to retaliatory military action against so-called haven states.

In a number of further resolutions, the highest organ of the UN, the Security Council, has declared the bomb attacks in Bali, Moscow, Mombasa, Bogotá, Istanbul, Madrid and Beslan to be terrorist attacks that pose a threat to world peace. It also again called for states to cooperate in the fight against terrorism (Security Council of the United Nations 2009).

The foundations of prevention and suppression of terrorism are laid down in Resolutions 49/60 (1994) and 51/210 (1996). Overall, there are more than a dozen international conventions on terrorism that establish standards to counter the threat (Security Council of the United Nations 2001). Yet, a particular remaining problem is the lack of a common definition of terrorism by the UN.

The UN has proposed measures for countering terrorism and has taken pains to ensure that these are more or less implemented in member states around the world. On the political level, the consensus on fighting terrorism (formed immediately after 9/11) was transferred into legal structures that can be found in the conventions. The USA played a leading role in this formative process. The Security Council functioned overall as a vehicle to raise support for a number of measures applicable to all member states against persons and entities considered to be terrorist. Particularly to be mentioned here are the measures against the financing of terrorist networks, the effects of which are to be found in legal and administrative mechanisms against such financing world-wide. Also, the UN provided help to countries that needed support in the implementation of counterterrorism measures and facilitated the involvement of such relevant entities as the IMF and the World Bank in global counterterrorism (particularly with respect to the prevention of terrorist financing and of money-laundering).

To support the UN's efforts, a Counter-Terrorism Committee (CTC, Security Council of the United Nations 2009) was established which explicitly deals with countering terrorism within the framework of the UN. It particularly serves to improve inter-state communication on terrorism and to monitor the nations' progress. The Counter-Terrorism Implementation Task-Force coordinates UN bodies related to counterterrorism; the 1566 Working Group is 'made up of all Council members to recommend practical measures against such individuals and groups, as well as to explore the possibility of setting up a compensation fund for victims of terrorism'; the 1267 Group deals with legal issues; and the 1540 Group with preventing the proliferation of WMD.

UN counterterrorism strategy

The first UN strategy against terrorism was delivered in October 2002, Secretary-General Kofi Annan proposing a three-pronged UN strategy for combating the scourge. This proposal called 'for dissuading terrorists from carrying out their attacks, denying would-be perpetrators the chance to commit their crimes, and fostering international cooperation in fighting terrorism' (Europa World 2002).

Annan also reminded UN members to keep the fight against terrorism within the bounds of human rights and international law: 'to pursue security at the expense of human rights is short-sighted, self-contradictory, and, in the long run, self-defeating' (Europa World 2002). Meanwhile, the fight against terrorism would have to include 'sub-regional, regional, and global organizations' (Europa World 2002).

In March 2005 Kofi Annan proposed a second UN strategy in the fight against terrorism. Its first aim was 'to dissuade disaffected groups from choosing terrorism as a tactic to achieve their goals' (International Summit on Democracy, Terrorism and Security 2005). On this topic he delivered a keynote address to the Closing Plenary of the International Summit on Democracy, Terrorism and Security in March 2005.

He stated, in accord with the USA, that it was impossible to address all the grievances, real or imagined, that terrorists use to advance their claims. On the other hand, he pointed out the need for convincing all those who might be susceptible to terrorist ideology, and thus to offering support to terrorists, that terrorism was 'neither an acceptable nor an effective way to advance their cause' (International Summit on Democracy, Terrorism and Security 2005). All authorities, whether moral or political, should make clear that terrorism is not acceptable under any circumstances and in any culture (International Summit on Democracy, Terrorism and Security 2005).

The strategy's second aim was to deny terrorists the means to carry out their attacks. Kofi Annan stressed that the UN had already played an important part in fighting terrorism, mentioning the Convention on the Suppression of Financing of Terrorism and measures taken by the Security Council, such as travel and financial sanctions against members of al Qaeda and its affiliated groups. Nevertheless, there was also a need for further action, for example effective measures against money-laundering (International Summit on Democracy, Terrorism and Security 2005).

The third of the strategy's aims was to deter states from supporting terrorists. The UN had already acted in the past against haven states and states that supported terrorism, and the Security Council had repeatedly applied sanctions (International Summit on Democracy, Terrorism and Security 2005). Annan stressed that the Security Council

would have to maintain its firm stance against sponsor states, and that even his own role in this regard would have to be strengthened. 'All states must know that, if they give any kind of support to terrorists, the Council will not hesitate to use coercive measures against them' (International Summit on Democracy, Terrorism and Security 2005).

Fourthly, the strategy aimed to develop state capacity to prevent terrorism. Weak states were particularly prone to be exploited by terrorism, with terrorists using them for training and recruitment. Kofi Annan therefore emphasised the necessity of supporting all states in order to make them more capable and responsible. For this, good governance would have to be promoted as well as the rule of law.

Fifthly, counterterrorism should not hinder or impede human rights (International Summit on Democracy, Terrorism and Security 2005). The Secretary-General expressed his regret at finding that many countries involved in that struggle did not act according to universally-accepted principles, and failed to meet human rights norms (International Summit on Democracy, Terrorism and Security 2005).

Up to now the most comprehensive strategy paper was delivered in 2006. This was in the form of a resolution, with an annexed Plan of Action. Firstly, the strategy again emphasised the need for compliance with human rights norms in the fight against terrorism:

Inherent to the rule of law is the defence of human rights – a core value of the United Nations and a fundamental pillar of our work. Effective counterterrorism measures and the protection of human rights are not conflicting goals, but complementary and mutually reinforcing ones (United Nations 2006: 2).

It went on to condemn terrorism and to call on leaders of member states to make more intensive use of the UN in stating clearly that terrorism would not be accepted. In that context, the voices of the victims should be heard more often and their stories made more visible and accessible. Civil society and religious leaders would have an important part to play in counterterrorism; the successes of civil society in the campaign against landmines were referred to. The mass media would also have an important role here in making visible the consequence of terrorism:

'A civil society campaign will need to work to convince those with genuine grievances that there exist alternative, non-violent strategies, and that these have in most cases proved more effective' (United Nations 2006: 4). Success stories of peaceful change in this context had to be highlighted. It would be the role of the UN to assist in the development of such a civil society campaign, for example 'through the culture of peace initiative of the UN Educational, Scientific and Cultural Organization' (UNESCO). The UN was also to establish a focal point to be attached to the secretariat, its purpose being to support coordination of the efforts of civil society groups concerned by and dealing with terrorism.

This last strategy referred also to the root causes of terrorism: extremist worldviews, regional or local violent conflicts, foreign occupation or perceived foreign occupation, poor governance, lack of civil rights and human rights abuses, political exclusion and socio-economic marginalisation (United Nations 2006: 6).

The document goes on to elaborate on deterring states from supporting terrorist groups. The 2005 World Summit called upon states to 'refrain from organizing, financing, encouraging, providing training for or otherwise supporting terrorist activities and to prevent that their territories are used for such activities'. The decision of the Security Council was to be implemented in meeting this aim; it had applied sanctions against a number of states 'found to be harbouring and assisting terrorists' and it passed a number of resolutions on the prevention of state sponsorship (1267/1999, 1373/2001, 1540/2004, 1566/2004, 1624/2005). Finally, state capacity to prevent terrorism was to be improved, for example by sharing best practice and lessons learned in capacity-building. Finally, the strategy described priority areas: identifying resources; 'promoting UN-wide coherence in countering terrorism'; and 'defending human rights in the context of terrorism' and counterterrorism.

In 2008, the General Assembly developed the United Nations Global Counter-Terrorism Strategy, which calls for the ratification of existing international conventions on counterterrorism and establishes measures, firstly, to address the conditions conducive to the spread of terrorism. With respect to the prevention of terrorism and to focus

on its root causes, the strategy envisages a stronger role for the UN in areas such as 'conflict prevention, negotiation, mediation, conciliation, judicial settlement, rule of law, peacekeeping and peace building in order to contribute to the successful prevention and peaceful resolution of prolonged and unresolved conflicts'. It goes on to focus on dialogue, tolerance and understanding among cultures, religions, etc. and to promote mutual respect and a culture of peace. This will be supported by the promotion of education, for example with the help of the UN organisations working in the field of education and culture, and the necessity of inter-faith dialogue is stressed. Also, development is being understood as a preventive measure against terrorism. Social inclusion is regarded as important, and is to be promoted by fighting unemployment and marginalisation. Good governance, the rule of law and human rights, and sustained social and economic development are furthermore understood to be important in relation to the prevention of terrorism and extremism. Finally, national systems of assistance are to be developed which 'would promote the needs of victims of terrorism and their families'. With this strategy, the UN reaffirms a stronger role than it adopted in the years directly following the 9/11 attacks. It has yet to be seen, however, how far states can, and will, implement the UN's strategy.

Rhetoric in the UN

In 2005, the UN Secretary-General took a tough stance on human rights and the rule of law: 'We cannot compromise on core values', he said in Madrid on the first anniversary of the train bombings that had killed 191 people in the Spanish capital. 'Human rights and the rule of law must always be respected' (Guardian 2005). Along the same lines and in the same year he condemned (unilateral) interventions, at least indirectly, as they fuelled terrorism rather than halting it:

I think there are many Muslims that are extremely unhappy today. Unhappy because they feel victimized, they feel isolated, they feel victimized in their own society, they feel victimized in the West, and they feel this profiling against them. And the Iraqi situation has not helped matters . . . In fact, one used to be worried about

Afghanistan being the centre of terrorist activities. My sense is that Iraq has become a major problem, and in fact, it's worse than Afghanistan (Washington Times 2005).

Regarding the definition of terrorism, a debate was waged in the UN. Up to the present there is still no commonly agreed definition, a situation which rests on a disagreement on whether to include or exclude those struggling against oppression or occupation (United Nations Office on Drugs and Crime 2007). Several proposals have been made, but none could be agreed upon. Annan was accused by British diplomats of being less than fully supportive of a definition that offered 'no excuses' (Laurence 2005).

However, the Security Council was able pass a resolution that includes the following paragraph:

[Terrorism means] criminal acts, including against civilians, committed with the intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror . . . are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature (Washington Post 2004).

However the resolution only applies to a series of international conventions outlawing specific terrorist acts (such as hijacking airliners), thus not providing a universal definition of terrorism. Indeed, it remains debatable whether a universal definition would be realistic and sensible, given that it would be a challenge to find one that could not be misused in the suppression of a justifiable struggle.

The rhetoric of the main powers in the Security Council and the General Assembly can be described as highly idealistic. For example, Bush is quoted as having said the following: 'We know that dictators are quick to choose aggression, while free nations strive to resolve differences in peace. We know that oppressive governments support terror, while free governments fight the terrorists in their midst' (Common Dreams 2004). The opposition between 'free nations' and others is referred to again: 'All civilized nations are in this struggle

together, and all must fight the murderers' (Common Dreams 2004). This reminds one of the 'with us or against us' rhetoric that was so heavily used in the aftermath of 9/11, and that leads to a global divide rather than facilitating the fight against terrorism. On the issue of root causes, little is said, though perhaps references to oppressive and undemocratic regimes are relevant here:

For too long, many nations, including my own, tolerated, even excused, oppression in the Middle East in the name of stability. Oppression became common, but stability never arrived . . . This commitment to democratic reform is essential to resolving the Arab-Israeli conflict. Peace will not be achieved by Palestinian rulers who intimidate opposition, tolerate corruption, and maintain ties to terrorist groups (Common Dreams 2004).

The root causes of terrorism were addressed by UN Secretary-General Kofi Annan, who said that political disputes and long-standing conflicts that generate support for terrorism would have to be solved. Only then would terrorism be defeated: 'If we do not, we shall find ourselves acting as a recruiting sergeant for the very terrorists we seek to suppress' (*The Hindu* 2003).

The Security Council

International terrorism was placed on the agenda of the Security Council in the early 1990s. On 30 January 1992, member states expressed their deep concern about terrorist acts and highlighted the necessity of dealing with this issue in the framework of the international community (Oudraat 2004: 151). In March 1992, commitment to this principle, up to then merely rhetorical, was confirmed by action: sanctions were imposed on Libya, as a state accused of participation in terrorist activities. The Security Council also took action in 1996 against Sudan and in 1999 against the Taleban.

While every member of the Security Council has been concerned with terrorism, the USA has taken the lead and been the driving power behind its efforts. The USA became first active in the aftermath of the attacks on the American embassies in east Africa. In a speech in

the General Assembly in 1998, President Clinton presented the fight against terrorism as a priority for the USA (Oudraat 2004: 151). After 9/11, of course, terrorism became the top priority. Since then, the Security Council was used by the USA to legitimise the interventions in Afghanistan and Iraq. In the weeks after 9/11, the USA inspired Resolution 1373, which obliged member states to join the all-encompassing fight against terrorism. Some of the special measures were already established in earlier conventions from the late 1990s. In order to monitor the progress of implementation, the Counter-Terrorism Committee was asked to assemble yearly reports on the counterterrorism efforts of the member states. On the intervention in Iraq, the USA, the UK and Spain proposed a resolution legitimising the military operations. France and Russia opposed this resolution in the Security Council, as did Germany from outside it. The intervention thus took place without being legitimised under international law (compare the discussion above). Since the war, the Security Council has passed 12 resolutions, lifting the non-military sanctions and recognising the USA and Britain as occupying powers (1483), extending the oil for food programme (1472), mandating the UN mission to Iraq (1700 and others), endorsing the formation of an interim government (1546) and addressing the financing of and trade with Iraq (1518). Furthermore, the Security Council has passed a resolution on preventing the proliferation of WMD (1540/2004) and another calling for the states to enhance dialogue and broaden understanding among civilisations (1624/2005, Security Council 2009).

The UN General Assembly

The General Assembly (GA) cannot function as a direct coordinator in the fight against terrorism. It lacks the authority to give directives to governments or other influential actors (Peterson 2004: 173). Beyond this, the GA does not preside over an administrative structure that would enable it to implement policies, and it also lacks the resources to reward compliant behaviour or to sanction deviancy. Thus the GA is not a powerful organ with regard to counterterrorism in the UN, but it does have political influence, which lies more in the normative sphere. The GA is a forum where debates about terms and strategies are held

involving all the nations concerned. Examples of such discussions have been the debate about the definition of terrorism, as well as others on how to counter it, how to engage in preventive actions, and about the root causes of terrorism. The resolutions that derive from these debates at least have the support of the majority of the member states (Peterson 2004: 174).

The GA first defined terrorism as a problem in 1972, though it took two more decades for the issue to be taken up with any frequency. For example, a debate on the definition of terrorism was held: terrorism was categorised as criminal and unjustifiable, as well as a breach of the UN's principles. Yet what still remained problematic was finding a profound definition of which cases could be classified as terrorism. Conservative positions that understood terrorism as an illegitimate form of violence were opposed by more radical positions which sought to differentiate between 'freedom fighters' and terrorists.

The GA, particularly in the 1970s and 1980s, was a strong supporter of the argument that the root causes of terrorism had to be addressed in order to counter it. Paragraphs with statements on this perspective were introduced into the resolutions. The GA vis-à-vis the Security Council again and again affirmed that 'just and peaceful solutions to the underlying causes which give rise to such acts of violence' would have to be found (Mani 2004: 231). This rhetoric was abandoned at the end of the 1990s, due to the influence of the USA, and since then debate has mostly focused on measures to eliminate terrorism. Overall, a range of different resolutions on terrorism have emerged from the GA; examples are those aimed at preventive measures (particularly in the 1970s and 1980s), those focusing on the protection of human rights (particularly in the 1990s), and those on concrete measures to eliminate terrorists (in the late 1990s onwards).

Hegemony of the USA in the UN

Alistair Millar, Co-director of the Center on Global Counterterrorism Cooperation, stated with regard to US hegemony in the UN that the USA played an extremely strong role in what took place after 9/11, a role of which the rest of the UN community (at least outside the Security Council) was highly critical. He mentioned in an interview

with the author that there was certainly pressure from the USA with regard to Security Council resolutions after 2001.

Let's give an example: Security Council resolution 1540 that deals with WMD. The Pakistanis were very reluctant to support that partially because the timing of the resolutions was when A.Q. Khan was caught, the guy who was transporting materials, and the Pakistanis kind of thought of it as a resolution which pointed the finger on them. And they were very reluctant to be on board. And the US – you know the US don't often do these things alone, they work with the UK and sometimes the French – they pushed pretty hard to have Pakistan's resolution (Millar, interview with the author, 2009).

He further stated that the US pressure mechanisms generally operate in cases of narrower US interests, such as seeking to go to war in Iraq. There was certainly pressure in this case, strong pressure, though even that failed to work against certain member states. The GA, on the other hand, is not highly valued by the USA, which uses it merely as a tool. To paraphrase Millar: the USA is not necessarily in opposition to it, it is simply not very supportive of it. It still sees the Security Council as the driving force on action to prevent terrorism.

For example, there was a movement made by certain member states – Costa Rica, Switzerland, Egypt and others – over the period between 2001 and 2006, which articulated concerns about the narrower membership of the Council not speaking for the broader membership of the UN. Also, on the other hand, the Security Council had a high-level panel which produced a report highlighted in 2005 at a Madrid summit. In order to build consensus and support amongst the wider GA, it added elements to the UN counterterrorism programme beyond what had been adopted by the Council. What the Council had adopted were measures to combat terrorism, and subsequently there were measures to build capacity, to help in efforts to combat terrorism. And those essentially became the second and the third pillars of the broad strategy:

The first one is what they call conditions conducive to the spread of terrorism, and that meant dealing with what the Islamic states often call root causes. Education, good governance, conflict resolution, those kind of things. And the fourth one was human rights. So, putting this package together, the two existing components that were from the Council, and the two new ones, root causes and human rights, they managed to get a consensus in the General Assembly around the strategy which was in place since September 2006. The US never did much to support it. They were happy that they managed to maintain the two crucial elements that they had ever since 2001. Obviously they see some value in having the whole UN membership at least willing to support their counterterrorism programme in the UN. But they still maintain their focus on the Council (Millar, interview with the author, 2009).

With regard to the influence in the UN generally, Millar stated that the pressure the USA exerts in counterterrorism is usually through bilateral capacity-building. 'It's setting up programmes in the Horn of Africa . . . in places in Southeast Asia, the Philippines, where they came in and bought influence. But that was more on a bilateral basis.' In terms of what the USA has done within the UN: 'It's subtle . . . obviously; they block attempts by other states to correct the course of Council decisions.' For example, there was a controversy about the listing and delisting of terrorist names, in which the European Court of Justice questioned the UN resolution 1267's lists, and there were several states trying to reform the Council to be more in line with EU concerns about due process. 'And the US and Russia and others just said "no"' (Millar, interview with the author, 2009).

Finally, whereas the UN is diluting the 'narrower' military policies of the USA in global counterterrorism, until at least 2006 and with respect to human rights and to the discourse on capacity-building, the power of the USA was in the order of ten times greater than the UN's, and it brought that influence to bear on the UN. As Millar said: 'Under the Bush administration, [while] they did not really care about the UN . . . they had enormous influence still'. Others come to even more pointed conclusions:

The prime example of a privileged position in international law is the UN Security Council. The United States has increasingly made use of the Council in the last decade, which has provoked serious charges that it serves as a tool of United States foreign policy rather than as a truly international organ (Krisch 2003: 156).

And:

Excluded from solving the Bosnian conflict and from the decision to have recourse to force in Kosovo, by contrast convened immediately after the 11 September attacks, the United Nations Security Council henceforth will have to rely first and foremost on the role allotted to it by the single superpower (Dupuy, et al. 2003: 183).

Research on US hegemony and influence in the UN is not new (Gareau 1994; Riggs 1984). Generally, the USA is thought to be highly influential in the UN, if only through its (still) strong contribution to the organisation's budget (22 per cent, according to McCaleb 2001). US foreign aid has also proven an effective instrument in 'induce[ing] voting compliance in the UN General Assembly' (Dreher et al. 2008). Thirdly, compliance with the USA brings advantages for many countries in very concrete financial terms:

The recent empirical literature on political influences on the IMF clearly shows that developing countries *get better terms* from the IMF when they have *closer ties with the US, as measured by their voting behavior in the UN General Assembly* (Dreher et al. 2006: 5, emphasis added).

Bennis even claims that 'US influence in (and often control of) the UN comes in the form of *coercing the organization* to take one or another position, or to reject some other position, or pressuring a country or countries to vote a certain way in the General Assembly' (Dreher, et al. 2008: 140, emphasis added), and Cortright states regarding the US influence in the UN with regard to counterterrorism:

For the United States, addressing root causes of *terrorism* would mean confronting the consequences of its own foreign policies, especially its uncritical support of Israeli occupation, its military aggression against Iraq, and its military encroachment into Muslim countries. Unwilling to change its foreign policies or adopt a preventive strategy that addresses root causes, the U.S. has concentrated on protective measures. It has used its *influence at the United Nations to shape international policy* along the same lines (Cortright 2005: 22, emphasis added).

To take a final example: some anti-terrorism resolutions in the GA were openly 'sponsored by the US' (Lynch 2004; BBC 2001), and pressure was arguably also exerted in the Security Council (Phares 2006). In the immediate aftermath of 9/11, the USA succeeded in reaching out to the UN, in particular the Security Council, to help globalise the 'war on terror'. Since then, however, despite the fact that the USA has much to gain from an effective and well coordinated UN-led effort, US attention is supposed to have waned (Rosamond 2007: 2).

North Atlantic Treaty Organization

Only one day after 9/11, 'the member states of the Euro-Atlantic Partnership Council (EAPC) unconditionally condemned the terrorist attacks on the USA and pledged to undertake all efforts to combat [terrorism]' (NATO 2002). Following this, the Partnership Action Plan was endorsed, in which the members of the alliance stated that:

[They] will make all efforts within their power to prevent and suppress terrorism in all its forms and manifestations, in accordance with the universally recognised norms and principles of international law, the United Nations Charter, and the United Nations Security Council Resolution 1373 (NATO 2002).

The will to comply with human rights standards is set out in this document, which goes on to present some concrete steps for cooperation: to intensify information-sharing and consultation in the spheres of politics, armament and civil emergency planning, to

cooperate on scientific methods of identifying and mitigating new threats; to enhance preparedness to combat terrorism (security-sector reform, force-planning, training and exercises, air-defence and air-traffic management, and cooperation in information-sharing, armaments and); to impede support for terrorist groups, by employing border controls, arms control, the prevention of terrorist financing and of weapons exchange; to enhance capabilities for consequence management in respect of WMD terrorism and for civil-emergency management, for example by sharing scientific activities and mutual support in the development of equipment; and generally to provide mutual assistance (NATO 2002).

In December 2001 NATO defence ministers tasked the alliance's military authorities with preparing a Military Concept for Defence against Terrorism. This was to be based on the Washington Treaty, the 1999 Alliance Strategic Concept (which had already identified terrorism as a threat to NATO), the NATO Threat Assessment on Terrorism, and political guidance by the Council (NATO 2005a). The NATO Threat Assessment on Terrorism comprised the following statements: religious extremism is the likely cause of most terrorism, yet other causes are also imaginable, such as economic, social, demographic and political causes; state sponsorship of terrorism is declining, yet this trend could reverse; and terrorists in the future might also use WMD (NATO 2005a). Building on these assumptions, four different roles for NATO military operations in defence against terrorism are established:

- Anti Terrorism, essentially defensive measures.
- Consequence Management, which is dealing with, and reducing, the effects of a terrorist attack once it has taken place.
- Counter Terrorism, primarily offensive measures.
- Military Co-operation
(NATO 2005a).

Counterterrorism operations were mainly to be joint operations against those who provide a base for, train for, plan, stage and execute terrorist actions. Psychological and information operations are seen as central

to winning the support of the affected populations (NATO 2005a). It was also stated that countering terrorism might include the necessity of employing diplomatic, economic, social, legal, and information initiatives. Thus NATO was to harmonise its procedures and efforts with civil authorities to maximise its effectiveness against terrorism. Finally, it was stated that NATO had the primary responsibility for protecting its nations and populations, and should be prepared to conduct military operations.

Less than five hours after the attacks on the World Trade Center, NATO had invoked Article 5 for the first time in its history, declaring the attack to be an attack on all NATO members. Subsequently, NATO has supported the war in Afghanistan with troops, aircraft and ships. Coming to the aid of the USA, NATO aircraft flew more than 350 missions, logging overall more than 4,300 flying hours as part of operation Noble Eagle (White House 2004a). After the first phase of the war, 'NATO took command and coordination of the International Security Assistance Force (ISAF) in August 2003' (International Security Assistance Force 2007). ISAF was created by the UN Security Council in 2001 (Morelli and Belkin 2009: 4), and it was at UN request that NATO took over command in 2003; Afghanistan is NATO's first mission outside Europe. ISAF's purposes, following the intervention, are the stabilisation and reconstruction of Afghanistan.

The Group of Eight (G8)

The G8 also plays a role in the global governance of counterterrorism,³⁶ this being one of its priorities. After the 9/11 attacks, the heads of government of the member states emphasised their obligation to act in common against terrorism (Government of Canada 2008) and concrete initiatives against terrorism were conducted in the following period. In 2003, the Counterterrorism Action Group established that the G8 would support cooperation on counterterrorism at the international level.

With the 2002 'Recommendations on Counterterrorism', the G8 established principles of counterterrorism. After the attacks in London, during the Gleneagles summit the G8 emphasised their common obligation to take measures to counter terrorism. The core elements

of the strategy are: to stop terrorists; to prevent the evolution of new generations of terrorists by applying measures to fight the root causes of terrorism; to reduce vulnerability to terrorist attacks; and to prepare for such attacks so as to be able to respond to them effectively.

A key priority of the G8 is the implementation of Resolution 1373 and the commitment to implementing all 12 counterterrorism conventions. Further, the G8 cooperates closely with the CTC to monitor that implementation. Thirdly, 'G8 members are providing technical and legal assistance to third countries for training and capacity building in the areas covered by Resolution 1373, through international frameworks such as regional institutions, in cooperation with the UN Counter-Terrorism Committee' (Government of Canada 2008). The main spheres of action are preventing terrorist funding, interdicting communication between terrorists, destroying terrorist networks in Afghanistan, improving travel safety, preventing safe havens for terrorists, assessing the terrorist threat and preparing for possible attacks (Government of Canada 2008). With respect to these aims, a number of measures have been taken.

G8 members are working closely with the Transitional Authority of Afghanistan and other donors and are taking leadership roles to define strategies and marshal resources in the security sector . . . The G8 is sharing best practices for improving border controls and for intercepting terrorists and criminals before they arrive at borders. G8 members are assisting other countries to improve their control measures . . . The G8 has agreed to undertake work on consequence management with regard to incidents involving industrial plants and transportation of toxic agents, as well as simulation training exercises. Work is also underway with the World Health Organization (WHO) to strengthen global health security against threats from chemical, biological, radiological and nuclear agents (Government of Canada 2008).

Meetings with non-G8-states are held frequently.

US hegemony in IOs

Rosamond states that the USA has increasingly shifted its influence to the regional organisations of which it is a member: 'The US has continued to be the driving force behind many of the counterterrorism efforts of regional bodies where it is a member (OSCE, OAS, APEC) and in other bodies such as the G8 and FATF' (2007: 2). US leadership in NATO (for example) is researched by McCormack who comes to the conclusion that '[i]t is unlikely that U.S. leadership will change' (2005: 14), even if Europe will increasingly be given a stronger and more independent role in NATO. Finally, on the role and influence of the USA in NATO the Pentagon asserted in its 1994-9 Defense Planning Guidance:

[The US] must seek to prevent the emergence of European-only security arrangements which would undermine NATO . . . Therefore, it is of fundamental importance to *preserve NATO as the primary instrument of Western defense and security*, as well as the *channel for U.S. influence* and participation in European security affairs (United States Department of Defense 1992, emphasis added).

An important contribution to this issue is *US Hegemony and International Organizations* (Foot et al.), which comes to the following conclusions:

One of the most striking aspects of the evolution of international society since the end of the Second World War has been the multiplication of multilateral organizations linking states in cooperative arrangements to address shared problems. Since these are, by and large, inter-state arrangements, their effectiveness depends on the attitudes and policies of major states within them. Over the same period, the United States has been a dominant force in world politics, even more so in the post-cold war era. Its perspectives and actions thus have had a substantial impact not only on those institutions of which it is a part but on those of which it is not, but with which it interacts (2003: 265).

With regard to the impact of the USA on multilateral organisations, Foot and her colleagues mention the following factors:

- the USA often directly or indirectly contributed to the creation of international organisations.
- 'The United States also has profound disabling or enabling effects on the operation of institutions once they are established'.
- 'The United States additionally has a major influence both in shaping the agendas of institutions where its interests are at stake and, even more fundamentally, in shaping and reshaping the actual character of the institutions themselves. . . the US exercises strong control over what these institutions consider'.
- ' . . . the US has often had profound effects on multilateral institutions, not so much as a result of its deliberate pursuit of objectives with respect to, or through, international organizations, but as unintended consequences of decisions taken for reasons unrelated to them' (2003: 270ff).

HEGEMONIC GOVERNANCE: POWER AND HIERARCHY IN GLOBAL GOVERNANCE

All states are equal. But some states are more equal than others
(cf. Orwell 1946: 112).

This chapter reflects on the USA in a system of global governance, a role which is understood here as that of a hegemon. Firstly, hegemony will be defined, and then additional possibilities for its measurement will be described. US dominance is examined with respect to the period 2001–8 here, i.e. leaving out of account current economic problems and the new administration. Secondly, the arguments for the existence of hegemony in global governance will be presented. Thirdly, the theory of hegemonic governance in IR is reflected upon.

Hegemony³⁷

Hegemony, according to the Greek root *egemon*, is the dominance of one state over another, meaning literally ‘leader, ruler, often in the sense of a state other than his own’ (Williams 1985: 144). An international perspective is thus implied, to which we will return after looking also at the very common use of the term by Gramsci. He describes hegemony as ‘a relation, not of domination by means of force, but of consent by means of political and ideological leadership. It is the organisation of consent’ (Simon 1991: 22). Gramsci first considered the hegemony of the working class and how it was achieved, and later shifted to analysing that of the bourgeoisie (Engel 2006: 2). In this later application of the

notion, he introduced the idea of oppression or coercion, hegemony being based on 'a combination of force and consent' (Engel 2006: 2). The hegemon would always attempt to make his leadership appear consensual, even if it was based on force (Cuneo 2007). He mentions that the application of force without the provision of leadership (i.e. in the absence of consensus) does not qualify as hegemony but is a form of 'dictatorship': 'It is one of the cases in which these groups have the function of "domination" without that of "leadership": dictatorship without hegemony' (Cuneo 2007). In the following, therefore, hegemony will be understood as the exercise of power by a superior actor in the international system, and furthermore as implicitly based on consensus.

As opposed to the usage proposed here, Gramsci used the term 'hegemony' basically to describe relations in the nation state, even if his analysis was not totally restricted to the nation state. It was the neo-Gramscian approach developed by Robert Cox (1996) which transferred the notion of hegemony to the international level. His relation to the ideas of Gramsci is explained by Engel: 'Cox sees the current global hegemony as an outwards expansion of an American historical bloc, which he labels *pax Americana*. The legitimating ideology of *pax Americana* is, of course, neoliberalism', and 'Cox also identified a range of ways in which hegemony is expressed by international organizations as both the products of the hegemonic world order and institutions that facilitate the expansion of the rules of that order, in this case neoliberalism' (2008: 162ff).

Michael Cox, in an article entitled 'Whatever happened to American decline? International relations and the new United States hegemony' (2001), develops a 'security-based theory of hegemony'. He bases hegemony on military and economic power, exerted by control – yet not absolute control – and implies the provision of stability: 'There were limits to its power, but it is inconceivable to imagine the restoration and maintenance of international stability in the post-war period without it' (2001: 315). The hegemony of the USA contributed to world order by opposing the Cold War enemies of capitalism via containment, it rebuilt post-war Europe by providing financial aid through the Marshall Plan, it stabilised Asia and aided prosperity in the

region.³⁸ Apart from this, the USA created and essentially maintained a new international financial system, and promoted the liberalisation of markets on a global scale (Cox, M. 2001: 315).

The continuance of the USA as a hegemon after the end of the Cold War is described by Michael Cox in terms of unipolarity, expressed by the maintenance of economic and military capabilities:

If the establishment of a unipolar world without serious opposition within it to the United States laid the basis for American self-confidence in the 1990s, the long boom which began in 1992 and continued more or less without disturbance until the 'troubles' of 2001 gave it material meaning. . . . [This was accompanied by] the collapse of the idea of the 'Pacific Century' and with it the almost complete disintegration of the once popular (or unpopular) view that Japan represented a serious threat to US economic hegemony . . . Finally, any assessment of the new American hegemony has to take account of that most important instrument of power – the military capabilities needed to deter enemies, control allies, preserve influence and, if needs be, win wars. Here the collapse of the USSR and the inability of other countries to justify military spending to sceptical publics only emphasised the extent of US preponderance. . . . In comparison to its many dependent allies (and largely backward rivals) it was simply in a league of its own (2001: 329ff).

Apart from Michael and Robert Cox, a great number of scholars, before and since, refer to the USA as a hegemon (to name but a few: Robinson 1996; Evans 1996; Weber 1999; Wade 2002; Posen 2003; Foot et al. 2003; Owen 2003; Bromley 2003).

Meanwhile, Wilkinson was one of those scholars who rejected the hegemony thesis. He contended at the beginning of the 1990s that 'the current power configuration of the world system is unipolarity without hegemony' (1991: 141). He understands hegemony as inequality in a relationship, and influence that might be based on coercion or consensus, commerce or legitimacy. His argument, that there is unipolarity (which he defends) but not hegemony, is based on the observation that the 'preponderant capability' of the USA is

not matched by 'predominant influence'. To measure this absence of 'mastership' he proposes the following criteria: investiture, installation, appointment and deposition of local governments; adjudication and maintenance of order in the international system; and convocation, command, veto, subsidy, tribute and conversion (1991: 143ff). It follows from these criteria that, for example, local governments would have to be legitimised and even appointed by the hegemon; it would have to be a 'stabiliser' in the sense that it suppressed or resolved local conflicts by its intervention; and it would have to train local elites and have command over the collective actions of states' armed forces. This is clearly a very demanding and complex description of hegemony, in terms of which hegemony is thought to have been achieved only rarely by any state before (Wilkinson 1991: 153). Even if the USA qualifies sometimes and in some regions as a hegemon, Wilkinson does not understand it to be a system-wide hegemon. His conceptualisation and discussion of hegemony is an interesting one, but differs from the way the notion is commonly used.

If we do not take up Wilkinson's concept here, we will have to find other measurements of hegemony. What exactly is hegemony based on? As mentioned before, it can be understood as a combination of a set of structural features, and of an actor's characteristics and behavioural features. The structural features refer to the hegemon's position in the world system, and to the term's normal use in the literature, hegemony is clearly based on unipolarity (in a certain regional frame, or even in the entire international system). Unipolarity implies domination, i.e. command of great power but not necessarily absolute control (Wartenberg 1990: 91).

Hobson (2000), as mentioned in the first chapter, describes the criteria for hegemony in the following way:

- A hegemon must have a preponderance of economic and military power.
- A hegemon must be a liberal state 'because only liberal states have the will to pursue hegemony: authoritarian states prefer imperialism, moreover, liberal states are concerned to create an open and liberal world order' (2000: 39).

- A 'rudimentary consensus' for hegemony among the major states is necessary.
- A hegemon must have a long-term perspective to set-up international regimes.
- A 'hegemon must be willing to make short-term sacrifices in order to achieve benefit in the long-term' (2000: 40).

For hegemony, therefore, material dominance, the exercise of power, and consensus are needed. Whereas material dominance can be measured in Waltzian terms of capabilities, power is exerted by means of 'soft' power (such as ideology) or the application of 'sticky' (economic) and hard power (military force). Whereas the use of soft power results in influence – a measurement of consensus – and thus the capacity to affect the policies and behaviours of other states without inspiring opposition, sticky and hard power result in control, or the ability to achieve goals even in the face of opposition. In discussing different aspects of power, the conceptualisations of Wartenberg were applied here (ch. 2). Wartenberg, in his *Forms of Power*, firstly describes dominance as referring 'not to a single exercise of power but to a *relationship* between two social agents that is constituted by the existence of a power differential between them' (1990: 117). Power then can be exerted in three distinguishably different forms: influence, coercion and force.

Dominance and the exercise of power³⁹

Structural realism, as influenced by the discipline of economics,⁴⁰ takes a distinctly materialist view of human affairs, and thus on international relations: Waltz argues that the structure of the international system is defined by the number and constellation of dominating powers. Dominance is based on the command of superior power resources (capabilities), which refer to factors such as 'size of population and territory, resource endowment, economic capability, military strength, political stability and competence' (Waltz 1979: 131). Political stability and competence, as the only factors not obviously material, remain relatively under-explained and are often not used when structural realism is applied. All other factors are distinctly material

in nature and have no relation to ideational factors such as ideology, aggressiveness, propensity to seek peace, and so forth, which are explicitly excluded as markers of power. These material 'capabilities' then are measured relationally to describe the distribution of power within the system and thus to distinguish certain states as 'poles of power' (and according to structural realism such states are the only important actors within the international system). In Waltz's words, 'the structure of the system changes with changes in the distribution of capabilities across the system's units' (1979: 97). The international system is configured, therefore, in terms of material polarity. This describes the centre(s) of dominance and the number of dominant states (1979: 129ff).

Historically, it is argued, we have already lived through different constellations of polarity (Waltz 1979: 62). However, with regard to the current international system we find an obvious anomaly: it is often referred to as being marked by 'unipolarity' (McInerney 2002; Ikenberry 2005: 133; Brooks and Wohlforth 2002: 21), meaning that there is only one dominant power in the whole system (i.e. the USA) with no significant challenger(s). Waltz, in his *Theory of International Politics*, did not initially think of unipolarity as a theoretical puzzle or even as a possibility. But he now argues that it is a global reality (Waltz 2002), and in this has some strong support (to name but a few further authors: Krauthammer 1990/91; Brooks and Wohlforth 2005; Wilkinson 1991). However, there is opposition elsewhere to viewing the current international system as unipolar: Mearsheimer and Huntington have both argued against this perspective, their opposition being essentially based on disagreeing with Waltz's definition of unipolarity. Neither disputes the reality of the USA being the materially most dominant power, but they oppose the understanding of its being the only materially powerful state. The existence of other great powers such as China, India, Russia, Japan and Brazil, even if comparatively much below the USA in terms of capability, was sufficient for them to argue for the current international system being multipolar (Mearsheimer 2006; Huntington 1999). Still, in support of Waltz it should be stated that, for example, although rates of growth in China's economy have been tremendous (International Monetary Fund 2008), its GDP is

well behind that of the USA (Worldbank 2008), and the same is true of its military power. Russia is well equipped with natural resources (Central Intelligence Agency 2009) but can hardly compete in the military dimension (Delpech 1998/9; Karl 2007). Only the EU member states combined achieve an equal economic power than the USA (Central Intelligence Agency 2009), but not so in the military realm. In the combination of the most important factors, the USA still dominates internationally and it is thought to continue do so in the coming decades (National Intelligence Council 2008; for another analysis of dominance Black 2008: ch. 9, though in ch. 10 he takes a more sceptical outlook for a unipolar USA in the future). In the following, the US power is measured in Waltz's dimensions over the time period observed in this study (2001–8).

Size of population and territory

The USA is the 'world's third-largest country by size (after Russia and Canada) and by population (after China and India)' (Central Intelligence Agency 2009). It being located between the Atlantic and Pacific Oceans makes it less vulnerable to conventional military attacks. Its huge population is overall very well-educated and provides a very effective and competitive workforce, in which some 60 per cent of women participate (Karoly and Panis 2004: 11). The competitiveness of the workforce is also based on the fact that the USA tends to attract the elite of foreign students and scientists.⁴¹

Resource endowment

Apart from human resources, the USA presides over untapped natural resources. It is estimated to have over 47 billion barrels of oil, 622 trillion cubic feet of gas and 11 billion barrels of liquid gas (US Department of the Interior 2006a). In comparison, China has over 16 billion barrels of oil and 53 billion cubic feet of gas (Central Intelligence Agency 2009). The USA also imports large quantities of natural resources, particularly oil, from Canada, Mexico, Saudi Arabia, Venezuela, Nigeria, Iraq and Angola, among others (Energy Information Administration 2009), amounting in total to nearly ten million barrels per day, compared to China's imports of three million barrels. Russia, however, 'challenges'

the USA with reserves of 79 billion barrels of oil and 45 trillion cubic feet of gas.

*Economics*⁴²

The USA has the most powerful national economy in the world, with a GDP of \$14,260 billion in 2008. Only the EU member states combined challenge the USA in this regard with \$14,910 billion. The next biggest economy is China, which achieves a mere \$7,973 billion (Central Intelligence Agency 2009). The US economy is essentially based on services (estimated at 78.6 per cent of GDP in 2006), which gives it a competitive edge over other industry-based economies. In comparison, China generates 40 per cent of its GDP through industrial production and only 48 per cent through the services sector. US industry produces 27 per cent of the global total, equalling the sum of that produced by the three next-biggest economies (Japan, Germany and France) together; 59 of the world's 100 biggest enterprises are based in the USA (compared to 31 in Europe and seven in Japan), and 219 of the biggest 500 (compared to 158 in Europe and 77 in Japan, Nye 2003: 162). Both US foreign investment and foreign investment in the USA are double the comparable figures for the next-largest country, the UK. American e-commerce is three times as large as the European; the seven biggest software firms are all American, as well as the ten leading investment banks (Nye 2003: 162). The majority of leading brands are American, as are the leading business schools – and so the list continues. Moreover, the US dollar is the leading global currency (Kapstein and Mastanduno 1999: 473). Overall, US economic power is still far ahead of other national economies (except the EU as an integrated economy, which equals it). Its economy accounts for roughly 20 per cent of world economic output, whereas for example Brazil, Russia, India and China combined make up about 30 per cent of it. Furthermore: 'Economic power is related to per capita income as well as size. According to this measure, the United States is by far the world's richest major country. Income per person in the United States, based on PPP, is about 30 percent higher than the average for the traditional 15 member states of the European Union' (Julius 2005: 17). This lead Brooks and Wohlforth to the conclusion that, 'America's economic dominance, meanwhile –

relative to either the next several richest powers or the rest of the world combined – surpasses that of any power in modern history’ (2002: 22). This economic preponderance is the basis of US military power.

The US military

‘The United States has overwhelming nuclear superiority, the world’s dominant air force, the only truly blue-water navy, and a unique capability to project power around the globe’ (Brooks and Wohlforth 2002: 21). Also, the USA spends more on defence than the ‘next 15 to 20 biggest spenders combined’ (Brooks and Wohlforth 2002: 21), and these figures were on the rise under the second Bush administration. This was accompanied by comparably high expenditure in the realm of research and development (Kupchan 2003: 58). The US armed forces are technologically very advanced, are present in many regions of the world (*Monthly Review* 2006), and even where they are not, the US Air Force, Navy and Marine Corps are capable of ‘rapid employment worldwide’ (United States Air Force 2006). Under the second Bush Administration, this military supremacy was understood as the basis of American power and was strengthened even further. The strategy was based on the ideas that the deployment of military force must serve American interests. It should encompass the whole globe and thus enable the USA to exert power everywhere, any time and under any circumstances it wished. It should be perpetual, in the sense that technological and scientific progress would ensure that American military primacy was here to stay (Klare 2001).

Further, the USA is politically highly stable (with no major disruptions since the mid-nineteenth century).⁴³ It can be seen that the USA simultaneously meets the criteria for predominance in nearly all areas, which distinguishes it from former poles in the system (Brooks and Wohlforth 2002: 23).

One might argue against understanding the USA as a unipolar power, given its economic challengers – China and Europe – and the financial (inter-)dependence obtaining in the relationship with China (Murphy 2006). Indeed, Wallerstein takes such a position, and goes on to explain the ever more unilateralist and aggressive foreign policies of the USA with its supposed decline as a unipolar power:

From 1945 until around 1970 the US exercised unquestioned hegemony in the world system. This began to decline during the period between 1970 and 2001, but the extent of the decline was limited by the strategy that the US evolved to delay and minimize the effects of its loss of ascendancy. Since 2001, the US has sought to recuperate its standing by more unilateralist policies, which have, however, boomeranged – indeed actually accelerating the speed and depth of its decline (2006).

Yet, following Waltz (2002: 350), the author contends that the USA still was – in the time period observed – a unipolar power, the superior one in the then-current world system. This unipolarity was based firstly on its military capabilities, then on its economy, natural resources and political system.

The exercise of dominance

Material factors such as those mentioned above, however, cannot alone explain the dominance of the USA in international affairs; other factors also have to be considered. As discussed in this work, the USA is not only a unipolar power, but also a hegemon. Hegemony, however, implies more than just having preponderant material capabilities at one's disposal. For hegemony, additional factors play a role, such as, the exercise of power based on these capabilities and, 'soft' or ideological power or the ability to change others' behaviours by influencing their belief system, in essence their ways of thinking and their rationality (Gramsci 1992–2007; Foucault 1980). This study of the causes of participation in the GWOT, for example, has shown that discursive power is important for the compliance and cooperation of other actors with the USA. Therefore we have to look at the dominance of the USA in international affairs in more of its aspects than simply through the material lens. The whole discourse about 'new imperialism', for example, discusses the exercise of this dominant power via foreign policy (Harvey 2005); while constructivists and some critical scholars focus on 'soft power', ideas, discourse and norms (Wang 2003; Robinson 1996) as the basis of US power. In the following, factors in the exercise of power, such as force, coercion and influence, will be examined.

Force

‘The USA has little sympathy with the constraints of collective security, especially with the United Nations’ (Black 2008: 219).

Force is not generally discussed as an element of global governance.⁴⁴ Its use is legally highly restricted within the world community and it can only be applied in defense. The most obvious examples are retaliatory military measures against aggressor states, authorised by the Security Council under Chapter VII of the UN Charter. Also, peacekeeping missions under the leadership of the UN feature here, as a regular occurrence in international politics. They serve to stabilise dangerous situations, particularly in intra-state conflict regions. As of December 2006, there were 18 such missions in operation under the auspices of the UN; generally, they are strongly supported by European powers, though not by the USA (Adebajo n.d.).

To give an example, UNAMSIL (UNIOSIL from 2005–6) is one of the largest UN peacekeeping missions with 1,043 total uniformed personnel, including 944 troops, 69 military observers and 30 police supported by 216 international civilian personnel, 369 local civilian staff and 83 United Nations volunteers working in Sierra Leone. Whereas a large number of states support this mission with troops (Bangladesh, Bolivia, China, Croatia, Egypt, Gambia, Germany, Ghana, Guinea, India, Indonesia, Jordan, Kenya, Kyrgyzstan, Malawi, Malaysia, Nepal, Nigeria, Norway, Pakistan, the Russian Federation, Slovakia, Sweden, Tanzania, Ukraine, the UK, Uruguay and Zambia, United Nations 2009a, n.d. a), the USA does not.⁴⁵ Even if the mission is considered by the USA to be in its own interest, its absence from the mission is an expression of its reluctance towards international military cooperation under the auspices of the international community. With reference to the Sierra Leone mission, Ambassador Williamson, US Alternate Representative to the UN, stated:

The UN and this [Security] Council rarely have the ability themselves to ensure a successful peace process. Seldom can the UN on its own impose a successful solution. In most cases, the parties themselves must create facts on the ground that will allow the UN to contribute to a lasting peace. We neither strengthen

the UN, the Security Council, nor help bring peace to any conflict by over-promising, raising unrealistic expectations, or over-extending the capacity of the UN to deliver on the ground (Department of State 2002a).

In all UN peacekeeping operations, the USA ranks 31st with respect to its military contribution (United Nations 2006a). The USA is clearly uninterested in using its military strength to seek peace in the world through the UN.

Interestingly, it is much more active outside that framework, by directly employing its force. This can be understood as a form of unilateral approach to the use of force, based on inequality (Bhagwati 1990) and on the pursuit of national interest (Malone and Khong 2003; Holloway 2000). For example, when NATO intervened in Kosovo in 1995 and 1999, it had no UN mandate to do so (Adebajo n.d.). This was a clear violation of international law, given the principles on the use of force laid down in the UN Charter. While the NATO members participating in the operation proclaimed the interventions as exceptional, the USA stated that NATO actions would not need UN legitimisation of the application of force:

Most of NATO's member states have argued that the situation was exceptional and should have no bearing on the future need for Security Council authorization. Not so the United States; US officials have not spoken of an exception. Several high-ranking officials of the Clinton Administration have stated that they do not recognize the necessity for Security Council authorization when NATO takes enforcement action (O'Connell 2000: 57).

Overall, US interventions – frequently without a Security Council resolution – are quite common, in the Middle East and elsewhere (Beyer 2008: ch. 4).

We can see that the USA does not use force intensely within the framework of traditional global governance. However, it frequently uses it outside that framework and often in a unilateral manner. As global governance, in strict terms, implies that states are constrained in

their application of force by the UN Charter, we can speak here of the USA creating its own version of the governance of international affairs, hegemonic governance.

A word on exceptionalism and unilateralism in global governance seems justified here. According to Foot et al. (2003: 27), exceptionalism is marked by:

- a predisposition to unilateralism – a willingness to ‘go it alone’ without considering others’ opposition; a
- a missionary drive to universalise domestic values and policies, including the conviction of being both right and superior;
- a ‘nationalisation’ of interest, meaning that foreign policy behaviour is determined by domestic considerations; this might even lead to accepting conflict with international obligations; and
- a selective approach to multilateralism, based on the belief that multilateral cooperation is an option, not mandatory.

According to these criteria, the USA (among other nations, such as the Soviet Union, China and France) can be termed an exceptionalist state. The study referred to comes to the conclusion that:

There is no clear pattern or trend that signals a growing US rejection of multilateral organizations as venues for the promotion of US foreign policy interests. The United States picks and chooses from a range of possible approaches, depending on the issue, its interests, and changing international and domestic conditions, America can afford to be discriminating in this way. US hegemony affords it broad discretion to use unilateral, bilateral and multilateral means to obtain its objectives. Hegemony provides it with the privilege of instrumental multilateralism (Foot et al. 2003: 266).

The USA makes ‘instrumental use’ of IOs, showing high levels of unilateralism in the realm of security and the application of force. In

particular, it uses force to implement its own understanding of 'order' in international affairs (Owens 2006; Gill 2003). Furthermore, US unilateralism has been criticised as hampering the effectiveness of global governance, or of global cooperation in general (Maynes 1999; Kellner 2002; Holloway 2000).

Coercion

Coercion in global governance is much less reported than force, yet presumably more frequent.

An obvious case of coercion in the field of global security (this time in cooperation with the UN) was the sanctions against Iraq which were imposed after it invaded Kuwait in 1990. The sanctions were not lifted after the intervention had evicted the Iraqi forces, though many civil society organisations argued for a partial or total lifting. Widespread concerns over the humanitarian situation in Iraq led to the 'Oil for Food Programme' in 1997. However, 'the US-UK blocked many contracts . . . and serious humanitarian problems remained' (Global Policy Forum n.d.). The USA, in collaboration with the UK, made it clear that the sanctions would not be lifted so long as Saddam Hussein remained in power. The sanctions hit the general population in Iraq, particularly children (Nafeez 2003), and most likely forced the Iraqi regime to change its behaviour towards the USA.

With regard to Iran, up to 2009, the USA has prevented negotiations for its accession to the World Trade Organization (WTO), to which Iran had applied a decade earlier. In the International Atomic Energy Agency (IAEA) the USA pushed for Iran's case to be referred to the Security Council. After some exertion of pressure – for instance, India was accepted as an official nuclear power and offered nuclear scientific exchanges in return for its support (Foreign Policy in Focus 2005, Campaign against Sanctions and Military Intervention in Iran 2007) – the case was indeed referred to the Security Council and sanctions were duly imposed on Iran. At the time of writing, the USA has pushed for the application of Chapter VII of the Charter, which would entail the use of force against Iran. Also, direct threats were used, targeting international companies, nations and IOs, to end trade with Iran related to nuclear capability. This can be understood as a

‘tool of force’ to make other actors comply with US policies (Dinmore and Edward 2005).

Coercion in the field of global order was also to be found in proceedings over the establishment and functioning of the International Criminal Court (ICC):

On the eve of an important Security Council vote, the United States threatened European Union nations of ‘very damaging’ consequences in transatlantic relations should EU nations continue to oppose US actions aiming to guarantee impunity of US nationals before the International Criminal Court (Federation internationale des ligues des Droits de l’Homme 2003).

In 2002, the US Congress passed the American Service Members’ Protection Act which:

contained a number of provisions, including prohibitions on the U.S. providing military aid to countries which had ratified the treaty establishing the court (exceptions granted), and permitting the President to authorize military force to free any U.S. military personnel held by the court (European Parliament 2007: 4).

Bilateral Immunity Agreements were established in order to prohibit the surrender of US Americans to the ICC. Presumably, many of the 101 signatories to these agreements have acted under pressure from the USA, which cut foreign aid to states that refused to sign (Coalition for the International Criminal Court 2003 and n.d.; Klein 2003). The USA also coerced the Security Council to grant immunity from prosecution in the ICC to US members of peacekeeping missions. As the USA otherwise would have vetoed the renewal of the peacekeeping mission, the Security Council obliged:

The US threatened to pull its troops out of the UN force in Bosnia unless they were given immunity from prosecution by the ICC. In a much-criticised decision, the UN Security Council voted on

12 July 2002 on a compromise that gave US troops a 12-month exemption from prosecution – renewed annually (BBC n.d.).

Apart from these very well known occasions, coercion by the USA is likely to be frequent, even if not widely reported. Generally, cases of such coercion do not figure largely in the media. One reference was found on Liberia: 'The United States last week threatened to cut its aid for Liberia's post-war reconstruction if the country's transitional parliament delayed elections scheduled for October 2005 by insisting on a new census' (Integrated Regional Information Networks 2004). The elections duly took place on 11 October 2005.

With regard to global economic institutions, coercion by the USA was accurately described by Woods (2003). She measures 'influence'⁴⁶ in terms of financial structure (the 'proportion of the core budget paid by the United States' or 'how regularly US approval is sought', for example), use of resources (whether US approval is needed for lending decisions, and to what extent these reflect US priorities), staffing and management (composition of the institution's staff according to nationality, training, etc.) and formal structures of voting and power (the proportion of formal voting power allocated to the USA, the extent of its influence over informal procedures and conventions, etc.). Woods comes to the following conclusions:

The US has substantial capabilities to bring to bear in shaping the mandates, policies, and *modus operandi* of the international financial institutions . . . At the core of US influence lies the financial structure of the institutions . . . in recent years both have, on occasion, fallen into the arms of [the] US Congress. The IMF's need for additional resources and the creation of the IDA within the World Bank have forced the institutions to ask their government members for additional contributions. In each case, the United States contribution has needed the approval of Congress. In turn, Congress has used the opportunity to impose conditions not just regarding the specific facilities for which the funds have been asked, but on the overall governance and direction of both the IMF and the World Bank (Woods 2003: 113).

According to Woods, in this situation threats were issued as an exercise of power (Woods 2003: 102). The strong presence of US interests in International Monetary Fund (IMF) policies as well as the devastating effects on Russia's market transition was described by Stiglitz (2002). Also Dreher et al. (2006) and Dreher and Jensen (2007) wrote on US influence in the IMF. The use of the World Bank as a tool of power and coercion was described by Engel (2008), in reference to Vietnam.

Sen discusses US coercion in the World Trade Organisation (WTO) exerted on the EU and Japan, where specific commitments 'were extracted' (Sen 2003: 129) from both parties with regard to export subsidies and trade barriers. Also, the example of the Organisation of Economic Co-operation and Development (OECD) is mentioned in the literature to exemplify US hegemony:

In yet another case of quasi-hierarchical rule-making, specific influence has not been conferred by a legal instrument, but is the result of the exclusion from decision making on the States targeted by the decisions. The Organization for Economic Cooperation and Development (OECD) is the most prominent case in point. . . . it establishes standards that, though not legally binding, are to be observed by third States if they desire access to the OECD markets or other privileges . . . as one of their most ardent defenders admits, their informality and flexibility nevertheless 'privileges the expertise and superior resources of the United States government institutions in many ways' (Krisch 2003: 158ff).

Coercion is thus a common feature of global governance. According to Woods, the indications found can be generalised to all IOs of which the USA is a member. The USA, she argues, has disproportionate power in 'every organization to which it belongs', surpassing its share of voting rights or its financial contributions. This results in the possibility of applying power to 'induce some submission' in these organisations (Woods 2004: 38). Strange mentioned in this regard that multilateral institutions serve as 'instruments of the structural strategy and foreign policy of the dominant state or states' (Woods 2003: 1, online version). However, Woods also qualifies this statement:

Finally, although the United States enjoys significant influence in both the IMF and the World Bank, this does not mean that the US Executive agencies control the mandate. The political pressures emanating from the United States do not all converge . . . The result is that US influence is almost always effective in securing a hearing and some action within the IMF and the World Bank, but it does not always reflect a coherent set of interests (Woods 2003: 21, online version).

On the other hand, Karns and Mingst argue that:

[The case studies] reaffirm the key role played by the United States in creating and sustaining the suite of postwar IGOs. Virtually all of the nine organizations depended heavily on American funds, personnel, and technical expertise. By providing material supports to them, U.S. decision makers expected that these IGOs could be used as instruments of American foreign policy. In some cases the expectation was explicit (the UN Security Council, NATO, OAS); in others, more implicit (UNESCO and WHO) . . . Because of the global predominance of liberalism, the United States could rely on these organizations as dependable forums for U.S. influence (1992: 292).

Influence

Influence is probably the most often used application of power in global governance. According to Sen, the conduct of the USA vis-à-vis developing countries can be grouped under this head: 'The United States ensured the acquiescence of developing countries on a range of issues through robust diplomacy and cajolery and continues to exercise its persuasive powers' (2003: 129). Payne, for example, elaborates on the role of US influence with respect to international labor standards (2001). Steger writes about US 'globalism' with respect to discursive power, and thus 'influence' in the terms adopted here. He refers to 'soft power' as the basis of neo-liberals' success in achieving their desired outcomes globally without the necessity of resorting to hard power. 'These power elites constructed and disseminated narratives and images

that extolled the virtues of deregulated and globally integrated markets' and 'globalism was difficult to resist because it relied on the soft power of "common sense", that is, the widespread belief that its prescriptive program ultimately derived from an accurate description of "objective reality"' (2005: 32). Narratives that were constructed mainly in and by the USA and that dominated the global discourse on globalisation before and after 9/11, state that:

- the essence of globalisation is liberalisation, which will lead to a global integration of markets;
 - these processes are both inevitable and irreversible;
 - there is no hierarchy to be found in globalisation ('nobody is in charge');
 - in the long term, all nations and peoples will benefit from globalisation;
 - democratisation is a beneficial outcome of the described processes; and finally (a narrative constructed after 9/11)
 - globalisation has to be defended by a 'Global War on Terrorism'
- (Steger 2005: 32ff).

Thus the existence and content of these discourses are proof of US influence in the world.

Theory of hegemonic governance

As mentioned before, global governance is usually understood as a heterarchical phenomenon. This is misleading. The power constellations that underpin global governance in the security sphere are still unipolar, with the USA at the centre of power. It would be naive to assume that this unipolarity has no effect on efforts to govern the international system.

Power in hegemonic governance

Mann writes: 'A general account of societies, their structure and their history can best be given in terms of the interrelations of what I will call the four sources of social power: ideological, economic, military and

political' (1993: 2). Here the argument is made for different forms of power, which in human societies overlap.

Military power, which has already been shown to be the main source of US dominance, is described as follows: 'Military power is the social organization of physical force. It derives from the necessity of organized defence and the utility of aggression . . . those who monopolize it, as military elites and castes, can wield a degree of general social power' (Mann 1993: 9). Military power is not only one form of power, but – if openly applied – its dominant form. In a decisive interaction, when forced to obey either a combatant with a weapon or a person offering shelter from the elements (the latter not being able to shield one from the threat of the weapon being used), one will decide to save its own life by obeying the combatant. For the mere sake of survival, the decision would be made to avoid the danger of being shot and to give up the chance of being rewarded with shelter. Furthermore, military power can only be opposed by military power, whereas economic and other soft powers can be opposed with similar powers as well as by military power. The threat of military force makes economic measures more credible, and can help to deter other actors. And in real cases of conflict – or 'when the crunch comes', according to Waltz (1979: 94) – states are more susceptible to military than to economic threats (Pape 1997). This indicates that military power is still the dominant form of power: battles cannot easily be won with money, and peace cannot be paid for.⁴⁷ Military power is not beneficial nor desirable; it is simply the most coercive tool at the disposal of humanity.⁴⁸ To look at military capabilities in determining unipolarity therefore makes sense, as they can be most easily translated into power, and military power is more decisive in deciding a conflict than any other form of power. For other states, the military (especially nuclear) power of the USA inherently bears a coercive dimension:

the threat of a large-scale nuclear strike is a potentially powerful coercive tool . . . any nuclear use would threaten considerable destruction to the adversary's civilian population, key elite groups, leadership, military, and country as a whole. The size and lethality of the U.S. arsenal make it exponentially more destructive

than the massive U.S. conventional arsenal . . . the U.S. nuclear arsenal certainly plays a major role in shaping the international environment, and its role in dissuading regional adversaries from considering certain moves in a crisis, including WMD use, is substantial (Byman and Waxman 2002: 102, 235).

The USA also presides, as mentioned before, over economic power. 'The concept of national power has both military and economic dimensions. While the two are related, they can also exist independently' (Julius 2005: 16). The USA makes use of its economic power by creating interdependence. Due to its superior economic power, this interdependence is usually asymmetric (except versus the EU as an organisation of states). Target states are more dependent on the USA than the other way around. This means that the target states face higher costs for non-cooperation than the USA. This also allows the USA to apply economic sanctions, which have been shown to be efficient in obtaining compliance (Doxey 1971; Drezner 1999).

Finally, power in global governance – for it to be rendered hegemonic – is not simply the use of force and coercion, but needs to be complemented with consent. Consent, as will be discussed below, derives from authority and legitimacy as well as from influence. If hegemony were based simply on brute force, it would have to be termed dictatorship: 'Power, according to Gramsci, is constituted by a dual or dyadic opposition: force and consent, violence and persuasion' (Fontana 2008: 85).

Consent in hegemonic governance

Is hegemonic governance necessarily based on consensus? Other publications by the author argue that the consensus, on which hegemonic governance is based, is declining, in the populations of many countries and particularly due to US policies in the GWOT (Beyer 2008: ch. 3). However, at the state level, consent is still essentially present (chs. 4, 5). Economic and ideological power shape a reality which is based simply on the 'perception of beneficiality' (Beyer 2008: ch. 3). States generally agree with the leading position of the USA, implicitly or explicitly, and the USA should not (or must not)

be challenged. Even in the event of US non-cooperation (which could be perceived as threatening) criticism remains surprisingly muted and the consensus around US leadership surprisingly high (Bertelsmann Stiftung 2006: 23). This consensus was reflected in the interviews and confirmed the perception of legitimacy and authority.

As Ikenberry and Kupchan write:

Legitimacy enhances the capacity of the hegemon to lead. Legitimate domination is far more effective than naked domination. The right to lead emanates less from economic and military power as such and more from the willingness of smaller nations to buy into and internalize the norms and principles set forth by the hegemon (1990: 49).

The right to lead is 'conditioned by the hegemon's prestige and moral authority' (1990: 51). Ikenberry and Kupchan particularly mention coercion and influence in their models of hegemonic power, but legitimacy derives rather from socialisation. This follows a process of normative persuasion > norm change > policy change (1990: 57):

In more concrete terms, citizens and/or elites in secondary states come to believe in the virtues of the normative order articulated by the hegemon, to define their nation's interest in terms of that normative order, and then to move to bring policy practices into accord with those normative principles (1990: 57).

This is in accord with the results on rhetorical influence from the case studies, where the USA by 'normative persuasion' led other states to participate in the GWOT by inflating the threat of terrorism, and thereby the need for a global war (against terrorism), and pushing certain counterterrorism policies. However, coercion is also potentially possible in the legitimization hegemony model; Ikenberry and Kupchan describe the process as follows: coercion/inducement > policy change > norm change (1990: 57):

At the outset of the interaction, hegemonic power is exercised, as realists would expect, through coercion and inducements. The hegemon uses traditional power resources to induce compliance with its principles of order and leadership. Elites in secondary nations, with fewer resources at their disposal, adjust their policies accordingly. It is only later that the normative order, into which the secondary nations have been forced or induced to participate, comes to be embraced as rightful (1990: 57).

Elements of this process are also present in the case of counterterrorism. Coercion and inducements, as Chapters 4–6 have shown, were present in the GWOT. Also, not all states and regions were at all times willing to participate, particularly in the case of the intervention in Iraq. However, increasingly there seems to be less opposition to counterterrorism policies and to the belief and norm systems they imply. Increasingly, states in the EU and ASEAN, as well as the organisations themselves, are adapting to these policies and norms. One cannot speak of the clear-cut presence or absence of either one of these two processes mentioned. Rather, they are both present and each influences the other. In the cases under study, for example, there were in both regions high levels of agreement on the need to counter terrorism globally, when the legitimacy and authority of the USA, directly after 9/11, was at its height. There was also a decline in cooperation and consent in the wake of the Iraq intervention, again in both cases, although both ASEAN and the EU were probably subject to increased US coercion to participate. Finally, following Iraq, willingness to contribute to the GWOT has apparently increased again, with many more programmes set up. Principally, this speaks for a generally high level of legitimacy and authority, as well as of normative or rhetorical influence, on the part of the USA as the basis for consensus with relatively little coercion. As Peschek writes:

The global system, shaped by US economic and military supremacy, requires a strong modicum of ideological hegemony to reproduce the conditions of that supremacy: ‘automatic’ mechanisms of corporate globalization, a relatively open network

of communications and trade, 'free markets', consumerism, and sufficient popular apathy to permit elite flexibility. . . . The concept of ideological hegemony does not exclude the reliance on a power structure of force, but rather indicates that two elements – force and consent – develop within some measure of equilibrium . . . Hegemony is reproduced across multiple venues: education, religion, laws, the political system, mass media, culture (2006: 5f).

In the case of ASEAN, evidence for a multifaceted reality is given by Prawindarti:

The war on terrorism has increased US military presence and diplomatic influence in Asia . . . However, the global war on terrorism has brought a paradoxical implication towards US role in Southeast Asia. It is paradox because on the one hand this cataclysmic event has increased the US' strategic importance in the region; on the other hand, this growing strategic engagement has been followed by a widening legitimacy deficit of US hegemony in the region as this involvement has triggered anti-Americanism movement across the region. In some countries, there is a significant gap between government response and popular support (2008: 15).

Consent also implies that due to its dominant military power the USA is perceived more as a protecting power, a legitimate leader and as benign, rather than as a possibly dangerous hegemon (Bell 2003, for consent in European governments). Solana, in his report *A Secure Europe in a Better World*, states: 'One of the core elements of the international system is the transatlantic relationship. This is not only in our bilateral interest, but strengthens the international community as a whole' (2005a: 55). And 'The transatlantic relationship is irreplaceable. Acting together, the European Union and the United States can be a formidable force for good in the world' (2005a: 57). The report also shows clearly the influence of US ideas on the dominance of certain current threats: terrorism, rogue states, WMD (all of which, interestingly, are threats linked to terrorism).

Enactment of power

As discussed earlier, the hegemon has a number of means at its disposal, such as sanctions, the threat of military power, economic pressure, financial aid or rewards, propaganda, diplomatic or public discourse, etc. The hegemon can also use civil society actors (such as NGOs) to exert pressure on the target governments, even if this has not been observed in the cases studied. By using its power, the hegemon actively engages in governing the global space. In trying (and possibly succeeding) to change or influence the policies of target states, it engages in global governance. This is hegemonic governance so long as it is not mainly heterarchic and multilateral but based on the power of the hegemon. Unilateralist tendencies on the part of the hegemon result in a form of hegemonic governance, as opposed to normative global governance.

The hegemon might decide to act on the basis of its power in global governance, either for the public good or for its own interest. The hegemon's superior powers are not generally and principally bound by a concern for the good of all. The hegemon is essentially bound by the same rationality as any other state, and most other states would agree with the proposition that it is sensible and legitimate under certain conditions, for example, to attack another country, and that it is reasonable generally to pursue self-interest first. The hegemon has proven this rationality by intervening in Iraq on the premise of pre-emptive action, which was not agreed upon internationally. Was this an action based on the rationality of the common good, or was it rational self-interest? The available answers to this question differ vastly (Lucas 2003 vs Fisk 2003; and taking a synthesising position, Powell 2004).

The hegemon usually has more freedom of action than the ordinary state because it is less dependent on, or threatened by, the responses of other states. This results in a tendency in the hegemon to pursue its self-interest. Examples are to be found in the global policies on climate change, on war crimes, on civil wars etc. (compare US non-cooperation with regard to the Kyoto Protocol and the ICC). On the other hand, the USA tends to overreact to issues which directly affect it. 9/11 was, after all, the first major international terrorist attack on the American homeland. The GWOT is to a large extent based on the rational self-interest of the USA (Powell 2004). Therefore, the hegemon might be

expected to engage less in the ordering of global affairs and generally more in the pursuit of its specific self-interest.

Other states or collective actors comply with this because of the consensual nature of the hegemon's policies, and rather less out of informed self-interest. To give an example, the NATO Secretary-General has suggested that the EU states spend at least 2 per cent of their GDP on defence, so they can be better equipped to deal with the terrorist threat (European Voice 2003). The EU has continued to increase expenditure under the relevant budget head, in 2007 by 12.8 per cent, for instance, and in 2008 by 10.8 per cent. Further, whereas 0.7 per cent of the budget was spent in 2008 on freedom, justice and security (which is comparable to the US 'homeland security'), only 0.3 per cent of the budget was spent on countering climate change (European Commission 2008), an issue which is in principle very high on the EU agenda as the EU sees itself as a leader on environmental issues. The budget for research on the environment in 2005/06 comprised about €1,900 million annually, whereas over the same period some €3,000 million were spent on research into security under the Seventh Research Framework Programme. Without the USA example, EU priorities would in all likelihood differ.

It is essential to understand here that, during the period of the GWOT, the USA successfully promoted an understanding of world politics in which traditional security threats and international terrorism were more dominant than other shared risks (e.g. climate change, migration etc.) and other 'new' security threats (e.g. civil wars in developing countries). Another effect of this kind of policy promotion – which is more than simply agenda-setting – is that in many countries (including some in Europe, Asia and the Middle East) civil liberties have been restricted and democratic principles violated, under the impression that this would contribute to the success of the GWOT and was legitimate within its framework (Human Rights Watch 2003; Foot 2005). The hegemon could overall have played a different role: It could have promoted a broader and more complex understanding of security and could have engaged in the GWOT by promoting higher democratic standards and showing less readiness to resort to violence. The fact that it did not, supports the claim that even hegemons act selfishly.

Effects and stability of hegemonic governance

As indicated before, under the condition of hegemonic governance, the global public good is not necessarily provided for. The hegemon determines global public policy according to its own interests and this need not necessarily be selfless. Interest politics might dominate in hegemonic governance, as one actor in particular is able to shape global governance even in the face of opposition from other countries. A similar configuration could develop under multilateralism, but it can be assumed that in such conditions global governance would develop into a more profitable enterprise. Under the condition of factual heterarchy and multilateralism, some different rules of interaction would have to be found, ideally including higher levels of compromise, negotiation and democratic principles. Global governance built on such principles would probably produce more real public good than hegemonic governance is able to provide (Beyer 2007). This seems to be the focus of the largest part of the research on global governance, particularly the normative branch. Furthermore, hegemonic governance can frustrate states that want a more equal say in international relations. This can lead to tensions and conflicts, as currently observed over Iran.

Is hegemonic governance, therefore, benign or malign? Waltz argues that the dominance of the USA is currently the biggest problem in international affairs (Waltz, interview with the author, 2007). However, it depends very much on the intentions and behaviour of the hegemon: is it willing to engage in and support the solving of public problems, with or without the unilateral provision of public goods? If so, hegemonic governance can be beneficial. A hegemon, due to its function as a producer of consent, can bring about common action in the society of states.⁴⁹ It has also been argued that cooperation can come about without a hegemon (Keohane 1984). But if its interests and intentions are opposed to the public good and public needs, hegemonic governance will of course remain bereft of beneficiality.

Furthermore, it was argued that hegemonic governance is stable, yet does not persist over very long periods of time. Hegemonic governance is stable because it is not easily challenged. The power of the hegemon surpasses that of other states by so much that it is hard for them to catch up and achieve a balance, and in the case of US hegemony no single

state has so far been able to do so (Pape 2005).⁵⁰ Furthermore, consent implies that there is no real incentive for states to try and achieve a balance, as long as the hegemon is understood to be benign. However, as Kennedy (1988) argues, hegemons seldom persist indefinitely: they experience phases of growth and decline. And it has been argued repeatedly that the US hegemony has already reached a phase of gradual and terminal decline (Wallerstein 2003).

CONCLUSION

The research presented in this book has attempted to single out hegemonic governance as a possible root cause of participation in the GWOT and in the global governance of counterterrorism. It was argued that the structure of global governance, which is a hegemonic one in counterterrorism, and the enactment of power lead to participation. Participation was defined as the combination of cooperation and compliance. In the following, the arguments and findings of the single chapters will be summarised.

Chapter 2 elaborated on participation, its definition and causes. A lack of theorising within IR on the issue of participation was detected. Only a few studies deal with 'participation in global governance', while there is a great deal more to be found on compliance and on cooperation. However, participation, as the term is used here, is a broader concept than either of these. Participation was here described as active or passive. It entails participation in multilateral action (for example by sending military personnel and equipment, financial or immaterial support), support for common policies vis-à-vis third parties, lobbying for common norms and standards, traditional compliance (meaning behaviour that is in conformity with rules addressed to the actors), and finally the adoption of common norms and rhetoric. Participation thus entails elements of both traditional cooperation and compliance. This description is new, and has not been found in the literature so far. However, it seems useful to conceptualise participation in this way, as rarely – particularly in the case of counterterrorism – either simply compliance or simply cooperation are to be observed. Usually both are to be found co-existing. A further difference, and one of impor-

tance, is that cooperation usually occurs in relationships of equality, whereas compliance is more often to be found in relationships of inequality. As the assumption is that in hegemonic governance we find both an equality of formal sovereignty and inequality in real power, a concept combining both aspects seems more useful. The chapter went on to look at possible causes of participation, assuming the hypothesis of hegemonic governance. For this assumption, the theoretical background is established in order to derive test variables to be applied in the case studies. Critical realism serves both as a metatheory and as the theory behind hegemonic governance, and the following variables are derived: dominance, active and passive coercion, and issue-specific and general influence (or: 'relative power', pressure, 'asymmetric interdependence as a tool of power', 'discursive influence' and authority and legitimacy).

The next chapter then dealt with the units chosen for the case studies, elaborating on the EU – as an example – and on the question of actorness. Criteria were derived from the literature to test the actorness of the EU. The criteria were separated into structural ones, those dealing with the effect of actorness, and actor-specific ones. The following criteria were established: coherence, one voice and addressability; the existence of common strategies, the capacity to act externally and internally, and intended effects; and participation in global governance and external recognition under international law. All these criteria have been examined as to how far the EU meets them in the area of counterterrorism, and in most cases the results were positive. Therefore, we can speak of the EU's actorness. However, as the chapter argues, one should assume 'collective' rather than genuine actorness in the traditional sense. 'Collective actorness' denotes the fact that the EU states act together and mostly in agreement, even though not always in consensus. The EU as an organisation has no absolute power over the states and cannot force them to act in common. As the EU served as an example of the actorness of regional integration projects, it was argued that a similar actorness could possibly be found in the case of ASEAN. However, apparently the actorness of ASEAN is much weaker than that of the EU, a fact which is attributable to the shorter history and

limited depth of ASEAN's integration. ASEAN was thus termed an 'emerging collective actor'.

After thus laying out the background for the case studies, the next chapter went on to look at the issue of EU participation in the GWOT and the causes of this participation. The level of EU participation was determined, according to criteria set out above. The EU clearly participates in the GWOT, even though rather with a managing role over the cooperation and compliance of the member states. Furthermore, participation was found in the cases of military operations, common policies, and rhetoric. Interviews conducted with foreign-policy experts from the EU were analysed with respect to the question of what the reasons are for this participation. Interestingly, and importantly, the particular threat to the EU from international terrorism does not seem to have greatly increased since 2001. However, the 'perception of threat' is one of the main arguments the experts gave for participation in the GWOT. This supports the argument that the rhetorical influence of the USA – hegemonic 'soft' power or influence – is among the major causes of participation and supports the hegemony thesis. Also, the dominance of the USA scored very highly in the interviews, even though the connection to participation was not directly made by the experts. A third important cause which emerged from the interviews with the experts was the authority and legitimacy of the USA. Finally, a certain amount of pressure (i.e. coercion) was found to be likely a factor. These results indicate that not only is US hegemony present, but it is also one of the major causes of EU participation in the GWOT.

Chapter 5 dealt with the next case study, of ASEAN. Participation by ASEAN can be detected. But even more so as in the case of the EU, the organisation rather takes over the role of a coordination forum, than being an independent actor. Participation is to be found in the collective actions of the member states. The description of ASEAN as an 'emerging collective actor' therefore seems an accurate one. What then are the reasons for ASEAN states' participation in the GWOT? Interestingly, these differ slightly from the EU's. As was found in interviews with scholars and practitioners from ASEAN, the main reasons for its participation are less the perceived threat of terrorism,

even though the threat seems to have increased compared to the EU's situation. The main causal factors are the dominance of the USA and, following from that, ASEAN's interdependence with it. The latter referred mainly to economic dependence on the USA as a foreign investor and security guarantor, and indicated the possibility of passive coercion. Other less dominant factors present were authority, followed by pressure and discursive influence.

Factors that imply hegemonic governance as a cause of participation were therefore found to be present in the interviews conducted with experts on foreign policy and security, as well as public officials from ASEAN and the EU. Therefore the study came to the following conclusions: firstly, that participation in current global governance is partly dependent on the latter's structure (i.e. unipolarity, hegemony), and, secondly, on the application of power (i.e. coercion and influence) therein. Following from that, it concludes that global governance is not a heterarchical phenomenon, as it is often described in the literature. Heterarchical global governance is a highly normatively-laden term, which fails to describe accurately the reality of global cooperation. On the contrary, global governance shows the marks of unipolar power, and is therefore to be characterised as 'hegemonic'.

In the following chapter, the global governance of counterterrorism was examined. US policies in the GWOT were analysed with respect to the exercise of power and to the presence of force, coercion and influence. It was claimed that in the GWOT all three elements of the exertion of hegemonic power are to be found, even though force is used selectively, and often coercive measures are hidden in apparent multilateralism. The US role in multilateral institutions was looked at, and again it was found that in the institutions most important for the GWOT the USA plays a major role and exerts considerable influence. This chapter therefore served to present a focus on the hegemon and on its actions in exercising hegemonic governance.

Finally, Chapter 7 theorised on the topic of hegemonic governance. It started with a definition of the term hegemony, derived from Gramsci, and went on to elaborate on the current use of the term, which is highly popular in the current literature for describing US power. Measurements of hegemony were established, by combining

the ideas of Gramsci with those of a power theorist, Wartenberg. According to them, hegemony is power exercised over subordinates; this power stems from material dominance, and comes in the form of force, coercion and influence. The chapter then looks at material dominance and inquires whether this is present, or if, as is often assumed, we already live in a multipolar world. Dominance was established as involving a preponderance of power, even if other great powers might exist. The chapter went on to look at force, coercion and influence, whether they are exercised by the hegemon within global governance, and if so in what ways. Interestingly, force is usually used outside the framework of global governance. The USA uses military interventions, but does not usually participate to any major extent in UN actions, tending rather to sidestep the organisation. Coercion is frequently found in global governance, for example by the use or even merely the threat of sanctions. Coercion, the chapter argued, is frequent not only against the usual suspects (so-called 'rogue states'), but also even within international multilateral institutions. Influence, finally, is the basis of all US hegemony, providing the legitimacy and consent on which (according to Gramsci) hegemony rests. Influence in global governance can be found in the whole discourse surrounding integration and the establishment of common institutions, in essence the whole globalisation discourse as well as the discourse on the GWOT, discourses markedly set out in US terms. The chapter went on to theorise on the questions of how power is exerted generally in global governance, how consensus is achieved and whether hegemonic governance was beneficial and stable.

This study was not set out to describe the architecture of hegemonic governance in detail, but rather to argue for the former, for the important empirical role of hegemony within global governance as such. It pointed out that hegemonic power, particularly in terms of general capability and authority, contributes in large part towards participation of other actors in global governance. Additional facets of power, such as discursive power and economic asymmetry and dependence, also contribute, but not in any case at all time. Even pressure from the hegemon at times seems to be present in order to make the hegemonic project work. Therefore, this study looked at some of the internal causal mechanisms, or 'what

makes global governance tick', rather than attempting to describe its institutional, legal or other features in detail.

Also, the conclusions derived from the analysis of the case of counterterrorism seem to be transferable to other policy fields within global governance. First, this is argued in chapters 6 and 7, where the dominant role of the US in international organisations in general is highlighted. Second, the implications of this study seem to be relevant for other policy fields such as economics, international law, etc. There are obvious cases where the hegemon does or did not encourage or declined cooperation (such as the Kyoto Protocol, the International Criminal Court, and the ban on landmines). These do not, however, contradict the hegemony thesis, as the hegemon here just 'opted out', made use of its 'freedom of action' very successfully, but did not necessarily require other states to abstain from pursuing these policies – or policies in these fields generally – themselves. Therefore, cooperation in these areas does not contradict the hegemonic governance principle. Also, it should be pointed out that participation in the GWOT is not a 'natural occurrence' which does not need further explanation. Given that in fact terrorist attacks in the Western world since 2001 are so infrequent that more people die from drowning in their bathtubs than from terrorism (Mueller 2006), the enormity of political changes in the last decade (surveillance policies, stricter immigration policies, military interventions, and a general alarmism and threat perception, just to mention some) could only have been realised on the basis of hegemonic power. That these changes are oftentimes understood as natural, necessary and unproblematic, in the author's view is a sign of successful hegemonic power application itself.

The author wants to conclude with some general remarks on hegemonic governance. Many recent studies discount hegemony in international relations (for example Telo 2007).

As it moves away from a unipolar structure the global system remains in what has been called a post-hegemonic condition . . . that is, a situation in which no single country can provide unilaterally the public goods required for the operation of the system itself (Padoan 2007: 38).

The alternative term 'hegemonic governance' on the other hand introduces the issue of hierarchy and power into the discussion on global governance. Krisch comes to a similar conclusion, discussing the USA as a 'world government':

Not only does the United States possess far superior power in the international system, it has also established a network of international and domestic institutions in support of the exercise of its power. This stabilizes its predominant position, and increasingly resembles the exercise of formal governmental functions: the United States, often assisted by its Western allies, legislates (through, for example, the Security Council, the OECD, or its domestic law in connection with the certification practice), performs executive functions (through the Security Council, unilateral sanctions or the unilateral use of force) and adjudicates (through its own courts as international courts). Moreover, like domestic governments, the United States is not bound by the same rules as most other States – it persistently refuses to subject itself to important international instruments, especially those involving enforcement mechanisms. It remains unbound, while its subjects face ever further-reaching constraints (2003: 169).

And:

Given the restrictions on the exercise of governmental functions by the United States, one might argue that, instead of talking of 'government', one should speak of structures of 'governance'. In the international arena, such a shift in terminology seems even more warranted, given the absence of a formal government and the enduring complex and multicentered structure of world politics (2003: 171).

This is what this book has argued.

Welch and Kennedy-Pipe argue for at least the possibility of world government: 'A tendency towards unipolarity or hegemony in the international realm would seem to imply a move away from governance,

towards government' (2005: 132), but come to the conclusion that there is a 'contradictory nature of evidence'. As one of the very few realist conceptions on global governance, Sterling-Volker argues, as this study does, for the hegemony thesis: 'The content of GG [global governance] varies according to the interests and social practices of the powerful human groupings of the particular epoch'; and: 'Because any given system of GG will always be licensed and bounded by the social practices of the powerful, both its existence (noun) and practice (verb) are a form of embedded power' (2005: 23ff). Together, these studies seem to confirm the interpretation arrived at in this study.

The importance of both rhetorical power – which is necessary for consensus – and the habitual use of coercion in hegemony are stressed by Goverde:

Under hegemonic conditions power functions in three layers. The US dominates both the Atlantic community and the world order. In the Gramscian tradition hegemony reflects a spiritual and cultural supremacy of the ruling class, i.e., a world order in which power takes primarily a consensual form. This means 'awareness by the elites in secondary states that they are benefiting, as well as on the willingness of the hegemon itself to sacrifice short-term benefits for intangible long-term gains' . . . This supremacy is manifested in unilateral and multilateral discourses. These discourses represent the US hegemonic and the European internationalist belief-systems of policy-makers and politicians in both political systems. As a hegemon, the US presumes the urgency in world politics to demonstrate its leadership by using its resources of episodic hard power (2006: 128).

Joseph concurs with this: 'Hegemony and ideology . . . the terms are virtually synonymous'; however: 'Hegemony is broader than just ideology in that it encompasses not just ideological processes, but the material forces that generate these ideologies. This includes a wide range of social practices' (2002: 139). This also was observed to be the case in this study.

'Hegemonic governance', as is stated at the outset, is a new term which brings together different literatures: critical and realist studies on hegemony, the literature on global governance and that on security studies. This is part of the novelty of this approach, and (to the knowledge of the author) these literatures have not so far been combined. What derives from this is a focus on power in, and a security-studies perspective on, global governance. Therefore, this book lays the groundwork for further research in a new direction. This book thereby also challenges traditional approaches to global governance, mainly derived from neo-institutionalism, which openly discount the importance of power in the system:

Neorealist and power-based theories assert that hegemony is a necessary component for regime formation and cooperation. Neoliberal institutionalism counters this argument by stating that regime formation and maintenance can occur without a nation-state acting as a hegemon. Throughout his 1984 text, Keohane constantly refers to post-hegemonic cooperation . . . Clearly neoliberal thought does not necessitate the existence of a hegemon for cooperation to occur; cooperation, for the institutionalists, occurs as the result of shared interests among states and the ascertaining of absolute gains through regime formation. Although hegemony may assist in the formation process, hegemonic coercion does not play a primary role for neoliberalism (Leonard 2005: 83).

In opposition to this view, the argument presented here runs that power is clearly a factor for cooperation and compliance, hence participation, in global governance. The unipolar structure and the enactment of hegemony by the USA, therefore, cause participation in the GWOT. It is uncertain, and not established, if this cooperation could have been brought about without the USA acting as the hegemon, without it promoting global counterterrorism cooperation both rhetorically and using coercion. This study thus challenges neo-institutionalist accounts of cooperation in global governance, stating that power is a factual given in current global governance, and cannot be easily discounted. As Welch and Kennedy-Pipe write, this is important because 'much of the

governance literature holds that the traditional or realist perspective on global politics has little resonance for the development of international affairs after 1970' (2005: 131).

Finally, it should be mentioned that the notion of hegemony and the GWOT are of continued interest to the scholarly community. Several recent publications tackle the issue of hegemony: The first – *Hegemony: A Realist Analysis* (Joseph 2002) – analyses hegemony, in the Gramscian sense. The critical realism of Roy Bhaskar used to analyse the concept of hegemony in its more recent theoretical use, and the concept is examined in relation to classical Marxism, to the English debates and to Derrida. The second relevant study, *Hegemony: Studies in Consensus and Coercion* (Howson and Smith 2008), provides a biographical sketch of Gramsci and then focuses on single topics within Gramsci's writings, such as subalternity, language, subjectivity, imperialism and the historical block. Furthermore, there are numerous other studies emerging which deal with the GWOT (cf Peschek 2006, and many others). There seems in fact to be a renewal of interest in hegemony and the GWOT (for good reasons). None of these recent studies, however, succeeds in bridging the gap between either an empirical description of more recent developments in the GWOT, on the one hand, and on the other theoretical reflections – coming from either a global governance, or a critical-realist perspective, or both – on these undertakings. It is this deficit which this book has attempted to remedy.

NOTES

Chapter 1

1. Compare, for example, Zürn 2005; Messner and Nuscheler 2003; Miura 2004; McGrew 2000. McGrew defines heterarchy as a 'system in which political authority is shared and divided between different layers of governance and in which many agencies share in the task of governance' (2000: 163). In other works on global governance, heterarchy is often implicitly assumed or at least not openly discussed.
2. Chapter 12 of Barnett and Duvall's book deals with colonial and post-colonial global governance, and therefore is relatively close to the approach used here; however, it differs from the present study in arguing normatively. Chapter 2 mentions the question of what is termed here 'hegemonic governance' as marked by processes of 'hegemonic imposition' and 'coercive socialization' (Hurrell 2005: 52ff).
3. This is not necessarily so, and in the case of the GWOT depended more on the then prominent neo-conservative ideology in the United States. It is, however, facilitated by hegemony.
4. This section has been published in a former version in Beyer 2008.
5. For a discussion of the evolution of Adler's ideas see Beyer 2005.
6. See, for example, *Journal of Peace Research*, 36:4, Special Issue on Trade and Conflict. Some authors take the opposite that trade-related disputes might induce wars.
7. Parts of this section have been published in a former version in Beyer 2008.
8. According to Shaw (1998), Hobson's approach is essentially realist.
9. Even if it is regarded, by some, as more or less imperialist in its foreign policy behaviour (Beyer 2008: chs. 3–4).
10. Since no serious balancing behaviour – which would indicate disagreement and opposition – can be discerned (ch. 7).

11. In its history, the USA has been strongly committed to the creation of international institutions, even if under George W. Bush it sought to withdraw from many of them.

Chapter 2

12. Selected parts of an earlier version of this chapter have been published in Beyer 2009a.
13. In these publications the author promotes a highly critical understanding of current counterterrorism policies, but this does not mean they cannot serve as a useful example for studying participation.
14. Contingent realism differs in this regard. It argues that the primary interest of states is security. As cooperation results in higher security than does competition, cooperation is understood as being more likely (Glaser 1994).
15. Also to be mentioned in this context are the games of 'stag hunt' and 'chicken'. Stag hunt describes a situation in which it is preferable to defect, if it can be assumed that not all the others in the group will cooperate. Chicken describes a situation in which it is preferable not to cooperate, if it can be assumed that the other cooperates. Both therefore resemble to a certain extent the prisoner's dilemma.
16. The reason for this is that each actor is trying to avoid being punished by the other in a 'tit-for-tat' strategy (Axelrod 1984).
17. It is often thought to occur in hierarchical systems, though not only there (Young 1979: ch. 3).
18. The author uses 'authority' in the following instead of 'prestige'.
19. Parts of this section have been published in a former version in Beyer 2008.

Chapter 3

20. This chapter has been published as an earlier version in Beyer 2008a.

Chapter 4

21. Not all European countries were included!
22. The International Security Assistance Force (ISAF) is mandated under Chapter VII of the UN Charter (Peace Enforcing) by UN Security Resolutions 1386, 1413, 1444, 1510, 1563, 1623, 1659 and 1707.
23. US dominance was here measured indirectly by asking for the relative power of the EU (ASEAN in ch. 5) compared to the USA.
24. A positive response is shown here if the dominance of the USA is stated.

Chapter 5

25. Parts of this chapter have been published as a different version in Beyer 2007.
26. A positive response is shown here if the dominance of the USA is stated.
27. Gunaratna, all others in this column: Hock.

Chapter 6

28. Selected parts of this chapter have been published in earlier versions in Beyer 2008.
29. In the year 2000, nearly half of all terrorist attacks were directed at the USA (Federation of American Scientists 2000).
30. US counterterrorism policy before 2001 was based on three Presidential Decision Directives (PDDs): PDD-62 addresses the WMD threat, PDD-63 the cyber threat, and PDD-67 continuity of operations and government contingency planning (Cressey 2000).
31. Stiglitz and Bilmes 2008, for example, speak of \$3 trillion as a conservative estimate.
32. The judges association 'Neue Richtervereinigung' argues that it was not, as the intervention was not based on a formal conclusion to apply military force according to Article 42 (Neue Richtervereinigung 2002).
33. See, for a discussion of the legal proceedings, World Press Review n.d.; Mearsheimer and Walt 2003; Arnswald 2003; Human Rights Constitutional 2003.
34. According to Executive Order 13224 of 23 September, 2001.
35. So, for example, Iraq, Iran, Syria, Libya, Lebanon and Sudan.
36. Other bodies participate in counterterrorism as well, such as for example the OECD, but are not discussed here further.

Chapter 7

37. This section has been published in a former version in Beyer 2008.
38. It should not be forgotten that the USA exerted intensive power via military support, intervention and covert operations in South and Central America and in the Middle East during the Cold War.
39. Parts of this section have been published in a former version in Beyer 2008, 2009.
40. Particularly microeconomics (Kenneth Waltz, interview with the author, 2007).
41. For a critical discussion of this issue, see Johnson and Regets 1998.
42. It should be noted that in the present global recession and concurrent financial crisis, the economic power of the USA has been discernibly

weakened; however, it is also the case that all other major nations are similarly affected.

43. Such as revolutions, intra-state wars, coups, etc. Some authors would disagree with this, citing the Watergate affair, the 2000 presidential election or even 9/11, for example. Yet, as neither Watergate nor the 2000 'stolen election' led to a major political disturbance within the USA, it will not be regarded here as relevant for the argument.
44. Generally, security issues in global governance are under-theorised. For exceptions, see for example Pugh (2002) and Krahmann (2003).
45. However, it does have some police personnel in the mission.
46. Woods uses the term 'influence' (Woods 2003: 102), but according to the definition given above, what is at stake in the cases she cites is coercion, since threats are involved.
47. At least, in the short term. However, development aid, for example, is arguably a long-term tool for peaceful change.
48. It is also the most destructive form of power. It might, therefore, be argued that 'soft power' is much more powerful (in a different way), but implies less control.
49. Mitchener and Weidenmier (2005), Gowa (1986). Frequently, Kindleberger is cited as arguing in this way. He himself, however, disclaims any preference for hegemony: 'a word that makes me uncomfortable because of its overtones of force, threat, pressure. I think it is possible to lead without armtwisting' (1986: 841).
50. Pape argues that since 1990 no effective balancing with the USA has taken place; however, states increasingly engage in 'soft balancing' (2005).

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Interviews

Interviews with scholars in Singapore at the Institute of Defence and Strategic Studies (IDSS) and Institute of Southeast Asian Studies (ISEAS), as well as the ASEAN Secretariat, all 2006:

- Prof. K.S. Nathan (ISEAS).
- Dr Ralf Emmers (IDSS).
- Dr Joseph Liow (IDSS).
- Dr Daljit Singh (ISEAS).

Prof. Saw Swee Hock (ISEAS).
Dr Rohan Gunaratna (IDSS).
Prof. Kumar Ramakrishna (IDSS).
Ms Tatik Sadatik (ASEAN Secretariat).

Interviews with European scholars, all 2007:

Daniel Keohane (Centre for European Reform, London).
Dr Martin Kahl (Institut für Friedensforschung und Sicherheitspolitik, Hamburg).
Michael Bauer (Centre for Applied Policy Research, München).
Gustav Lindstrom (EU Institute for Security Studies, Paris).
Stefano Singore (Private Office of Vice President Frattini, European Commission, Brussels).
Helmut Kuhne (Member of the European Parliament, Strasbourg).

Further interviews:

Alistair Millar (Centre on Global Counterterrorism Cooperation, Washington DC), 2009.
Prof. Kenneth Waltz (Columbia University, New York), 2007.
Prof. Alexander Wendt (Ohio State University, Ohio), 2007.

The interviews were conducted with informed consent of and approval by the interviewees but were not additionally authorised ex post.

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