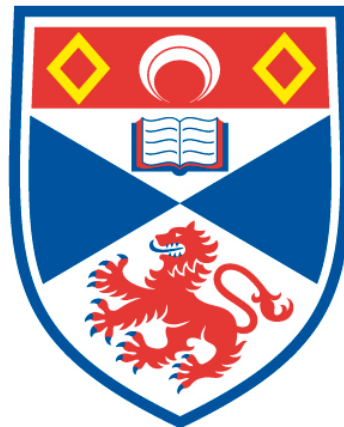


Explaining military, law enforcement and intelligence cooperation
between Western states

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In Memoriam David W. P. Lewis

Abstract

This thesis answers the question “Why does security cooperation occur between Western states?”. The basic answer is: “Because most state actors do not want their states to integrate”. In other words, cooperation occurs as a coping mechanism, as an imperfect substitute for integration. But the thesis does not only investigate the reasons for cooperation, what Aristotle called the final cause. The thesis also examines the material, formal and efficient causes of cooperation. Such an unorthodox causal explanation of cooperation is based on a Critical Realist philosophy of social science. The application of this philosophy to the empirical study of International Relation is rare, making this thesis original.

Beyond the philosophy of social science, the thesis’ research design, many of the cases, and much of the data are also rarely used. The research design is an embedded multiple-case study. The states studied are the United States of America, France and Luxembourg. Within each state, the embedded subcases are three types of state security organisations: the armed forces, law enforcement and intelligence agencies. Rarely have these three types of security organisations been compared. Similarly, Luxembourg is seldom studied. Comparing different types of states and different types of state security organisations has not only allowed the main research question to be answered. It has also allowed temporal, spatial, national, and functional *variation* in cooperation to be identified and theorised. The empirical evidence studied includes participant observation (at the North Atlantic Treaty Organisation) and documents (e.g. state policy documents, annual reports by organisations, reports by parliaments and non-governmental organisations, autobiographies, books by investigative journalists, articles by newspapers and magazines). The thesis is also based on a score of elite interviews (e.g. with ambassadors, diplomatic liaisons, ministerial advisors, foreign ministry officers, military commanders, etc.), and the careful study of both declassified and classified archival records.

Ainsi c'est la simple observation d'un monde scientifique où la défense de la raison est confiée à un travail collectif de confrontation critique placé sous le contrôle des faits qui oblige à adhérer à un réalisme critique et réflexif en rupture à la fois avec l'absolutisme épistémique et avec le relativisme irrationaliste (Bourdieu, 2003, p. 160).

1. Introduction to the Thesis

Roots of words are like knots I think when I read the dictionary.
I read other books, sure. Recently I learned how trees communicate,
the way they send sugar through their roots to the trees that are ailing.
They don't use words, but they can be said to love.
They might lean in one direction to leave a little extra light for another tree.
And I admire the way they grow right through fences, nothing
stops them, it's called inosculation: to unite by openings, to connect
or join so as to become or make continuous, from *osculare*,
to provide with a mouth, from *osculum*, little mouth (Barnett, 2017).

Both born in 1888, Carl Schmitt and Jean Monnet, at first glance, had little else in common. One was a fascist legal philosopher and, briefly, a jurist for Germany's Third Reich. The other was one of the political 'architects' of post-World War Two (WWII) Europe and a French diplomat. But if one compares their writings and actions, one can identify a common expectation that European politics was going to become increasingly apolitical and technocratic (Fransen, 2001; McCormick, 1997; Monnet, 1976; Schmitt, 1993; Slomp, 2009). To simplify, Monnet thought this was a plan for peace, and Schmitt thought this would lead to a loss of meaning (Monnet, 1976; Schmitt, 1986, pp. 109-162; 2008a, pp. 35, 57-58).

Of course, the anticipation of technocracy was not new. In fact, such anticipation is as old as the modern state itself. From Max Weber to Ulrich Beck, many European thinkers have foreseen the advent of technocracy and judged the normative implications thereof (e.g. Beck, 1992, 1999, 2007; Ellul, 1954, 2012; Fromm, 1968; Habermas, 2015; Heidegger, 2007; Offe & Ronge, 1975; Max Weber, 1994; Max Weber, Owen, Strong, & Livingstone, 2004).¹ Generally, these authors placed such changes within a wider phenomenon, namely the legitimisation of instrumental rationality, and in doing so condemned technocracy as a *dehumanising* way of governing (Geuss, 1981; Habermas, 1984; Schechter, 2010).

What is particularly interesting in the comparison of *Schmitt* and *Monnet's* thought and practice is that they both believed that *inter-state* technocracy was possible and even probable (on Schmitt's international political philosophy, see W. Hooker, 2009; Kochi, 2006; Odysseos & Petito, 2007; Pinelli, 2010; Schmitt, 2006, 2007; Slomp, 2009).² In other words, Schmitt's critique of liberalism and Monnet's advocacy of supranational dirigisme can be seen as two sides of a belief in the depoliticisation of politics.

Hans Morgenthau, born in Germany in 1904, is representative of a different view of politics and its study. Morgenthau did not believe 'scientific man' and technology would ever trump 'human nature' and 'power politics' (1946). Ironically, once in the United States of America (US), Morgenthau helped

¹ Interestingly, these writers were both from the 'left' and the 'right'. Broadly, what united them was a critique of liberalism and the enlightenment in general – Habermas being the obvious exception here.

² Sometimes Schmitt argued that a global state would lead to global civil war, but generally he felt obliged to admit that there could very well be a world 'with no outside'.

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initiate a way of studying 'international' relations that was more *scientific* (i.e. that searched for Newtonian laws, and in doing so reified, and occasionally anthropomorphised, the state) (1950).

Today, the International Relations (IR) *doxa* is that 'states' are only and always interested in *their* security, power, profits, etc. Yet, a number of scholars and social scientists continue to study inter-state technocracy, continue to speculate on the demise of the state, even examining the plausibility of a 'world state'. This can be found in the (neo)functionalist theories of (European) integration, for example, but also in the para-doxical work of theorists of global politics (e.g. Ashworth & Long, 1999; Buzan & Little, 2000; J. Cooper, 1994; Deudney, 1995; J. Eastby, 1985; J. H. Eastby, 1999; Herz, 1957, 1968; Mitrany, 1943, 1965, 1966, 1975, 1996; Shaw, 1997, 2000; Wendt, 2003). Some economists, sociologists, anthropologists, and biologists³ have also assessed the prospects of states, "superstates" (e.g. the USSR, China, India, the US, the EU) and of a potential *world state*, all as continuations in the process of scale-increasing 'societies' (e.g. de Swaan, 2014; Service, 1975; Wright, 2001).

One also notices that, in the recurring strategy of 'specialisation via the critique of leading academics, and *the inversion* of the leader's stances', a handful of scholars have taken a dialectical approach to the depoliticization debate.⁴ While some International Relations IR scholars have taken a 'constructivist realist' position, where what 'matters' is *state identity* (e.g. Mattern, 2001, 2004; B. J. Steele, 2007), others have focused on the rise of transnational technocratisation, critiquing both methodological nationalism and methodological globalism (e.g. Bigo, 2005, 2006a; 2011, p. 253; Bigo, Bonelli, Chi, & Olsson, 2007).

Via this brief review of technocracy prophecies and depoliticization prognostics, this thesis can be seen as a critique of both functionalist and IR realist⁵ studies. More precisely, it seeks to explain *why trans-frontier technocratisation is occurring, but only in a limited manner*. From this perspective, the absence of integration is puzzling. In other words, such an approach turns the typical IR questions on their head: it is not cooperation that is surprising, but the absence of integration. The rest of this chapter is divided into three sections: The first presents the research rationale, puzzle and objectives; the second the research design, case selection and limitations; the final section provides a summary of the thesis' answer to the research question, and an outline of the remaining chapters.

Rationale, Puzzle and Objective(s)

Rationale

This thesis stems from both curiosity concerning inter-state relations and the aforementioned dissatisfaction with current theories of global politics. To expand on what was just said, it can be

³ Sociobiologists are especially fond of applying evolutionary theory to the history of mankind (e.g. Wright 2001).

⁴ N.b. As scholars search for originality and distinction, they sometimes *combine the inversion* of the theory, concepts, methods, and cases employed to produce canonical texts. The 'quantitative study of state terrorism', for example, is a methodological-conceptual inversion of *both* orthodox and critical terrorism studies (see Brandsch Forthcoming) (on specialisation within a field, see Bourdieu 2003:112-153). Such multiple inversion, risk, of course, upsetting everyone, as can be seen in the reception of critical realism as a philosophical stance that is neither purely positivist, nor purely interpretivist, nor purely critical.

⁵ In the IR sense of the term, not to be confused with ontological realism.

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argued that current theories of global politics (as found in IR or European Union (EU) studies) are unsatisfactory for at least three reasons.

For one, the assumptions made by many theorists concerning 'human nature' and what people value and desire are often too simplistic. The (admittedly also simplistic) sketch just presented, for example, demonstrates that most cooperation theorising starts by assuming that state officials have *just one* basic value, interest or goal (e.g. security, power, wealth). But as the sketch shows, neither functionalist, nor realist/liberal assumptions about basic values, interests or goals fully explain actual cooperation. Form does not always follow function, and yet states, via their officials, *do* cooperate, even in security matters. Put differently, theories of global politics do not sufficiently address the fact that 'states' have several fundamental values, interests and goals, and that these are often in contradiction with one another. IR need more theories that account for the causes and consequences of *policy trade-offs*.

The ontology provided by many contemporary theories are also unsatisfactory. Implicit in the brief review above is the fact that IR scientists and scholars have tended to focus on states and 'the state system'. True, the 'black box' of the state has started to be 'opened', notably by foreign policy analysts, but this has largely led to studies of how *domestic* politics affect inter-state relations (and *vice versa*). Those who have studied so-called 'transnational' relations are still a minority (see chapter 2) – a major exception here are students of norm diffusion and Europeanisation (e.g. Argomaniz, 2009; Börzel & Risse, 2012; Katsumata, 2011; Knill, 2001; Lavenex, 2001). Rather, the current *doxa* of IR is to, *pace* Harold Laski, *treat states as people*, not only legally, but also theoretically (see Jackson, 2004; Lamb, 2004; Morefield, 2005; Wendt, 2004). Such a simplistic ontology necessarily fails to examine the interactions of officers from different states (and the interactions of state and non-state actors) and the effects of these interactions on policy-making and application.

Finally, current theories of global politics generally have an understanding of causation that is based on many fallacies (see Kurki, 2008; Patomäki, 2003; Wendt, 1998). This, in fact, is demonstrated in the problems just mentioned: theories of global politics generally focus on what Aristotle called efficient causality (i.e. "the primary source of the change or rest"), and fail to address material, formal and final causality (see Aristotle, 1999; Elder-Vass, 2005; Falcon, 2006; Mingers, 2014; Patomäki, 2003; Pratten, 2009; Wendt, 1998, 2003).

This thesis simultaneously studies efficient causality (i.e. what initiated or preceded the process in time); material causality (i.e. how the parts affect the whole), formal causality (i.e. holism, or how the whole affects the parts), final causality (e.g. motivations, intentions and reasons) (on the four causes, see sections 2 and 3 below). Of course, a few scholars have attempted to include some or all of these types of causality in their theories of international relations (e.g. Jervis, 1997, 2010a; Joseph & Wight, 2010; P. W. Schroeder, 2004; Wendt, 2003).

Puzzle

The 'puzzle' that theories of global politics leave unanswered is why there has been so much Western cooperation and so little Western integration. To IR realists and IR liberals, of course, this is not at all puzzling. For them, the statement that 'states' do not want to integrate is a tautology. For them, it is 'natural' that states value formal sovereignty and actual autonomy. But for critical and (some) constructivist scholars, there is nothing natural about states and their values. For evolutionary and

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anthropological theorists, states are just one form of social entity in a long history of such groupings. The who-when-where-why-and-how of security cooperation, and especially of the balancing of autonomy against more material 'needs' is something that *is to be explained*, and not just taken-for-granted. So, just as the thesis critiques orthodox IR theories, it also critiques *teleological* theories (on what can be salvaged from functionalism, see Anthony Giddens, 1976). To mix metaphors, the research 'puzzle' is 'the mechanics' of the state and interstate (security) cooperation, and the subsequent disfunction of the state system. The research, then, is akin to 'reverse engineering'.⁶

Objective(s)

The objective of this thesis is not to test a theory, but rather to *start developing a theory*. The theory that this thesis could help develop is one that would explain the causes and consequences of inter-state cooperation *in general* – this future theory might be called 'a general theory of inter-state cooperation'. And one of the questions the theory of inter-state cooperation would have to address is why voluntary *integration* (i.e. federalisation, union, amalgamation) is so rare⁷, yet voluntary *cooperation* so common. Why does cooperation occur, but not integration? Why were the Schmitts and the Monnets so wrong? This theory, of course, would hopefully overcome the lacunae just mentioned in relation to pre-existing theories of global politics.

Once established, such a theory could then be combined with theories of inter-state conflict and war, theories on separatism and civil war, and theories of irredentism, to eventually be integrated into wider social, anthropological and biological theories on the ecosystem of social groupings (see Buzan & Little, 2000; Service, 1971, 1975; Wendt, 2003). This being said, the ambitions of *this thesis* are far more limited. The immediate goal is to produce a first 'step' (i.e. 'block') that can then be used to develop the theories just mentioned. Thus, chapter 3 presents a critical realist theory of *security* cooperation between *Western* states (on future research, see chapter 7).

⁶ This said, analogies with biology (e.g. morphology, ecosystems) are more accurate.

⁷ One *post-1945* example might be the reunification of Germany.

Critical Realism: A Very Short Introduction

The focus of critical realism is not on epistemology, but on ontology. According to a realist philosophical ontology, the natural and social 'worlds' exist independently of an observer's ideas, but knowledge (even false knowledge) is dependent on the worlds (Sayer, 2000a, p. ix). Thus, the relation between knowledge and reality is asymmetrical, like Narcissus and his reflection (Sayer, 2000a, p. 90; Žižek, 2012). This means social scientists must employ a different conception of causation, one that does not centre around the observation of constant conjunction. If one accepts that entities have real properties that are not necessarily expressed and that events are not always observable, then one can employ Aristotle's fourfold conception of causation (i.e. formal, material, efficient and final causation) to devise explanations (Kurki, 2008; Patomäki, 2003, 2010).

According to Roy Bhaskar and Andrew Sayer, critical realism's method for studying these worlds is much like that of the game of twenty-questions (Bhaskar, 1979a; Sayer, 2000a, p. 56) – the independence of reality allows for our knowledge of the world to be checked against something (i.e. reality) (Sayer, 2000a, pp. 204-250). The *fallibility of knowledge* does not mean *rational judgement* is impossible, but rather that it is both necessary. The recognition of instances of falsification is the foundation of validity tests. Thus, although critical realism's epistemology is relativist, it also claims that judgement can be rational (Bhaskar, 1978, 1979a).

According to critical realism, the social world (and possibly also the natural world) should also be understood as an *open* system (Bhaskar, 1979b; Patomäki, 2010; Sayer, 2000a, pp. 98-101). In other words, the properties of entities might change over time. The transient nature of entities means predictions are difficult, and that generalisations must be time-bound.

Study Design, Case Selection and Limitations

Study Design

Since the thesis focuses on theory development and is based on a critical realist philosophy, positivist concerns over 'sample representativeness' are moot. In other words, falsification and statistical generalisation are not the objectives of this thesis, and in fact another set of case selection criteria apply, i.e. those of case studies and theory development. According to these criteria, the cases and the cases within cases must be, *prima facie*, "peculiar", distinctive, unique, extreme, at the limit – in a word, *atypical* (Hyett, Kenny, & Dickson-Swift, 2014). The objective is to study cases *and relations between cases* that, *a priori*, contradict what is taken for granted, taken as natural, in the hope that exceptions, limits, and boundaries can be identified (on estrangement in the arts, see D. Robinson & Shklovskii, 2008).

Clearly, the search for atypical cases is not new. To the contrary, it has been used by some of the most respected social theorists, most of whom did not (explicitly) ground their work in a critical realist philosophy. Both Carl von Clausewitz and Max Weber sought to construct analytical concepts by following logical reasoning to its *extremes* (Clausewitz, Paret, & Howard, 1976; Max Weber, 2011). Empirically, Michel Foucault sought *alterity* in the history of madness, in the sexuality of ancient Greeks, and in the radical lives found in avant-garde literature. Similarly, Pierre Bourdieu questioned the unquestioned by studying the history of art and the history of the state (i.e. unfamiliar and 'distant' cases). And Anthony Giddens looked for the 'constitution' of society in the epitome of *an atypical case*,

namely the daily lives of Jews in Nazi concentration camps (Bourdieu, 2012, 2016a; Michel Foucault, 1976, 1992, 2014a; Anthony Giddens, 1984).

Some might retort that the selection of extreme cases is biased (D. Collier & Mahoney, 1996). One must note, however, that the very idea of bias assumes one is seeking a typical, normal case, i.e. a sample that represents a larger 'population'. The theory presented in this thesis does not claim such representivity. Instead, it only claims to be an *analytical* generalisation (Allison & Zelikow, 1999; Robert K. Yin, 2012, p. 6; 2013). The ambition is not to test the validity and representativeness of concepts and theories, but to develop and refine concepts and theories, to be tested in future research. Indeed, the thesis' external validity within 'the West' or beyond ought to be examined *via further research* (see chapter 7) (on the use of case studies for theory development, see Creswell, 2013; George & Bennett, 2005; Robert K. Yin, 2012).

The thesis, to be clear, is a study of states whose relations are *a priori* deemed less conflictual than the relations between many other groups of states.⁸ Indeed, since the end of World War Two, these states officers cooperate in virtually all policy 'areas', and in fact can be said to have *integrated in some of these*. In this sense, 'the West' could be considered a 'most-likely' group of states, in the positivist sense of 'likely' (i.e. if any state officials are going to cooperate in security matters, it would be these). This thesis is also, of course, a study of *the most conflictual* relations between all states, namely security relations (on first-order interests, see Mearsheimer, 2001, p. 46; Morse, 1973).⁹ In other words security cooperation can be considered the 'least likely' of all types of cooperation, in the positivist sense of likely (i.e. that if any sector will have limited cooperation, it is this one).

But one must also keep in mind this thesis is not based on a positivist philosophy of science. Probability and likelihood are of no concern. Rather, the thesis questions the very notion of states as discrete units that cooperate. In his theory of the global state, Martin Shaw refers to 'Western' states as "the global-Western state-conglomerate" (1997, 2000). Shaw's term is useful because draws attention to the fact that since 1945 these states have shared many material, social and ideational relations, and as such should not be considered 'hermetic' units of analysis.

In this thesis, this group of states is referred to as 'the West' and 'Western', but only because other terms are even more confusing¹⁰ (see case selection below) (on the history of the concept 'the West', see Bavaj, 2011; Bonnett, 2017; Gress, 1998). In a nutshell, 'Western' is simply a way of saying "post-World War Two allies" or founding NATO member states". But it might be better to leave the terms underdefined. Vagueness is not necessarily a problem, as the question of ontological limits is an empirical one. In fact, one of the objectives of this the thesis seeks to question many of the terms found in its title (e.g. 'states', 'Western'). Rather than imposing dogmatic 'cookie-cutter' concepts on reality, the ethos is akin that found in *On War*, i.e. a call for a "the constant reworking of concepts and testing propositions in the light of new experiences or historical evidence" (Strachan, 2008, p. 79).

⁸ Of course, cooperation between Western states has varied since 1945, and in no way should be considered linear or progressive. As Jean-François Lyotard noted, grand narratives are best abandoned.

⁹ To be clear, security relations between these states are seldom conflictual in the sense of being violent. Rather, they are conflictual in the sense of being relatively 'sensitive', contested and less integrated.

¹⁰ Many security scholars referring to the same group of states, use terms such as 'transatlantic' or 'Euro-Atlantic'. These terms tend to be less controversial than 'the West', but if one is not focusing on 'the US and the rest', the term 'transatlantic' tends to confuse and confound, leading the mind away from all things strictly European or North American and instead limiting attention to strictly US-European relations. Interviewees in Europe, for example, never understood 'transatlantic' relations as including strictly European relations.

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Considering the research rationale, puzzle, objectives, and design just presented, it will be clear why this thesis' research question is: **why does security cooperation occur between Western states?** Of course, accompanying this main question, is an interest in why cooperation varies across time and space, but also in depth (i.e. degree of integration), breadth (i.e. number of participating states) and scope (i.e. type of security cooperation). And in turn, underpinning why such cooperation occurs and varies, is the question of what makes such cooperation possible (for a detailed outline of the thesis, see section 3 below).

Case selection

What has been latent elsewhere in the world was made fully manifest by de Gaulle's France. The impulses toward independence in international affairs, regardless of their origins, have remained a fundamental factor in international life. However, the numbers and types of conditions that can be handled in the nation-state context have been changed. This is as true for a state of great scale, such as the United States, as it is for one of small scale, such as Luxembourg (Morse, 1973, pp. 316-317).

Unless one selects cases randomly or uses a grounded theory¹¹, there is no way to avoid selecting cases according to certain antecedent considerations (on the random selection of cases, see Fearon & Laitin, 2008). These criteria are often related to the preferred philosophy of science, favoured theory, and *prima facie* evidence. Positivist social scientists, for example, generally base their case selection criteria on a desire to emulate laboratory experimentation, itself based on a Humeian definition of causality and the Millian method of difference (on Humeian causation, see Patomäki & Wight, 2000, p. 228).¹² Positivist social scientists also base their case selection on theoretical assumptions and antecedent knowledge. Thus, when one posits that Western states will probably cooperate, such speculation is based on pre-existing theories of state cooperation (concerning liberal peace, democratic peace, security communities, etc.), statistical trends, common assumptions, etc.

As mentioned above, a critical realist case selection favours atypical cases over typical ones. This procedure is much like the positivist desire for *variation* in the dependent variable. In positivist terminology one could say that the goal of this thesis is to study the 'outliers', but without the objective of identifying constant conjunction. A least two of the cases selected, i.e. the US and Luxembourg, are *atypical*:

- Concerning national identity, officials of these three states often perceive their state as being unique or special. French heads of state, for example, have a well-documented history of perceived exceptionalism (Bozo, 2012; Morse, 1973).¹³
- Regarding resources such as relative population, staff, knowledge and know-how, equipment, territory, gross domestic product, etc. (factors at the heart of this thesis' analysis), the US and Luxembourg represent two extremes. France 'sits' somewhere in the middle.¹⁴

¹¹ And in fact, many argue that grounded theorists do not actually avoid them.

¹² Humean causation focuses on the constant conjunction of empirical events. The Millian method of difference also focuses on constant conjunction, deducing that if all but one circumstance is different between occurrences, then that circumstance 'caused' the difference. The method of difference does not allow for multifinality.

¹³ To repeat, one should not keep in mind a simple linear causation, where resources, status, geography 'lead' to cooperation or degrees of cooperation. Both the ontology of the state and the causal relations between the various parts and goals is far more complex.

¹⁴ We can note here that resources and identity are often related, but that there is no simple correlation or causal relation.

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- Moreover, the US government is a significant *global* actor and the Luxembourgish government is not. France sits somewhere in the middle.
- The US has few neighbouring (*de jure*) states and is isolated by two oceans, Luxembourg not – and again, in both aspects, France sits somewhere in the middle.

Cases		
United States	France	Luxembourg

Luxembourg?

Many will be surprised or even perplexed by the decision to study Luxembourg, but a cursory glance at the small states literature will quickly reveal the value of studying states such as Luxembourg. Many laymen and academics think only the largest and most significant states ought to be studied. This is because, in line with the rise of instrumental rationality, people tend to want research to be useful. And unless one lives in a relatively small state, studying the Lilliputians of the state system can be seen as misguided. Concerning the study of security cooperation, for example, some would argue that the states to be studied are those that are most involved in security cooperation or those that affect inter-state security cooperation the most. Of course, not all social scientists avoid studying smaller states. And of these, not all only study small states because they live or have lived in one. Many scholars study small states because of the subject matter's use to *science*. As Thorhallsson and Steinsson (2017) put it, studies of small states have “the potential for enormous intellectual payoffs for international relations and foreign policy analysis” (see also Veenendaal & Corbett, 2015).

Studying small states can provide inspiration, ideas and even insights, and this for two reasons. The first is the simple fact that without comparative and relational studies, one cannot know which states are relatively large or significant. But the second, less appreciated fact is that studying small states is a *complexity reducing exercise*. By studying small states, one studies large states writ small. One studies a microcosm. In view of this fact, it is clear that studying small states and comparing them with large states ought to provide great knowledge. Just as economists use thought experiments where the number of goods is limited, IR scholars can study actual states where the population, public administration, territory, and economy is limited.

The study of small states is so insightful that when one does study small states, one often ends up learning much about medium and large states. One discovers, for example, how vulnerable and weak medium sized states are. Statements such as “a free hand might come to mean an empty and unarmed hand” (Liska, 1968), and “the price of alignment is the loss of real independence and effective sovereignty” (Keohane, 1969) apply just as much to France as they do to Luxembourg. Similarly, one can also discover important insights about international relations. For example, “‘informal penetration’ is a pervasive phenomenon in contemporary international politics which works in both directions: Small states can penetrate large ones as well as vice versa” (Keohane, 1969). Here, of course, we realise how misguided it is to imagine states as hermitic entities, ‘sealed off’ from one another. Instead, we should be viewing social relations as a “totality” (Bailes, Thayer, & Thorhallsson, 2016). Like cartels, states communicate and coordinate; they share employees, capital, equipment, and expertise; they create joint ventures.

Reversely, the study of small states can lead one to conclude that a small state is not that small, i.e. that some small states are larger than others. The Netherlands is not Luxembourg, which is not Lichtenstein, which is not the Holy See. So, when one studies a small state, one in fact might not be

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studying a small state at all, but rather a not-so-small state. This is the argument of many small state scholars. These scholars seek to demonstrate not only the vulnerabilities of small states, but also their resources, capacities, capabilities, competencies, and influence (e.g. Keohane, 1971). Fewer diplomats and experts, for example, means less presence and skill in negotiations, but also more flexibility, better delegation, and more informality, which in turn means faster decision-making. Just like start-ups and boutique enterprises, small states can be more agile and more nimble than large(r) states (see Thorhallsson, 2018). They can be Davids to Goliaths.

Still, one may legitimately ask why influential states (such as the United Kingdom and Germany), other atypical states (such as Sweden, Austria or Switzerland), and other small and micro states (such as Iceland, Malta and Bermuda) were not included. The main reason is linguistic, meaning that it would have been impossible to read primary sources. As mentioned, the research was also designed to study most 'likely' cases, i.e. states that have a history of relatively significant security cooperation. Formally neutral and non-aligned states were not the focus. Future research should expand this thesis' research into other types of states and other regions of the world, including not only neutral states, but also states that cooperate much less or states that even have a history of conflict (see chapter 7).

As mentioned, this thesis explores the boundaries of states, with a special focus on inter-state cooperation. This, in fact, justifies the use of case studies – case studies, by definition, are inquiries about *phenomena* in context, “especially when the boundaries between phenomenon and context are not clearly evident” (Robert K. Yin, 2009, p. 18).

The in-depth focus on the case(s), as well as the desire to cover a broader range of contextual and other complex conditions, produce a wide range of topics to be covered by any given case study. In this sense, case study research goes beyond the study of isolated variables (Robert K. Yin, 2012, p. 4).

This said, one of the major 'outputs' of this thesis is also the conceptualisation of states as *organisations of organisations*, which includes state *security organisations* (i.e. agencies). In other words, the thesis also focuses on inter-state security organisation cooperation. Within the research design, state security organisations are “embedded subcases” (i.e. subunits of analysis) (Robert K. Yin, 2012, p. 7). Inasmuch, the thesis is *an embedded multiple case study*. Embedded case studies differ from holistic case studies in that they focus on specific parts of cases and examine these subcases in detail (Scholz & Tietje, 2002; Robert K Yin, 2006; Robert K. Yin, 2012; Robert K Yin, 2013).

The rationale for selecting specific types of state security organisations is similar to the state selection rationale – the focus is on the *a priori* most distinctive, unique and extreme cases. Just as *security* relations were selected because they have been the most conflictual, or at least the *least integrated*, the study of *state organisations* has been limited to *the most violent* of state organisations, namely the armed forces, law enforcement and intelligence organisations. The interest in violence is based on a pre-existing definition, namely that of the state: states are generally defined by their ability to maintain a quasi-monopoly of legitimacy to regulate violence (i.e. force) by and on a population within a certain territory. The ability to maintain legitimacy and effective control on all things relating to physical violence is understood as what *distinguishes* one *de facto* state from another *de facto* state. Overall, it can be argued that cooperation 'in the boundary condition' is the epitome of *an extreme case*.¹⁵

¹⁵ Of course, many policy 'sectors' and state organisations (i.e. agencies) (regulate the) use (of) violence (e.g. incarceration, border and coast guards, immigration, customs, etc.). Due to resource constraints it has not been possible to study all of these (on future research, see chapter 8).

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Cases		
<i>United States</i>	<i>France</i>	<i>Luxembourg</i>
Armed Forces	Armed Forces	Armed Forces
Law Enforcement	Law Enforcement	Law Enforcement
Intelligence	Intelligence	Intelligence

Limits and Simplifications

Although much effort was put into designing the ‘perfect’ research, this thesis, like all theses, is ‘all too human’. Three caveats ought to be made about the thesis’ limits (i.e. imperfections), and similarly, three types of simplifications inherent to the theory developed ought to be made explicit from the start. The three limits concern 1) the thesis’ structure and focus, 2) the period studied and theorised, and 3) the empirical evidence examined. In turn, the three simplifications concern change (i.e. variation in time), abstraction and the limits of any regressive argument.

Limits

As much as the selection of states was based on a desire for contrasting cases, the selection of subcases (i.e. types of state security organisations) was based on a search for replicability, i.e. the ambition was for the comparison to be focused and *structured* (see George & Bennett, 2005). Similarly, the selection of types cooperation was designed to be both focused and structured. But comparison also highlights contrasts. Both the comparison of security organisations and the comparison of inter-state cooperation confirm the existence of *differences* between types of organisations and types of cooperation. Each state’s law enforcement, for example, has a different structure; *the same function can be fulfilled by military officers in one state and by intelligence officers in another*; and each type of organisation ‘requires’ different types of cooperation (e.g. armed forces might ‘need’ bases, while law enforcement might ‘need’ criminal law harmonisation) (on concepts in comparative research, see D. Collier & Gerring, 2009; D. Collier & Levitsky, 2009; D. Collier & Mahon, 1993; Sartori, 1991; Sartori, Riggs, & Teune, 1975).

As mentioned above, to theorise inter-state security cooperation, the thesis focuses on Western states and, for scientific and practical reasons, the thesis only examines three ‘cases’ (i.e. the US, France and Luxembourg). The ideal would be to study the cooperative relations of these three states with *all other (de facto-de jure) states*. This would allow the investigation to start with a series of network analyses (i.e. of material, social, legal, and ideational networks) (for an example of such work within one state, see Whelan, 2012). After all, in its most basic form, comparing cooperation *is* network analysis. Concerning the study of inter-state security cooperation, however, the dearth of data makes such mappings impossible.

Empirically the thesis is limited to the US, France and Luxembourg’s relations with other Western states. But, in fact, time, funding and space constraints have made a systematic study of the three

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states' security relations with other Western states impossible. The final, imperfect result is that the emphasis has been put on security cooperation between the US, France and Luxembourg, all while trying to not lose sight of multilateral forms of cooperation or the three states' cooperation with other Western states.

Due to time, space, funding, and information-access constraints, the minutiae of specific cooperative processes at specific historical periods has mostly been ignored. For the same reasons, the empirical chapters *focus on the 21st century*. It need to be said, however, that narrating the long history of cooperation or describing the specifics of a particular historical occurrence would be a different type of endeavour.¹⁶ The thesis' objective is theory development, and not process-tracing or a detailed and nuanced history writing. The thesis is a political sociology of security cooperation in the 21st century, and not a sociological history of security cooperation in the 19th, 20th and 21st centuries. Consequently, the concepts and theory developed herein should be seen as being limited the 21st century. This said, references to the 20th and 19th century were occasionally necessary both in the 'empirical' chapters (to question some taken-for-granted norms and practices) and in the 'theory' chapter (to show what a fully-fledged theory of security cooperation would entail). The concluding chapter underlines the nature and temporal limits of the thesis by stating that future research should cover earlier historical periods of Western security cooperation.

Throughout the thesis *empirical examples* are given as evidence supporting the theory (to be) developed. Although these 'vignettes' of contemporary history are not anecdotal, neither are they exhaustive. Seeing that the objective of the thesis is theory development, and not theory testing, 'sample representativeness' is not an issue. The conceptualisation and theorisation that helped produce this thesis required 'going' from the concepts to the data and back, in an iterative, spiral-like fashion. In this back-and-forth, an effort was made to avoid making reality fit the model or to present *phenomena* as more logical, rational or orderly than they actually are (see Bourdieu, 2003, pp. 86-90).

There is a chance, of course, that some of the examples selected and presented are the product of subjectivity and value bias. The greater problem, however, in terms of data collection and analysis at least, is the paucity of public information on security cooperation. Here the famous Indian parable of the blind monks studying different parts of an elephant is apt, not necessarily because of human bias and subjectivity, but due to *the incompleteness* of the data collected. Obviously, scholars and scientists are never omniscient, but security studies is a field known for *data scarcity*. To try to overcome this, several types of sources were used:

- **interviews** (15 in-person, 1 *via* teleconference, all 1-hour long and semi-structured¹⁷, with a total of 18 'elites');
- **archival records** (both declassified and classified (i.e. 'leaked'));
- **documents** (state policy documents, annual reports by organisations, reports by parliaments and non-governmental organisations, autobiographies, books by investigative journalists, articles by newspapers and magazines, etc.);
- **participant observation** (i.e. a two-month internship at the US mission to NATO).

¹⁶ Due to the secrecy and distrust germane to all things security-related (see chapter 2), accounts of security cooperation are unavoidably replete with temporal 'jump cuts'.

¹⁷ N.b. Not only is this thesis's research design structured and focused, but the interviews conducted for the thesis were also structured and focused: every interview was based on quasi-identical questions concerning what type of inter-state cooperation occurs, why and how. This said, the interviews were only 'semi-structured' in the sense that the conversations were allowed to go somewhat off topic, as the interviewee deemed necessary.

Of course, each of these sources has limits. Classified (i.e. leaked) documents, for example, are difficult to authenticate. This difficulty, however, need not mean the abandonment of their use. Like most things in science, the correct response to the discovery of ‘facts’ is to search for corroborating or falsifying information. But before that (and even after), the facts must be evaluated (i.e. judged) rationally, for all knowledge is fallible. All that humans *know* of the (natural and social) ‘world’ (including knowledge of empirical evidence) is concept-dependent and theory laden, and thus fallible (Sayer, 2000a, p. ix). Therefore, one must acknowledge that documents, be they unclassified and declassified, be they found in archives or websites, must always be taken ‘with a grain of salt’. The sceptical attitude is even more necessary today, when ‘post-truth’ is an Oxford Dictionaries’ ‘word of the year’ and students are learning how to detect ‘fake news’ (Coughlan, 2017). Whenever factual debate loses value and deception is normalised, all information – including classified information – should be examined critically.

In addition to falsification, corroboration is also a type of rational judgement, which in the social sciences is often referred to as ‘triangulation’. When one uses several sources, several types of sources, several theories, or even several researchers, one is ‘triangulating’ (Denzin, 2017; Rothbauer, 2008). The ambition here is not just to find the ‘truth’ and ‘nothing but the truth’, but also the ‘whole truth’. Triangulation can help falsify and corroborate, but also *contextualise*. So, even if it is not always possible to confirm or deny a particular fact, the use of many sources, many types of sources, many cases, many theories, and many researchers (via supervisor-, examiner- and peer-review)¹⁸ helps one be confident that, as a whole, the research is (even if always fallible) generally valid. Regarding classified documents, for example, it may not be possible to confirm a specific fact, but, via triangulation, it will be possible to confirm the authenticity of the leaked documents and their contents in general. The academic *non-use* of recent classified documents leaked by Edward Snowden is an interesting case: many academics avoided using the material, not because they are believed to be fake, but because they are believed to be *authentic*; some young academics fear using such material will hurt their careers in the USG, while senior intelligence scholars (e.g Mark M. Lowenthal) want to respect the USG’s call to not discuss the classified information (on government-academic relations, see chapter 2) (on the USG’s and the GUK’s validation of Snowden documents, see Norton-Taylor, 2014).

Another obvious limitation in the sources listed above is their *paucity*. Only a few officials were interviewed, only a few archived documents consulted, only a few annual reports read, and only a few weeks spent in just one relevant organisation. In part, these limitations are the result of the resource constraints found in any non-funded, single-author doctoral thesis. But the main reason for the low number of empirical sources is to be found in the research objective, which is to build a theory that focuses on cooperation in the 21st century. But, as mentioned above, the objective of the thesis is *theorisation*, and not detailed narration – hence the abundance of texts in the bibliography dedicated to abstraction and explanation. Following the tenants of Critical Realism, the objective is to go beyond empirical events and, via analogy and metaphor, create a model (i.e. a simplification) of reality (see Patomäki, 2003; Patomäki & Wight, 2000, p. 224). Thus, even the narration of the recent past will be far below the standards of the *historical* method.

¹⁸ As Paulette Rothbauer puts it, “respondent or member validation is a related cross-checking strategy that does not usually extend as far as making people co-investigators, but does invite research participants and other stakeholders in the research project to comment on research findings” (2008).

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Regarding the difficulty of access, secrecy is also part of the explanation (see chapter 2). Of course, one way to circumvent governmental secrecy would be to ‘go back in time’, to an archival period which has now been mostly declassified. In the US, for example, all government documents from before the 1930s have been declassified, most governmental documents that are over 75 years old have been declassified, and many documents from the 1950s, 60s, 70s, and even the 80s have been declassified (CIA, 2018c). So why focus on the 21st century? Although military and police cooperation did occur in the 19th century, it did not become systematic until the 20th; it was not until the 20th century that intelligence (and thus intelligence cooperation) was differentiated from military and police affairs; and it was not until after WWII that all three types of cooperation gained such depth and breadth (Bigo, 1996; de Graaff, Nyce, & Locke, 2016; Deflem, 2004; Haslam & Urbach, 2013; Jensen, 2014). And as will be shown throughout the thesis, the ‘revolution’ in information and communication technologies, which became significant *in the 1990s*, led to profound changes in social life in general, and in Western security cooperation in particular. As noted in section 1, considering these social technical changes, part of the puzzle, then, is why cooperation has not led to outright technocracy, i.e. why functionalist scholars and anti-enlightenment pessimists were both mistaken. The answer to this question can only be found via the study of the contemporary era (on future research on the more ‘distant’ past, see the chapter 7).

Simplifications

“We [scientists] cannot work without hoping that others will advance further than we have” (Max Weber, 2009).

The process to which Weber was referring is now called successive approximation: “theories are not so much wrong as incomplete” (Asimov, 1989; Patomäki & Wight, 2000). Naturally, the concepts and theory sketched out in this thesis are no exception. In fact, this thesis is based on three types of simplifications.

The first type of simplification is the most problematic: the *stasis* of states. Very few scholars have conducted comparative studies of inter-state security organisation cooperation, and even fewer have conducted comparative studies of different *types* of inter-state security organisation cooperation. And, in a way, this thesis helps fill that ‘gap’. But it should be clear that John Stuart Mill’s methods of induction were designed to explain *regularities* and not *change* (1846). Comparative studies are designed to ‘hold’ certain ‘variables’ constant. For example, the idea behind studying (supposedly) similar states (i.e. the method of difference) is to reduce “the complexity of reality” (Creswell, 2013, p. 7). Such a transatlantic-focused research designs date back to 1835, when the jurist Alexis de Tocqueville tried to identify what sustained “democracy in America” (and not in France). According to de Tocqueville, the US was a good ‘case’ because France and the US “paralleled each other sufficiently” (Alexis de Tocqueville, 1842, p. XX). As Mill wrote in his review of de Tocqueville’s manuscript, “the value of his work is less in the conclusions, than in the mode of arriving at them” (1859, p. 4).¹⁹

And yet, this thesis questions both 1) the *prima facie* evidence of similarity (in resources, values, etc.), and the idea that these states have remained the same entities. In fact, as suggested above, the thesis

¹⁹ Mill and de Tocqueville knew and respected each other, and in fact Mill wrote a review of de Tocqueville’s study for the *London Review* (Bobbio 2005:51, Mill 1859).

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questions the very notion of states or security organisations as ‘cases’. Any study of cooperation (however defined) takes for granted that certain entities interact with other entities. If there is no *interaction*, there is no object of study. We must keep in mind then that *cooperation is the explanandum*, not states.

This said, the *explanans* still requires a basic definition of ‘the state’. This, moreover, leads to the question of defining and determining when a state *becomes* and *ceases* to be a state. Too strong a dependence on simple pronouns, such as ‘the US’ and ‘France’, can lead to anachronisms (Bourdieu, 2012, p. 170) (see also John Stuart Mill, 1846; Peirce, 2015). Put differently:

A “case” is generally a bounded entity (a person, organization, behavioral condition, event, or other social phenomenon), but the boundary between the case and its contextual conditions—in both spatial and temporal dimensions—may be blurred [...] (Robert K. Yin, 2012) (emphasis added).

It might seem contradictory to use the comparative method to study ever-changing states, with ever-changing spatial, temporal and social boundaries, but the paradox is in fact superficial. It is only through comparison that empirical differences can be noted, and (more importantly for this thesis²⁰) that boundary definitions can be refined and developed.

Admittedly, just as the comparison of states can lead to reification and oversight, so can the comparison of state organisations (i.e. agencies). Just as with states, the obvious risk is that of ignoring change overtime. In addition to this, one can note the danger of inaccurate categorisation. By placing state security organisations into dichotomous sub-types (i.e. military, law enforcement, etc.), many of these agencies’ activities might be mislabelled. Likewise, the division of state security organisation into subtypes means intra-state cooperation is overlooked. And so, just as it the thesis simplifies the degree of change over time of each state, the thesis also simplifies the degree of change of each agency over time – even if one focuses on the 21st century, many historical events related to these agencies are not mentioned in this thesis. But one could also argue even the most detailed historical narrative would not be able to produce a mirror of actual events.

The more problematic simplification is the oversight of *intra*-state cooperation and the occasional mislabelling of agency operations. Resource constraints have meant that it was not possible to examine intra-state cooperation between military, law enforcement and intelligence agencies in detail. This is an important topic in its own right. To compensate for this oversight, the thesis does address such cooperation whenever it affects *inter*-state cooperation. So, for example, the thesis does occasionally address intra-state conflicts over state resources (i.e. turf wars, bureaucratic politics), but this is most definitely not the focus of the thesis.

Another clarification must be made at this point. All analytical divisions are artificial, and this should be understood as representing ontological divisions. In other words, the labelling of different agency types should not be understood in a functionalist light. As repeated throughout the thesis, organisations do not have just one goal, and in fact their goals change over time. Just as military and police organisations often have intelligence units, intelligence organisations often participate in armed combat and criminal investigations. In fact, via concepts and strategies that seek to integrate numerous ministries (e.g. whole-of-government, fusion, hybrid warfare, etc.), everything can become war and war can become anything (see R. Brooks, 2017). The idea behind the comparison of ‘types’, however, is simply to study agencies that tend to cooperate with each other internationally. So, to the

²⁰ Recall that, in this thesis, ‘theory development’ also entails the development of what a ‘case’ really is.

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degree that one state's military cooperates more with another state's military than it does with that state's intelligence or law enforcement forces, the typology has analytical merit.

The second, related, simplification is that of abstraction. This thesis deals with nouns more than pronouns. At times the thesis 'goes down' several 'rungs' on 'the conceptual ladder' (to compare types of cooperation or even actual cooperative occurrences), but overall the explanation is abstract (on 'the conceptual ladder', see D. Collier & Levitsky, 2009; D. Collier & Mahon, 1993; Sartori, 1991). This means that the explanation is more theoretical (i.e. abstract, pure) than applied (i.e. concrete, practical) (Fullbrook, 2009, p. 192; Lawson, 1997, pp. 220-221). The thesis hopes to identify general underlying structures and their observable tendencies – it does not, like a police detective, claim to explain *specific historical occurrences*. Such abstraction is not a flaw. "The benefit of theory is that it can be generalised" (Fullbrook, 2009, p. 192). Moreover, such abstractions can and ought to be subsequently applied to specific occurrences or processes of interest.

The third simplification relates to the 'emergent' nature of reality (on emergence, see Bhaskar, 1979b, pp. 97, 165, 207; 1986; Bourdieu, 2012, pp. 137-138, 323; A. Collier, 1989; Creswell, 2013; Elder-Vass, 2005; 2010, pp. 5, 13-39; Habermas, 1971a; Lawson, 1997, pp. 63-65, 124, 130-132, 175-177; Mackie, 1965; John Stuart Mill, 1846, p. 243; Mingers, 2014, p. 59). When a young child repeatedly asks why, one can provide causal explanations that go back in time, as a historian does, or one can move down a 'layer' of reality and describe the constitution of the entity, as a sociologist does. The danger, of course, is that the child keeps on asking why, leading to a regress back in time or to the smallest entities (G. King, Keohane, & Verba, 1994, pp. 85-87) (on 'the first cause', see Aristotle, 1999). The ideal here would be to construct a coherent causal index (i.e. a model, a diagram) (Peirce, 1958), full of if/then statements, much like what is found in software programmes, dictionaries and board games: if question why 'X' is asked, see answer 'Y'. But the truth is that theories of the origins of the universe, of the smallest and largest entities, both natural and social, are all imperfect and contested – humanity has many known unknowns, and so does this thesis (on future research, see chapter 7).

Summary and Outline

Summary

As a first step in a larger project in theory development, the thesis can be understood as a work in progress. This said, as an answer to the initial research question (i.e. Why does security cooperation occur between Western states?), it is also coherent and systematic.

As Aristotle argued, 'why' questions often concern causation and thus usually call for an explanation (see Aristotle, 1999; Falcon, 2006; Pratten, 2009). The explanation provided in this thesis is broadly based on Aristotle's four causes (i.e. formal, material, efficient, and final causes). In explaining **formal** causes, the thesis presents an ontology of the state and state groupings, but also explores the emergent properties of these wholes and parts. Concerning **material** causes, the focus has been on the spatial and physical aspects, but also on the role of technology, economics and industrial production.²¹ *Vis-à-vis* **efficient** (i.e. prior) causes, the thesis examines functionalist and systems concepts such as 'spill-over' and 'feedback'.²² Regarding **final** causation, the thesis examines the degree to which the goals each state pursues are mutually exclusive.

²¹ This interpretation of 'material causes' differs from Wendt's, who has this referring to the parts that compose the state (Wendt 2003:495).

²² I.e. final causation (i.e. the purpose of organised action) can become an efficient cause.

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The scientific ontology presented states that persons, organisations and states (as organisations) are grouped into normative ‘interaction groups’, associations and organisation groups, based on common rules (i.e. norms) (on how this applies to persons, see Elder-Vass, 2010). As long as acceptance and enforcement of these common rules affect personal or organisational actions, they can be considered real. This ontology helps to understand that persons, associations and organisations (including states) are often expected to fulfil several (i.e. intersecting) roles that are mutually exclusive (i.e. contradictory).

The material explanation can be divided into three major topics, all of which are related: 1) how time, space, geography, and technology constrain and enable inter-state security cooperation; 2) state openness and 3) the political, economic and strategic implications of the defence industry, including satellite production.

Much of the explanation of efficient causation is based on the (perceived) consequences of openness. This said, the thesis’ explanation of efficient causation is also based on *the history* of state security professions, informal and formal professional associations, and the spread of professional standards, techniques and curricula. Combined with the ontology mentioned, historical sociology helps explain how certain security practices become ‘best’, normal and expected. If one wants to avoid naturalising and de-politicising state practices, such a historical sociology is essential.

Concerning efficient causation, the thesis also tries to determine under what circumstances and to what degree inter-state security cooperation causes or requires a loss of state autonomy. The major ‘output’ here is a thorough conceptualisation of state autonomy. The chapters also suggest that autonomy losses can and might affect future inter-state security cooperation. Unfortunately, a lack of evidence makes such considerations difficult. Regarding final causation, the thesis argues that state actors tend to pursue three (always subjective) end-goals: economic prosperity, physical security and political autonomy.

The thesis’ central argument brings these four causal explanations together by arguing that cooperation should be understood as an organisational ‘coping mechanism’ (on inter-organisational theory, see Aiken & Hage, 1968; H. Aldrich & Herker, 1977; Bachmann, 2001; Blau, 1972; Hannan & Freeman, 1989; Heffron, 1989; Pfeffer & Salancik, 2003; Schwartz & Jacobson, 1977). Openness, and normative and strategic prohibitions on violent, coercive or unilateral appropriations result in a degree of resource dependence that often functionally ‘require’²³ integration for a goal, mission or task²⁴ to be accomplished. But normative prohibitions on integration (i.e. a desire for sovereignty and autonomy) – which is often reinforced during professional training – lead to state officers seeking cooperative ways of obtaining resources and reducing the uncertainty of future obtentions of similar scarce resources. ‘Cooperative ways’ (i.e. coping mechanisms) include:

- **interactions** (i.e. ‘lobbying’, *via* meetings, liaison, co-option);
- **associations** (i.e. ‘cartels’, formed *via* international treaties, standardisation, best practices, common curricula, etc.);
- **organisations** (i.e. ‘joint ventures’, e.g. inter-state agencies).

²³ As noted in chapter 3, the functionalist theory presented in this thesis is ‘weak’ in the sense that it highlights the subjective, normative and inherently political nature of all policy goals. All allusions to cybernetics must be understood as an imperfect analogy.

²⁴ It must be noted that state security organisations do not just protect a state’s populations. They have several, changing goals, missions and tasks, many of which have *no* direct relation to the physical protection of citizens and populations.

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The explanation for the provision of resources and the acceptance of interaction, association and joint ventures is context-dependent, and can be due to coercion, threats and issue-linkage. This said, between 'Western' states at least, acquiescence is often based on a material, informational and symbolic *quid pro quo*.

A Brief Outline of the thesis

After this introduction, the second chapter provides a review of the relevant literature, covering both works on inter-state security cooperation in general, and works on inter-state security organisation cooperation in particular. This said, the review does not just focus on topic. It also divides the texts by period, number of cases, and relation of the author to a state. To explain the lack of comparisons of cooperation by type, location and period, the chapter argues that it is only recently that it has become possible to study the state according to academic criteria, and not according to religious, political or economic imperatives.

The third chapter presents a theory of security cooperation between Western states. This theory is retrospective in nature, in the sense that it asks, *à la* Kant, what makes inter-state security cooperation possible. This type of reasoning (i.e. inference), which Charles Sanders Peirce called "abduction", is typical of critical realist philosophy and social science. The answer as to what makes inter-state security cooperation possible consists of:

- **an ontology** of state groupings, state organisation groupings, and personal groupings;
- a discussion of how such groupings are affected by **time and space** (thus producing a four-dimensional ontology);
- and an explanation of **changes** in intra- and inter-state groupings.

This chapter is based on the work of philosophers, sociologists and organisational theorists, this theoretical chapter also takes inspiration from Nobel-winning theories found in *transaction costs* economics.²⁵

The following three chapters focus on the selected states and their security organisations (i.e. agencies).²⁶ Chapter 4 examines military cooperation, focusing on equipment procurement. The fifth chapter's inquiry concerns law enforcement cooperation, specifically *police* cooperation. Here, special attention is given to legal 'harmonisation' and joint training. Chapter 6's topic is intelligence cooperation. The argument here is that much less autonomy has been relinquished in intelligence matters than in military and law enforcement matters. Much of the discussion concerns joint operations and data sharing.

The case study results are basic. Inter-state cooperation (in terms of quantity) largely depends on the number of available staff. Intelligence cooperation shares aspects of both military and law enforcement cooperation, but the latter two have less in common. The most understudied type of cooperation is arguably joint education and training. This is unfortunate, for it is the area with the richest potential for effectiveness gains and autonomy losses. Regarding forms of cooperation, the literature often makes a distinction between *formal* and *informal* norms and relations, and this is how

²⁵ All while omitting assumptions about rational choice and profit-making.

²⁶ Chapter 3 is also based on the case studies.

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many state officers present things, but the distinction is analytically misleading, for all formal relations and norms are accompanied by unwritten norms and relations, and *vice versa*.

The final chapter concludes by 1) summarising the thesis, 2) presenting a research project, and 3) discussing how the thesis relates policymaking.

2. Comparing ~~Secret~~ Inter-State Cooperation: A Challenge

The individual is left alone with these pieces like a child with a puzzle: the difference, however, is that the child knows what a house is and therefore can recognize the parts of the house in the little pieces he is playing with, whereas the adult does not see the meaning of the “whole”, the pieces of which come into his hands. He is bewildered and afraid and just goes on gazing at his little meaningless pieces (Fromm, 2001).

In July 1887, Woodrow Wilson published an article in *Political Science Quarterly* calling for more political scientists to study administration. “Before entering on that study”, he wrote, “it is needful”:

- To take some account of what others have done in the same line; that is to say, of the history of the study.
- To ascertain just what is its subject-matter.
- To determine just what are the best methods by which to develop it, and the most clarifying political conceptions to carry with us into it (1887).

Wilson hoped that such a research project would help rationalise the state as an organisation. His ultimate goal was to make the state more effective, efficient and expedient. Yet, like many before him, he believed that preliminary reading and analysis would make the inquiry more effective. Behind such claims was the ancient belief that scholars should be like “dwarfs perched on the shoulders of giants” (Saresberiensis & MacGarry, 1955, p. 167).

This chapter covers some of Wilson’s suggested preliminaries to the study of the state, with a twist of reflexivity. This chapter provides:

- a *history of the study* of the state that reviews *what others have done*;
- a focus on the number of cases studied (i.e. the methods) by each state scholar;
- and a review of these authors’ relation to the state.

Overall, the argument is that as much as social scientists have compared state security organisations (i.e. state agencies) and studied inter-state security cooperation²⁷, few have *compared cooperation* and virtually none have compared different types of cooperation. The chapter also briefly suggests three plausible explanations for such a ‘gap’, namely state secrecy, a lack of academic autonomy, and the transnational nature of the state. The first is seen as a barrier to data collection, the second as a barrier to theorisation, and the last as a barrier to comparison.

Conducting such a review and making such arguments should make the thesis’ subject-matter clear: it is an attempt to compare different types of inter-state security cooperation and theorise why such cooperation occurs, why it varies, and what makes it possible. Thus, much of the value of this thesis is to be found in *in the analysis of the subject matter*. In other words, *pace* Wilson, the ambition of this thesis is not to help make inter-state security cooperation more effective, efficient or expedient, but rather to explain why such cooperation occurs in the first place.

²⁷ Due to space and time constraints the literature on inter-state cooperation against specific types of threats (e.g. counterinsurgency, counternarcotics, counterterrorism, counterintelligence, etc.) has not been reviewed. This said many of the generalisations on the ‘state of the science’ hold.

State Security Organisation Studies

In the *System of Logic*, John Stuart Mill presents what is called the “deductive-nomological” model of explanation (J.S. Mill & Robson, 1996; F. Wilson, 2014). The model is deductive because it suggests that the researcher, taking inspiration from related theories, formulates (i.e. deduces) a number of *hypotheses*, to be ‘tested’ via experiment and falsification. The model is nomological because it suggests that those hypotheses that are not falsified can be used to formulate scientific *laws*, systematised within a theory. Where there are no laws, there is a gap – “and it is the aim of research to fill in those gaps” (F. Wilson, 2014).

Although the scientific method is imperfect, it remains true that any research question and any subsequent explanation of phenomena depends on pre-existing theories, concepts and overarching, often taken-for-granted paradigms (i.e. episteme, *doxa*). Therefore, the following review not only identifies gaps in the inter-state security cooperation literature, but also highlights some of the concepts, theories and paradigms that (sometimes implicitly) frame such research. Such a *critical* and *reflexive* review can only help increase the intellectual autonomy of state scholars from the state, but also from their own ‘self-incurred immaturity’ (Bigo, 2011, p. 230; Bourdieu & Wacquant, 2014; Michel Foucault, 2004; Kant, 1784). Such a strengthening of freedom of thought can only reinforce any subsequent validity claims (Bourdieu, 2003, pp. 176-184).

This first section provides a *brief history* of the field, reviews contemporary *comparative* research, and then focuses on regional studies. As mentioned, the main argument is that there have been few comparisons of cooperation, and virtually no comparisons of cooperation by different types of organisations (e.g. armed forces, law enforcement and intelligence).

A Brief History of State Studies

The following historical account is useful to the thesis in two ways. First, it sketches the gradual liberation of state scholars from state stakes and state imperatives, and the consequent creation of a ‘sub-field’ within academia. In other words, this history explains what made this thesis possible. This said, the short history is also beneficial to the thesis’ content and argument, for it traces both the provenance of traditional theories of the state and the actual transformation of states as organisations and their relations with other social groupings claiming expertise. The crucial point to retain here is one that Max Weber made a century ago: the state (*qua* organisation) has no fixed end (i.e. *finalité politique*); like all organisations, it is completely malleable, and it is only in the confrontation of a particular state with what it is not (i.e. its environment) that one will see if that particular state (*qua* organisation) endures (on Weber's theory of the state, see Andreas Anter, 2014).

In the 15th and 16th centuries, virtually all scholars of the (city)state were also scholars *for* the state (e.g. Bacon, 2009; Bodin, 1993; Machiavelli, 2003; Naudé, 1673). Academic fields (law, science, art, etc.) were not fully differentiated, and thus these authors were not only polymaths, but also *practically* minded. Not only did they seek to legitimise state officials

(against religious officials), but they often sought to defend the practical value of their expertise vis-à-vis the amateurism of the highest state officials (see Bourdieu, 2012; Emile Durkheim, 1893, 1969). Niccolò Machiavelli, for example, sought to be (paid to be) a counsellor to 'the prince'.

In the 17th and 18th centuries, a reverse tendency began. States were becoming more organised, more bureaucratic. Part of this transition to modernity included enlightened state officials becoming interested in abstract, theoretical matters. Criminal justice, policing, and warfare, for example, were developed and refined (see, for example Beccaria, 1786; de Jomini, 1838; Wakefield, 2009). Of course, much of this scholarly work was ultimately meant to be useful (to individuals, states, or both), but conceptual and theoretical development were seen as *necessary precursors* (Proctor, 1991, pp. 30-35). It is also important to note the cosmopolitan nature of much of these writings. State security writings were translated and read in many other states; works on war, policing, prisons, and such were often based on the work of 'foreign' thinkers (cf. consequentialism and social contract theory).

By the 19th century, states (in Europe and North America, at least) were increasingly expected to provide security to their populations. This explains, in part, why policing, for example, was made into a profession. Of course, Hobbesian expectations of state-provided security originated in the aftermath of Europe's religious civil wars, but by the 19th century, many educated elite thought *science* could and ought to be used to increase the effectiveness and efficiency of public service provision (e.g. physical protection). Consequently, both general public administration and specific public professions became more *scientific* (e.g. Barnard, 1862; Fosdick, 1916, 1921; Fuld, 1909; Gat, 1992; Mahan, 1890; Quetelet, 1833; F. W. Taylor, 1911; von Stein, 1852; W. Wilson, 1887).

Wilson, for example, went to great lengths to defend the use of both historical and *comparative methods*, applied globally:

It is the more necessary to insist upon thus putting away all prejudices against looking anywhere in the world but at home for suggestions in this study, because nowhere else in the whole field of politics, it would seem, can we make use of the historical, comparative method more safely than in this province of administration (W. Wilson, 1887).

Similarly, many, on both sides of the Atlantic, sought to use the comparative method to make warfare and law enforcement more effective. Leonhard Fuld, for example, wrote a thesis that compared the police systems of various European states with that of the United States of America (US), hoping to improve US policing, and especially reduce the politisation and corruption of policing (i.e. to modernise policing) (Fuld, 1909).

But it must be noted that it was also in the 19th century that non-instrumentalist studies (i.e. academic studies) of the state first appeared. During this period, intellectuals from various academic and practical professions started studying the history of the state in a more disinterested, less instrumental-strategic manner. Sociology, for example, was invented in part with the aim of explaining the advent of the modern state. To do so, sociologists often used *comparative studies* of historical processes (e.g. technological progress, demographics, trade, division of labour, legitimation, war, rationalisation, etc.). And while doing so, they occasionally mentioned the origins of *professional warfare* and *professional policing*.

This line of enquiry greatly expanded in the 20th century, and continues today, most notably in a discipline called Historical Sociology (but also in Economic History) (See P. Anderson,

2013; A. Anter & Tribe, 2014; Autrand, 1986; Bourdieu, 1993, 2012; Cederman, 1997; Corrigan & Sayer, 1985; A. de Tocqueville, 1856, 1864; Eisenstadt, 1969; Elias, 1973; Elias & Kamnitzer, 1990; C. Emsley, 1983; Ertman, 1997; Genêt & Le Mené, 1987; A. Giddens, 2013; Kohli, 2004; Krader, 1968; Lenin, 2010; Lowie, 1927; Mann, 1984; Miller, 1977; Moore, 1993; George Lachmann Mosse, 1975; North, 1989; North, Wallis, & Weingast, 2009; Polanyi, 2001; Polanyi, Arensberg, & Pearson, 1957; Rosenberg, 1994; Service, 1975; Spruyt, 1996; Teschke, 2003; Tilly, 1992, 2004; Tilly & Ardant, 1975; Tilly, Evans, Rueschemeyer, & Skocpol, 1985; Trotsky, 2008; Max Weber et al., 2004; M. Weber, Roth, & Wittich, 1978).

In the 1960s and 70s, state-formation scholars generally produced theories on ongoing state formation (i.e. political development), with a particular focus on 'the Third World' (See Amin, 1971; Cutright, 1963; Frank, 1966; Huntington, 1968; Lipset, 1960; Parsons, 1977). A few of these theorists (e.g. Parsons) conceived change as teleological (i.e. following a predetermined set of stages, often leading to a US-inspired ideal).²⁸ Methodologically, they tended to ignore 'external factors' (e.g. inter-state relations), thus ignoring the Galton problem or what in statistical analyses is called autocorrelation (on the Galton problem, see section 2 below).

In International Relations (IR), the 1970s marked the introduction of the term of *transnationalism*, specifically referring to transfrontier relations between *non-state* actors and organisations (See Bigo, 2000, p. 86; Keohane & Nye, 1974, 2000; Webb, 1973). The introduction and subsequent interest in the term was crucial to the discipline, for IR scholars had tended to *not* study non-state organisations as a *unit of analysis*. Similarly, although IR scientists always admitted that the inside/outside division of *causal factors* was a simplification, it is only recently that they combined both types.

Discussions of transnationalism and later discussions on 'globalisation' led some IR scholars to 'open the back box' of the state and study transfrontier relations between *state organisations* (i.e. agencies) (e.g. Andreas & Nadelmann, 2006; Rogerson, 2000; Slaughter, 2004). Many European Economic Community (EEC), European Community (EC) and European Union (EU) social scientists also started looking at transfrontier relations between state officials, alternatively describing them as 'epistemic communities' (e.g. P. M. Haas, 1989, 1992) or intergovernmental 'social networks' (e.g. Dehousse, 1997; Den Boer, Hillebrand, & Nölke, 2008).

Despite the 1970s turn to the study of transfrontier cooperation between all sorts of actors, IR and EU social scientists generally avoided studying military, law enforcement and intelligence cooperation in detail. One reason for this might be that IR and EU scientists tended (and still tend) to be 'pure' scientists, keeping their analysis at a high level of abstraction and simplification, while paying little attention to empirical details (i.e. they are more blind than ignorant) (see Bigo, 2011, pp. 226-229). Some have argued that it is the very

²⁸ Of course, many scholars who focused on state formation in the Third World did not necessarily embrace 'modernisation theory' or only focus on internal factors. In fact, scholars on both the right and the left of the political spectrum did rather the inverse, highlighting the ways imbalances within poorer states can foster not political 'development' but violence (e.g. Huntington), and the *dependency of some states* on other states (e.g. Frank and Amin). Still, behind all these scholars is the normative bias found in most policy-oriented research, i.e. that there is an *ideal* state formation

concept of ‘levels’ of analysis (e.g. individuals, states, state systems) that has led to empirical oversights (see Bigo, 2011; Patomäki, 2003, p. 251; Patomäki & Wight, 2000, p. 232).²⁹

And yet, it was also in the 1970s that many scholars started studying military, law enforcement and intelligence organisations with as primary aim not policy prescriptions and ‘state problem-solving’, but theorisation and the search for truth (See Andrews, 1903; David H. Bayley, 1971, 1979; Bittner, 1973; Bourdieu, 1993; Clive Emsley, 1984; Michel Foucault, 1975; M. Foucault, Senellart, Ewald, & Fontana, 2004; Jeffries, 1952; Mendelsohn, 2009; Miller, 1977; Popper, 1999; Richardson, 1972; Tilly & Ardant, 1975; Westney, 1982). It was also around this time that social scientists, *sensu stricto*, briefly adopted the comparative method to study the role of security agencies *in policy formation* (Hastedt, 1991, p. 2; S. Smith, Hadfield, & Dunne, 2012, pp. 21-22). Interestingly, many of these scholars and scientists of the state did not have professional experience in soldering or policing, but rather were trained in philosophy, sociology and political science.

Overall, studies of the state are characterised by a *parochialism* that is not found in the history of actual state practices. International relations have never been limited to the interactions of statesmen and diplomats. To the contrary, ever since the invention of their professions, military, law enforcement and intelligence officers have always liaised and studied with their foreign colleagues. Similarly, statesmen and diplomats have, since the dawn of these professions, regularly set *common* professional standards and organised *joint* operations. Thus, only a truly *global* history of these technical and social interconnections could show all the ramifications of these various inter-state norms, inter-state interactions, inter-state associations, and inter-state organisations.

Obviously, this brief historical review fails to encompass the long and rich past of entire disciplines and fields, all of which are extremely relevant to explaining why inter-state security cooperation occurs (e.g. military studies, law enforcement studies, and intelligence studies). Because of time and space constraints, the rest of this first section will focus on *contemporary* studies in these disciplines. Focusing on the recent past, *two types* of relevant works can be distinguished: 1) comparative studies and 2) cooperation studies. This being said, military, law enforcement and intelligence scholars have all tended to favour *national* over comparative studies, and *comparative* over cooperation studies (See M. Anderson et al., 1995, p. 41; Cottey & Forster, 2004, p. 76; Gleizal, Gatti-Domenach, Montain-Domenach, & Journès, 1993; Hastedt, 1991). Worse, until the 1990s most of these studies focused on only the US or the United Kingdom (UK) (Hastedt, 1991; R. I. Mawby, 1990, p. 1).³⁰ Consequently, there was “no knowledge of patterns of systemic variation” (David H Bayley, 1996). Those few scholars who did study ‘foreign’ states tended to favour the comparison of domestic issues over the analysis of cooperation (Bigo, 2000, p. 85). Very few scholars compared *different types* of security agencies (See Farson, 1991; Price & Sokoloff, 1995).

²⁹ *Historians* have been slightly less dogmatic in their choice of subject matter. Of course, the historiography of the modern states and its security practices is vast and, just as in the social sciences, divided into very narrow specialties. A plethora of historians have attempted generalising narratives on the origins of one or several modern states (e.g. Gernet 1997, Kiernan 1965, Strayer and Clément 1979). This being the case, throughout the 20th century several historians have also addressed ‘inter-agency’ topics, such as spying on allies and the role of military officers in instigating security cooperation (e.g. Alexander 2013, Anderson 1989, Danchev 1986, Dykes and Danchev 1990).

³⁰ An exhaustive review of the work of *non-transatlantic* ‘security agency’ scholars has yet to be conducted

Comparative State Security Organisation Studies

In the 1970s and 1980s, several military, law enforcement and intelligence experts started to employ *the comparative method* (e.g. David H. Bayley, 1971, 1979; David H Bayley, 1983; M. L. Gill & Mawby, 1990; Godson, 1988; Godson et al., 1989; Laqueur, 1985; McKenzie & Gallagher, 1989; Punch, 1985; J. Richelson, 1988; C. D. Robinson, 1978; Wise & Ross, 1968). *The disintegration of the Soviet Union (USSR) and the end of the Cold War changed this trend.* At this point, social scientists showed a greater interest in *inter-organisational cooperation*, which they believed to be increasing both domestically and abroad.

Of course, as mentioned, both intra- and inter-state security cooperation were not new. Since the advent of the modern state, spies, for example, facilitated the work of their co-nationals, be they policeman, the soldiers or even tax collectors (Bourdieu, 1993; Dewerpe, 1994; Iordanou, 2016). Similarly, bilateral and multilateral inter-state cooperation did not start in 1989 or 1991. Although highly politicised and generally *informal*, international conferences, information sharing, ‘fact-finding’ missions, technical assistance, etc., were all practiced during the formation of the modern state (see M.S. Alexander, 2013; Deflem, 2000; Deflem, 2004). Put differently, even though intra- and inter-state security cooperation pre-date the end of the Cold War, it was only in the 1990s that the ‘inter-agency’ and ‘transnational’ aspects of defence, policing, customs, espionage, etc., received significant scholarly attention (Bigo, 2000, p. 74). In doing so, however, these scholars often abandoned comparative methods in favour of single case studies.

Thus, in the 1990s, comparative scholars with an interest in state security agencies were few in number (e.g. D.H. Bayley, 1990; David H. Bayley, 1992; Bozeman, 1992; C. J. C. F. Fijnaut & Marx, 1995; M. L. Gill & Mawby, 1990; Hastedt, 1991; Joubert & Bevers, 1996; R. Mawby, 1992; R. I. Mawby, 1990; Wolf, 1993). Moreover, military and intelligence comparative studies were far less sophisticated than that of law enforcement studies, and particularly that of police organisations and policing studies (see Bigo, 2000, p. 85; Bonthous, 1993; Bozeman, 1992; Hastedt, 1991). Consequently, those few authors’ methodological originality is easily recognised.

Within 1990s law enforcement studies, John Benyon, Turnbull, Willis, Woodward, and Beck (1993) and M. Anderson et al. (1995) stand out as exceptions, for these groups of scholars (which included practitioners) were unique in the fact that they sought to *compare cooperation*. While the former group produced an encyclopaedic volume on EU police cooperation, the latter presented a quasi-exhaustive series of national case studies. Both of these studies provided a rigorous analysis of the causes and consequences of transfrontier police cooperation. Benyon et al.’s volume was also exceptional in its claim that *border controls do little to stop transfrontier crime*. This said, neither group attempted to explain causation or develop a general theory of inter-state police cooperation.

In the 21st century, comparative methods continue to be *underused* by state security organisation (i.e. agency) scholars, but less so (e.g. Baldino, 2010; Born & Caparini, 2007; Born, Leigh, & Wills, 2011; Brimmer, 2006; Bruneau & Boraz, 2007; Bruneau & Trinkunas, 2008; Chalk, Rosenau, Wachs, Collins, & Hanson, 2004; Curtin & Fahey, 2014; Dalgaard-Nielsen & Hamilton, 2006; Davies, 2012; Foley, 2013; Hufnagel, 2013, 2016; Karlsson, 2012; R. I. Mawby,

2013; O'Connell, 2004; Pollitt, 2006; Pollitt & Talbot, 2004; Roach, 2011; C. B. Thomas & Steven, 2007). Many of these contemporary comparative studies focus on historical periods following one or several *violent events*, seen as 'triggers' of (or pretexts for) substantial or symbolic organisational reform – 'as the Central Intelligence Agency (CIA) followed Pearl Harbour, the Department of Homeland Security postdated 11 September 2001 (9/11)'. Other comparative studies examine the organisations' transparency and accountability. The overall objective of these comparative works has been to describe and explain variance in security 'sector' reform (SSR).

Many of the studies just mentioned lack structure and systemacity. Moreover, they often omit 'exogenous' factors, such as norm transfers, legal harmonization, technical assistance, and system effects (e.g. unintended consequences). The more rigorous studies develop concepts and theories related to governmental 'agencies' and their role in the state *qua* organisation. But even these studies focus on only one type of agency or 'function' (e.g. federal policing) and thus broadly ignore not only inter-state cooperation, but also *intra*-state (i.e. inter-agency) cooperation. This, for example, can be said of the excellent comparative research done on policing and counterterrorism by The Université de Montréal's International Centre for Comparative Criminology (ICCC) (2015).

One contemporary study that stands out for *comparing cooperation* is a thesis by Hufnagel (2013). This work is original not only because it compares police cooperation, but also because it compares police cooperation within Australia to cooperation within the EU. In other words, this author compares cooperation *within a federation* to cooperation *within a confederation*. Unfortunately, despite an extremely original research design and an impressive number of semi-structured interviews, the work is more descriptive than it is conceptual, meaning that the causal effects of the differences inherent to the political entities are not evident.

Another extraordinary work is a monograph by Andrew Cottey and Anthony Forster (2004). These authors have conducted a *comparative study of military cooperation*. Cottey and Forster argue that since the end of the Cold War traditional types of cooperation with military allies have been conducted in conjunction with *novel types of military cooperation*, such as strategic engagement with potential enemy troops, the promotion of democratic civil-military relations, and the enhancement of regional peacekeeping capabilities. According to these authors, the US armed forces are not the only ones conducting these new forms of cooperation: officers from France and the UK cooperate with armed forces in their former colonies and Eastern Europe, German forces have bilateral relations in Central and Eastern European troops, Baltic troops cooperate with their Danish, Finish and Swedish counterparts, Austrian soldiers with Hungarian soldiers, Croats with Slovenes, etc. (Cottey & Forster, 2004, p. 11). In fact, one of these authors' arguments is that despite the expansion of various forms of military cooperation, *comparative studies thereof are lacking* (Cottey & Forster, 2004, p. 75).

One of the greatest insights of Cottey and Forster's research is that transatlantic armed forces must choose between two pairs of contradictory strategies:

Strengthening allied militaries and weakening 'enemy' militaries	Strengthening all militaries and weakening violent non-state organisations and actors
Engaging with militaries that comply with international public law and liberal values	Engaging with illiberal states and militaries

According to Cottey and Forster, despite the logical contradictions, Western states are still trying to follow all four policies.

The lack of structure, rigor and international/systemic factors in contemporary comparative studies of state security organisations plausibly stems from 1) a lack of interest in asking *academic* questions (that might question the *status quo*, or simply be of no obvious use), and 2) an inclination towards 'objective' studies of issues that are *immediately* useful for (and funded by) the state. This said, there are also a number of *practical* reasons for the dearth of structured comparisons of cooperation (see section two). And, in fact, the gradual increase in comparative studies shows to what degree academic studies of the state are more and more centred around academic questions and academic interests.

Inter-State Security Cooperation Studies

As mentioned, an increasing number of scholars and scientists are investigating both the causes and consequences of (bilateral and multilateral) inter-state security cooperation, mostly in the form of *single case-studies*. These studies often focus on *one type* of security organisation or just one state *function* (e.g. the armed forces, the police, foreign intelligence agencies, deterrence, peacekeeping, criminal justice, counternarcotics, counterterrorism, counterintelligence). Furthermore, most of these single case, single issue studies are *policy-oriented*, which is to say are either *servicing* or *disserving* 'the state'. Although these authors' pragmatic, public service-oriented inclination is understandable, the result is that their writings do not always contribute to academic debates, and when they do, tend to be of poor quality (for a similar diagnostic in relation to IR theory made in the USA, see Bigo, 1995a).

These generalisations on inter-state security cooperation studies can be put differently. Within states, think-tanks, non-governmental organisations (NGOs) and universities, both in the transatlantic basin and beyond, discussions about security are traditionally divided into two types: those who seek security from foreign entities (e.g. states) and those who seek security from their 'own' state (i.e. the state of their citizenship or the state that controls the territory where they live).³¹ This dichotomy is old and can be found, in various forms, in the writings of the ancient Greeks and debates between American revolutionaries (e.g. Hamilton, Madison, & Jay, 2010; Plato, 1968).³²

In addition to dividing the literature according to this ancient clash of paranoias and preoccupations, however, social scientists can also divide the literature according to *the type of science* conducted. Traditionally, the two major types of science are referred to as 'pure' science and 'applied science'. Of course, as with the state-security/individual-security distinction, the pure/applied contrast is imperfect (see Bigo, 2011, p. 229; Sayer, 1992, 2000b). Pure science is always based on empirical evidence, and applied science is always

³¹ Oddly, the third, Hobbesian type (i.e. criminology) tends not be placed within the field of 'security studies'.

³² As is well known, political thinkers such as Plato, Aristotle, Hamilton, Madison, and Jay discussed what would be the ideal political entity. In their discussions, these men covered both the danger of tyranny and the danger of war. And in fact, both sets of thinkers argued that strengthening a polity's defences against one type of threat often required weakening defences against the other.

concept-laden; and, sometimes, pure science becomes extremely useful. Thus, it is more accurate to distinguish *science for science's sake*, and *science for other sakes* (i.e. religious, political, economic, and artistic sakes). When one makes this distinction, some of those writings that appeared so different (e.g. orthodox and critical security studies) suddenly appear quite similar, for they are both intentionally produced for partial (i.e. partisan, political) purposes.³³ In other words, writings in the service of the state can be seen as founded on the same *instrumental rationality* as the harshest critiques of the state; positivist, scientific realist, interpretivist, and post-structuralist writings can all be judged on whether the *primary* motivation was to (help) change the world, or 'merely' understand it in a disinterested³⁴ and 'useless'³⁵ manner. Indeed, from 'outside' academia, the most academic of academic texts will seem worthless (Bourdieu, 2003, 2012) (on this thesis' policy advice, see chapter 7).³⁶

Under last distinction, most studies of inter-state security cooperation appear to be written to be useful – the partiality, however, is often implicit. This would explain, for example, functional and regional specialisation, but also *topicality*. For not only do intelligence specialists focus on instances of intelligence cooperation; police specialists on examples of police cooperation, and military specialists on specific cases of military cooperation, they all tend to focus on the here-and-now, i.e. *one case in the recent past*. Relevance is prioritised over explanatory power. To exaggerate the point, one could say that as soon as one decides to study inter-state cooperation, 1) the comparative method is abandoned, 2) cross-functional studies are abandoned, and 3) research is limited to a specific geographical region or specific bilateral relationship.

Of course, a few scientists studying inter-state security cooperation have bucked this trend, and made great efforts to *both* develop theories and be of use outside of academia (e.g. Argomaniz, 2011; Bigo, 1996; Mai'a K. Davis Cross, 2011; DeVore, 2011; Lake, 1999; Lemieux, 2010; Peinhardt & Sandler, 2015; Sims, 2006; Thomson, 2015; Walsh, 2013). To this list can be added the theoretical work on the rise and fall of *military alliances* (e.g. Cranmer, Desmarais, & Menninga, 2012; Crosby, 1997; Haesebrouck, 2016a, 2016b; R. Menon, 2007; Morrow, 1991; Olson & Zeckhauser, 1966; Parkhe, 1993, 2003; Poast, 2012; Rees, 2013; Sandler & Hartley, 1999; Sandler & Murdoch, 2000; Walt, 1987; K. Weber, 2000). And if one were to widen the topic from security cooperation to outright *integration*, one could add the vast literature on regional integration (e.g. Ahner, De Hauteclocque, & Glachant, 2012; Alesina, Spolaore, & Wacziarg, 1997; Balzacq & Hadfield, 2012; Corona, 2014; Hooghe &

³³ Of course, an author's claim to (im)partiality and (dis)engagement should not be accepted on face value – just as abstract theories can have real political effects, scholastic scholars might *overestimate* the political effects of their texts (Bigo 2011:228, Bourdieu 2003). Moreover, works truly intended for academic ends can always be instrumentalised (e.g. politicised). The more general point is that security scholars ought to examine their peers and their peers' texts (and themselves and their own texts) according to their position in academia, politics, business, etc., and deduce how this *might* affect what they *want* to produce, what they *can* produce, and what they *do* produce. As the ancient Greeks noted, seeking truth requires leisure (on free time and cultural capital, see Bourdieu 1986:50).

³⁴ Francis Bacon argued that knowledge could only progress if it was not 'tainted' by 'idols' (e.g. religion, politics, etc.) (Proctor 1991:30). Similarly, Pierre Bourdieu argued that an interest in disinterest can be a means to more valid validity-claims (2003).

³⁵ In academia, the question of relevance (the so-called 'so-what?' question) is sometimes asked in relation to scientific relevance, but it is also asked to ascertain *instrumental* (including ethical and political) relevance.

³⁶ It will be 'just' a book on a shelf.

Marks, 2001, 2009; Höreth, 1998; N. Koenig, 2015; Leuffen, Rittberger, & Schimmelfennig, 2013; D. W. P. Lewis, 1993; Lombaerde, 2011; Majone, 2016; Mattli, 1999; Mitrany, 1965; O’Leary, 1978; Parsons, 2003; Rosamond, 1995, 1996; Schweiger & Magone, 2014; Verhelst, 2013; Wessels, 1997). This said, this theoretical literature, be it on specific types of security cooperation or inter-state integration in general, tends to be legalistic, focusing on formal negotiations and agreements. Only a few of these authors seek to explain the various material and practical aspects of security cooperation.

One author who goes against the trend is Mathieu Deflem. In addition to the fact that Deflem develops Max Weber’s *theories* on rationalisation and professionalization, Deflem also stands out for having *compared cooperation*. Indeed, most of Deflem’s work – be it on law, counterterrorism or social control is characterised by being historical, international, *and comparative*. Inasmuch, his work on *inter-state police and counterterrorism cooperation* has sought to contribute to the development of social theory.

Deflem has reviewed, for example, how from 1848 to 1948 the police agencies of Germany and the US cooperated with other Western states’ police agencies (2004). Here, Deflem sought to demonstrate how “bureaucratic autonomy” and “common threat perceptions” were necessary factors for the occurrence of cooperation. And yet, Deflem also argued in this work that cooperation almost always occurred *with “national interests” in sight*.³⁷ Thus one finds both an explanation for variation in agency-level cooperation, and a reminder of the long history of (calls for) cooperation against transfrontier crime and political violence. In other works, Deflem has *compared* (North American) bilateral police cooperation, and *compared* Interpol and Europol (Deflem, 2001, 2007).

Didier Bigo and his associates, who form the so-called ‘Paris School’ of security studies, are extraordinary in the fact that 1) they combine detailed, policy-relevant empirical analysis with abstract, explanatory theorisation, and 2) that they study *several types of security agencies* (e.g. police, border guards, customs, consular services, domestic intelligence, diplomacy, etc.) (See Bigo, 2000, 2005, 2006a, 2006b, 2008a, 2008b, 2009, 2011, 2012, 2014; Bigo et al., 2007; Bigo & Guild, 2005; Bigo & Hermant, 1988; Bigo & Tsoukala, 2008; Bigo & Walker, 2007a, 2007b).

Rather than focusing on *one type* of security organisation or function, Bigo et al. apply Pierre Bourdieu’s concept of the ‘field’ to an ensemble of relations that affect the practices of the officers performing their duties as state security officers. Similarly, rather than simply analyse the objective threats to a state’s territory and population, Bigo et al. use Michel Foucault’s writings on knowledge-power to study how objective threats, subjective values and personal interests *all* shape the scientific knowledge that these professionals produce, and in turn how this know-what and know-how is used to both discipline and gain personal advantage. It should be noted that this often leads Bigo et al. to focus on the role of knowledge ‘brokers’, such as liaison officers, who have a relatively influential position within *the* security field. According to Bigo (and others, such as Benoît Dupont), the growing role of intelligence-led policing and private security agencies, lower tolerances for risk, the militarisation of the police, the policing role of the military, the ‘offshoring’ of internal security, and the effects of inter-state cooperation on intra-state disputes and practices, all provide a rationale to study security agencies, writ large, as *one dynamic security field* rather than as distinct functional

³⁷ Didier Bigo calls this “cosmopolitan conservatism” (2011:253).

organisations within specific states – the field is becoming both trans-functional, trans-frontier, and trans-national (David H Bayley, 1975; Bigo, 2000, pp. 77-84; 2005, 2006a, 2006b; Dupont, 2004a, 2004b, 2005, 2006, 2008; Gerspacher & Dupont, 2007; Tilly et al., 1985).

Despite observed geographic, operational, cultural, and political mergers, studies of security cooperation between transatlantic states remain mostly function-specific, as seen in the following disciplines:

- Military studies (e.g. Bensahel, 2003; Coker, 2014; Cottey & Forster, 2004; Mai'a K. Davis Cross, 2011; Darnis et al., 2007; Dicke, Anson, Roughton, & Hendrickson, 2013; Dyson & Konstadinides, 2013; E. Hallams, Ratti, & Zyla, 2013; Ellen Hallams & Schreer, 2012; S. G. Jones, 2007; Larivé, 2014; Maulny, 2012; A. Menon, 2000; Rees, 2013; D.S. Reveron, 2010; Sandler & Hartley, 1999; Sandler & Murdoch, 2000; U. C. Schroeder, 2011; Soeters & Manigart, 2009; Splidsboel-Hansen, 2000; Trybus, 2014).
- Law enforcement studies (e.g. Alain, 2001a, 2001b; M. Anderson et al., 1995; J. Benyon, 1993; Bigo, 2005, 2006a; Bigo et al., 2007; Ludo Block, 2007b; L. Block & Den Boer, 2013; Ben Bowling, 2009; B. Bowling & Sheptycki, 2011; D. Brown, 2010; Deflem, 2001; C. Fijnaut, 1995; Gerspacher, 2005, 2008; Gerspacher & Dupont, 2007; Gerspacher & Pujas, 2010; Guille, 2010; Hufnagel, 2013; Kaunert, Léonard, & Occhipinti, 2013; Kleiven, 2012; D. J. Koenig & Das, 2001; Lévy, 2002; Occhipinti, 2003; J. Sheptycki & Wardak, 2012; J. W. Sheptycki, 1995, 1998; J. W. E. Sheptycki, 2000; J. W. E. Sheptycki, 2002),
- Intelligence studies (e.g. R. J. Aldrich, 2004, 2008, 2009a, 2009b, 2009c, 2011a, 2011b; Aydinli & Tuzuner, 2011; Beer, 2003; Blom & Vanhoonacker, 2014; Herman, 2010; Jacobs, 2013; Kaunert & Léonard, 2013; Lefebvre, 2003; Björn Müller-Wille, 2004; Bjorn Müller-Wille, 2008; Munton & Fredj, 2013; Occhipinti, 2013; Rees & Aldrich, 2005; Rettman, 2015; Derek S. Reveron, 2006, 2008; J. T. Richelson, 1990; Sims, 2006; Svendsen, 2010, 2012a, 2013; Tuzuner, 2009; James Igoe Walsh, 2006; Walsh, 2013; Wark, 2004; Wirtz, 1993)

Of course, studies with single organisational-types and functions as their subject-matter can *inform* the general study of state security cooperation – this is behind the very idea of a case study, after all (see chapter 1). For example, because the study of cooperation between ‘just’ military, just law enforcement or just intelligence organisations will perforce be *interdisciplinary* (i.e. based on psychology, sociology, economics, etc.) and will necessarily encompass several ‘fields’ (e.g. international politics, international law, international economics), such studies will have already confronted many of the conceptual, methodological and theoretical problems that come with such a mix of disciplines and fields, and thus can lead to *analytical* generalisations (J. Sheptycki, 2002, p. xi). Consequently, it is useful highlight some of the most sophisticated and significant works in their individual disciplines.

Compared to the scholarly research conducted on military and intelligence cooperation, the study of law enforcement cooperation (especially *police* cooperation) seems to be the most

conceptually and theoretically innovative (see Bigo, 2000, p. 85).³⁸ Indeed, the study of intra- and inter-state law enforcement cooperation is rich with theories, concepts and empirical data. All of these could be adapted to other security organisations (i.e. agencies) and the 'field(s)' in general.

At the centre of this niche of niches (i.e. inter-state police cooperation), stands Frédéric Lemieux, an author who seeks both to advise the state (e.g. on how to 'improve' cooperation and reduce transfrontier crime) and develop explanatory theories thereof. In his 2010 'state of the art', Lemieux offers both a succinct analytical framework and a short list of enabling and disabling factors. Lemieux argues that police cooperation should be understood as "systems of structures" and their "environments" (2010, pp. 6-12). In terms of factors that enable cooperation, he cites agreements and accords, high resources, high competences, and public-private partnerships; in terms of disabling factors, Lemieux cites incompatible structures, cultures, technologies, procedures, policies, and politics, and also "discretionary information sharing" and "asymmetrical influence" (2010, pp. 3-6,17). Also worthy of attention is the work of John Benyon, which argues that police cooperation can occur at three distinct organisational levels: the executive level; the management level; and the operational level (1996).

Overall, *cooperation*-focused scholars have a self-evident interest in 'exogenous' factors and all things foreign. This intimacy with the role that 'the other' plays most likely fosters an aversion to treating states as cases – when you see connections everywhere, you see (discrete) cases nowhere. Thus, a tension appears between comparative scholars and cooperation scholars (on the Galton problem, see section 2).

But this review suggests that there is another, larger 'elephant' in the room of cooperation scholars: geography. Those who embark on the study of transfrontier cooperation must decide on *the scope* of their inquiry. Of course, time, space and resource constraints will always be factors, but the data and one's analysis of the data also affect the scope of cooperation studies. In other words, 'the map' of relations one draws, fundamentally depends not just on simplifications and *epoché* (i.e. bracketing), but also on one's social ontology (see chapter 3).

What can be observed in the security cooperation literature, however, is not, generally, an effort to use empirics to conceptualise, determine and model the extent of relations (*à la* network analysis), but rather an arbitrary demarking, based on *a priori* lay geographical conceptions (Europe, EU, North America, transatlantic, Euro-Atlantic, occidental, etc.) (for exceptions, see Andreopoulos, 2013; Bouchard, 2015; Brass, Galaskiewicz, Greve, & Tsai, 2004; CATO, 2015; Cranmer et al., 2012; Mai'a K Davis Cross, 2013; Den Boer et al., 2008; Dupont, 2004b, 2005, 2015; Eilstrup-Sangiovanni, 2007; Gerspacher & Dupont, 2007; P. Gill, 2006; Gutiérrez Zarza, 2015; Jacobsen, 2015; Kinne, 2013; Krahnemann, 2005; Masys, 2014; O'Reilly, 2010; Pawlak, 2007, 2009; Raab, 2002; True & Mintrom, 2001; Turner, 2007; Whelan, 2012).

As this thesis argues (see chapter 1), there are many justifications for artificially limiting the geographic scope of a study of state security cooperation (e.g. practical limitations, theory-based case selection). The broader point, however, is that the security cooperation literature

³⁸ It would be interesting to confirm this assessment and explain why this is the case (e.g. the number of non-practitioners in the discipline might be a factor).

tends to use hierarchies and jurisdictions, and not markets or networks to demarcate the geographic scope of a study – to an extent that sometimes social ‘maps’ are confused with geographic maps. Put differently, a second norm within the study of security agency cooperation is *region-specificity*. The largest of such regional security literatures are the study of transatlantic cooperation, North American cooperation, and European cooperation. This section will end by briefly highlighting some of the most interesting works in these three categories.

Transatlantic Security Cooperation

One of the major semantic, conceptual and communicative difficulties facing *social* scientists is *lay* language. On one hand, lay language has a real potential to affect social behaviour, i.e. lay terms and concepts can have actual effects (Sayer, 1992). On the other hand, lay language (and related typologies) are often faulty, and sometimes oppressive (Bigo, 2011, p. 231; Bourdieu, 1977, 2012). But as soon as social scientists employ neologisms or use lay terms in an unfamiliar manner, they will risk being misunderstood or ignored (Gerring, 1999). Characterising targeted killings as state murder, renditions as state kidnapping, genocide as state terrorism, covert action as state organised crime, or all state security organisations as ‘security agencies’ can all lead to confusion, derision or condemnation.

Although less contentious, the term ‘transatlantic’ is also open to such problematics. To many, the term has a bilateral, and not a regional connotation. As much as ‘Europe’ and ‘North America’ tend to be understood as referring to regions, the adjective ‘transatlantic’ tends to be understood as relating to relations between the two regions – to clarify that one is trying to refer to the transatlantic area as a region, one has to use qualifiers such as ‘basin’ or ‘region’ (see chapter 1).

Thus, it is no surprise that the literature on transatlantic security tends to focus on bilateral *relations* – albeit where one of the parties is in fact a multilateral entity (e.g. the EU), and on transatlantic multilateral *organisations* (e.g. NATO) (e.g. R. J. Aldrich, 2004; Argomaniz, 2009; Axelrod & Borzutzky, 2006; Bensahel, 2003; Coker, 2014; Curtin & Fahey, 2014; Damro, 2006; De Nevers, 2007; Dobbins, 2005; Dunn, 2009; E. Hallams et al., 2013; Ellen Hallams & Schreer, 2012; Hoese & Oppermann, 2007; Ilgen, 2006; McCalla, 1996; A. Menon, 2000; Mollerson, 1998; Occhipinti, 2013; Papakonstantinou & De Hert, 2009; Penksa & Mason, 2003; Peterson, 2011; Rees, 2006, 2007, 2009, 2013; Rees & Aldrich, 2005; Salter, 2010; Sandler & Hartley, 1999; Shapiro & Byman, 2006; Suda, 2013; Williams, 2008).

Security cooperation studies that treat the transatlantic basin as any other region are rarer (e.g. Dalgaard-Nielsen & Hamilton, 2006; Krahnmann, 2005; Mahncke, 2009; Pawlak, 2007, 2009, 2010). Maybe the most original and influential authors amongst this group are those who have developed Peter Haas’ concept of “epistemic communities” and applied it to the transatlantic region (e.g. Adler, 2008; Adler & Barnett, 1998; Mai'a K. Davis Cross, 2011; Gruszczak, 2016a; P. M. Haas, 1989, 1992; Pouliot, 2008; Risse-Kappen, 1996; Svendsen, 2008, 2012a, 2012b). Even Haas’ original work remains relevant, for it somewhat similar to more recent work on professional fields and networks.

North American Security Cooperation

Generally, studies of North American state security organisation (i.e. agency) cooperation are not regional at all, but rather tend to be single case-studies of *US* military, law enforcement or intelligence cooperation ‘with the world’ (for exceptions, see Deflem, 2001; Dupont, 2004a, 2004b, 2005). In other words, security cooperation studies on North America are not only *of* the US, but also *for* the US – usually because they are *by* the US’ staff. What is more, considering the US’ relative resources and capabilities, the term ‘cooperation’ in the US literature is generally understood as unidirectional ‘technical’ assistance, where the the US ‘exports’ funds, equipment, intelligence, training or education to other states’ security organisations – seldom is the US portrayed as a recipient of resources.

Derek Reveron’s work is typical of this ‘US’ approach to the study of security agency cooperation (2010). Not only this monograph lean on theory development, but it is also focused on the US armed forces’ cooperation with others states. Because his work has no comparative or systemic analysis, it says virtually nothing about efforts *by other developed states and their armed forces* to conduct similar forms of cooperation. Similar critiques could be made of ‘lessons learned’ reports by US officials (e.g. Jayamaha, Institute, Peacekeeping, & Institute, 2010).

Scott Jasper’s edited manuscript on security cooperation focused on the “global commons” (i.e. international seas, international airspace, outer space, and cyberspace) that also places the US in the centre of the analysis and the US’s ‘enemies’ on the fringes (2014). Many of the authors in this volume depict the US and its allies as being on the defensive and the US’ enemies (e.g. Iran, China, North Korea, hacktivists, pirates, and terrorist organisations) on the offensive – little mention is made of *the US’ capabilities* (e.g. cyber espionage, cyber warfare, spatial warfare).

For the most part, this edited volume is policy-oriented and prescriptive, and thus focuses more on highlighting *best* practices and suggesting *effective* measures than it does on explaining the causes and consequences of cooperation.³⁹ Fulfilling the stereotype of US security policies, the majority of these authors favour private sector incentives and informal forums over international regimes and organisations. Generally, the authors argue that obstacles to cooperation include competing interests, nationalism, resource deficiency, and “technical” problems (Jasper, 2014, p. 123).

Despite its deficiencies, the manuscript’s development of the concept of ‘the commons’ (as in the tragedy of the commons) is fascinating. Via this concept, the text highlights intriguing conceptual and empirical connections between the different types of ‘commons’ (e.g. space and cyberspace). Via a more politically neutral, systems-level analysis, the concept of ‘global commons’ could lead to a better understanding of the failures of global security governance.

One exception to function-specific, US-centred studies *by* North American security cooperation scholars is the theory-focused study by Richard James Kilroy, Abelardo Rodríguez Sumano, Todd Steven Hataley (2013). By employing Regional Security Complex Theory (RSCT), these authors incorporate both material and ideational causal factors at several ‘levels’ of analysis (regional, national, sub-national). Thus, beyond suggesting that the liberal-

³⁹ The authors mostly work for military academies and US defence contractors.

democratic identities and institutions of Canada and the US partially explain the relative depth of their cooperative practices, they also highlight the significance of *geography* in such matters.

This said, Kilroy et al. almost never mention intelligence cooperation, and police-to-police and military-to-military cooperation are neither linked, nor compared. This study's *greatest limitation* is its case selection: although Kilroy et al. present a series of justifications for the regional approach and the hegemonic role the US plays in the region, the authors fail to explain why Mexico and Canada were studied, and not, say, Bermuda, Greenland (Denmark) or Saint Pierre and Miquelon (France). This tendency to only study the most political significant and (supposedly) influential states is not limited to this text, and in fact is found throughout studies about the North American region. In other words, studies of European security cooperation are far more likely to include small and resource-poor states, such as those in the Baltics or the Balkans. Studies of smaller North American states and protectorates might have shown, for example, varying levels of security cooperation. At one point, the authors argue that Canada might be better situated within a Nordic Regional Security Complex, but they do not develop this original idea.

Overall, the US's apparent influence and abundant capabilities seem to cause North American-focused research to pay too much attention to the US. Much of this is probably due to a greater interest in policy prescription than explanation. Perforce, theory development suffers – until less influential and less endowed states are studied in depth, it will be impossible to know how US policies and practice affect these states, or if geography and resources 'matter' (see Lijphart, 1971). It is under this logic, for example, that Luxembourg was selected as case study for this thesis; and it is also under this logic that the states studied are both in North America and Europe. This said, it remains obvious that studying inter-state security cooperation without taking the US into consideration would leave many important factors unexamined (on case selection criteria, see chapter 1).

European Security Cooperation

The strength of the Europe-focused studies of state security cooperation is their relative maturity. Indeed, they started when European integration started, and thus greatly predate the end of the Cold War. And as mentioned above, another strength of studies of the region is that they are *theory-rich*. In other words, many European *security* scholars have employed European *integration* theories, allowing them to explain why cooperation occurs more in one sector/function than another. Unfortunately, like studies of North American security cooperation, these cooperation studies are generally not *comparative* in nature.

Seth Jones' work on European security cooperation stands out from this group: his research is international, historical, comparative, and structured (2007). In his 2007 manuscript, Jones compares European security cooperation during the Cold War with European security cooperation after the Cold War. Here 'the case' is 'Europe', the unit of analysis is the state (and its leaders), and the levels of analysis are several (i.e. international, regional, national, and subnational). Jones' operationalises security cooperation in terms of security institutions (i.e. NATO and EU), economic sanctions, arms production, and multilateral military forces (e.g. NATO and EU). In terms of causal factors, Jones' application of IR neorealism leads him to

study 1) the number of US troops in Europe and 2) interpretations of Germany's military intentions – Jones also suggests that other (EU integration) theories have less explanatory power. In short, the research design is extremely sophisticated.

This said, the work suffers from *conceptual imprecision*. The terms 'Europe' and 'security cooperation' are under-defined, and many assumptions and much common knowledge (e.g. the US was not an existential threat) are taken for granted and not explained or justified. It seems that in this study, 'Europe' generally refers to whichever states happen to be in the EEC/EC/EU at a specific juncture, but the term also regularly refers to Europe's 'major powers' (i.e. UK, France and Germany). In terms of 'security' cooperation, no mention is made of transatlantic and European *police or intelligence cooperation*, and no explanation is given for the existence of the Warsaw Pact, or why, after the Cold War, certain Eastern European states joined NATO instead of the Collective Security Treaty Organization (CSTO).

Research conducted by J. W. E. Sheptycki can be added to the list of exceptional scholarship on security agency cooperation within Europe (J. Sheptycki, 2002; J. Sheptycki & Wardak, 2012; J. W. Sheptycki, 1995, 1998; J. W. E. Sheptycki, 2002). Like Jones, Scheptycki regularly uses *several levels of analysis* in his studies, with additional attention paid to *systemic* factors (J. Sheptycki, 2002, p. xviii). Although Sheptycki generally studies European *police* cooperation, he always seeks to place his empirical and theoretical findings within security cooperation writ large.

Notwithstanding the relatively unstructured comparisons already mentioned here and above, J. r. Friedrichs (2008) stands alone in having conducted a truly *structured* comparison of European police cooperation (in Britain, France, Germany, and Italy), with a *focus* on counterterrorism and counternarcotics. Like Deflem, his research on police cooperation is not only comparative, but also historical. In fact, like Jones', Friedrichs' work on police cooperation compares *two historical periods* (the 1960s/70s and the 2000s).⁴⁰ Besides its methodological originality, the strength of Friedrichs' research is that it is based on (IR and EU integration) theories. All this said, this research is limited by the fact that it only focuses on 'domestic' (i.e. national) causal factors, discovered via discourse analysis.

The truth is that most Europe-focused scholars *omit factors external to the EU* (for an exception, see Argomaniz, 2009). This euro-centric approach can lead to important non-EU phenomena being omitted. In this sense, they are just as guilty of parochialism as their US peers. For example, European security scholars regularly study the role of the EU in its 'neighbourhood' and beyond (Balzacq, 2009; Bigo, 2006b; Lavenex & Schimmelfennig, 2009; Lavenex & Wichmann, 2009; Rees, 2008). Some EU (security) scholars have even coined the concept of 'Europeanisation' to describe the process by which EU Member States and neighbouring states reform their norms, laws and organisations by following a 'European' model (e.g. Börzel & Risse, 2012; Knill, 2001; Lavenex, 2001). Yet, the EU is not always the model, and in fact many state security organisations (i.e. agencies) around the world, including many in Europe, adopt *US* norms, laws, and organisational models (see Galli & Weyembergh, 2012; O'Neill, 2011; Omelicheva, 2009; D.S. Reveron, 2010; Rihackova, 2006). Moreover, EU scholars have paid scant attention to instances where European and North

⁴⁰ Nb. It must be said that historically inclined scholars, positivist or not, tend to avoid *just* comparing the same 'case' in different periods, for this would fail to take into account path dependency or legacy effects. As Pierre Bourdieu put it, life is *not* a series of spins in roulette, "a world without inertia, without accumulation, without heredity or acquired properties, in which every moment is perfectly independent of the previous one" (1986:46).

American agencies have *imported* non-Western norms, policies and laws (R. J. Aldrich, 2009a; Deflem, 2004). Similarly, virtually no one has shown an interest in comparing *the relative* giving and taking (i.e. the 'trade balance') of data, messages, liaison officers, training, equipment, etc. (Auerswald & Saideman, 2014; Aydinli, 2010; Aydinli & Yoen, 2011; Gerspacher & Pujas, 2010; Haesebrouck, 2016a; Saideman & Auerswald, 2012).

Overall, *general* theories on security cooperation between (Western) states are few in number. Most concepts about the state and its problems were produced *for* a state. Experimental and statistical studies are virtually inexistent. Qualitative comparative studies tend to eschew studying cooperation. Reversely, studies of cooperation tend to study single 'cases'. And both types of studies have a tendency to ignore causal factors that might originate geographically beyond their case or region of interest. Furthermore, when cooperation is compared, the focus tends to be on one type of state organisation or function. Similarly, the few comparative studies of cooperation that have been conducted rarely test their findings against previous historical periods (Deflem, 2004, p. 8; E. Durkheim, Lukes, & Halls, 2014). Studies of inter-state security organisation cooperation is currently biased towards *current events*, rarely taking into account what Marc Bloch, Lucien Febvre and Fernand Braudel called the *longue durée* (Fernand Braudel, 1958). Such historical short-sightedness leads to many assumptions about facts and norms.

As mentioned in chapter 1, this thesis tries to fill some of these gaps. Chapter 3 presents a theory of security cooperation between Western states. In chapters 4, 5 and 6, the case studies (from both North America and Europe) examine the 21st century, but keep the origins of such of cooperation in mind. And the conclusion 1) compares and contrasts the different types of security cooperation; says how a critical realist study of inter-state security cooperation ought to address policy relevance; and proposes a few ways a general theory of inter-state cooperation might be developed.

Three Barriers to Inter-State Security Organisation Cooperation Studies

Before moving to these chapters, however, it will be useful to see why cooperation is so rarely compared (or analysed via statistics) and why many inter-state security cooperation scholars are theory-averse. This second section suggests *three plausible explanations* for the theoretical and methodological gaps identified in the literature: state secrecy, the inclinations and interests of state security scholars, and the 'trans-state' (i.e. transnational) nature of the state. Making these three arguments helps explain this thesis' limits (see chapter 1), but also, to repeat, provides some historical and political context to state studies in general.

The most obvious explanation for the methodological and theoretical gaps just mentioned is that governmental, corporate and criminal secrecy impede data collection, rendering *comparison* difficult. A second, less obvious reason for the two gaps is to be found in academia: security-scholars tend to work *for* the state. In other words, their research designs are tailored to the immediate needs of policy-makers, and these research needs generally do not require the comparison of cooperation or abstract theorisation, especially if this demonstrates the arbitrary nature of state authority and state borders.

Explaining Military, Law Enforcement and Intelligence Cooperation between Western States

In addition to these two explanations, a difficulty inherent to all studies of the state must be mentioned: states and their security organisations have never been static. Their legal and *de facto* borders have changed, their populations have migrated, and administrations have interacted. Consequently, it is difficult to treat states as enduring cases or units, which means any comparative method ought to be accompanied by a more holistic and historic 'systems'-oriented inquiry.

State Secrecy: A Barrier to Data Collection

War, law enforcement and espionage are practices on the interaction of conflicting parties. This means that all three practices are based on strategy, often incorporating the use of deception and secrecy. Authors such as Sun Tzu, Carl von Clausewitz, Georg Simmel, Max Weber, and Michael Walzer have all noted that the control of knowledge and ignorance (and the recognised expertise to distinguish the two) are essential to social control and manipulation (Simmel, 1906; von Clausewitz, 1943; Walzer, 2015; M. Weber et al., 1978). It should be of no surprise, then, that the major difficulty in the comparative study of security agencies is *access* to valid, reliable and detailed data (see R. I. Mawby, 1990, p. 12; R. I. Mawby, 2013, p. 1). And without sufficient data, a structured and systematic comparison is simply impossible.

Consider the case of a scholar seeking to study inter-state security cooperation. If contemporary history is of interest, then interviews with the subjects studied will obviously provide some insight as to how security is actually organised, and the reasoning behind cooperation (or the lack thereof). But the inter-state nature of the study will mean that the scholar would have to go to both major capitals (i.e. diplomatic hubs) and each state's capital. If the scholar has limited time or funding, it will be difficult to spend large periods in each city, forming the social networks necessary to gain access to professionals dedicated to guarding state secrets and the strategic advantages such secrecy provides. In other words, for want of time and money, and considering the 'sensitive' nature of the topic, embassies will not always 'open the door' (R. I. Mawby, 2013, p. 7).

As information and communication technology (ICT) facilitates the collection, storage and transmission of data, democratic governments and their security organisations are under increasing pressure to be more accountable and transparent (see R. J. Aldrich, 2009b; Born, Leigh, & Wills, 2015; Den Boer et al., 2008; C. Hillebrand, 2012; Claudia Hillebrand, 2013; Lupia & Elman, 2014; Magahy, da Cunha, & Pyman, 2010). In turn, deliberate efforts, 'leaks' and 'whistleblowing' have all made (some) agencies more 'open'. But transformation in state secrecy are not linear processes.

In the 1970s and 2000s, for example, American and British classified information of great quantity and quality was disclosed worldwide – without authorisation. This led to state policies officially threatening *to punish agency officials* who talked to 'the public', the press or academics. More recently, the US government, universities and peer-reviewed journals have used intimidation to prevent the publication and analysis of classified information in peer-reviewed journals (Mackey, 2010; Quill, 2014; Sontheimer, 2015; Spannos, 2016). These formal and informal threats limit the work of scholars – and practitioners. Henri Barkey, IR scholar and former US State Department official, has noted that "there is a wealth of

information that one cannot possibly get from reading foreign newspapers, whose accuracy is always in doubt, or, for that matter, individual pieces of intelligence collected opportunistically and sporadically” (Barkey, 2014). *De facto*, deliberate efforts to limit access to government officials and classified information also limits access to *corroboration and refutations* (i.e. triangulation). In other words, no matter one’s social and organisational position, gaining access to reliable information about state security organisations remains difficult.

What is more, even if our hypothetical scholar had access to all the internal regulations and documentation concerning the technologies and techniques used by the armed forces, law enforcement, and intelligence organisations of the states studied, much of what is done in practice would remain unknown. And not looking ‘beyond the mandate’ would be a grave oversight for any research seeking to study organisations whose success depends on secrecy and deceit.⁴¹

Overall, one can witness *a dialectic of openness and secrecy* that is quite similar to the *dialectic of relations between security agencies*. As security agencies seek to formalise their internal and foreign relations, informal cooperation is stifled, potentially reducing effectiveness. And while lawmakers and judges create and implement formal laws that increase freedom of information, internal regulations reduce actual opportunities to access information and observe the practices of security agents. In some cases, scholars see themselves as *in a zero-sum game*, forcing them, like journalists, to guard jealously their merger social capital (e.g. access to state sources). Such regulation and gatekeeping can only further decrease the autonomy of state studies, a field where many are already formally and informally ‘embedded’ within the state (Bigo, 1995a, p. 8).

Studies of the State by the State for the State: A Barrier to Theorisation

As was seen in the beginning of this chapter, the advent of the European state and European social sciences occurred simultaneously. In the beginning, science was almost always for the state (and not the church) (see Michel Foucault, 1975, 2014b; M. Foucault et al., 2004; Wakefield, 2009). But in that same ‘move’, scholars sought and gained a particular national and transnational legitimacy (Bourdieu, 2012; Emile Durkheim, 1969). But, as was also shown, it was a long time before scholars *for* the state became scholars *of* the state. In fact, it can be argued that the struggle for the liberty to consider the study of the state as an end in itself is ongoing.

In terms of ‘field’ autonomy, several factors can be considered. Many universities depend on state funding, which is often conditional on being useful (to particular individuals, to the nation, or to the state *qua* organisation, or to the ‘world’). Similarly, the state almost always plays a role in the provision and recognition of ‘official’ (i.e. state) certificates, be they for universities or scholars (Bourdieu, 1977, 2012; Bourdieu & Passeron, 2016). The state also generally plays a significant role in primary and secondary education, which allows it to define

⁴¹ As much as *customary* cooperative practices have often been *formalised* through treaties, legislation and memoranda-of-understanding, the discovery of secret and illicit informal cooperative practices has also moved state officials (e.g. legislators or judges) to ban or limit such activities (Hillebrand 2009).

state actions as legitimate, and distinguish them from non-state actions (cf. state violence and coercion), but also allows for the naturalisation and subsequent taken-for-granted nature of the very existence of the state and its symbolic and material demarcations (borders, jurisdictions, administrations, etc.) (Bourdieu, 2003, p. 49; 2012). All these state-university relations mean it is difficult for scholars to gain economic, legal, symbolic and cultural autonomy.

The mirror image of this ‘encroachment’ of the state are the scholars’ claims to humanistic and scientific expertise. Such claims can take two forms. One form is found in the policy-oriented research described above. Here, by accepting to have their work serve the state and its interests, scholars (supposedly) gain influence, they ‘get a say’. The other form of claims to expertise is found in calls for academia to be autonomous, and that just as business is business and art is done for art’s sake, science ought to have its own rules and its own interests (Bourdieu, 2003, 2012, 2016a, 2016b). But as entrepreneurs, artists, athletes, priests, etc. know all too well, such claims to autonomous rules are always contested by *instrumental* rationality (Dunne, 2001; Schechter, 2010). In fact, some have argued that instrumental rationality is intrinsic to modernity, making doing something for its own sake always somewhat illegitimate (e.g. Adorno, 2005; Adorno & Horkheimer, 1997). To the degree that the above is correct, several material, sociological and ideational factors disenable a ‘pure’ social science of the state and inter-state cooperation.

Of course, as mentioned above, the history of scholars (and others) critiquing the state and its security practices is long and complex. In academia today, this type of scholarship generally falls under the labels of Critical Theory and poststructuralist theory. This said, as also mentioned above, the latter can also be based on an *instrumental rationality*, that of seeking to ‘change the world’. Thus, as much as ‘Critical Theorists’ enjoy a degree of freedom from the state (in Western states at least), they also try to have the academic field *dominate* the political field – in this sense, just like many positivists, they would like state policy to be based on academic research. Their inclination to be ‘active’ (i.e. to make a difference) is the reverse image of the state’s encroachment into academia – sociology becomes a ‘martial art’ (Bourdieu, 2003, p. 38).

Thus, overall, it can be said that it is the state’s various relations with academia – not to mention the ‘revolving door’ of politicians and other practitioners taking refuge in universities (see Bigo, 1995a, p. 8), that leads to a paucity of truly *disinterested* scholars of the state. To the contrary, security scholars tend to be *engaged* scholars, focused on efficiency, effectiveness and expediency.

The Transnational Nature of the State: A Barrier to Comparison

If state security cooperation is transnational, the study of state security cooperation must be transnational too. Such academic ‘trans-state-ness’ can occur in two ways: either a scholar becomes an expert in several states and regions, or scholars from several states and regions ‘become one’ (i.e. collaborate) – some of the historical and comparative sociologists mentioned in section one faced these problems more than 30 years ago (David H. Bayley, 1979, 1992; F. Braudel, 1979; D. Collier & Levitsky, 2009; D. Collier & Mahon, 1993; Sartori, 1991; I Wallerstein, 2004).

Of course, eclecticism is still an option, but because each state and region contains idiosyncratic geographies, histories, laws, politics, economics, etc., comparative analysis is exceedingly difficult (Kaunert & Léonard, 2013, p. 72; R. I. Mawby, 2013, p. 1). This problem is compounded by the fact that in comparative studies, one of the best ways of avoid case-selection bias is (quasi) random selection, i.e. studying regions of which one has neither the language skills, nor the expertise (Fearon & Laitin, 2008; R. I. Mawby, 2013, pp. 1-7).

Regarding state security organisations, the history and current structure of each state's organisational set-up is so unique that being acquainted with the bureaucratic intricacies of several agencies within several states would be a herculean task. If one also wants to know how laws, regulations, rules, and customs are followed *in practice*, comparison will become even more problematic (Geertz, 1973; R. I. Mawby, 1990, p. 12; Pouliot, 2008). Thus, it seems that the more one seeks transnational breadth, the more one must lose national depth – or as Rob Mawby once put it, it is impossible to be an expert of everywhere (1999).

As mentioned, one solution is to become a specialist and cooperate with other specialists. And, on the whole, area specialisation followed by joint research seems to be an increasingly popular choice, if only because the division of labour increases effectiveness and efficiency. Moreover, seeing that new ICT is facilitating the sharing, translation and analysis of conferences, books, journals, and blogs, and that published research is increasingly 'open access' (i.e. in the public domain)⁴², it is increasingly facile for a specialised scholar to be 'perched on the shoulders of giants'.

As states become interconnected and interdependent, the study of security cooperation will become more difficult. A coping mechanism here is the use of general conceptualisations (at each level of analysis and for each object of study), which only gain specificity as needed. In fact, some have argued that the social world is so diverse, that international comparisons often have to occur at a very high level of abstraction (viz. the concept of 'state security organisation') (D. Collier & Levitsky, 2009; R. I. Mawby, 1990, p. 15; Sartori et al., 1975). Thus, it could be argued that transnationalisation is in fact a manageable complication.

Still, raising the level of abstraction of concepts employed will not remove the most methodologically problematic barrier raised by inter-state security agency cooperation: the Galton problem. In 1888, Francis Galton hypothesised that similarity between cultures could be due to borrowing or common histories (Naroll, 1961; Ross & Homer, 1976). In the comparative study of variance in counterterrorism policies, for example, similarities might be due to entrepreneurial initiatives and norm diffusion (Argomaniz, 2012, p. 67; Braun & Gilardi, 2006a; Katsumata, 2011; R. I. Mawby, 2013). In practical terms, this means that comparative studies of political entities must control for historical (i.e. past) external factors and common (i.e. shared) factors, such as location, language, markets, laws, social networks, etc. (see Jahn, 2006; Murdock & White, 2006).

In effect, past and on-going security agency cooperation *has the potential* to create a form of feedback, making it difficult to distinguish cause from effect and 'opening the door' to tautological analyses. For example, if one operationalises security cooperation in terms of agreements, data sharing, liaison officers, operations, and training, it becomes evident that these forms of cooperation can have an effect on the breadth, depth and scope of future

⁴² In fact, many state security organisations are starting to take advantage of such 'open sources' (Kaunert and Leonard 2013).

cooperative relations, thus creating path dependency. To detect such effects, it might be necessary to combine comparative analysis with within-case studies (George & Bennett, 2005).

In fact, the organisational problems that security agencies scholars face are quite similar to those that state security officials face. Some have to learn new languages, others have to gain new regional expertise. Overall, secrecy and transnationalism make security cooperation difficult (to compare systematically). One solution here is *transnational academic cooperation*, although such cooperation (as all cooperation) also has a number of constraints (see CASE Collective, 2006).

Conclusion

This chapter has examined the degree to which the literature on inter-state security organisation cooperation is imperfect. It has been argued that the first studies of the state, state security, and state security cooperation were conducted by and for the state. This first section also briefly reviewed the literature specific to the 'transatlantic region' and its sub-regions, i.e. North America and Europe. To avoid placing any personal blame on the authors reviewed, the second section of this chapter presented three plausible 'structural' explanations for current deficiencies in the state security cooperation literature: state secrecy, state co-option, and the trans-state nature of all studies of the state. In doing so, this second part also explained the limits of *this thesis* (detailed in chapter 1). In other words, it outlined the politics of inter-state security cooperation studies, and how such politics generally affect the study thereof. This said, the first section also focused on the various methodological differences in inter-state security cooperation studies (i.e. historical studies versus comparative studies, comparative studies *versus* cooperation studies, regional studies *versus* inter-regional studies, policy-relevance *versus* theorisation, etc.).

3. What makes Western Security Cooperation Possible: A Theory

“You can't always get what you want /
But if you try sometimes well you just might find /
You get what you need” (Rolling Stones, 1969)

If you study any entity *at one point in time*, it will be unchanging, static. Synchronic analyses, for example, are useful for comparing and contrasting entities, parts and relations *at one point in time* (De Saussure, 1968; Michel Foucault, 2014a). But to explain etiological causation (i.e. what Aristotle called the efficient cause), the temporal scope of the analysis will always have to be widened. And in such a diachronic (i.e. longitudinal) study both endurance and *change* will have to be explained (Lawson, 1997, pp. 170-171). Moreover, an entity that endures in one temporal reference could be partially or totally different in another, and vice versa (Mingers, 2014). Heraclites even argued that staying the same can *require change*: “into the same rivers we step and do not step, we are and are not” (Graham, 2015). Pierre Bourdieu puts all of the above as the need for historical sociologists to avoid *anachronisms* (on the 'illusion' of the nominal, see 2012, p. 170).⁴³

Consequently, what is essential to any definition of states and inter-state cooperation is an *explanation of both endurance and change*. Following this logic, this chapter presents a simplification of *what states are*, but also an explanation of how they came to be, why they cooperate (via their officers), and how such being and cooperation is affected by time and space (on four-dimensional ontologies, see D. Lewis, 1993; D. K. Lewis, 1987; Plutarch, 2001). In other words, the chapter presents a ‘critical historical ontology of inter-state cooperation’, with a focus on security cooperation. Such a critical realist theorisation has not been conducted in the study of international relations, military studies, law enforcement studies or intelligence studies. Rather, authors have tended to focus on one type of causation: institutionalists on the formal; historians on the efficient; functionalists on the final; geographers and anthropologists (especially science and technology scholars) on the material.

The abductive inferences⁴⁴ made below are based on theories found in several disciplines. The ontology was developed by applying a basic critical realist social ontology to organisations. This transposition facilitates the integration of theories of 1) transaction cost economics⁴⁵; 2) inter-organisational cooperation and control; and 3) ‘international’ institutions (i.e. regimes) and organisations (IOs). The definition of the state and the

⁴³ Following Bourdieu we could say that, because so much has changed, ‘The University of St Andrews’ today is not the same entity as ‘The University of St Andrews’ 600 years ago. Following Heraclitus, we could even argue that it is *because* the university changed that it continues to exist. These subtleties depend, of course, on how one defines the ‘The University of St Andrews’.

⁴⁴ A type of inference favoured by Immanuel Kant and Charles Sanders Peirce, which consists in hypothesising what makes something possible. Time and space, for example, are not just limits to the possible, but also what makes the possible possible.

⁴⁵ Without the rationalist or cost-focused assumptions.

explanation of variation in time is based on traditional historical sociology, focusing on violence, legitimacy and professionalization. The application of historical sociological theories to the ontology just mentioned allows a better understanding of the different social roles that state officers play, and how such role intersectionality can foster contradictions, conflict and control. The explanation of variation in cooperation in *space* is based on basic human geography and urbanism theories. Reference to these theories also allows for a better understanding of why states sometimes cooperate with states and not non-state organisations.

Although this chapter is founded on many theories from many disciplines, it is also based on *inductive* inferences, made via the case studies. It is only through an iterative process, going between the cases and the theories, that the abductive inferences were possible. But the empirical basis of this theorisation also means that the theory presented is largely applicable only to why military, law enforcement and intelligence cooperation occurs between Western states in the 21st century (on the thesis' limits, see chapter 1). Inasmuch, the theory presented should be seen as (only) a first 'step' in explaining why cooperation occurs 1) between *other types* of state organisations, 2) between Western states *before the 21st century*, 3) between *Western and non-Western* states, and 4) between states and *non-state organisations* (on future research, see chapter 7).

Due to resource constraints, the chapter is divided not according to Aristotle's four types of causation, but according to lay categories of explanation: who, what, when, where, why. These are covered in three sections – one long, two short. The first section covers the 'who' and the 'why'. The scientific ontology is divided into a meronymy⁴⁶ of state groupings and a meronymy of person groupings. This sub-section can be characterised, then, as a constitutive theory (i.e. a morphology) (see Elder-Vass, 2010; Anthony Giddens, 1984; Lawson, 1997; Wendt, 1998). Section 2 briefly covers the location of cooperation, and goes into the details of liaisons, geopolitics, and jurisdictions (i.e. it presents a spatial ontology of cooperation). Similarly, the third section very briefly examines the 'when' of inter-state security cooperation – i.e. *not in a history or a tracing of specific processes, but rather a temporal ontology of cooperation*. Inasmuch, sections 2 and 3 seek to place inter-state security cooperation in space and time. These analytical divisions are artificial, of course – much of what is explicitly discussed in the second and third sections is implicitly covered in the first section. And as discussed in the introduction, many aspects of causation are not covered or have been simplified.

By focusing on the who-what-when-where-why (and not the four causes), the chapter limits itself to presenting *a four-dimensional scientific ontology* of Western security cooperation, and not an exhaustive theory. Despite its limits and simplifications, the theory can also be seen as a premise towards a *theory of the ecosystem of states* (i.e. how states interact with other (state and non-state) organisations and their wider environment) (for other global system theories, see Buzan & Little, 2000; Luhmann, 1982; J. R. McNeill & McNeill, 2003; W. H. McNeill, 2009; Immanuel Wallerstein, 1974).

⁴⁶ I.e. part-whole relationships

Who and Why

Who

By definition, entities are things that have emergent properties, and these properties can have causal effects. Entities are, by definition, more than ‘the sum’ of their parts (P. K. Edwards, O'Mahoney, & Vincent, 2014; Elder-Vass, 2010, pp. 64-86; Fleetwood, 2005, p. 199; Sayer, 2000b). Over time, some entities might barely change; their morphology will be quasi-static (Archer, 1982, 1995). Change can also be so gradual that the difference makes little difference to the entity's causal properties and capabilities (P. K. Edwards et al., 2014, p. 225). To begin theorisation, one must start by explaining why some entities remain relatively stable, and others not, and to *distinguish* these relatively stable entities from their ‘environment’ (Mingers, 2014, pp. 41, 117-146).⁴⁷

What follows is based on a very simple critical realist philosophical ontology: animate and inanimate entities can be formed into groups with emergent causal properties, which can be formed into groups of groups, also with emergent causal properties. Below, this philosophical ontology is applied a specific historical and geographic context, and as such can be called a scientific (i.e. historically-specific) ontology (on formal and scientific ontologies, see Fullbrook, 2009; Husserl, 2016; Lawson, 2012, 2014). Simply put, state officials can have their states form groups of states, where states are the parts of larger groupings. And because these groupings can have causal effects, they can be considered *real* entities (Elder-Vass, 2010, p. 81).⁴⁸ Consequently, it is not an anthropomorphism to assert that (an) organisation *allows* groups of persons, as ‘collective actors’, to reach certain ends (Archer, 1995, p. 257; Arendt, 1970; Elder-Vass, 2010, pp. 144-168, 192-205).

States, however, are not the only types of organisations that exist. This means states can be formed into groups with non-state organisations (see chapter 7 on future research). More importantly for this thesis, all organisations are formed of parts, namely *persons* (and inanimate entities), which in turn are made of organic and inorganic parts (on 'gunk', see Sider, 1993). This *subsection* will develop this ontology, and the subsequent two *subsections* will do the same for persons and other resources, thus explaining what makes security cooperation between Western states possible.

Groups of groups: a state grouping meronymy

⁴⁷ Chapters 4, 5 and 6 identify *actual* instances (i.e. cases) of each entity-type and determine their relative stasis during the historical period of interest. As Weber argued, linking entity ideal-types to actual entities helps avoid all sorts of reification fallacies: naturalising social constructs, confusing concepts and their referents, etc. (Anter 2014, Giddens 1984:180, Weber 2011).

⁴⁸ An argument Aristotle made about city-states.

As is well-known, persons can form several types of groups: normative groups and basic interaction groups, but also more complex interaction groups, such as associations and organisations (Elder-Vass, 2010) (see also Anthony Giddens, 1979, 1991; Lawson, 1997, pp. 157-172):

- **Normative groups** emerge when people self-consciously, consciously or unconsciously commit to comply and enforce a norm (i.e. law, rule, custom, or convention regulating behaviour) (Onuf, 2012).
- **Interaction groups** are normative groups where persons endorse (again self-consciously, consciously or unconsciously) norms of *interaction*, often related to the resolution of coordination problems (D. Lewis, 2008). Interaction norms are always explicitly or implicitly associated with *roles* that help specify in what context the norms must be followed (on social positions and official roles, see Andreas Anter, 2014; Anthony Giddens, 1979, pp. 117, 152-153; 1984, p. 84; Holsti, 1970; Max Weber, 1978, pp. 86-94, 957).
- **Associations**, in turn, can be defined as a specific type of interaction group, i.e. where *members* fill *similar* roles.
- **Organisations**, finally, are a type of association, where membership roles (e.g. positions, posts, offices) are formal and differentiated (according to specialties and hierarchical authority) – ‘within’ formal organisations one also finds informal norms and other groupings, of course (Pouliot, 2016; Stone, 2011; Swanson, Territo, & Taylor, 2016, p. 251; Vabulas & Snidal, 2013).

But *organisations* can also be formed into normative groups and interaction groups (including associations and organisations), all of which are real (i.e. they can have an effect). If we categorise ‘the state’ as a type of organisation (or more precisely an organisation of organisations), the affirmation that ‘states can be formed into groups’ might seem trite. After all, the normative grouping of states is akin to what generations of IR scholars have studied under the terms ‘institutions’ and ‘regimes’ (e.g. Hasenclever, Mayer, & Rittberger, 1997; Keohane & Nye, 1977; Krasner, 1983; Ruggie, 1982). But what some IR scholars have not mentioned is that many normative groupings of states are *informal*, purely customary in nature, and often taken-for-granted (see Bures, 2012; C. Lipson, 1991; March & Olsen, 1998; Vabulas & Snidal, 2013). In fact, all *formal* norms and normative groupings are attempts to *replace* a diversity of pre-existing *informal* norms and (often naturalised) informal normative groups. And reversely,

[...] all those interested in the social order must fear for the belief in ‘legality’ lest it be shaken by doubts of its legitimacy (Max Weber, 2009, p. 264).

Thus, as many legal positivists have argued, if we put aside the question of legal interpretation, what is factually legal and factually legitimate are two completely different types of facts (Dyzenhaus, 1999; Schmitt, 2004; Uphoff, 1989). A law can be seen as illegitimate, and what is seen as legitimate can be illegal.

In *customary* normative groupings of states, state officials make commitments to enforce and comply with common informal norms (see Elder-Vass, 2010, p. 124). These types of groupings are of great interest to ‘English School’ and ‘Constructivist’ IR scholars (see Buzan, 1993). In the 21st century, even some IR realists have shown interest in inter-state norms, both formal and informal (e.g. territorial integrity, self-defence, the responsibility to protect (R2P), and those ‘rogue’ states that infringe them). This said, many norms are followed unknowingly – until they are breached (on interorganisational lifeworlds, see Pfeffer & Salancik, 2003, pp. 147-148). Thus, *pace* the literature on norm entrepreneurs (e.g. Ingebritsen, 2002; Kaunert & Giovanna, 2010), it can be argued that many ‘inter-state’ norms are only *tacitly* known.⁴⁹

State officials can also have their states form *interaction groups*, where norms dictate not just how states *qua* organisations are to act, but also how they are to *interact*. As mentioned, interaction groups can be divided into three types: *ad hoc*, associational and organisational. Obvious examples of *ad hoc* state interaction groups are to be found in the application of norms regulating warfare and diplomacy. Certainly, these interactions are bound by international public law and diplomatic protocol, but they are also bound by informal⁵⁰, sometimes unacknowledged⁵¹ norms (see Pahre, 1999; Pareto, 1927, p. 41; Stone, 2011; Max Weber, 1978).

The majority of state interactions, be they between executive branch officials and diplomats or between security officials, occur within *associational* or *organisational* groupings. State *associational* groupings are defined by their membership. In these groupings states *qua* organisations are given a role that entails a set of explicit and implicit norms, which are *the same* for every state. To repeat, if member states have the same roles (i.e. rights, obligations and functions), their group constitutes an *association* of states.

The meronymy just outlined leads to the deduction that ‘international organisations’ (IOs) are simultaneously organisations and *associations of states*.⁵² An IO is a grouping of people enacting specialised and hierarchical roles that define the organisation. But an IO has the particularity of also being an association of states, where states *qua* organisations fulfil (through their officers) state membership roles. The distinction is worth remembering, for in associations of organisations it is the organisations that are filling normatively-bound roles,

⁴⁹ Any social science that identifies an unconscious compliance or a false belief can be called ‘critical’ in the Kantian sense of helping individuals form *their own* laws (Bourdieu 2012:373, Giddens 1984, Sayer 2000).

⁵⁰ NATO, for example, is constituted by many formal, but also informal norms that are ascribed to all member states. During meetings, for instance, seats designated for member states are often left vacant. But when state officials want to clearly demonstrate that an issue or a meeting is important to ‘the state’, the state’s staff intentionally keep all seats occupied throughout the meeting. That a state’s staff ought to signal the importance of a meeting through the occupation of seats is an example of an informal norm ascribed not to specific officials, but to member states.

⁵¹ In 2017, for example, the daughter of the President of the United States of America (US) briefly sat in the seat designated for her father (i.e. for the US president) at a G20 ‘summit’. Although Ivanka Trump was an official member of the US government’s staff, some journalists criticised this act as being something that was ‘not done’. The summit’s rules (i.e. the formal rules of the association of states called the G20) allow state officials to place whichever representatives they like in designated seats, but, clearly, in retrospect, a form of nepotism replacing official hierarchies bothered some, indicating the pre-existence of an informal norm regulating member state behaviour.

⁵² This deduction will be not come as a surprise to EU scholars.

albeit *through* officials (on role theory in foreign policy analysis, see Bengtsson & Elgström, 2012; Cantir & Kaarbo, 2012; Holsti, 1970).

It is also important to keep in mind that many organisational associations are also *informal*. For example, foreign and domestic intelligence *agencies* have been assigned membership roles within many informal associations (i.e. clubs). Similarly, states are often grouped into informal associations, such as ententes, pacts and concerts (G. W. Downs, 1994; K. Weber, 2000). What English School scholars call the “international society of states” is in fact an informal association of states, where each member state is assigned a similar role (see Bull, 2012). As some constructivist scholars have noted, one of the consequences of associations of states, security agencies, etc., is that, through socialisation, *officials* may start to identify with an organisational association (see also Elder-Vass, 2010, pp. 149-152). Such role intersection can cause conflict between a government and professionals. This being said, the adoption of new social identities by state officials must be distinguished from the adoption of new role-identities *for the organisation* (Pouliot, 2016). The two phenomena are related but distinct.

Finally, as already mentioned in relation to the state, *organisations can also form organisations*. In this case, the interactions of the organisations are regulated not by identical membership roles, but by functionally and hierarchically differentiated roles (see Lake, 1999; Lake, 2009) – this, in essence, is what *integration* means. In other words, when the executives of organisations agree to have their organisations specialise and/or submit to a hierarchy, these organisations in fact become one larger organisation. Karl Deutsch and Kenneth Waltz both argued that, unlike firms, states are rarely “amalgamated” (Deutsch, 1957; Waltz, 1979), but, in fact, state separatism, irredentism, annexation, colonialization, and federation are all frequent. The history of the United States of America (US), for example, contains examples of all.⁵³

Groups of persons: deepening the meronomy

A general theory of inter-state cooperation would have to be based on an organisational taxonomy that is slightly wider than this simple people/states/groups of states framework, i.e. it would have to include non-state people, non-normative groups, and non-state

⁵³ Many EU integration scholars measure the ‘depth’ of integration according to the legal authorities given to ‘community’ organisations (e.g. the European Commission, the European Court of Justice (ECJ), the European Parliament) via treaties. Often the analysis gets lost in legal debates about popular sovereignty, Kompetenz-kompetenz, etc. (on ‘the basic norm’, see Kelsen 1967). It is not clear, for example, if EU treaties pertain to international law, constitutional law, administrative law, or a combination of all three. These scholars are like a character in a Franz Kafka novel, forever in search of the last court of appeal (see Bourdieu 2012:117, 21, 346, 480). Rarely mentioned in depth-of-integration and legal sovereignty debates are the numerous national security exception clauses, which are all open to the interpretation of state officials. This should lead EU scholars to conclude that organisational integration should not be studied via statutes, but via practice. The empirical question is whether states actually fill specialised or hierarchical roles. Do governments submit to the decisions of the ECJ? Do they apply directives and regulations? When common norms are systematically ignored, the grouping effectively ceases to exist.

interaction groups. But for the purposes of this thesis, it will suffice to define groups of states, states and the people that compose states (on future conceptualisation, see chapter 7).

But then, what is a 'state'? Defining the ideal-typical modern state (and thus providing a negative definition of non-state organisations) requires moving down 'the conceptual ladder', developing an ontology that better situated historically. While doing this, it is important to distinguish definitions of ideal-typical states with the identification of actual states.

Modern states

Philosophical transnationalism does not deny the importance of bounded or boarded social groups. Rather, one of the central meta-theoretical puzzles it attempts to solve is why certain boundaries arise to begin with and how are they reproduced and perpetuated (Pries, 2008, p. 33).

The story of the creation of states *qua* organisations in Europe is a familiar one, summarized by Karl Marx, Weber, Norbet Elias, and many others (see chapter 2). Very briefly, through the quasi-monopolisation of effective control of violence and commerce, certain lords came to dominate others. These overlords also managed to quasi-monopolise *information*, notably in relation to taxation (see Michel Foucault, 1975; J. C. Scott, 1998). The effective monopolisation of other practices (justice, investigation, espionage) took centuries to accomplish (see, for example Max Weber, 2009, p. 223). These practices only started to reverse in the late 20th century (under the form of both privatisation and outsourcing).

It is only recently, for example, that states relinquished their quasi-monopoly of information, making possible the slogan that data is "the new oil" (Humby, 2006; Rotella, 2012) – to the point that, in the 21st century, Western states obtain much of their data from firms (such as Facebook, Amazon and Google) that have a "God's eye view" of activities in their own markets and beyond (The Economist, 2017). Or as Julian Assange puts it:

If you ask "Does Google collect more information than the National Security Agency?" the answer is "no," because NSA also collects information from Google. The same applies to Facebook and other Silicon Valley-based companies. They still collect a lot of information and they are using a new economic model which academics call "surveillance capitalism." General information about individuals is worth little, but when you group together a billion individuals, it becomes strategic like an oil or gas pipeline (Sontheimer, 2015).

Privatisation and state outsourcing have reached the point where states no longer directly provide many public goods or services. Besides tax collection, the essential function (i.e. the core competency) of Western states is *regulation*. In other words, what 21s century state

officials try to maintain a monopoly⁵⁴ of *the authority*⁵⁵ to regulate interactions (such as commercial exchange and the use of physical violence) within their territory, (Bourdieu, 2012; Emile Durkheim, 1969, pp. 142,144; Max Weber, 2009, p. 82).

One of the goals of contemporary state officials remains the enforcement of the law-of-the-land, where state law takes *precedence* over all other norms, be they familial, religious, economic, artistic, or scientific (Bourdieu, 2012). Regarding the administration of law and justice, for example, vendettas and feuds are to be illegal (see Max Weber, 2009, p. 213), and a state's highest court is to have the competence to decide who has legal competence. The degree of legitimacy-enabled effective regulation by state officials is sometimes called "institutional strength" (Levitsky & Murillo, 2009, 2013). This said, traditional Weberian definitions remain relevant, for they help distinguish *de jure* states from *de facto* states, formal legality from actual legitimacy.⁵⁶

The last resort (i.e. *ultima ratio*) of law enforcement, be it on citizens or foreigners, is violence. This last resort is what is used when authority-claims fail. And it is for this reason that the Western states have not completely outsourced or privatised armed forces, policing, border guards, coast guards, prison guards, etc. It is also for this reason that armed non-state organisations are required by law to seek a state *permit* (e.g. guards, detective agencies, private military contractors, etc. (Interviewee K, 2017). This said, in Western states at least, law *enforcement* is mostly obtained through legitimacy, which in turn is acquired through persuasion, education, socialisation, and indoctrination (on state legitimacy, see Abulof, 2017; Bourdieu, 2003, pp. 136-138; Habermas, 1973; Höreth, 1998, 1999; Hume, 1994; Klijn & Edelenbos, 2013; Lukes, 1974; Peter, 2014; Scharpf, 1998, 2010; Steffek, 2014; Tankebe & Liebling, 2014; Uphoff, 1989; Max Weber, 1978; Weigand, 2015).

One of the most interesting methods for the obtention of legitimacy is the creation of *social identities*. Through schooling, the press, the literature, and taxation (and previously through

⁵⁴ As the monopoly concept indicates, state executives often try to make the state both normatively autonomous and materially autonomous (i.e. self-sufficient). Here, a geographical distinction must be made. While autarchy refers to autonomy from other regions of the world, totalitarianism refers to a state's functional independence within its territory (on the functional aspects of totalitarianism, see Bobbio 2005, Hayek 2014, Schmitt 2008). In reality, no state is completely autonomous, all states are somewhat 'open'. Western states, for example, are in no way totalitarian autarchies – they have specialised in some tasks, 'liberalised' others, and simply fail to control others still. What these states do not effectively control (intentionally or not) can be called their environment.

⁵⁵ *Monty Python and The Holy Grail* (Chapman et al. 2014), a film produced by comedians well versed in medieval history, provided a succinct dramatization of a claim to such authority:

King Arthur: How do you do, good lady? I am Arthur, King of the Britons. Whose castle is that?

Woman: King of the who?

King Arthur: King of the Britons.

Woman: Who are the Britons?

King Arthur: Well, we all are. We are all Britons. And I am your king.

Woman: I didn't know we had a king. I thought we were an autonomous collective.

Dennis: You're foolin' yourself! We're living in a dictatorship. A self-perpetuating autocracy in which the working class...

Woman: Oh, there you go bringing class into it again.

⁵⁶ Concepts such as institutional strength and 'state capacity' are almost never applied to *de facto* states. In the eyes of a World Bank official or a private-sector risk analyst, a *de facto* state (e.g. Transnistria, Kosovo, Palestine, Taiwan) is an instance of the absence of institutional strength and state capacity.

conscripted), people of all ages tend to (consciously and unconsciously) endorse norms concerning what it means 'to be' a citizen (Beck, 1992, p. 21; Bourdieu, 2003, pp. 242-248; Michel Foucault, 1975; Zaki Laïdi, 2002, p. 140; Max Weber, 2009, p. 178). Education, therefore, is the 'origin' of state (and political party) legitimacy.⁵⁷ In Western states, those recognised by state officials as 'being' legal citizens (sometimes referred to as 'holding citizenship') can vote. As 'corporate shareholders' to corporations, citizens are a part of the state *qua* organisation. As opposed to expert managers, they are amateur (i.e. dilettante) owners (see Max Weber, 2009, p. 91). In this sense, taxation can be seen as an investment designed to 'earn' various types of 'return'. Some citizens also develop, through education, a *civic identity* and *an emotional attachment* to citizenship, sometimes expressed in the form of nationalism and nativism (see George L. Mosse, 1975; Mosse, 1999).

Professional associations and organisations: networks, clubs and schools

This said, despite state officials' efforts, other normative interaction groups are often seen as being *authoritative* (i.e. as 'above' the state). In Western states, family-, religion-, school- and business-specific norms are regularly endorsed and enacted in flagrant contravention of state laws. The most dramatic of *extra-legal norm enforcements* relate to notions of (dis)honour and (in)justice: paedophiles are stabbed, infidels run over, schoolmates shot, and CEO's kidnapped.

Although the daily confrontations are less violent, *professional associations* are also a type of interaction group that state officials have difficulty regulating (Bourdieu, 2012, pp. 507-572). Many schools and universities were first part of religious organisations, such as cathedrals, monasteries and the Roman Catholic Church. Eventually, state officials sought to regulate and standardise 'private' places of learning located within the state's self-proclaimed jurisdiction (Emile Durkheim, 1969). State officials also created standards for public professions (e.g. military, police and intelligence officers), and founded state academies and curricula. But in creating these standards and academies, state officials also inadvertently enabled the creation of informal professional associations (i.e. brotherhoods, "guilds") (see Bigo, 2011, p. 253). State professionals (i.e. experts, those with a specific 'cultural capital') formed formal and informal professional associations, both nationally *and transnationally*.

In the 20th Century, private universities also participated in the professionalization of Western security practices, offering practice-oriented courses (usually designed by former officials) covering subjects such as military strategy, police administration and the intelligence cycle. As a result, state agencies officially dedicated to warfare, law enforcement and intelligence collection and analysis must now be distinguished from 1) formal professional associations and 2) informal professional associations, whose memberships are rarely 'national'. In fact, it is plausible that informal professional associations were always *trans-national*. It can even be

⁵⁷ When Ronald Regan was the Governor of California, he decided to reduce the budgets of state universities, not because they were inefficient, but because they were too *effective* (at teaching 'progressive' values and concepts) (Pfeffer and Salancik 2003).

argued that professional techniques, technologies, honour-codes, books, etc., were never state-specific (i.e. idiosyncratic). Such norms have always ‘travelled’, ‘diffused’ (see section 3 below; on cotemporary policy diffusion, writ large, see Börzel & Risse, 2012; Braun & Gilardi, 2006b; Katsumata, 2011; Knill, 2001; Lavenex, 2001; Lupton & Beamish, 2014; Most & Starr, 1990; Shipan & Volden, 2008; True & Mintrom, 2001).

Government officials (e.g. legislators and judges) – who also belong to their own, often transnational professional associations (Slaughter, 2004) – try to regulate state professions, but these professionals can dispute such ‘amateur’ regulation by making claims to expertise and transnational standards (e.g. best practices) (see Bigo, 1996). Therefore, *pace* Parsons (1939), the distinction between ‘the state’ and ‘professions’ is not always evident (see also Bourdieu, 1990). In fact, government officials’ claims to legal and political authority often conflict with security officials’ claims to scientific and technocratic authority (i.e. expertise, competence).

Changes in *Intra-State* Groupings: the technique of politics and the politics of technique

[...] The perennial gale of creative destruction [...] cannot be understood on the hypothesis that there is a perennial lull” (Schumpeter, 1947, p. 84).

Professionalization also explains *changes* in the organisation of states and inter-state groupings. One tendency all professionals have is to *specialise*, especially in opposition to professional peers (Emile Durkheim, 1893). But this specialisation is always done *within the norms of the profession* and the instructions of hierarchical superiors. In other words, the specialisation must be recognised as legitimate *by the professional’s entourage*. Individual specialisation must ‘make sense’ (Bigo, 1995a, pp. 9, 14).

Managers of state sub-organisations also try to specialise *their agencies*, if only to distinguish them from other agencies. One would think that *military and intelligence* agencies are clearly different types, and yet they compete for budgets and competencies (e.g. covert operations). Likewise, *police and intelligence* agencies often compete for counterterrorism competencies. *Military and police* agencies compete for crowd control and rural policing competencies. Just as with personal specialisations, agency specialisation has to be justified. Agency specialisation should make things “easier” (Plato, 1968, p. 47); to make sense, it has to be according to “the rules of the game” (Bourdieu, 2016a).

These two historical tendencies (i.e. personal specialisation and organisational specialisation) are in fact one:

The whole structure is dynamic, and by its anonymity compels modern man to become a specialised expert, a ‘professional’ man qualified for the accomplishment of a special career within pre-scheduled channels (Max Weber, 2009, p. 49).

Thus, overall, *intra-state* specialisation is neither completely determined by scientific and technological reason, nor by the politics of professions, but by *both* (for a similar argument

applied to academia, see Bourdieu, 2003, pp. 157-171). There is a private interest in the public; a particular interest in the universal; and interest in being disinterested (Bourdieu, 2003, pp. 178-184).

Professionals and state organisations tend to specialise because this allows them to justify their unique *effectiveness, efficiency or expediency* (see, for example Swanson et al., 2016, pp. 33-34). Specialisation is to provide *a competence* that can be exchanged for other resources, such as a salary or a budget (Williamson, 1979, pp. 239-244). One reason for this is that Western state officials assume that voters and taxpayers care about state effectiveness, efficiency and expediency – although sometimes law, ethics or so-called ‘reason-of-state’ are also invoked in public communication. This said, the tendency of people and groups to specialise does not mean people and groups tend to have just one capacity, one capability or one competence. To the contrary, the tendency to specialise often results in a *multiplication* of functions within states, agencies, officials. This overall change across time is often referred to as *functional differentiation*.

The general trend of organisational differentiation and specialisation can be explained by theorising how endorsed-norms, controlled-resources and learnt-preferences limit what strategies each officer and organisational leader might take in reaction to how they perceive their environment (see Bourdieu, 2000). For example, skill versatility allows officials to justify the existence of their position and organisation in terms of *economies of scope*; mastering several capabilities allows officials to *hedge* their specialisations, lest some become redundant (see A. Downs, 1967; Pfeffer & Salancik, 2003, p. 272; Scharpf, 1998, 1999, 2010).⁵⁸

Similarly, looking at context-specific norms, resources and preferences, be they personal, professional or organisational can help explain autonomy concerns. Because state officials receive valued resources (e.g. wages, training, information, support groups, prestige, etc.) from their profession, they tend to desire the continued existence of ‘their’ organisation, be it an agency or a state. Similarly, because citizens and residents receive a number of valued resources from ‘their’ state, they also tend to be attached to its survival. Of course, utilitarian considerations alone do not explain why an employee would be against an organisational merger or a citizen against a union of states.

Sovereignty and autonomy concerns can also be due to an *emotional* attachment to an association or organisation, or even due to an unconscious need for “ontological security” (on ontological security, see Ejodus, 2017, pp. 50-64; Anthony Giddens, 1984; Keynes, 1973, pp. 114-125; Lawson, 1997, pp. 180-184; Mitzen, 2006; B. J. Steele, 2007). Membership and all of the routines associated with that membership provide an unquestioned, unconscious social identity (Keynes, 1973, pp. 115-153; Lawson, 1997, pp. 174-188).

In this internal sense, every sincere man who lives for a cause also lives off this cause (Max Weber, 2009, p. 84).

This is especially the case in security-related professions – like espionage, policing and soldiering, where young recruits are “domesticated into machines”, taught the history of

⁵⁸ Another option for professionals and organisations is to totally change their ‘skill-set’, but this can cause a loss of recognised expertise.

‘their predecessors’, and are encouraged to develop a ‘common soul’ (i.e. *esprit de corps*) (Swanson et al., 2016; Marianne Weber, 2017):

[...] Leadership uses emotional means of all sorts. [...] These ‘imponderable’ and irrational emotional factors are rationally calculated (Max Weber, 2009).

Of course, just as manual labourers are ‘separated’ from the means of production and scientists do not own the *material* means of inquiry, warriors do not own the material means of warfare, nor the police the material means of policing, or spies the material means of espionage. Through this material dependency, brutal organisational *discipline* can be fostered and (for a moment) maintained (Max Weber, 2009, pp. 50, 81, 260).⁵⁹ In other words, obedience can be obtained through the creation of ontological risk (Michel Foucault, 1975; Kalyvas, 2003, 2004, 2006). But the use of violence (and threats thereof) is generally less effective *than education and indoctrination* (see above on state legitimacy) (Max Weber, 2009, p. 208). This is especially the case with professionals, who, by definition, have come to be experts, and thus often *value* what is at stake in the profession (Bourdieu, 2003, pp. 179-184; 2012). It is also less effective because professionals own other resources (i.e. the cultural, social and symbolic capital necessary for the survival of the organisation) consciously and unconsciously valued by organisational leaders *qua* organisational leaders (see Bourdieu, 1986, p. 50; 1993, 2012). In other words, the complex network of *dependence* between organisations, associations and persons for economic, physical and ontological security is one of *interdependence*.

State indoctrination techniques often result (as in other professions) in one’s *family* being identified with the military, law enforcement or intelligence – this occasionally leads to recruitment being based on both merit and *ancestry*, thus corrupting somewhat the official distinction between post and person, and thus professionalism (Bourdieu & Passeron, 2016).⁶⁰ Such socialisation can also occur *transnationally*, in foreign and inter-state academies, for example, which in turn can create conflicting allegiances between the two (or three) *esprits de corps*. Arguably, all officials and especially those at the highest hierarchical levels, are regularly forced to choose between allegiances, especially between party and profession.

As Parsons and Luhmann noted, organisations often try to adapt to their environment – and sometimes they even try to change it (on dynamic capabilities, see Buzan & Albert, 2010; Teece, 2007). “When something becomes a problem, one establishes a department to deal with it” (Pfeffer & Salancik, 2003, p. 77). Likewise, the organisation of a *state* and its agencies are often changed when government officials and state organisation (i.e. agency) directors perceive changes in their environment. This explains why armies are asked to provide

⁵⁹ The concern for the consequences of one’s professional acts can be related to one’s future reputation and relations (e.g. the loss of social capital, ‘burning bridges’), of course, but the anticipation of negatively valued consequences can also be related to economic and physical security. Max Weber, for example, starts both of his vocation lectures with mostly material considerations, such as how one will fulfil basic necessities, care for one’s family, etc. In sum, in addition to fostering alienation, the non-control of means of production creates a constant threat of social, economic and physical punishment (i.e. precariousness), which in turn fosters conscious self-discipline (e.g. conscious self-censorship and obedience).

⁶⁰ This also contradicts many official diversity-focused recruitment schemes, found in the US and France for example, often seen as necessary for increased effectiveness.

territorial defence, but then to go on expeditions; why law enforcement are trained to investigate crimes, but also to regulate the flow of goods, money, people and communication across borders; why intelligence agencies are instructed to monitor foreigners, but also citizens.

But because knowledge is fallible (e.g. perception is never perfect) and old habits die hard (e.g. fighting the last war), and numerous stake- and veto-holders constantly lobby, effective change is never guaranteed (Morse, 1973, p. 157; Sprout & Sprout, 1965). This is not to say that endless reforms within a state are always mere performances or purely the result of intra- and inter-field politics. Professionals often really want to be effective and efficient and for their organisation to be effective and efficient – if only so that their career can ‘progress’, but learnt heuristics, old habits, shared norms, and bureaucratic politics will always bias (i.e. distort) reforms intended to increase effectiveness, efficiency and expediency (i.e. control over self, others and things).

Habits and routines are particularly strong biases (Bourdieu, 2003, pp. 247-248).

The naïve idea of Bakuninism of destroying the basis of ‘acquired rights’ and ‘domination’ by destroying public documents overlooks the settled orientation of *man* for keeping to the habitual rules and regulations that continue to exist independently of the documents (Max Weber, 2009, p. 229).

This explains, for example, why organisational leadership often makes little difference (Jervis, 2013; Pfeffer, 1981; Salancik & Pfeffer, 1974; Max Weber, 2009, p. 230). When government officials see change as necessary, officers in each office (e.g. foreign relations, government relations, public affairs, general counsel, human resources, procurement, research and development, information technology) or state organisation (i.e. agency) will say their work is absolutely necessary, that it is ‘the future’. During these ‘turf wars’, formal and informal relations with *foreign* states, agencies and officers can provide all sorts of resources-*qua*-‘weapons’ (Bigo, 1996; 2006a, pp. 8-9; 2011, p. 253).

In fact, when tracing the history of state (re)organisation, one would have to avoid methodological nationalism. The danger of omitting transnational norm ‘diffusion’, called ‘Galton’s problem’, is real (see chapter 2). Changes in the organisation of state groupings, agency groupings, and role groupings, and their relations must be studied concomitantly, as a complex, multi-layered social network situated in time and space – ideally, such a model would lead to a *formalised* four-dimensional ontology, to be accompanied by a critical realist theory of the ecosystem of states.⁶¹ By emphasizing *change over time*, this theory would show, to paraphrase Joseph Schumpeter, the process of state “mutation” that constantly revolutionises the state structure from within, “incessantly destroying the old one, incessantly creating a new one” (1947, pp. 82-83).

For now, what ought to be kept in mind is the fact that the tendency to specialise leads, *simultaneously*, to the creation of new *transnational* interaction groups, associations and organisations, with their own rules and roles (see Bigo, 2011, p. 250; Blau, 1970, 1972) – many relations have been (and can be) transnational ‘all the way down’. By definition, these new

⁶¹ Which, in the distant future, could lead to a general (explanatory, but not predictive) theory of the ecosystem of social groupings.

Explaining Military, Law Enforcement and Intelligence Cooperation between Western States

professional groupings entail new social identity exclusions (i.e. membership distinctions), summarised under the *expert/amateur* dichotomy (see Bourdieu, 2012, pp. 347-370). Concerning state security professions, *a transnational history could be written*, tracing each differentiation, each critical juncture, when policing was distinguished from warfare, law enforcement from political policing, foreign espionage from diplomacy and military espionage, cyber espionage from signals espionage, and so on (on intelligence differentiation, see chapter 5). In fact, it could be argued that this empirical trend is nothing but a specific instance of a larger and older trend: *the division of labour*, and the consequent division of know-what and know-how (Buzan & Albert, 2010; Emile Durkheim, 1893; A. Smith, 1776).

Why cooperate: organisational and personal rationality, and their limitations

All political structures use force, but they differ in the manner in which they use or threaten to use it against other political organizations (Max Weber, 2009, p. 159).

Implicit in the theory of functional differentiation is that organisations depend in some way on their environment, where the boundary of an organisation is defined by its degree of *effective* control of needed resources. Thus, to explain cooperation is, in part, to explain why states cannot always get what they want (see Chang, 2008; Cranmer et al., 2012; J. Eastby, 1985; Keohane & Nye, 1974; Keohane & Nye, 1977; Keshk, Pollins, & Reuveny, 2004; Mansfield & Pollins, 2001; Maoz, 2009; Rogerson, 2000; Rosenau, 1980; Sprout & Sprout, 1965; Tromp & Rosenau, 1989).

For every type of function (and specific mission and tasks), a state organisation (i.e. agency) will require *resources*: labour/services, data/information/knowledge, money/currencies, goods, land/jurisdiction. Some of these resources will be obtained from state reserves, but many will have to be obtained from 'the environment': from people, from other states and from non-state organisations that control the desired resource (see Sprout & Sprout, 1965).

But how are these resources obtained? Historically, state officers have acquired resources through physical violence and duress. *Within* Western states, security organisations sometimes obtain resources violently or *via* threats of violence (e.g. compulsory purchase, expropriation). Most of the time, however, they make purchases and informal requests. In other states' (self-proclaimed) jurisdictions, Western security agencies sometimes (try to) use overt violence (e.g. war) or covert violence (i.e. clandestine and covert action) to confiscate resources. But since 1945, war, theft and legal coercion have often proven to be inefficient and counterproductive methods, not only due to possible retaliation by states within a common association of states, but also because of *transnational resource interdependence*⁶² (on post-1945 as an era of global interdependence, see Iriye, 2014; Morse, 1973). This resource interdependence make unilateral violent actions (e.g. extra-legal arrestation, kidnapping, rendition, theft, espionage, etc.) in other Western states *economically, legally and politically*

⁶² Economic reforms, such as liberalisation, privatisation and export-orientation, have led to a high degree of public and private resource dependence.

counterproductive, if only because of the perceived need for reciprocity (on non-cooperative and conflictual Western interactions, see chapter 7).

Often, Western security agencies will simply *purchase* resources from other states and non-state organisations. This can be done in an *ad hoc* manner or via contracts. This type of arrangement is sometimes called offshore outsourcing. Such transactions are generally done with *licit* non-state organisations, but military, law enforcement and intelligence agencies also purchase resources from illicit non-state organisations. Armed forces, for example, will purchase the services of militias and insurgents, police will buy information from informants, human intelligence officers will make sure to give various types of gifts to their agents, domestic intelligence agencies will outsource tasks to hackers abroad, etc. (e.g. Clarridge & Diehl, 1997; Dulles, 2006; Innes, 2012; J. Jones, 2017; The Economist, 2012, 2016).

If a resource is perceived as needed *repeatedly* or *continuously*, which between Western states they often are, then organisational merging (i.e. *interaction groups*) would be the most effective and efficient solution (Williamson, 1979, pp. 246, 249). But, as mentioned, state officials virtually always want to maintain the autonomy of *their* state and of *their* state organisation.

The problem facing individual governments is how to benefit from international exchange while maintaining as much autonomy as possible (Keohane & Nye, 2012, p. 264).

They want to write their own laws, make their own policies, and limit foreign control of resources, including human resources. To avoid formally integrating their organisational hierarchies and dividing the labour thereof, state officials often make use of *coping mechanisms* (i.e. methods), designed to balance the contradictory goals of *obtaining resources* and *maintaining state autonomy*. Coping methods have the potential to help a state satisfy resource needs all while maintaining a degree of autonomy (see Aiken & Hage, 1968; Pfeffer & Salancik, 2003, p. 153). This said, coping mechanisms are not a perfect substitute for merging: what is gained in flexibility is lost in effective control and economies of scale (see Pfeffer & Salancik, 2003, p. 70).

Extending Max Weber's private enterprise analogy, one can say that the desire for state autonomy is akin to the effects of anti-trust laws; likewise, state leaders' coping mechanisms can be compared to the types of coping methods used by business leaders (on lobbying, exchanging board members, cartels, and joint ventures, see Pfeffer & Salancik, 2003):

- **Liaison** and **co-option** (i.e. lobbying) allow another organisation's decision-making, practices and *staff* to be overtly and covertly influenced via threats, quid-pro-quo and persuasion.
- **Inter-state associations** (i.e. cartels) facilitate 'horizontal' coordination and common standard setting (see Cranmer et al., 2012; see Lake, 2009; Mitrany, 1996; Parkhe, 2003; Walt, 1987).
- **Inter-state joint organisations** (i.e. joint ventures) allow resources (of all sorts) to be pooled and joint tasks completed on a regular basis (see Allen, 2011) – this should not be confused with federalisation and annexation (i.e. mergers and acquisitions);

Each of these coping mechanisms corresponds to one of the interaction groups described above. Lobbying and co-opting are types of *organisational interaction groups* designed to reduce uncertainty (i.e. ambiguity) about another's facilitation of access to, and supply of resources (i.e. about organisational opportunism) (Axelrod & Keohane, 1985; Keohane, 1971; Keohane, 2005, p. 107; Knight, 1921; Lake, 1999, p. 7). They can be created at all levels of a state's hierarchy. Lobbying takes place via traditional diplomacy, but also in the form of agency liaisons, operational liaisons, seconded officers, and third parties, during both formal and informal events. In addition to being used to obtain resources, liaison and co-opting can be conducted to obtain formal participation in associations and inter-state organisations.

Co-option makes use of *principle-agent problems*. Co-opted officials are those who take on a (formal or informal) role within *another* organisation. Corruption, clientilism, treason, and coups are all forms of co-option, sometimes orchestrated through a state's intelligence services. This said, simple, everyday role-intersection can also lead to co-option of a non-premediated sort. In fact, state officials regularly overtly and covertly cooperate with their foreign peers *against* their superiors, sometimes deliberately (e.g. Crosby, 1997; Keohane, 1971; McKeown, 2009; Wendt & Friedheim, 1995). The initiative for such 'treason' can come from the co-optee, but often it comes from another organisation. In the later case, the criteria of co-optee selection is based on the 1) person's access to valued resources, 2) their general competence, but also 3) whether they are manipulable, amenable or domesticable, which can all be 'read' (i.e. determined) via their clothing, manners and attitudes (on the selection of co-optees, see Bourdieu, 2003, p. 144).

Inter-state associations (i.e. cartels) can take place at all levels of a state hierarchy and can also be either formal or informal. Informal state associations tend to involve just the highest levels, which facilitates secrecy. Unlike simple lobbying, associations take advantage of *network effects* (i.e. 'demand-side' economies of scale) by involving *more than two* organisations – each new member of the association brings 'added-value'. This said, depending on the capacities and interests of the members, cartels can reach a 'tipping point' where the addition of new members leads to organisational 'costs' (Coase, 1937, pp. 394-395; K. Weber, 2000). Congestion and overuse, for example, can reduce positively-valued network effects, but can also lead to the creation of specialised sub-groups (i.e. sub-associations). Moreover, in formal state 'cartels', voting by consensus becomes more challenging as the number of members grows, especially when the members have different perceived interests (i.e. tastes) and different capabilities (see Cornes & Sandler, 1984; Olson, 2009; Peinhardt & Sandler, 2015).

The main rationales for inter-state associations concern legal harmonisation, the regulation of operational coordination and the standardisation of resources and their provision. By definition, the creation of state associations or state organisation (i.e. agency) associations is an effort to create consensus *without* integrating hierarchies, dividing labour or pooling resources. Similarly, professional associations reduce uncertainty (i.e. ambiguity) about "the range of possible policy responses to uncertain events" (Erbas, 2004). In short, associations increase policy "transparency", or what Weber called calculability (i.e. previsibility) (Bourdieu, 2012, p. 43; Erbas, 2004; Kim, 2012; Knight, 1921; Max Weber, 1976). Inasmuch, they are part

of the rationalisation process theorised by Weber and now commodified by political risk analysts.

Inter-state joint organisations (i.e. 'joint ventures' or inter-state agencies) are used to make *supply-side economies of scale* and ensure a more *certain* access to needed resources. Inter-state joint organisations virtually always involve formal agreements (e.g. treaties), describing the mission, standard operating procedures, financing, etc. Here again, over time *specialisation* is often observed (as seen with military combined joint task forces (CJTS), but also Europol's joint investigation teams (JITs)).

These coping mechanisms expose *all* parties to potential autonomy losses, in the form of exposure to foreign influence and manipulation, but also normative commitments, strategic and tactical compromises, and fixed assets (on fixed and thus binding resources, see A. Smith, 1776; Williamson, 1979, p. 242).⁶³

Organisational Interest

States, agencies and officials *with the most resources* are often those who differentiate functionally and geographically (through embassies, bases, safe houses, etc.) the most (on smaller states, see Bailes et al., 2016; Thorhallsson & Steinsson, 2017). They are also those who send the most liaisons, instigate the most associations, set the most standards, found the most joint organisations (Bruce, 1990; Pahre, 1999). In short, 'market leaders' are generally the 'first movers'.

Sometimes, the resource-rich will get what they need: if a state *qua* organisation is *relatively* self-sufficient (i.e. has a large quantity of resources or many suppliers) then it is in a stronger negotiating position (Keohane & Nye, 2012, pp. xxi, 264; Pfeffer & Salancik, 2003). This is because resource-rich states can use the threat of *restricting* access to a resource (i.e. sanctions) to try to control another party's behaviour. Similarly, asymmetric dependence can also improve bargaining positions when arranging the *exchange* of resources (i.e. conditionality and quid-pro-quo) (Keohane & Nye, 2012, p. 264; K. Weber, 2000; Williamson, 1979, pp. 239, 246, 249).

In both cases (duress and bargaining), resource-rich states can try to use apparently unrelated resources (e.g. trade, travel) as 'leverage' and as a 'bargaining chip' to reach other foreign policy objectives (e.g. basing rights, legal harmonisation, data sharing agreements) (Lake, 1999, 2009; Peinhardt & Sandler, 2015, p. 108). State organisations (i.e. agencies) in charge of the unrelated cooperation will often protest. Such back and forth between politicisation and rationalisation is most visible in policy disputes between foreign ministries on the one

⁶³ These coping mechanisms are *not* limited to inter-state transactions. As the business-related terms imply, they are also used between non-state organisations, and between states and non-state organisations. In fact, the coping mechanisms can even be observed within organisations, in the form of relations offices; spokespersons; secondment; the cultivation of informants and social capital; inter-agency agreements on budgets, standards and best practices; professional development programmes; fusion centres; working groups and task forces; etc. In other words, dependency/autonomy dilemmas are found both between and within organisations.

hand and defence and ‘interior security’ ministries on the other – while the former look for ‘pawns’ to use in ‘the big game’, the latter often seek to ‘compartmentalise’ policy making (Interviewee C, 2016).

Of course, other states (i.e. counterparts) will not always take such ‘friendly’ threats seriously, either because the officials making threats do not actually have the ability to enact the sanctions in question, or because the threatened can obtain resources from other sources (on issue linkage, see E. B. Haas, 1980; Lohmann, 1997, pp. 47, 53; McGinnis, 1986; Pfeffer & Salancik, 2003; Poast, 2012; Stein, 1980). Here, it is important to *go beyond* a naïve transactional analysis. Very often, when a state official, state organisation (i.e. agency) or a state provides a resource, listens to lobbying, accepts to join an association, or concedes to the establishment of a joint venture, the first hypothesis will be that all the officials/agencies/states have a *joint* interest: they perceive the same threat, they share the same strategy, they want each other’s resources. Liaison officers will speak of “win-win” situations (Interviewee K, 2017). Indeed, this is the lay definition of cooperation: working together towards a common goal. The question, then, is whether the fear of threats is the only other explanation for cooperation.

Organisation-Interested Altruism

Collective action often produces ‘multiple outputs’, which means that apparently altruistic acts can also be self-interested (on joint products, see Cornes & Sandler, 1984; Peinhardt & Sandler, 2015, pp. 128, 232, 242; Sandler & Murdoch, 2000). Consider *the provision of knowledge, information and data*, be it through liaisons, policy and strategy reports, computers networks, best practices, curricula, schooling, training, or exercises. Due to interdependencies, many Western state officials would like all states to be ‘functional’ (i.e. to provide physical security, economic prosperity and social integration). Negatively put, many officials see functional states as non-failing states, as organisations that *reduce* the occurrence of common ills, such as pandemics, mass migration, non-state terrorism, etc. In this sense, the provision of information to others can help states reduce the ‘transmission’ of ills.

Less obvious is the fact that knowledge, information and data also *directly facilitate* the operations of *the donating state*. If not reflected upon critically and compared with other sources, epistemological ‘harmonisation’ can become a ‘Trojan horse’ that once ‘past the gates’ makes the receiving organisation more compatible, at the cost of the penetrated state’s *independent thinking* and *autonomous decision-making* (on decision-making autonomy, see chapter 6). This is most visible when ‘tutored’ states accept preconceived definitions (e.g. of crimes, rules of engagement) and categorisations (e.g. of rogue states), often resulting in unquestioned shared lists (e.g. sanctions lists, no-fly lists, kill lists). But, as seen with the faulty intelligence that informed the US military invasion of Iraq, even *resource-rich states* can become over-dependent on others’ information. In sum, educational, legal and technical assistance is never value-neutral or apolitical, and is not necessarily the tool of the

mighty (see Andreas & Nadelmann, 2006; Bourdieu, 1977, 2012; Freire, 1970, 1985; A. Gramsci, Buttigieg, & Callari, 2010; Habermas, 2015; Prozorov, 2004a, 2004b).

A second and subtler example of self-interested altruism is the human tendency to care about one's image, about what others think. As Hegel and Axel Honneth (2004) argued many times, humans seek *recognition*. Weber developed this simple point by noting that much legitimacy and material benefits can be gained from a high social status, from mere *prestige* – Bourdieu called this symbolic capital (on state recognition, see Kochi, 2009; Wendt, 2003). State officials often 'give' resources, concede to the requests of liaisons, join associations, and found joint agencies because they care about their reputation, their agency's reputation, or their state's reputation (on state prestige, see Brogi, 2002).

Consider cooperation with(in) the EU, for example. When Luxembourg's officials systematically send a few troops to join a military operation or finance the procurement of a military satellite or refuelling planes (which Luxembourg's armed forces do not have the capability to use), or pay for a PMC to join an anti-piracy mission, these donations are both material and symbolic. They are intended to *demonstrate solidarity* (Interviewee M, 2016). Similarly, one of the benefits of military and intelligence cooperation with the USG is the *symbolism* of this cooperation provides:

[Cooperation with the US] greatly enhances the strategic role of Romania in the region [and] its standing in the EU, under certain aspects, because the EU also has a military and strategic component. Of course, [cooperation with the US] generates more leverage for our diplomacy (but not necessarily in the EU, [because] the EU has a certain identity) in NATO affairs and some other bilateral affairs (Interviewee G, 2016).

Thus, the contribution of states with relatively few resources can have a symbolic, yet significant 'return-on-investment'.

Reversely, officers of resource-rich states tend to appreciate such symbolic contributions to multilateral operations, if only because they provide the operation *positively-valued legitimacy and credibility* (see chapter 4). For example, if one resource-rich state were to conduct a small-scale peace enforcement operation, many would believe that this state acts selfishly (i.e. illegitimately) to plunder or purchase the state's resources. But, if a *coalition* were assembled (even one of many less capable states), then appearances might well be saved (A. King, 2010, p. 44; Palin, 1995, p. 72).⁶⁴ Similar logics of symbolic exchange can be identified between law enforcement and intelligence agencies (see chapters 5 and 6).

Multiple 'Self'-Interest: Personal Role Intersection

All this said, within a state many motivations, intentions and goals are 'in play'. State officials *all along the hierarchy* have many goals, which are often justified according to (sometimes conflicting) inter-state, state, agency, professional, familial, religious and individual norms. Consequently, as mentioned above, to fully grasp the complexity of inter-state cooperation

⁶⁴ Of course, having NATO, EU and especially UN approval is seen as even more legitimising.

one must perforce consider *co-option*, the negative aspect of organisational liaison. Throughout a state's hierarchy, every official's multiple roles intersect, creating conflicts of interest (i.e. double-binds). Their 'habitus' are split, as if in a twilight zone (Bigo, 1995a, p. 10; 2011, p. 251). These intersecting norms and interests are what enable *co-option*.

The tension between the desire to co-opt state officials and the desire for the other state's "institutional strength"⁶⁵ is not difficult to understand (on institutional strength, see Levitsky & Murillo, 2009, 2013). As chains of command connect, so do *intra-state* principle-agent problems. In other words, "uncertainty increases as the number of events leading to an outcome is increased" (Bourdieu, 2012, pp. 329, 458-459; Erbas, 2004, p. 9; Laffont, 1988; Laffont & Tirole, 1993). *If one official can be 'turned', so can others.* At the limit, if every official is turned, the organisation ceases to exist. This problem is acute in the military, law enforcement and intelligence organisations, which, due to their 'official' statuses, have a long history of 'institutionalised' corruption and poor governance (see Transparency International, 2015).

Here it is worth noting that when interdependency is high, corruption, clientelism, nepotism, treason, coups, and shirking in the partner state can affect the 'home' state directly (as mentioned above), but also *indirectly*. *The greater the dependence, the greater the systemic risk.* Petty corruption in Ireland can hinder US counter-narcotics, insubordination in Belgium can lead to increased illegal immigration in France, a lack of civilian oversight of Luxembourg's intelligence agency can compromise UK informants, computers procured from China in Slovenia's army can lead to cyberattacks in NATO systems, a lack of professionalism and 'integrity' in one intelligence agency can compromise an entire multilateral intelligence working-group, etc. (An Sionnach Fionn, 2016; Interviewee G, 2016; Le Monde, 2016; Luxemburger Wort, 2012).

And just as all along the hierarchy state officials can favour transnational colleagues over state leaders, all along the hierarchy state officials can also *limit* the provision of resources to other states, *reduce* the effectiveness of lobbying by other states, *hinder* the implementation of international standards, and *sabotage* inter-state collaboration. In short, to explain why 'a state' cooperated in one point in time, one would have to study the entire chain of command of all partner states and identify the preoccupations of *every single* official. Only then would one know why 'a state' cooperated. Of course, in practice this is virtually impossible, hence the simplifications.

Where

Any theory of inter-state security cooperation must account for both space and time. Simply put, space-time both *enables* and *disables* cooperation. Regarding inter-state security cooperation, one can safely examine the *spatial* aspects and the *temporal* aspects separately (On the analytical 'slicing' of spacetime, see Urry, 1985, pp. 30-31). Section 2 discusses three

⁶⁵ I.e. the enforcement and stability of formal rules.

ways interstate security cooperation is affected by space: the location of liaison officers; the location of buildings and bases; and the location of state territories/jurisdictions. These three related, but distinct issues demonstrate both the functional opportunities and the autonomy risks inter-state security cooperation entails. Section 3 focuses on the 'when' of security cooperation between Western states.

Dangerous liaisons

[...] At all times it has been the order of the day that the societalization (even when it aims at the use of military force in common) reaches beyond the frontiers of politics. [...] But their aim is not necessarily the establishment of new international political, i.e. territorial, dominion. In the main they aim to influence the existing dominion (Max Weber, 2009, p. 195).

It might seem obvious that the spatial positions of *persons* affect inter-state interactions, but the intricacies of contiguity and propinquity are rarely explored in detail by security scholars. What is especially overlooked is the need for *in-person* cooperation and the dangers co-option creates for states. Contemporary state and non-state organisations can often effectively and efficiently coordinate and collaborate in 'real time' *remotely* (R. Baldwin, 2016; Law & Mol, 2003). And yet face-to-face cooperation remains functionally necessary, if only because such in-person encounters *sustain* the effectiveness of long-distance interaction (Castells, 2001, p. 122; Doyle & Nathan, 2001; Hampton & Wellman, 2001; A. King, 2010, p. 49; Urry, 2002, 2003, 2007).⁶⁶ In other words, effective long-distance communication, learning, socialisation⁶⁷, and trust require occasional meetings (Boden, 1994; Boden & Molotch, 1994; Farias, 2014; Anthony Giddens, 1984, pp. 68-92; 1985; Goffman, 1966, p. 22; 1967; Latané, Liu, Nowak, Bonevento, & Zheng, 1995; Sayago, 2014; Urry, 1997, 2002, 2003; 2007, pp. 230-245). In the future, summits, conferences, data analysis, seminars, and even networking might 'take place' virtually, but technological limits and human psychology indicate that face-to-face meetings will probably endure (Hutchby, 2013).

As much as can be productive for states and their organisations (i.e. agencies), they can also be *counterproductive*. Propinquity and face-to-face socialisation can lead to principle-agent problems, they can enable *co-option*. Concerning deliberate cooperation, successful persuasion and manipulation require face-to-face interaction: undivided attention, body language, touch. This is why the most ambiguous position of all is that of the agent.⁶⁸ As indicated in the expression 'our man in', these positions often 'span' normative or geographic groupings (on inter-organisational boundary-spanning roles, see H. Aldrich & Herker, 1977; Bergholtz, 2011; Heffron, 1989; Kinne, 2013; Wichmann, 2009; Zhang, Viswanathan, &

⁶⁶ And the same can be said for on-line higher education (Urry 2007: 244).

⁶⁷ "Social integration has to do with interaction in contexts of co-presence" (Giddens 1985:293).

⁶⁸ i.e. i.e. the proxy, the representative, the delegate, the spokesperson, the politician, the parliamentarian, the lobbyist, the diplomat, the liaison, the attaché, the seconded officer, the spy, the informant, the mole, the capitano di ventura, the mercenary.

Henke, 2011). Such intersectionality means the office holder can never be *totally* trusted, by anyone.⁶⁹ Liaison agents are always potential “double agents” (Bigo, 2011; Dezalay & Garth, 2011).

The Roman Catholic Church, for example, has always sought to avoid this principle-agent problem by having bishops ‘take office’ outside of their ‘hometown’ (Bourdieu, 2012, p. 458); emperors often sent trusted ‘nationals’ to rule foreign lands (Spruyt, 2005); in the colonial era, officers faced with role intersection sometimes ‘went native’; and today diplomats, liaisons, human intelligence officers, and trainees only spend a limited time in one embassy, fusion centre or academy.⁷⁰ In other words, security/autonomy goals create a trade-off: avoiding the risk of co-option by making a ‘tour’ brief can impede one’s *own* lobbying and co-option. Similarly, too short of a stay can mean less of an understanding of what is expected within a specific normative group, which in turn can lead to a loss of trust and influence (on tact and trust, see Anthony Giddens, 1984, pp. 75, 78-79; Habermas, 1985; Ó’Riain, 2009). Here, one must keep in mind that the consequences of liaison are mutual – *both* parties are exposed to influence and risk of co-option.

Location, location, location

Western military cooperation occurs in locales (i.e. meaningful places): in NATO and EU buildings in Belgium, the US and elsewhere, in embassies, in bases, in ‘buffer zones’, in enclaves of peace, and obviously in battlefields, on the high seas and in the skies (see Anthony Giddens, 1973; Urry, 1997). Law enforcement cooperation is also situated in locales: in ‘international’ buildings – in Vienna, Lyon and The Hague; in governmental buildings in Washington, Paris, Luxembourg City, and elsewhere; in national embassies; in edifices and vehicles close to borders; in the streets of metropolises; and even on the seas. Similarly, intelligence cooperation is found in headquarters and embassies, but also in safe houses, tennis clubs, nightclubs, hotels, cemeteries, battlefields, etc. But what explains *variation* in the location of Western inter-state security cooperation?

Sometimes state officials need to be physically close to a ‘target’ (e.g. military opponents; members of non-state armed political organisations; suspected criminals; persons with access to secrets, buildings or equipment). Proximity is often seen as necessary for effective or efficient killing, injuring, abduction, surveillance, destruction, sabotage, and theft. Often effectiveness requires officers with scarce know-how to be physically *near* (i.e. spatially proximate to) targets. True, warfare, policing and intelligence are increasingly conducted remotely or via automation, but some practices (e.g. torture, interrogation, arrestation, evidence collection, sieges, clear-and-hold strategies) still require ‘boots on the ground’. Human intelligence officers, for example, often need, at least initially, to meet their targets in places where strangers ‘run-in-to-each-other’. These ‘chance encounters’ take place in bars,

⁶⁹ This explains why such figures are often found in dramatic artwork, such as political plays, spy novels and detective series.

⁷⁰ An example of how the timing of careers has a disciplinary effect (Foucault 1975, Giddens 1984:148-58)

cafés, restaurants, museums, sporting clubs, campuses, parks, etc. Such *strategic* placing of officers and their material resources can be called *relative positioning*.

The main *economic* precedent affecting relative positioning is *urbanism* (R. Baldwin, 2016; Florida, 2010; Florida, Gulden, & Mellander, 2008). Policing and espionage started in the cities, thus unlike their military counterparts, law enforcement and intelligence officers tend to reside in urban settings. When the number of people in poorer regions grows, many move to the cities to find employment, be it licit or illicit. Today this is visible in Africa, the Middle-East and Asia, but also in Europe and the Americas. Moreover, state officials generally seek to make *economies of agglomeration and density*, for both their agencies and their households: they move to cities to have easy access to *goods and services, and to reduce transportation costs* (see Williamson, 1979, p. 242). Urbanism means law enforcement and intelligence officers are often employed and deployed in urban areas.

Reversely, like monasteries, armed forces have always tended to be relatively self-sufficient (Pfeffer & Salancik, 2003; Max Weber, 2009, p. 258). Bases often resemble small cities, with grocery stores, hospitals, schools, cinemas, etc., thus limiting interaction with ‘locals’ and dependency thereupon. This said, the relative positioning of significant *immobile* resources such as land, buildings, infrastructure, tends to create many (positively and negatively valued) ‘spill-over effects and externalities for armed forces. The presence of large numbers of public officials (both military and civilian) can lead to both *localised economic growth* and *localised increases in violence* (i.e. less physical security) in the form of assault, battery, rape, paedophilia, or even drunk driving (for two recent examples, see Stripes, 2017; Svan & Kloeckner, 2017). Bases, moreover, often have their own criminal law, judiciary and police, always ‘above’ the law of the state in question. But when bases close, crime can increase even more (Dardia, McCarthy, Malkin, & Vernez, 1996; M. A. Hooker & Knetter, 2001; Alfredo R Paloyo, Vance, & Vorell, 2010; Alfredo R. Paloyo, Vance, & Vorell, 2014). Consequently, decisions concerning the specific location of military officials and their resources are often based on both long-term strategic interests *and* the interests of local actors (e.g. mayors, city councils, regional officials, chambers of commerce).

The combination of strategic, technological, and localised economic and political considerations can (temporarily) reinforce each other, creating a causal feedback loop called “agglomeration” (Hoover, 1948; Strange, 2008; A. Weber & J., 1929). This is why embassies and international headquarters, but also military bases cluster. And this is why liaison officers are sent to *the same global cities* – while military attachés are mostly found in Washington and Brussels, law enforcement and intelligence attachés are predominantly found in Washington and The Hague.

State monopolies: the sources of resources

The main reason state officials seek resources from other states is that *states* control (the access to) resources that cannot be effectively, efficiently, expediently, or ethically acquired from *non-state* organisations. As mentioned above, a state’s participation brings prestige (i.e.

symbolic capital) and is often obtained free-of-charge. States also have access to unique or scarce data, information and knowledge. And finally, states have monopolies of certain types of equipment and *land* that officials often perceive as necessary or at least useful (see Williamson, 1979, p. 239). States control a vast bureaucracy capable of making arrests and collecting evidence relatively quickly and effectively. It is all these *state quasi-monopolies* that interest state officials.

Obviously, technological considerations affect what resources are useful, and *where* officials would like to position their resources. Thus, perceptions of utility are likely to vary across space, but also across time. It is good to repeat that technological innovations, combined with the integration of market economies, have made spatial factors (location, distance, topography) *less* significant (Buzan & Little, 2000, pp. 276-299; Anthony Giddens, 1981; Janelle, 1969). As in the private sector (see R. Baldwin, 2016; Massey, 1985), technological progress has allowed many security practices to be *relocated*, sometimes offshore, without a loss of 'command and control'. Simply put, improvements in information and communication technology (ICT) have allowed coordination, data-analysis, operations, and many of other tasks to take place remotely and concurrently.

In fact, an interesting historical tendency can be identified. As communication and transportation technologies improve, *localised monopolies of regulation and of resources tend to be merged* (or at least coordinated via liaisons, associations and joint organisations) (on resource specificity, see Williamson, 1979, p. 239). This is especially true in law enforcement, but also applies to military and intelligence affairs. As perceived threats/criminals/sources become mobile, officials want to be mobile, which requires entering other *jurisdictions* or obtaining local information and knowledge.

Inter- and intra-state *wars* become increasingly transfrontier. *Intelligence* practices become transfrontier. And, of course, *law enforcement* also become increasingly transfrontier (see chapters 4, 5 and 6). In fact, policing started in the cities; then moved to highways⁷¹ and phone lines; followed cargo ships and jet planes, and now chases evidence and crime through and 'on' the Internet, 'in' emails and smart phones, 'on' servers and internet providers all *actually located* in specific jurisdictions. If, for example, a US prosecutor wants to access the data in a suspect's email account, and that data is in a Microsoft server in Ireland, unless an official (MLA) request to the Irish court is made, the prosecutor will find it difficult to oblige Microsoft officials in the US to provide the information (Ellingsen, 2016; Gallagher, 2013). Where borders go, regulation will follow, often at the cost of local autonomy.

This said, the *geographic distribution* of inter-state cooperation is still affected by state territoriality. Territories, legal authorities, hierarchies, and legitimacies are all based on the division of land (i.e. geographic differentiation):

Land-appropriation thus is the archetype of a constitutive legal process externally (*vis-à-vis* other peoples) and internally (for the ordering of land and property within a country). It creates the most radical legal title, in the full and comprehensive sense of the term radical title (Schmitt, 2006, p. 47).

⁷¹ The French television series and film *Les brigades du Tigre* (The Tiger Brigades) dramatised the advent of the first motorised police unit (Interviewee J).

Because Western actors value their territorial integrity and generally respect that of their allies (i.e. sovereignty is a state association norm), they *tend* to not conduct unilateral security practices on the territory of other Western states (on the legal history of spatial ordering, see Schmitt, 2006). Rather, they tend to conduct these practices bi- and multilaterally, often on the basis of formal legal agreements. And reversely, at home, self-sufficient state actors tend to act unilaterally.⁷² Therefore, it can be argued that jurisdictions (i.e. the absence of legal integration) are the *raison d'être* of inter-state cooperation.

Different jurisdictions help explain, for example, why operational law enforcement cooperation tends to occur in proximity to borders, airports, sea ports, and train stations. But even far from borders and frontiers, law enforcement increasingly cooperate with 'local' authorities (to collect information on non-state organisations *physically* and *legally* 'abroad', for example). In inter-state organisations, those staff working *shoulder-to-shoulder* on one task often hail from *different* states precisely because 'their' state has a resource monopoly, often linked to jurisdiction.

As mentioned in the previous sub-section, state officials also cooperate with states that have jurisdiction over a territory of *strategic-technological* interest. Satellites, ballistic missiles, fighter planes and drones can only be successfully launched from certain latitudes, longitudes and altitudes (Interviewee G, 2016). Radars, airfields, ports, ammunition sites, pipelines, missiles defence systems, fibre optic and phone monitoring, and general surveillance and observation must all be located on certain terrains, near particular technologies, within sight of specific persons and objects. And as mentioned, autonomy concerns also often require officers to be located *in situ*, to authorise the use of force or the provision of secret or personal information, for example. Here it is not the legal regime *per se* that is of interest, but rather what territory it covers. For Western state officials, such territories-of-interest are often (but not always) located *far* from capitals, in dependent 'territories' or on military bases in former colonies (e.g. Guam, Hawaii, French Guiana, Bermuda, Cuba, Philippines, New Caledonia, the Kerguelen Islands). Maritime straights, such as Gibraltar and Suez are known for their strategic value, not just in relation to military operations, but also for law enforcement and intelligence collection. *Successful secession*, therefore, can create a new need for cooperation – note how many now cooperative Western states (e.g. United States, Canada, Belgium, Luxembourg, Ireland) were once part of other Western states.

It must be noted, however, that jurisdictional differentiation is not only a constraint to effective and efficient security practices. In many cases, military, law enforcement and intelligence officers use the multiplicity of jurisdictions and the heterogeneity of legal codes *to their advantage*. They conduct their practices in different jurisdictions to escape accountability. They 'shop' for the most permissive, enabling legislation. Sometimes, they even deliberately move to zones of unaccountability, i.e. legal 'no-man's lands' where civilian rule-of-law is absent, such as in battlefields or on foreign military bases (see Agamben, 1998).

⁷² States with less resources obviously do not expect to (be able to) wage wars, collect evidence or steal secrets across the globe – they are dependent on other states for most of their operational needs. But many of their non-security related interests are directly and indirectly effected by events in other regions of the world. So, they often do what they can to obtain necessary resources and to 'outsource' their other perceived security needs to others.

Explaining Military, Law Enforcement and Intelligence Cooperation between Western States

Overall, the causal significance of territorial jurisdictions is one reason state officials (and non-state officials) see their *in-house legal counsels* as crucial to long-term effectiveness and efficiency (Pfeffer & Salancik, 2003).

As persons and resources are moved, technology improved, cities developed; borders opened and redrawn; laws modified; autonomy concerns increased or decreased, the location of inter-state security cooperation changes. This said, *past cooperation* can also have an effect on future cooperation and variation thereof.

When

“The history of international political orders is written in terms of continuity and change in domestic and international political relations” (March & Olsen, 1998).

Just as a theory of inter-state security cooperation should take space and geography into consideration, it must also consider historical and temporal factors (on organisational ecology writ large, see Hannan & Freeman, 1989). This third section does so *via* two short subsections. The first addresses the search for origins, and the second change over time. Seeing that many of these issues have been implicitly covered throughout this chapter – and are also addressed in chapters 4, 5 and 6 – the objective here is simply to make these issues explicit.

Etiology: the search for origins

Searching for ‘firsts’ in history is always a Sisyphean task. One will always find some previous entity or practice that greatly resembles that which is claimed to be original (Bourdieu, 2012). The exact beginning of professional soldering, policing and espionage, for example, can all be placed in a specific period, i.e. modernity, but the *exact* date when the professions became professions for and in each Western state is virtual impossible to determine. This said, what clearly distinguishes *modern* states from their antecedent traditional states is the attempt to obtain *a monopoly* of regulative authority over all other social groups *within a specific territory and via* a bureaucracy (Max Weber, 1978; Max Weber et al., 2004). The degree of actual regulation can be measured in terms of institutional strength, and the degree of *authority* (i.e. recognised legitimacy). But to be legitimate and effective, state executives must periodically re-form, re-organise the state, i.e. staying the same often requires change. According to Weber, this reorganisation is best described as a *rationalisation process*, specifically bureaucratic specialisation and professional specialisation. Inasmuch, the origins of Western inter-state security *cooperation* can probably be traced back to the creation of the first *professional* military, police and intelligence officers (e.g. Deflem, 2000, 2004; Huber, 1990; Jakub, 1999; Morgan, 2004; J. Richelson & Ball, 1985; Wark, 2004).

But beyond the origins of security cooperation between Western states, one must also try to identify “critical junctures”, when the nature of the entities and phenomena changed

qualitatively (Capoccia, 2015; Capoccia & Kelemen, 2007; Soifer, 2012). Only then will anachronisms be avoided. When, for example, did state officials start feeling obliged to protect their populations? When did citizens acquire basic political and civil rights? In each state, these moments represent critical 'junctures'.

Regarding the history of security *cooperation*, the end of the Second World War (WWII) was arguably a critical juncture. It is a juncture because, after 1945, state interaction groups were founded on a different set of legal and customary norms. So, in a different way, 1945 also represents *the origin* of Western inter-state security cooperation. If one went further back, one would have to take into account differences in national and international *norms* (and groupings thereof), but also the fact that war and social conflict caused many Western states to *cease to exist* (on the survival of organisations, see Burgelman, 1991; Salancik & Pfeffer, 1974). States, like all social entities, are also *real* entities, and as such have beginnings and ends. So, any pre-1945 ecology of Western state security cooperation would also have to also consider when states end (see chapter 7). Finally, it has been argued throughout the thesis that changes in information and communication technology (ICT) have represented a *revolution* for state security organisations (i.e. agencies) and security cooperation in general. The ICT revolution, indeed, changed not only how state organisations are organised, but also changed the nature of their 'environment' and the types of threats they are to counter (across borders). In this sense, the ICT revolution marked the origin of late modern security cooperation between Western states.

Resource constraints mean that a full etiology cannot be provided here. As mentioned, the next chapters provide some information about the origins of Western security cooperation and about various critical junctures, but fully-fledged account is not provided in those chapters either. Rather, this must be left for future research (see chapter 7). The same caveats apply to the diachronology of cooperation provided below.

Diachronology: the 'diffusion' of security sector reform

No doubt, explaining variation in inter-state security cooperation across time is difficult. Yet, by keeping in mind that armed forces, law enforcement and intelligence agencies can be used for goals not directly related to physical security, much confusion dissipates. These policy 'tools' are used for varied and changing ends, and are themselves ever changing (on institutional evolution, see Mahoney & Thelen, 2009; Thelen, 1999).

In this respect, one has to remember that bureaucracy as such is a precision instrument which can put itself at the disposal of quite varied – purely political as well as purely economic, or any other sort – of interests in domination (Max Weber, 2009, p. 231).

When studying capacity building and security sector reform (SSR), for example, it is important to distinguish the harmonisation of *goals* (i.e. ends), the harmonisation of means, and the actual sharing of various resources (Diaz, 2011; DSCA, 2016; INTERPOL, 2016; McInnis & Lucas, 2015; Monar, 2010; Moroney, Thaler, & Hogler, 2013). State officials are aware of these dilemmas, and thus seek to ensure a degree of control over how new resources, capacities,

capabilities and competencies will be used, lest 'blowback' occur – in fact, many of the coping mechanisms identified have been designed to assure that today's friend does not become tomorrow's enemy.

In 1889, Francis Galton noted that if two entities compared seem to be the same, it might not only be that the entities have evolved in a similar environment, it might also be the case that they have a common history or have mimicked each other. In cross-cultural surveys, one must determine if common traits are 'functionally' common or common by association, "by diffusion – by borrowing or migration" (Naroll, 1965, p. 429). States, for example, might be similar because they have a common history, and security cooperation might be the product of security cooperation. In other words, security sector reforms are rarely solitary affairs. Statesmen have always monitored other state's set-ups, and they continue to do so today.

Thus, to explain variation in inter-state security cooperation across time, one has to also study the history of state *reforms*, i.e. the history of changing tools and goals. In conducting such a study, one will quickly realise that norm and policy diffusion is not a novel phenomenon, and that state security officers have been copying each other for decades, even centuries, often *via* professional associations. In the 19th century, for example, state isomorphism was largely the product of *ad hoc*, unilateral *mimesis*, often from a distance (on organisational isomorphism, see DiMaggio & Powell, 1983). In the 20th century, formal *state associations* and *joint organisations* were formed. In other words, state officials did not only copy each other's organisational templates (i.e. how a state ought to function), they also started endorsing norms of *state interaction* (Spruyt, 1996). Here, isomorphism was both coercive and cooperative in nature, and was mostly bilateral. In the 21st century, the diffusion of policies and professional norms has become even more complex, take place unilaterally, bilaterally and multilaterally, via both formal and informal groupings. In sum, Western statesmen have a long history of trying to export their organisational models, best practices and lessons learnt, often believing that this one form fits all.

As chapters 4, 5 and 6 show, much of this norm sharing occurs via national and international academies. A full diachronic account, of course, would have to do more than a transnational history of state security organisation reforms. As Martin Shaw argues, a true global history of security cooperation would have to take into account all of the *economic* processes, *political* transitions and *cultural* transformations⁷³ that occurred after 1945 (Shaw, 2000).

Conclusions

This chapter has presented a theory of what makes security cooperation between Western states possible. People form normative groups that can have real causal effects. These normative groups are often themselves grouped, often producing their own causal effects. States are instances of such groups of groups – they are organisations of organisations. States too are often grouped into associations and new organisations. What differentiates the state

⁷³ Is not the quest for ontological security the strongest path-dependency of all?

from other organisations is the attempt by its staff to monopolise the authority to regulate all other normative groups within a specific territory, and what characterises the *modern* state is the fact that these attempts are done through the organisation of professionals (i.e. paid persons, with credentials, claims to expertise and their own formal and informal interaction norms, associations and organisations). Thus, to properly explain the acts of state officials, one must not only study formal groupings and official law across time (i.e. institutional strength), but also the plethora of informal and sometimes unconscious norms that guide state officials' social action and practices.

The theory presented above also explained why Western state officials seek resources that other states control, and why these states' officials might accept to provide said resources. None of this occurs in a linear fashion. Cooperative practices vary across time and space according to the choices made by state actors, but also according to antecedent and contemporaneous changes, such as professionalization, technological progress, regime change, and economic and financial fluctuations. Finally, according to the theory presented location in space and time are like a grammar that both limits and enables cooperation. This said, changes in *technology* alter the significance of this 'grammar'. So, for many reasons, what the term 'security cooperation' refers to in one period will mean something else in another (see Mann, 1993, p. 9; Shaw, 1997; 2000, p. 9; Stein, 1990).

Throughout the chapter, several contradictions and trade-offs have been highlighted. Normative groups conflict, resources are often unavailable or denied, subjective and intersubjective goals seem irreconcilable. Overall, state officials cannot always get what they want. It is in this sense that "politics is the slow boring of hard boards" (Max Weber et al., 2004). And yet, it seems that *Western* officials often get what they *need* to survive and even prosper. Since 1945, it seems that material reproduction has been assured, populations have been relatively safe and secure, and a high degree of autonomy and 'ontological security' have been maintained... And yet, future research should further question to what degree these affirmations are true and enduring, to what degree Western state officials (*and their populations*) have and will continue to get what they need to live, reproduce and (feel) secure.

4. Military Cooperation and the search for flexible security

“Should I stay or should I go now? /

If I go there will be trouble /

An' if I stay it will be double” (The Clash 1982).

With the United States of America's (US) armed forces fighting several wars and assisting Turkey in counter-insurgencies, US officials are arguing that European states should increase their military budgets and that Germany should play a military role in Europe, notably to deter overtly aggressive leaders in Moscow (Bitsch, 2001, pp. 81-82). To counter Russian-led forces, some US military planners suggest a strategy of “flexible response”, employing deterrence at all ‘levels’ of warfare (Ashcroft, 1970, p. 2; A. King, 2010, p. 44; Salamé, 1996, p. 247; M. D. Taylor, 1960; G. Tucker, 1976, pp. 8, 20). Meanwhile, French parliamentarians and their European counterparts are considering the radical idea of partly integrating forces and procurement (Liberti, 2011, pp. 5-6). A treaty establishing a new European Defence Community (EDC) is about to be ratified.

This brief scene setter describes not Western military cooperation in the 2000s, but in the 1950s. On the surface, the similarities are striking, but 70 years later the *status quo* is somewhat different. While many states have lost control of territories (i.e. colonies), now controlled by new governments, the North Atlantic Treaty Organisation (NATO) and the European Union (EEC/EC/EU) have *gained* territory – and functions. Western defence⁷⁴ markets and industries have also partially integrated. Finally, many Western officials see non-state threats (political violence, organised crime and cybercrime) as dangerous as current Russian military and intelligence operations, which also seem to involve non-state actors and the internet. So while 21st Century Western geopolitics might mirror the 1950s, changes abound.

The nature of military cooperation has also changed. Since 1945, Western officials have increasingly seen a need to have their armed forces, if not integrate, at least cooperate against both ‘conventional’ threats and openness-enabled threats, including indirect economic threats.⁷⁵

Of course, states are not exposed to the same threats and officials do not have the same perceptions and resources, so without political and military integration, finding agreement in all aspects of military affairs⁷⁶ will always be somewhat challenging. Integrating these states’

⁷⁴ Before inter-state war was prohibited, virtually all defence ministers were called *war* ministers. Obviously, if all they did was defend, there would never be any inter-state armed conflict. Reality, of course, is more complex, if only because of the number of functions, both violent and non-violent, taken on by the armed forces increases every year (see Brooks 2017, Holden 2016:28). Because military issues, by definition, involve the use of violence (and threats thereof), euphemisms and doublespeak are common.

⁷⁵ Only in ‘wars of national liberation’ has overt cooperation been taboo.

⁷⁶ State officials can also disagree on whether the armed forces are the best ‘tool’ for the threat in question.

armed forces would lead to gains in efficiency, effectiveness and expediency, but autonomy concerns continue to impede such changes. Overall, governments and populations want the perceived economic and security benefits of military integration without the political costs – they seek ‘flexible security’. Hence the coping mechanisms (liaisons, associations, joint organisations) described below. This said, due to limited space and time, what is covered below is not descriptively exhaustive.⁷⁷ The first section compares state resources, the second addresses operations, the third covers equipment procurement, and the fourth discusses education and training.

Resources

As is well known, the US armed forces are the largest in the world. In fact, in terms of both budget (i.e. over 419 billion USD) and employees (a total of over 3 million, including civilians), the US Department of Defense (DOD) can be considered larger than most multinational corporations (MNCs) (DOD, 2018).⁷⁸ Of course, this is also far larger than the French and Luxembourg armed forces.

In 2016, the French Ministry of Defence (MOD, now “Ministry of the Armies”) had a budget of about 41 billion USD, and the Luxembourgish Army 0.29 billion USD (Ministère des Armées, 2016; Trading Economics, 2018). Relative to national Gross Domestic Product, the USG continuously outspends both the Government of France (GOF) and the Government of Luxembourg. In 2016, for example, US military expenditures represented 3.29 percent of US GDP (the GOF was at 2.26 percent and the GOL at 0.49 percent) (CIA, 2018a, 2018b, 2018d). Globally, this puts the USG at the rank of 25th largest military expenditure, GOF 42nd, and GOL 144th (out of 153).

Still, some caveats should be added to this picture. Since the 1960s, both US and French military expenditures (as percentages of GDP) have been declining (in 1960, the US was above 8 percent and France above 6 percent) (World Bank, 2017b). Concerning government investment in military capabilities, it is interesting to note that “Luxembourg’s major equipment expenditure as a percentage of defence expenditure” is regularly the *highest* of all NATO member states (SHAPE, 2016b). Moreover, the expenditure/GDP indicator might not be fair to Luxembourg, as the state has almost no defence industry (except for satellite construction) (meaning that all procurement goes to companies based abroad) and many commuters who take their salaries abroad (meaning Gross National Income (GNI) would be a better reference) (SHAPE, 2016b).

Regarding employees (i.e. armed forces personnel), in 2015 the French MOD had over 263,000 workers (including civilians staff), whereas the Luxembourg Army had less than 1,000 (including civilians) (Armée luxembourgeoise, 2016a; Ministère des Armées, 2016; SHAPE,

⁷⁷ Legal agreements, exercises, basing, and port visits have been omitted. Of these, basing is the most important and interesting.

⁷⁸ The DOD also has “30 million acres of land” (DOD, 2018).

2016b).⁷⁹ But, once again, a few precisions are in order. First, all of these personnel numbers include some (but not all) intelligence and law enforcement agencies (e.g. NSA, DGSE, Gendarmerie) (Armée luxembourgeoise, 2016a; Ministère des Armées, 2016). Second, when one compares the armed forces personnel *as a percentage of the workforce*, then the US, French and Luxembourgish numbers become quite similar (0.8 percent, 1 percent, and 0.5 percent, respectively) – with all three gradually declining since 1995 (World Bank, 2017a). And, in fact, one notices that the USG has a slightly higher ration than the GOF.

Concerning equipment, the obvious difference concerns nuclear weapons, with the USG and the GOF possess, and the GOL does not (SHAPE, 2016a). More specifically, the USG has about 6,800 warheads and the GOF about 300; the USG “spends more on its nuclear arsenal than all other countries combined” (ICAN, 2018). Regarding other equipment, the US DOD has (just like its budget) *about* 10 times more of everything (aircraft, helicopters, tanks) than the French MOD (ArmedForces.eu, 2018; GFP, 2018; Ministère des Armées, 2016; SHAPE, 2016a). As expected, the Luxembourgish Army has relatively little equipment – it has reconnaissance vehicles, demining robots, small drones (i.e. UAVs) (Armée luxembourgeoise, 2018; SHAPE, 2016b). This said, the GOL participates in many multilateral aircraft procurement projects, and regularly provide satellite communications to NATO (see section 2 below).

Operations: who governs?

Work organized by collegiate bodies causes friction and delay and requires compromises between colliding interests and views (Max Weber, 2009, p. 214).

Political cooperation: who decides?

No civilised nation would send an army into a single battle under the command of a board of generals (Fuld, 1909, p. 37).

After the First World War (WWI), many Western officials no longer saw armed conflict and outright annexation as acceptable behaviour, at least between ‘civilised’ states. Attempts to regulate inter-state war were replaced with attempts to prohibit war (Schmitt, 2006). Liaison, associations and inter-state organisations were seen as a way to increase control over other states and their armed forces. This obviously failed. And yet, after WWII, these same coping mechanisms were used again, even more so. Political integration (i.e. federalisation), however, was rarely considered – at least between Western states. When, in 1950, Jean Monnet was faced with the apparent need for a rearmed Germany, he thought that “a common defence could not be conceived without a common political authority” (1976, p. 504), but an outright union or annexation was not a serious option. Instead of creating a new ‘organisation of states’ (as seen with the creation of the Soviet Union), liaisons, associations

⁷⁹ N.b. All three states employ foreign citizens, both as employees and as contractors (see section 2 below).

and inter-state organisations were preferred. The United Nations (UN) and NATO⁸⁰, for example, were both *associations* of states (i.e. there were rules and members, but no hierarchy and little division of labour) (see Palin, 1995, p. 40).

By definition, multilateral associations and related resources are only essential to effective military responses when the states seeking to conduct operations are not self-sufficient (K. Weber, 1997, p. 10). In practice, however, even the most capable states have scarce resources. Even for the USG, less access to other's military resources means increased expenditures, greater risk of battle deaths, and larger opportunity costs. Reversely, associations are rarely as effective, efficient and expedient as organisations.

Hierarchies make a difference. An integrated state has one legal system, one set of bases, one set of equipment, one set of operating procedures. The laws of many NATO and EU MS still stipulate that state "authorities" must give permission (i.e. diplomatic clearance) for foreign forces to cross state borders – there is no "military Schengen zone".⁸¹ As a result, unlike Russia for example, NATO and EU member states (MS) are *ineffective* in moving "as a single entity" "to repel any serious attack" (Braw, 2017; Schultz, 2017). Likewise, separate defence budgets entail duplication and lost economies of scale – the EU Commission estimates the budgetary loss of having separate defence budgets to be around 25 to 100 billion euros per year. In 2017, only 3 percent of the armed forces of EU MS could conduct joint operations (Stroobants & Guibert, 2017).

More importantly, checks and balances notwithstanding, a state has only *one* commander-in-chief – NATO and EU forces can have upto 29 commanders-in-chief. They remain under the formal control of the organisations' highest councils.⁸² A decision to use (i.e. deploy) troops is always done by committee – so many states, so many votes. The additional approval procedures take extra time and create uncertainty. This means joint military operations (e.g. warfare) will tend to be less effective than similar operations by a sole state and its fully-integrated chain-of-command. Consider, for example, the logic of deterrence. The existence of *independent* strategic nuclear weapons controlled by *multiple* "decision-making centres" is seen by many as "compounding uncertainty", and thus increasing the effectiveness of deterrence (Aron, 1963, p. 150; Gambles, 1989, p. 59). On the flipside, decision-by-committee ineffectiveness explains why commanders-in-chief (i.e. the principals) have been known to delegate cooperation-related decision-making to military commanders (i.e. the agents). In the late 1980s, for example, French, Spanish and Italian officials signed bilateral agreements stipulating under what conditions military commanders were *not required* to seek political 'authority'. In effect, these agreements rendered joint air defence and maritime missions "routine" (Gambles, 1989, p. 55). Southern European air defence became purely. In July 2018,

The Warsaw Pact, in contrast, was more of an *organisation* of states. In this instance, states were placed in a "command regime" (i.e. a hierarchy), facilitating both standardisation and decision-making.

⁸¹ It was not until July 2018 that the heads of NATO MS agreed, in a summit declaration, to "provide diplomatic clearances for land, sea, and air movement within five days". Complicating matter is the fact that North American, Western European and Eastern European railroads are not uniform.

⁸² During war, NATO joint forces are under the strategic control of a (customarily) US general.

the heads of NATO MS promised to do the same NATO-wide (on North American air defence, see below).

Some might retort that coalitions of the willing do indeed take time to assemble (Salamé, 1996, p. 111; Touraine, 1995, p. 378), but *alliances* less so. NATO, for example, can formulate plans and procedures for faster ‘force generation’ and rapid intelligence analysis. During Russia’s annexation of Crimea, MS officials met daily to discuss Russia’s intentions and capabilities. A few months later, NATO defence ministers “cut red tape and updated complex procedures to improve the Alliance’s ability to deploy forces at speed”, increasing the “freedom of movement of NATO forces across Europe” (cf. the border and air controls just mentioned) (NATO, 2016b).

But a fully integrated military force, as was considered in Europe in the 1950s, would be significantly more efficient, effective and expedient than NATO or the EU *qua* associations of states. Consider the deployment of EU battle groups (EUBGs). This requires *EU Council* approval. And because EU MS continue to find consensus difficult (Interviewee F, 2016; S. Jones, 2016), joint forces are of limited use. Both France and Luxembourg⁸³ have repeatedly helped set up EUBGs, as have many non-EU MS. The EUBGs, however, have *never been used* in significant military operations, such as those in Libya or Mali (Gros-Verheyde, 2015a). In fact, because NATO and EU consensus-formation is always relatively slow and uncertain, USG and French government (GOF) officials have repeatedly launched *unilateral* military operations (e.g. in Afghanistan, Libya), if only to later ‘relay’ authority to NATO, the EU or the UN:

Preference, even by the big states, is to go through the EU if they can. Sometimes it is more a default that because the EU doesn’t want to go that way, that then they do it on their own. In Central Africa the French went in first because they could do it fastest, but then they were working very hard to have the EU take over the mission, which it did (Interviewee D, 2016).

French Defence Minister Jean-Yves Le Drian even based his *entire military doctrine* around hitting and transferring (“frapper et transférer”) (Bensimon, 2016).

Strategic cooperation: who commands?

“American forces are under American command. Allied forces are also under American command. Integration has double standards” (De Gaulle, 1966)

After WWII, Western officials created and maintained many bilateral and multilateral ‘integrated’ commands. After 1989, such strategic and operational cooperation increased, even leading to coordinated warfare (A. King, 2010, p. 42). The expansion of strategic and operational coordination ostensibly entails favouring (the armed pursuit of) security (and other goals) over hierarchical autonomy, but it also entails favouring autonomy over

⁸³ In 2014, Luxembourg provided over 100 troops to an EUBG – each group includes about 2,000 to 2,600 troops (Armée luxembourgeoise 2016).

efficiency and expediency – it is a coping mechanism. Having both national and international command structures (as was considered with the EDC) is essentially a form of hedging (Gros-Verheyde, 2014a). A desire to maintain hierarchical autonomy requires scarce resources to be used less efficiently (and possibly less effectively).

Of course, the degree of socially acceptable loss of command varies (Auerswald & Saideman, 2014, pp. 31-64). Luxembourg's troops "habitually" serve under another's strategic command (Interviewee M, 2016). Dutch troops are so used to coalition warfare that they systematically use English as their working language (Interviewee L, 2016). French officials, however, have only recently accepted to lose strategic and operational level autonomy (on the politics of strategic cooperation, see Aron, 1963, pp. 180-204, 250-255, 265-274).

The most well-known integrated commands are those of NATO, which were created in September 1950, during the Korean War. NATO's strategic and operational hierarchies are completely integrated and, during war, customarily led by a US military official (e.g. Dwight Eisenhower) (NATO, 2014). As the French 1966 withdrawal indicated, by participating in these commands, MS abandon *some* control of the 'links' in their chain-of-command – NATO officers are given intersecting roles. Expected to obey two hierarchies, these seconded officers are in a sort of military twilight zone.

But losing some command also means state officials can gain influence and have their officers learn valuable skills. After the Cold War, French autonomy concerns waned and its military officers gradually reintegrated NATO hierarchies (Bozo, 1991; NATO, 2001; Nouzille, 2009, pp. 125-148).^{84 85} The main reason for this 'normalisation' was a desire to regain influence within NATO and to maintain state-of-the-art military expertise (i.e. cultural capital) (Interviewee F, 2016) – President Nicolas Sarkozy secured a customary rule that NATO's second highest military officer, the Supreme Allied Commander Transformation, always be French (Bozo, 2012, p. 263). By 2016, NATO had "more French officers within it" than in the Defence Staff in France (Chick, 2017, p. 12).

This said, NATO's integrated commands are the exception that confirms the rule: state officials generally want to retain command all along the hierarchy. In the *Franco-German brigade*, for example, French and German troops are forbidden from being under the other state's command and Germany's Bundestag is to preapprove every deployment (Berger, 2013; Gambles, 1989, p. 49; Université d'été de la Défense, 2015). This mean that, in terms of *combat* operations, the Franco-German brigade is always, at best, an 'enabler'. On this subject, UK Prime Minister Margaret Thatcher once said:

What could you actually do with a brigade like that which could not be integrated into NATO manoeuvres?⁸⁶ I do not believe in initiatives for the gallery. I am for efficacy (L'Express, 1988).

⁸⁴ When first reintegrating NATO's military 'structures', the GOF also sought (in vain) to place a Frenchman as the head NATO's operational command in Naples (Bitsch 2001:272; Bozo 2012: 225, 239).

⁸⁵ Although the GOF is known for having asked the US, Canada and NATO to withdraw forces from French territories, today France hosts several NATO agencies, such as the NATO Helicopter Management Agency, the NATO Hawk Management Office, and the Research and Technology Agency (SHAPE 2016b).

⁸⁶ N.b. the Brigade can now be used as a NATO force (Ministère des Armées 2017).

The more recent EUBGs⁸⁷ are no more effective. In fact, in 2014, without even going to war, part of a EUBG was ‘lost’ to hostile forces – Russian troops literally took control of Ukrainian ‘black berets’ in Crimea, which had been allocated to a EUBG. Actually, the same black berets were also to help form a NATO “Response Force” (NRF) (Gros-Verheyde, 2014b).

When NATO MS first offered *to share* (i.e. pool) NATO’s command centres, equipment and personnel with the WEU and the EU, they placed a series of caveats on the so-called “Combined Joint Task Force mechanism” (CJTF) (Cragg, 1996). Under the more recent “Berlin Plus Agreement”, NATO still has the right to “intervene” first, and NATO MS still have the legal right to veto any pooling. In practice, this means the EU and its MS do not control NATO’s command resources, rendering their availability uncertain. Unsurprisingly, EU MS have made little use of the CJTF option. In fact, in December 2004 the EU Council decided to create a non-standing EU Operations Centre, allowing the EU *qua* organisation to conduct (with MS approval) operations (see also Emmott, 2017).

Generally, resource-rich militaries favour *ad hoc* and short-term abdications of strategic and operational command. Consider the ultimate ‘least-likely’ case: the USG and its military. As a general rule, the USG does not send troops to serve under foreign command (Interviewee D, 2016). In fact, on several occasions, US legislators have attempted “to restrict the placement of US troops” under UN operational command (Bruner & Serafino, 2001; Snyder, 1995). And yet, on several occasions, USG officials have accepted to have their troops temporarily obey foreign orders:

- In the 1950s, US officials created – notably by *co-opting* Canadian military officials – the integrated “North American Aerospace Defense Command” (NORAD) (see Crosby, 1997) – as mentioned, European officials did not do anything similar until the 1980s.⁸⁸
- In 2001, over 6,500 US troops were serving under a French general in the NATO Kosovo Force (KFOR) (Bruner & Serafino, 2001).
- In Afghanistan, US troops regularly operated under the *tactical* command of allied officers, from Romania for example (Interviewee G, 2016; Jacobson, 2011).
- In 2006, the government of Canada (GOC) and USG added a maritime warning mission to NORAD’s responsibilities. With Canadian Forces providing support *in Alaska* and a US commander in charge of all NORAD operations, these two states in effect traded hierarchical autonomy for added capabilities.
- In 2015-2016, about 1,000 US, UK, Australian, Danish and Mongolian soldiers in the Kabul Security Force (KSF) were under *British* command (Interviewee N, 2016).⁸⁹
- In 2015, French and British admirals commanded the USG’s NAVCENT’s Task Force 50 (US Navy, 2017). And in June 2017, officials from the USG, the UKG and the GOF agreed

⁸⁷ They are in fact rotating troops – states take turns providing forces.

⁸⁸ In March 2015, officials from Belgium, the Netherlands and Luxembourg agreed to cooperate, from 2017 onwards, in the surveillance and protection of their air spaces via rotational assignments – n.b. although the Government of Luxembourg (GOL) has only 3 pilots and has refused to let the other two states use lethal force over its air space (Maurice 2015).

⁸⁹ “Each national contingent carried their own weapons, worked to rules of engagement [ROE] set by their own governments and used radios that were not designed to talk to each other” (Wheeler 2016).

to *standardise* anti-submarine warfare coordination across the Arabian Gulf, Gulf of Oman, Red Sea and parts of the Indian Ocean.

Why has the USG, known for its self-perceived exceptionalism, accepted that parts of the world's largest military occasionally undergo such hierarchical autonomy losses? Simply put, once in place, strategic cooperation tends to increase both effectiveness and efficiency. Contributions to military operations can save both lives and dollars (Bruner & Serafino, 2001; Davidson, 2011, p. 6):

Each ally usually brings very small capabilities compared to what the US brings to the operations.⁹⁰ But if you look at the overall capabilities brought by the allies, for example to Afghanistan or against ISIL, it is not insignificant. It alleviates the burden. (Interviewee F, 2016).

To facilitate NATO data transmission in Afghanistan, for example, the GOL procured satellite bandwidth from a private communications company, thus saving allies money (Interviewee M, 2016). In 2015, the UK's command of the KSF allowed the USG to use its additional 'one-star' officer elsewhere (Interviewee N, 2016).

Counterfactual evidence also supports this argument. US participation in the Balkans at the turn of the century entailed over 10,000 less troops available for other ongoing operations, not to mention a negative press (Hulsman, 2000). A decade later, US Secretary of Defense Robert Gates was asking every NATO defence minister for more troops in Afghanistan (Mulrine, 2008). When these were not forthcoming, "the combination of troop limitations and caveats [gave] insurgents breathing room and forced the United States to nearly double the number of troops deployed to Afghanistan" (Saideman & Auerswald, 2012, p. 67).⁹¹ By 2011, the USG tripled the number of troops in Afghanistan, while the number of British, German, French, Canadian, and Italian troops stayed roughly the same (Peinhardt & Sandler, 2015, p. 114).

The "Quadrennial Defense Review" and the "National Security Strategy" have both stated that the USG "prefers to fight in coalitions" (Deni, 2014). In fact, the USG does not just want money, guns, minds and bodies (and robots), it also wants symbolic capital. Contributions from other states, even small ones, generally make wars more *legitimate* (Interviewee D, 2016; Interviewee F, 2016; Interviewee N, 2016; A. King, 2010, p. 44; Palin, 1995, p. 72; Soeters & Manigart, 2009). When NATO sends forces abroad, for example, the USG will try to avoid filling all the operational command positions with *US* officers (Interviewee N, 2016). And the symbolism goes both ways. By accepting to place troops under an ally's command, a state's military demonstrates esteem (on prestige in transatlantic relations, see Aron, 1963, pp. 101-103, 126; Brogi, 2002, p. 189; R. Menon, 2007). Reversely, some state officials will only accept to delegate operational command if their troops will *appear* to be acting *autonomously* (de la Billiere, 1991). In fact, when it comes to symbolism coalition commanders must take into account not just the MS populations, but also warzone

⁹⁰ Of course, ratios matter: the GOL seeks to cooperate with relatively small states (e.g. Belgium) so that its contribution can have the highest added value (Interviewee L 2016).

⁹¹ Troop limitations also partly explain why so many private sector contractors were employed by the USG in Afghanistan (Interviewee N 2016).

populations: if the ‘wrong’ states *appear* to be commanding (e.g. the US in Somalia), the legitimacy (and thus effectiveness) of a mission can be reduced (see Berdal, 1994; R. Menon, 2007, pp. 194-195).

Tactical cooperation: who fights?

The point that needs to be reinforced here is that military cooperation, especially in operations, is not only based on technical considerations (i.e. how to increase effectiveness, efficiency and expediency). Multinational formations “are the product more of political considerations than of straightforward military desiderata” (Palin, 1995, pp. 13-14). Concerning *tactical* command, state officials are especially sensitive to the *symbol of statehood* attached to weapons and troops. The symbolism of the latter is plausibly the result of *conscription*, which started in the 18th century and ended relatively recently in most Western states (Arielli & Collins, 2012, pp. 1-5) – this explains, for example, why the use of mercenaries in the modern era is sometimes not discussed, if not hidden.⁹²

After the demise of the Warsaw Pact, USG officials sought to avoid integrating their troops within NATO, lest US armed forces lose “flexibility”, “freedom” and “command” (Dumoulin, 1991, pp. 69, 77; A. Menon, 2000; Palin, 1995, p. 11). In 1995, for example, the bi-national ‘US-German’ NATO corps was in fact two strictly national corps, merely interacting via cross-posted liaison officers. In the 1990s, French military experts saw the creation of multinational NATO formations as a “deliberate US plot to retain hegemony within European security structures” (see Juppé, 1995, p. 258; Palin, 1995) – the GOF eventually accepted a degree of command and force integration that would have been unacceptable 30 years earlier. In the 21st century, the majority of ‘NATO’ forces allocated to the organisation are *not* integrated, and are in fact still based on their state’s territories (Gambles, 1989, pp. 22-24; Palin, 1995, p. 12).

As mentioned, in 1989 France and Germany created a ‘joint’ brigade. Over 5,000 troops were initially located in 7 German bases and 2 French bases, including one near Strasbourg (Catala, 2015; Merchet, 2007).⁹³ This unique integrated force conducted missions in Afghanistan, Kosovo and Mali, but decades after its creation the brigade’s interoperability remains poor, especially concerning information technology and ROE, and even in the provision of medical aid (Lagneau, 2015) (on the politics of ROE standardisation, see Palin, 1995, p. 34). In fact, “front-line” roles are officially excluded from the brigade’s missions. In 2008, France still had 4,000 troops in Germany (Deutsche Welle, 2008), but today the number is less than 500.

What remains of this Franco-German Brigade is now formally a part of the “Eurocorps”, a multilateral force based in Strasbourg since 1993 (Deutsche Welle, 2008). The corps’

⁹² In 1954, for example, non-European troops fought for France in Indochina. Until the 1960s, many of the soldiers the French foreign legion were German (Arielli and Collins 2012:4-6). In Luxembourg today, foreign residents can join the army (Armée luxembourgeoise 2016a). And for Operation ATALANTA, the GOL, which has no navy, hired a private corporation to participate ‘under’ the national flag (Interviewee M 2016).

⁹³ The last time German troops were based in France was *during* WWII.

commander always hails from one of the “framework” states (i.e. France, Germany, Belgium, Spain, Luxembourg, and Poland) (EUROCORPS, 2016). Since 2002, Greece, Turkey, Poland, and Italy have joined as “associates”, but several states have also *left* (namely Austria, Finland and Canada). The Eurocorps has mostly been used for peacekeeping missions (e.g. Bosnia-Herzegovina, Kosovo, Afghanistan, and Mali), often under NATO command (Bitsch, 2001, pp. 271, 327).

Fourteen years after Thatcher’s rhetorical question about the purpose of non-NATO joint forces, the Eurocorps was formally certified as a NATO “High Readiness Force” (HRF), and then as a NATO NRF in 2006 and 2010. Since June 2016, the Eurocorps serves as the “Force Headquarters” of the EUBGs (EUROCORPS, 2016).⁹⁴

During coalition warfare, state officials (and many of their electors) want to maintain quasi-constant control over their troops – they value tactical autonomy over effectiveness and efficiency (see Palin, 1995, pp. 16-18, 77). Hence the restrictions on what their troops can or cannot do, and how they are to be held accountable (a.k.a. caveats) (Auerswald & Saideman, 2014; Haesebrouck, 2016a; Page, 1993; Palin, 1995, pp. 17-18, 33; Saideman & Auerswald, 2012). Such caveats on “employment options” directly diminish effectiveness and, by creating risk inequality, foster counterproductive resentment between troops. While NATO led the International Security Assistance Force (ISAF) in Afghanistan, for example, some US troops joked that ISAF actually stood for “I Saw Americans Fight” (Mulrine, 2008). French troops occasionally made similar remarks about their German joint-brigade counterparts (Lagneau, 2015). The ‘caveat effect’ is often compounded by ‘UN’ and ‘NATO’ military officials receiving *conflicting orders* – the twilight zone becomes Kafkaesque (M. Lipson, 2007; Palin, 1995, pp. 18, 24).⁹⁵ Delegation-cum-caveats-cum-micromanagement is in effect a coping mechanism, hopefully balancing autonomy and security.

Of course, the want of effective cooperation caused by the absence of political, strategic and tactical integration has not directly caused the loss of any wars, but it has probably led to the loss of many *dollars and lives*. In the medium-term this is ineffective, if only because deaths and deficits are known to reduce domestic support for war, especially in democracies (Casey, 2010; Gartner, 2008; Gelpi, Feaver, & Reifler, 2006).

Instead of trying to put troops and equipment under one command, since 1945 Western state officials have favoured measures that provide only *some* control over other states’ resources – but, in consequence, allowing others to potentially wield influence over them, too. In addition to political committees, joint strategic and operational commands, and integrated troops, state officials have also ventured into:

- diplomatic, operational and educational liaisons and exchanges of all sorts,

⁹⁴ Another example of a truly multilateral force is the European Rapid Operational Force (Eurofor), created by Italy, France, Portugal and Spain in 1995, and ‘dissolved’ in 2012. Examples of *non-standing* joint forces to which the GOF contributes troops include the EUROMARFOR/EMF and the Non Standing Bi-National Brigade Command (NSBNB-C) (État-major des armées 2015).

⁹⁵ For example, some military officials are told that prior to performing particularly dangerous operations they must seek permission from ‘their capital’.

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- equipment standardisation, occasionally based on harmonized doctrines and strategies,
- joint semi-public research and development (R&D),
- joint equipment procurement,
- equipment co-ownership and specialisation,
- educational standardisation and specialisation,
- inter-state academies and schools.

Despite all these coping efforts, separate governments, doctrines, forces, budgets, procurement plans, factories, and academies mean less interoperability and higher financial costs (and thus less R&D) than integration would imply (Hulsman, 2000; Interviewee F, 2016; Interviewee G, 2016).

Equipment: one for all, all for none

Governments that keep their defence markets *closed* have no immediate need to cooperate in the regulation of the 'flow' of military goods, services, employees, or data (including intellectual property and technical knowledge). They have no strategic need to abdicate any autonomy in defence industry policymaking, defence industry command, defence industry resource-control, or in the defence industry as a symbol of national identity. This said, in the long-term, such a strategy might cause small- and medium-sized states to have less innovative industries and less effective and interoperable equipment. Via protectionism, these states will have both policy autonomy and an effective regulation of the industry, but fewer military capabilities and possibly less security.

At the other extreme, to have *both* effective regulation and complete defence market openness, would require the abandonment of autonomy. Complete liberalisation between Western states would guarantee innovation, interoperability and efficiency, but would also entail job transfers, common procurement plans, common tariffs and export controls, etc.

Since the 1950s, most Western governments have chosen a middle road, only gradually opening their markets and industries, and integrating their regulation. The result is partial autonomy loss. Of course, Western defence markets are not as open as other Western markets, and defence industrial and technological bases (DTIB) are not completely integrated. As always, coping mechanisms are the norm: specialised liaisons, associations that set common norms and standards, inter-state organisations that pool resources. But these methods have their costs: along with foreign knowledge and skills, foreign influence is imported; lacking equipment is pooled, but redundant equipment is retained. Equipment-related coping mechanisms might even be making military missions less effective.

Who is researching?

Military equipment standardisation and joint R&D draws one's attention to both *the mixed nature of defence markets*⁹⁶ and *the changing relations between Western governments*. Throughout the Cold War senior US, UK and NATO officials were arguing *in favour* of inter-state defence equipment procurement and production planning (e.g. Ashcroft, 1970, pp. 32, 34; G. Tucker, 1976, pp. 44-50). In other words, many of those whose lives were dedicated to countering communism made the case that transfrontier planned *defence* economies were the only way to defeat transfrontier planned economies *in general*. In the 1950s, 60s and 70s, NATO MS cooperated in the production of aircrafts, tanks and tactical missile systems (Ashcroft, 1970, pp. 5, 19; Gambles, 1989, p. 42; James, 1967; G. Tucker, 1976, pp. 19, 52) – on the whole, inter-state R&D was limited.

This said, it should be noted here that *bilateral* public R&D is also several decades old. The USG, for example, has a history of exchanging information and experts (e.g. scientists and engineers) with the UKG and 'UK'⁹⁷ firms. In the late 1980s, the US DOD funded (via the Nunn Amendment) similar programmes with France, Sweden and Japan (R. Bitzinger, 1993, pp. 20-27, 50).

In the 21st century, military R&D is becoming transnationally semi-public. In parallel to military espionage (see chapter 6), Western states are overtly soliciting foreign assistance with defence-related research. It is not unusual for European defence attachés, for example, to contact US universities directly and inquire about ongoing research (Interviewee E, 2016). Lest they miss the opportunity to employ a significant innovation, officials from the USG's Defense Advanced Research Projects Agency (DARPA) travel the globe in the search of partnerships with foreign forces, firms and scientists. The US military intentionally 'head hunt' abroad, seeking to poach foreign 'embodied cultural capital' from universities and labs – and DARPA is not only interested in arms and transportation research; it can also make use of computer science, finance, mathematics, neuroscience, psychology, medicine, history, anthropology, etc. (DARPA, 2016).

Strictly inter-state R&D is also ongoing. In June 2016, for example, representatives of the US and Estonia publicly signed an agreement "reinforcing" cooperation in R&D, especially in cybersecurity and e-governance, two Estonian specialties (DOD, 2016). This demonstrates that no state, however resource-rich, has a monopoly on innovation and expertise – cultural capital is scarce.⁹⁸ In terms of multilateral cooperation, the EU MS have promised to pool (albeit modest) funds for joint R&D – such a prospect is especially problematic for non-EU:

⁹⁶ N.b. governments still play an important role is sponsoring defence R&D and setting production standards and specifications.

⁹⁷ When the manufacturing, financing and legal structure of these companies is transnational, qualifying these firms with national adjectives makes little sense. Increasingly, defence companies are multi-national companies (MNCs), and sometimes parts of MNCs.

⁹⁸ "Like the acquisition of a muscular physique or a suntan, [embodied cultural capital] cannot be done at second hand (so that all effects of delegation are ruled out)" (Bourdieu 1986:48).

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[...] UK manufacturers would no longer have access to European research programmes. The [UK Ministry of Defence] confirms and is apprehensive in particular of the possibility of no longer being involved in the projected fund (Chick, 2017, p. 14).

The 21st century has also witnessed an increase in inter-state *procurement*, which necessarily entails *indirect* public R&D cooperation (e.g. through the private sector). In fact, it can be argued that joint equipment procurement and standardisation writ large necessarily entail states also agreeing on *strategic and tactical doctrines*. But whose standards? Whose doctrines? In other words, all joint procurement involves sacrificing autonomy for efficiency and effectiveness.⁹⁹ The more equipment is standardized, the less it is *customised* (see R. Bitzinger, 1993, p. 25).

Who is procuring?

For want of a nail the shoe was lost;

For want of a shoe the horse was lost;

For want of a horse the battle was lost;

For the failure of battle the kingdom was lost—

All for the want of a horse-shoe nail (J. Baldwin, 1912).

After WWII, many joint procurement efforts suffered from collective actor problems – when ‘national’ companies did not win bids or when R&D subsidies ended, state officials would abandon the joint project in favour of unilateral (i.e. indigenous) projects (see Angelucci & Matricardi, 1980, p. 274; R. Bitzinger, 1993, p. 25; DeVore, 2011, 2014; DeVore & Weiss, 2014). More recently, this trend has reversed, but at the costs of less compliant companies (DeVore, 2011). Interestingly, most contemporary joint procurement, be it of services, ‘non-kinetic’ equipment or even arms does *not* involve co-ownership and equipment specialisation – cf. the 9-state F-35 combat aircraft programme (Lockheed Martin, 2017, p. 63; Uiterwijk & Kappert, 2010) and the October 2016 Franco-British Inter-Governmental Agreement (IGA) on missiles (Chick, 2017, pp. 13-14).¹⁰⁰

⁹⁹ This said, standardisation and interoperability can also create systemic risks.

¹⁰⁰ In the near future the case of Franco-British DTIB integration is particularly interesting. Since 2010, France and the UK’s DTIBS have been slowly integrating. This was instigated by the 2010 Lancaster House Treaty, whose unofficial motto was “mutual dependence” (Chick 2017:13).

Pooling and sharing¹⁰¹

Pooling and sharing has the potential to reduce total costs and increase overall capabilities. Obviously, it also entails a loss in resource autonomy. With *pooling*, states cannot all use resources at the same time (or at least not for different goals). States that pool equipment might even have to tolerate the pooled resources being used in operations that they oppose.

Remarkably, even those with the most resources have pooled equipment. Since the 1990s, the USG and the GOF have led a number of pooling programmes (Uiterwijk & Kappert, 2010, pp. 56-63). For example, in September 2008 10 NATO MS (including the US) and 2 Partnership for Peace (PfP) states (Finland and Sweden) established the Strategic Airlift Capability (SAC), based in Pápa, Hungary. The 12 states co-own 3 aircraft, and each state ‘owns’ a share of flight hours, although the “safeguard of life” is to take precedence over flight hours. The planes are operated by 145 personnel from all 12 states, “making it the first operational multinational military airlift unit in the world” (SAC, 2016).¹⁰²

But when a state’s pilot is under foreign command, in a co-owned plane, conducting missions for allied ‘sovereign’ states, where is the ‘national’ air force? In June 1999, Belgium, Germany, the Netherlands, and Spain joined the ‘Franco-British’ European Air Group (EAG), designed to increase air force interoperability. Today, this non-EU, non-NATO organisation mostly organises meetings, training and exercises (EAG, 2014), but it has also developed *the European Air Transport Command* (EATC), a defence pooling agency. Luxembourg joined the EATC in November 2012, and its 3 military pilots all serve within the Belgian “15th Air Transport Wing”, as a part of the EATC (Armée luxembourgeoise, 2016b; EATC, 2016).

Prior to this, in 2001, the GOL agreed to the joint-procurement of 7 Airbus A400Ms with Belgium; the GOL has ordered one aircraft, to be delivered to the EATC in 2019. And in 2016, the Netherlands and Luxembourg announced they would acquire 2 Airbus A330 Multi Role Tanker Transport (A330 MRTT) aircraft, to be used in both NATO and EU military operations. They will be delivered to NATO in 2020, and will be based in Eindhoven, in the Netherlands (NATO, 2016c). These purchases put Luxembourg in the odd situation of paying for refuelling capabilities for combat aircraft that it does not own or operate (Interviewee M, 2016). This is also puts it in the strange situation of being the NATO MS with both the *lowest* defence expenditure as percentage of GDP (0.47 percent in 2015) and the *highest* defence *equipment* expenditure as percentage of defence expenditures (35.3 percent) (NATO, 2016a).

¹⁰¹ The term ‘pooling’ is generally used to refer to co-investing in the development, acquisition and operation of a good or a service, and sharing usually refers to lending equipment. Confusing matters, ‘sharing’ is sometimes used to refer to ‘role sharing’, i.e. functional differentiation and specialisation leading to shared expertise and dependence. Even more confusing is the use of ‘sharing’ to refer to *the coordination of labour* (e.g. third-party training), as the EU and the USG have done in Somalia (Interviewee D).

¹⁰² One of the oldest aircraft pooling endeavours is of course NATO’s operation of a fleet of E-3A Airborne Warning & Control System (AWACS) aircraft, which dates back to December 1978 (NATO 2017).

The joint procurement and use of satellites is not much simpler.¹⁰³ Since the 1990s, European states (e.g. France, Luxembourg, Italy, Spain, Belgium, Sweden, Greece, Germany) have cooperated in the research, development, procurement, and launching of satellites, often in partnership with ‘foreign’ defence companies, but also with the assistance of the EU Commission and EU agencies (see CCP, 2010; Deutsche Welle, 2016; EUSC, 2017; Luxemburger Wort, 2015; Satellite Observation, 2016). These satellites have served different functions (e.g. imagery and signals collection, telecommunication, navigation), and have been pooled between a variety of state and non-state organisations (military and civilian, public and private) (Gambles, 1989, p. 54; Testé, 2016).

Another example of satellite cooperation: between 2007 and 2013, the governments of Luxembourg, Australia, Canada, Denmark, The Netherlands, and New Zealand all helped the USG finance the launch of a series of military communications satellites— together they now form the Wideband Global Satcom (WGS) system (Aaron Mehta, 2015b; Military.com, 2016). (Aaron Mehta, 2015b).

The result of these types of cooperation is resource dependency. As of 2018, many French drones can only be piloted via *commercial* satellites; the GOF and GOG have divided responsibility for certain types of data collection. Many French politicians and generals consider such data-collection capabilities essential enablers of France’s *military capabilities*, but just essential to the protection of their data analysis and policymaking *autonomy* (see Testé, 2016).¹⁰⁴ Considering that when such statements were made the GOF was only completely self-sufficient in terms of *optical* satellites, the question is: *autonomy from whom?* – the answer seems to be ‘from the USG’¹⁰⁵ – some French officials even see satellites – i.e. equipment that, due to its cost, is increasingly pooled – as “symbols of a nation’s power, of its scientific, technical, industrial and financial rank” (Testé, 2016). With the election of ‘NATO-skeptic’ US President Donald Trump and the ‘exit’ of the Atlanticist UKG, the desire US-independent data collection is now shared by several EU leaders. More generally, on 28 June 2018 the European Council declared that “Europe must take greater responsibility for its own security and underpin its role as a credible and reliable actor and partner in the area of security and defence” (Brzozowski, 2018). What goes unsaid, of course, is that the price of independence from the US is considerable autonomy loss between EU MS.

In the 1990s, Western officials also created a number of joint procurement *agencies* (i.e. inter-state ‘joint ventures’) (DeVore, 2012; 2014, pp. 440, 451-455). In January 2001, the non-EU Organisation for Joint Armament Cooperation (OCCA) received legal status (Uiterwijk & Kappert, 2010, p. 56). Current programmes managed by OCCAR include transport planes, helicopters, armoured vehicles, and frigates (OCCAR, 2016). Currently, France is an OCCAR member and Luxembourg is an indirect participant (represented by Belgium in the EATC A400M programme). Four years after the creation of the OCCA, the EU created the European Defence Agency (EDA), also to enable defence R&D and procurement cooperation. The EDA

¹⁰³ And a similar assessment could be made of the joint procurement of intelligence and combat *drones* (i.e. UAVs). For more on drones, see below.

¹⁰⁴ Notably concerning the state’s many overseas ‘departments’ and ‘territories’ and their ‘waters’.

¹⁰⁵ Especially concerning the use of the GPS’ military signals.

has managed, for example, the Maritime Surveillance (Marsur) project, which since 2012 allows 17 EU MS (including France, but not Luxembourg) and Norway to exchange operational maritime information – a form of *sharing* (EDA, 2012).

For over 50 years, policymakers have suggested equipment *specialisation* as a means to increase interoperability, remove expensive equipment redundancies (i.e. duplication, triplication, etc.) and attendant personnel, and reduce training-time and maintenance redundancies (G. Tucker, 1976, p. 29).¹⁰⁶ In 1989, for example, US Senator Sam Nunn said “each allied country should play the instruments it plays best rather than trying to stage an entire symphony orchestra” (1990, p. 9). But state officials have rarely followed this advice – especially not US officials.

Small states have no choice but to accept (equipment) dependencies, so in specialising they have nothing to lose. Large *states*, however, have fewer reasons to limit themselves to certain niches. Consequently, officials from states with large and medium DITBs continue to seek self-sufficiency:

You never know who are going to be the members of an operation for a given operation. [...] So, it creates a risk if each country has a niche capability. [Plus, France] may have to undertake operations in which we are not part of a coalition or in which we have to decide very quickly to go on the ground to begin the operation. And in such situations we do not want to have these kinds of dependencies (Interviewee F, 2016).

Of course, for states with medium sized DTIBs, integration avoidance has its costs:

per Capita, Europe spends a little more than 40 percent of what America does on defence, yet [it has] only about 10 to 15 percent of its operational capacities (Verhofstadt, 2017).

Pooling and sharing remains largely limited to *non-violent* equipment (Aaron Mehta, 2016) – a notable exception is NATO’s BMD programme. Yet, even the pooling and sharing of non-‘kinetic’ equipment remains contested.¹⁰⁷ In 2013, for example, France, Spain, Italy, Poland and Germany sought to create unmanned surveillance drones and a “European Air Force” comprised of heavy transport and air-to-air refuelling planes, all purchased and operated by the EU (Waterfield, 2013). NATO Secretary-General Anders Fogh Rasmussen critiqued the project, arguing that “even” NATO should not *own* military capabilities. In the end, UK Prime Minister David Cameron vetoed the project during an EU summit. He said “it isn’t right for the European Union to have capabilities, armies, air forces and all the rest of it. We need to get

¹⁰⁶ Generally, illustrative armament surveys are used to defend standardisation. In 1973, for example, the armed forces of NATO MS had “31 different types of anti-tank weapons” (Tucker 1976:10, 20). In 2017, the armed forces of EU MS had 37 types of tanks (including 17 types of battle tanks), 29 types of destroyers and frigates, 20 types of torpedo systems, about 20 types of combat aircraft systems, and 12 types of tanker aircraft (Besch 2016, Stroobants and Guibert 2017, Verhofstadt 2017). In fact, the entire debate of value-for-money is one that has been on-going since the 1950s, even within NATO (see Ashcroft 1970:4). As much as standardisation increases interoperability and thus effectiveness, it is not clear that joint procurement is more efficient (De Vore 2011).

¹⁰⁷ Of course, states must not be essentialised. State policies are always approved or contested *by people*, and as such are always the product of *disputes* between socially situated state officers and other ‘veto’ holders (see chapter 3). Some actors will favour autonomy, while others will prefer security.

that demarcation right” (Maulny, 2012, p. 7). Even today, pooling and sharing is only occurring where allies have critical capability ‘gaps’.

Despite its rarity, pooling and sharing might increase in the near future. As many IR neo-realists argue, states that do not ‘balance’ larger, (perceived as) threatening states might fail to deter and then lose at war. What neo-realists might not foresee, however, is that balancing by small states might also involve *pooling and sharing*. The microeconomic models that underpin traditional neo-realist theories confirm this: the rise of multinational corporations (MNCs), *via* mergers and acquisitions, was partly the result of corporate officials seeking *supply-side economies of scale* to compete with their larger competitors. And this same phenomenon can be observed in the formation of *the modern state* during the medieval period (on the autonomy/efficiency tradeoff in state formation, see Bean, 1973; Herz, 1957, 1968; Tilly, 1992, 2002, 2004; Tilly & Ardant, 1975). In fact, state officials need only look *within* their contemporary states to see how the search for economies have encouraged ministries and agencies to *pool and share* (on specialisation, see chapter 3).¹⁰⁸

Equipment exports and imports

Regarding the arms trade, Western states often practice a form of neomercantilism, where exports are encouraged, and imports discouraged. As with many other economic sectors, governments go to great lengths to promote and support ‘national’ (and sometimes specific) defence companies abroad, notably via joint visits to foreign governments, the posting of specialised attachés (e.g. Defence Cooperation Officers (DCOs) in embassies, and the provision of legal and commercial advice on how to start a venture or company abroad (Interviewee C, 2016; Interviewee E, 2016; Salamé, 1996, p. 48).¹⁰⁹ In the 1990s, for example, US officials encouraged future NATO MS to ‘buy American’. In July 1997, Joseph Biden (a US Senator at the time) even told a Polish military chief that “when you seek to travel first class, you purchase a first-class ticket” (D. W. P. Lewis & Lepesant, 1999, p. 183).

US officials even use military assistance programmes, such as Foreign Military Financing (FMF) and Excess Defence Articles (EDA), to *subsidise* the US defence industry. FMF, for example, allows the US defence budget to be used by allies to buy military equipment *made in the US*. Similarly, US EDA can be considered a form of ‘bait-and-hook’, where donated second-hand equipment is always made in the US, requiring *US parts* and *US technicians*. It must be noted, however, that FMF and EDA assistance help fill the poorest NATO MS’ capability gaps (i.e. defence capability shortfalls), even if matching EDA with allies’ requirements can be complicated (DOS, 2004).

¹⁰⁸ Liaisons, attachés and even embassies can also be pooled and shared, both within and between states. In fact, a state’s embassy *building* can be considered the archetype of pooling.

¹⁰⁹ DCOs (called security cooperation officers in the US, or SCOs) are responsible for procurement related visits, arms fairs, and sometimes joint education and training, and port and aircraft visits. DCOs often interact with foreign and domestic defence companies.

Yet, the reverse does not hold. As mentioned, public procurement and tariffs largely favour 'national' corporations (Besch, 2016; R. Bitzinger, 1993, p. 27). Rationales for state officials to avoid purchasing defence equipment manufactured abroad are many: this equipment is not always tailor-made; its supply is more uncertain; industrials with social capital will lobby for their companies, etc. (DeVore & Weiss, 2014). One goal of state officials is that their party win national and local elections, which in turn might require *appearing* to protect domestic employment in the defence industry. In fact, some government officials hold an inverted valuation of the defence industry, where it is valued not for the equipment it produces, but for the jobs it creates. On this subject, Grant has said that allied states often complain that the USG and US companies *lack discretion*:

One of the things they say to me is that the United States has to learn to be a quiet partner. They come and talk to our industry partners about potentially buying our equipment. The next thing you know, it is all over the front page that somebody wants to buy this, and sometimes that can cause problems in that country for them actually being able to go through with the sale [...] (Aaron Mehta, 2015a).

It is important to note here that leaks to the press can also serve as a procuring-state *bargaining technique*, employed to gain better deals during procurement negotiations (Defense Industry Daily, 2016).

As also mentioned, Western defence economies are neither planned, nor free, but mixed in nature – Eisenhower called this public-private symbiosis “the military-industrial complex” (see Ciuriak & Curtis, 2013; Klein, 2007). When governments do not directly own companies and plan the economy, they regularly provide 'national' defence companies with direct and indirect aid, in the form of non-competitive procurement, subsidies, tax credits, the monitoring of mergers and foreign investment, and advocacy and logistical support in defence procurement bids (Adams, 1982; Liberti, 2011, p. 10; Robert Rollinat, 2016a, 2016b). The fact that governments often hold *shares* of defence companies and that employees can alternatively work for both governments and defence companies (via the 'revolving-door') means that in this industry the traditional public/private dichotomy is not valid. One direct result of these state organisation-non-state organisation relationships is public corruption and procurement fraud, which is particularly high in the industry – recent examples of defence-related corruption in Europe can be found in Latvia, Greece, Portugal, and Turkey (Holden, 2016, pp. 117-134; Transparency International, 2015).

Two important specifications are necessary here. Obviously, some Western states are more *dirigiste* than others, and some defence markets are more 'distorted' than others (see DeVore, 2015; DeVore & Weiss, 2014). Some state officials will habitually use 'their' office as a patron would, while others will perform their role in a more disinterested, bureaucratic fashion, *sine irae et studio*. Some domestic defence companies are in fact subsidiaries of multinational corporations, meaning that state efforts to protect 'national' firms often benefit executives and shareholders abroad (R. Bitzinger, 2014). In the 21st Century, one of the most liberalised defence *markets* is US'. Here, competition between *foreign* defence companies is particularly harsh: Canadian and the UK firms have been losing US market share (measured

in sales value) to companies based in Germany, Norway and France (Gallois, 2017; SIPRI, 2016).¹¹⁰

Similarly, statism can vary over time (DeVore, 2012, 2014; DeVore & Weiss, 2014). The state and inter-state defence agencies that state officials create can both increase and decrease procurement competition, ban or bless mergers and acquisitions. French state officials, for example, are known for favouring 'French' firms (and their directors) (DeVore & Weiss, 2014), and yet in the 1980s GOF officials lobbied 1) the EU Commission for common *European* import tariffs on military equipment, and 2) other European state officials to buy *European* (Gambles, 1989, pp. 33,43).

But no matter the degree of differentiation in *dirigisme* across place and period, "short a degree of achieving supranational integration", effectiveness and autonomy seem to be incompatible goals for *all* contemporary Western states (see DeVore, 2011, p. 661).

Who is producing?

Aristophanes distinguished between industries interested in war and industries interested in peace [...] (Max Weber, 2009, p. 167).

After WWII, the *licensed production* of US-designed equipment in Western Europe helped states such as France rebuild their DITB (R. Bitzinger, 1993, pp. 7, 17).¹¹¹ In the 1970s, *joint production* (of combat aircraft, anti-ship missiles and minesweepers, for example) *via consortia* became a more popular practice between Western companies. Meanwhile, Europe-based companies started licensing the production of the equipment *they designed*, notably to Asian states (R. Bitzinger, 1993, pp. 7-9). As mentioned, in the 1990s Western companies-cum-states initiated several joint R&D projects. Similarly, *transfrontier* supply chains and *transnational* joint ventures, mergers and acquisitions date back to the late-1980s (on the transnationalisation of DITBs, see R. Bitzinger, 1993, 2014; R. A. Bitzinger, 1994; S. G. Brooks, 2007; Dowdall, 2004). Still, the integration of Western DTIBs should not be exaggerated. Although one could argue that even USG officials are "baffled" by the problem of how to maintain the national identity of 'their' DITB (Ruggie, 1998, p. 196)¹¹², in comparison to integration in *non-military* industries, defence integration is extremely limited (R. Bitzinger, 1993, p. 1).

¹¹⁰ In 1975, US Secretary of Defense James Schlesinger argued in favour of "a two-way street", where the USG purchased more 'European' defence equipment and European governments purchased more 'American' equipment" (Tucker 1976:21).

¹¹¹ Licensed production abroad is often compensated with 'offsetting' (i.e. inter-state agreements on employment and technology 'transfers'). Such agreements are the most notorious form of government-intervention in defence markets (Magahy, da Cunha and Pyman 2010, Martin 2014:15, Russin 1994).

¹¹² Much equipment assembled in the US is partly-made made of components not manufactured in the US. In other words, 'US' firms often rely on 'foreign' subcontractors (Bitzinger 1993:51). And these 'US' defence companies, in turn, are themselves often subsidiaries of multinational corporations (Gansler 1992:31).

The production of the F-35 fighter jet is an interesting case, for it demonstrates the economic, strategic and political interests that are inherent to joint arms production. In 2018, US law makers sought to halt the transfer of 100 jets to be bought by the Turkish government (GOT) (Katrina Manson & Pitel, 2018). The justification for this measure was the fear of Russian spying on the jet via an air defence system that the GOT bought from a Russian company. US Defence Secretary Jim Mattis said this congressional move would increase costs and delays in the production and supply of all F-35, not only because of economies of scale, but because all 14 purchasing NATO member states also have a portion of the jet's production occurring on their soil and via 'national' defence companies (Katrina Manson, 2018). Many US officials, of course, say the solution would be for the GOT to purchase an air defence system made in the US.

The most-likely case for future DTIB integration remains the EU, which was founded on the ideal of changing "the destinies of those regions which have long been devoted to the manufacture of munitions of war" (Schuman, 1950), and was sustained on the ideal of free movement. But, as of now, even the EU's defence market is full of barriers and distortions (see Masson, Martin, Quéau, & Seniora, 2015). In 2016, EU countries bought "over 80 per cent of their defence equipment at home" (Besch, 2016). And in 2017, about 80 percent of procurement and 90 percent of R&D was conducted *unilaterally* (Stroobants & Guibert, 2017).

This extremely partial market and industry integration is mostly due to the fact that EU MS have constantly ensured that protectionism remains legal (Gambles, 1989, pp. 33-35, 41-45):

During the drafting of the Rome Treaty, Article 223 explicitly excluded armament activities related to production, sale and acquisition from the European community integration process. Throughout the process of continental integration, this provision was to present a formidable barrier to the 'Europeanisation' of the production of armaments, facilitating the development of 'watertight' national industrial subsidiaries that suited strictly national logics (Liberti, 2011, p. 7).

According to Article 346 of the new (2007) *Treaty on the Functioning of the European Union* (TFEU) "areas of production and export of armaments are excluded from the creation of a common market where the essential strategic interests of a member state were under threat" (Liberti, 2011, p. 26).

To counter this, in 2009 the EU Commission passed a "defence package" composed of two directives (2009/43/EC and 2009/81/EC). The first was intended to facilitate intra-EU arms transfers, especially regarding export authorisations, and the second obliged states to publicly announce their holdings of tenders. But, for the moment, the directives have had little effect:

Concretely today acquisition practices seem to show an incomplete and incorrect application of the Directive [2009/81/EC], with de facto a limited or even non-existent impact on the DTIB (Masson et al., 2015, p. 6).

It should be said, however, that the poor integration of EU defence markets and industries is also due to a lack of will "among defence companies and the European Commission to contest decisions by member-states and take them to the European Court of Justice" (Besch, 2016).

Market Size Matters

According to neo-classical economics, efforts by state officials to reduce protectionism and state subsidies will increase offshore outsourcing, and transnational ventures, mergers and acquisitions, which in turn will increase transnational *competition*, both leading to increased productivity and innovation, which subsequently will lower state military equipment (and service) costs (R. Baldwin, 2016, p. 185; Beck, 2005, pp. 206, 208; Liberti, 2011, p. 25; Stroobants & Guibert, 2017; Uiterwijk & Kappert, 2010, p. 58).

The first part of this theory is that inter-firm *cooperation*, especially transnational cooperation, increases innovation (in a non-defence context, see Hsieh, Ganotakis, Kafourous, & Wang). Just as French officials believed staying out of NATO's military 'structures' could lead to innovation loss; company directors also believe autarchy can lead to less innovation. This is especially true in *technology-driven* sectors, where "local national firms will only be able to survive if they enter into R&D arrangements with foreign corporations, the alternative being that their products will be increasingly out-of-date and unattractive [...]" (C. Brown & Ainley, 2009, p. 181)

The second part of this theory is that *competition* motivates entrepreneurs to innovate.

A European defence equipment market that created more competition for defence contracts would bear down on prices and increase interoperability in operations. More inefficient or less innovative companies would lose out to better ones, driving up productivity and innovation (Besch, 2016).

This said, free trade and fair competition are often challenging for *small* companies.

Because a DTIB that "produces innovative technologies and skills can in itself be a military advantage" (Besch, 2016, p. 29; DeVore, 2017; G. Tucker, 1976, p. 29), in the long-term, *neomercantilism* in the trade of military equipment will only 'work' for states whose *domestic* companies face strong competition, which – when every states is neomercantilist – tends to occur only in large and diverse *domestic* DTIBs, such as that of the US (Gambles, 1989, p. 42) – of course, greater *transatlantic* DITB integration would create *efficiency* and *innovation* gains for all, including the USG and US firms (G. Tucker, 1976, p. 48).

If this theory is correct, when the governments of medium-sized DTIBs states (e.g. France) overprotect their defence companies, domestic companies will eventually become less efficient and innovative (see G. Tucker, 1976, p. 32; Uiterwijk & Kappert, 2010, p. 59). A lack of cheap and innovative domestic defence goods will eventually render the overprotective middle-size *states* increasingly dependent on *foreign* defence markets (Gambles, 1989, p. 42; Liberti, 2011, pp. 27-28, 40-41). Such a dependence on foreign defence markets would, in turn, lead to a loss of resource autonomy (i.e. security of supply) (Besch, 2016; Moravcsik, 1991; Stroobants & Guibert, 2017; Verhofstadt, 2017). It can be argued that such a situation would eventually cause a crisis for these medium-sized states – small DTIB states do not have many companies to protect and are already extremely resource dependent (on small states'

defence industry policies, see DeVore, 2013; Markowski, Hall, & Wylie, 2009).¹¹³ The desire of officials from medium-sized states to have a full range of innovative defence goods and services would leave them no choice but to *either*:

- Open the national DITB, by allowing *transnational* outsourcing, joint ventures, and mergers and acquisitions to occur; and delegating anti-trust enforcement to inter-state organisations.

or

- Open the national, one-buyer market to foreign sellers (i.e. lowering tariffs and opening procurement bids to defence companies who's manufacturing generally occurs abroad).

Both solutions, however, would lead to a *loss* of 'national' employment, 'national' arms sales, and state resource autonomy. In other words, governments of medium-sized DITBs must find the right balance between openness and autarchy, for as much as openness can lead to the loss of domestic jobs, indigenous intellectual property and state resource autonomy, complete protectionism – *between neomercantilist* states – will eventually lead to the same result (on impossibility of securing supply, see Besch, 2016; DeVore, 2017, pp. 244-245; Gansler, 1992; Robert Rollinat, 2016; G. Tucker, 1976, p. 23).

It can be noted, however, that the more enterprises, supply chains and markets are global, the more *economic* losses (e.g. jobs, taxes, profits) are not state-specific, but *individual-, region- and company-specific* (on the fragmentation of production writ large, see R. Baldwin, 2016; Lamy, 2010, 2013). After all, what is a trade balance within a common market? (on this topic, see Coffey & Presley, 1971). Similarly, the more common markets overlap with military alliances, the less of a need for military or economic *espionage* (regarding battlefield communications or R&D, for example).¹¹⁴

Optimistically, this could lead to a mutual dependency that would make conflict among globalization partners more unlikely (R. Bitzinger, 1993).

The idea that integrated industries can “make war not only unthinkable but materially impossible” might be called a *supply-side pacification experiment* (on the European Coal and Steel Community, see Gillingham, 2004).

¹¹³ From 2000 to 2015, Luxembourg only made one arms sale (of a small, second-hand transportation airplane to Senegal), worth less than 500,000 USD, putting Luxembourg at the rank of 87th largest arms exporting state in the world (Dumoulin 2004, SIPRI 2016). Thus, it can be said the Luxembourg has virtually no DTIB – although it does have a growing satellite construction industry (Scoles 2016). This means that its government is already completely dependent on foreign markets for military equipment purchases and that it does not have to worry about job losses in this industry – it has nothing to lose. Consequently, the GOL can more easily pursue military pooling and sharing projects. This also means that all of the GOL's defence equipment investments directly benefit both allied forces and allied DTIBs.

¹¹⁴ N.b. Individual companies can also benefit from industrial espionage.

Education: a bridge too far

Unlike other ‘non-essential’ services and equipment-related training, military education is rarely privatised. Possible reasons are many. For one, it is not evident that the private sector is a more effective educator (Diaz, 2011). Moreover, the relatively low costs of education mean efficiency is not as great of a concern as it is regarding the procurement of other services and equipment (Ashcroft, 1970, p. 22). A second explanation for the absence of educational privatisation is the role military academies play sustaining a national identity. As a result, some officials might have simply never imagined privatising military education. And if they did, the symbolic concerns would mean favouring *outsourcing* over privatisation. But in a way, state officials are already partially out-sourcing their military education – to other states.¹¹⁵

As a coping mechanism, inter-state educational cooperation is a way of mutually increasing professionalization, specialisation and interoperability (Robert Rollinat, 2016), without the extreme autonomy ‘costs’ that integration would entail. Proof of this is found in occasional hostile reactions to military exchanges and training assistance. On the donor side, such sporadic concerns are often related to strategic and humanitarian concerns, but on the receiving side they generally concern state decision-making and hierarchical autonomy. In other words, although pooling and sharing military education might be legal, it is not necessarily legitimate.

The result is that education cooperation is decentralised, taking on the aspect of a network. The effectiveness and efficiency costs of such coping mechanisms are not self-evident, for education need not take place in a specific place to be effective. Most data, information, knowledge, and skills are easily transferable via information and communication technologies (ICT) and the transportation (i.e. travel) of professors or students.

Standardisation and Socialisation

Standardising (or at least harmonising) curricula has proved to be an uncontroversial means of increasing interoperability without integrating military academies. Western military officials have mostly conducted such standardisation via inter-state organisations, such as NATO and the EU. In conjunction with these efforts, Western officials have also had NATO and the EU create their own colleges, schools and academies, both to create common doctrines, curricula, teaching methods, etc., but also increase efficiency via supply-side and demand-side economies of scale.

Such practices date back to the early 1950s. This said, pooled and shared educational standards and organisation were not significant until the 21st century, when NATO and EU officials created “Centres of Excellence” (COEs), “guidelines for operation planning”, and the

¹¹⁵ In fact, some military academies and colleges already outsource their educational services to universities.

like (see A. King, 2010, pp. 44-53). The results of such increasing epistemic cooperation are twofold. First, a transnational professional 'field' is being constructed:

Military expertise is being disseminated across national boundaries, re-orienting independent militaries to common professional patterns (A. King, 2010, p. 53).

The reinforcement of warfare as a profession provides military officers with increased *cultural* and *symbolic* capital, and thus increased autonomy vis-à-vis their civilian superiors. These professionals have also been building *social* capital. Just like embassy attachés, *military academy liaisons* develop many informal relations, which they maintain as they change positions (see below). But these liaisons are not the only ones who form and maintain informal relations with fellow soldiers. Soldiers and officers from the West and beyond make many such acquaintances, notably through educational and professional *exchange programmes*, which in turn makes hierarchical autonomy loss possible.

Second, the constitution of the field and its centres of excellence, be they 'national' or 'international', means *national military academies* are increasingly in competition with one another, not just for funds and students, but also for recognition (i.e. prestige).

Academies and Exchanges

In the 21st century, many Western military academies formalised their bilateral partnerships, which had already consisted in hosting permanent liaison officers and organising joint training (A. King, 2010, pp. 44-45). The *École Spéciale Militaire de Saint-Cyr*, France's most elite military academy, for example, conducts joint *research* with the US Military Academy, the US Naval Academy, the US Marine Corps University, but also the International Institute of Humanitarian Law at San Remo, Italy, and the University of Oxford, in the UK (Saint-Cyr Coëtquidan, 2012). Moreover, some non-French professors work at Saint-Cyr under the ERASMUS programme.

France's other academies have implemented similar programmes. Before becoming NATO's SACT, from 2008 to 2010 General Denis Mercier commanded the French Air Force Academy, in Salon-de-Provence, "where he was a transformative leader, fostering enduring partnerships with allies and prestigious universities" (NATO, 2015). That a high official was given such a post before being named NATO's second highest military officer demonstrates the value French government and military officials place on educational cooperation.

Many military leaders believe their organisations have a strategic need for allied inter-state *social networks*, bound by trust. Much like formal liaison officers, professional exchanges (e.g. of pilots and air force crew) and joint education alumni are seen as organisational "boundary spanners" (i.e. buffers), facilitating *access to resources* (on organisational buffers as a source of innovation, see Bergenholtz, 2011; Tushman, 1977). As mentioned in relation to air force training, military officials hope educational exchanges will help 'transfer' knowledge and skills that can enable innovation, coordination and *interoperability* – "all the services are looking for these kinds of opportunities" (Interviewee E, 2016).

Through their embassies, French *military attachés* organise “international internships” for French cadets attending Saint-Cyr. This programme, called the “International Course of the Combined Arms School”, embeds the cadets for one month in allied armed forces throughout Europe. Its official objective is to strengthen “comprehension of our allies”, as well as to develop the cadets’ “foreign language capabilities” (Saint-Cyr Coëtquidan, 2012). In 2007, making *Saint-Cyr* an ‘international’ organisation became a strategic priority. French military officials have made great efforts to internationalise France’s academies and colleges – Saint-Cyr’s very first female cadet was from Luxembourg (2012).¹¹⁶ The official reason for inviting international cadets to Saint-Cyr was to create a “real network of young officers”.

Consider a counterfactual example. The sheer number of USG troops relative to other Western state troops means that many American soldier, sailors and marines have never taken part in inter-state education exchanges, joint courses, joint training exercises or even in joint missions (Interviewee F, 2016). This lack of coalition/alliance-specific knowledge means that participation in future multilateral missions will be more difficult for these troops than for the troops of, say, the GOL, which has never used its army unilaterally.

But for states with few resources, such as Luxembourg, joint education does not only facilitate joint operations, it also partly determines it. Seeing that the GOL has no military academy, the vast majority of its officers and soldiers receive basic and advanced training in Belgium.¹¹⁷ So, although the Luxembourg Army has directly cooperated with French forces in Kosovo and currently collaborates with Austrian troops, the vast majority of operations are done in partnership with Belgium, if only because “there are cultural and personal links” (Interviewee L, 2016).

Many military officials believe that exchanges and joint training help *promote a state’s policies*. Sending ‘promotable’ officers to war colleges and senior staff programmes abroad is seen as an investment (in social capital). They believe informal social networks provide increased influence and control over other states. Thus, one reason Western Europeans “suspect” Eastern Europeans of “extreme pro-Atlanticism” (Liberti, 2011, p. 25) is because of the latter’s use of *American exchange programmes*. In truth, the French military also send their ‘best and brightest’ to US military schools, such as the National War College:

An individual goes there, and then he goes on to become senior defence attaché in DC. So he gets the education, he starts building the contacts, and then he goes back to France to more senior positions (Interviewee P, 2016).

According to the US Department of State, educational exchanges maintain the good will and favourable sentiments of allied troops and politicians (DOS, 2013, p. 429). They are seen as being mutually beneficial. But these programmes can also cause both parties to lose autonomy (see chapter 3).

The *financing* of other states’ military education also allows rich states to ‘outsource’ risk, all the while reaping the symbolic benefits of assistance provision. Educational aid accelerates other states’ ‘rationalisation process’, and inasmuch it enables both interoperability and the

¹¹⁶ Saint-Cyr hosts over 200 foreign cadets every year, including 100 studying fulltime.

¹¹⁷ A few now receive advanced training in Germany (Interviewee L 2016).

Explaining Military, Law Enforcement and Intelligence Cooperation between Western States

outsourcing of military functions (on externalisation, see Lavenex & Wichmann, 2009; Rees, 2008). This reasoning explains why governments regularly cover the tuition and housing costs of foreign exchange students coming from poorer states.

The US International Military Education and Training (IMET), for example, is justified to the US Congress by the fact that many IMET alumni see their careers lead them to important military and governmental positions. Today, US DCOs keep electronic databases that track the progression of alumni careers abroad. The USG even occasionally supplies a symbolic amount of IMET to *developed* states (e.g. Greece and Portugal) where US armed forces have a geography-specific need, such as a deep-water port or an airbase (DOS, 2003, 2004, 2006a, 2006b, 2007, 2010). GOL officials have always adopted such techniques – they focus on providing training and financing (e.g. of education, operations and equipment), but avoid sending troops into operations, especially armed combat.

The limits of educational cooperation

Since the end of WWII, all Western states, resource rich and resource poor, exerted great efforts to turn their allies into functional (but not autonomous) partners. Through military assistance programs, they also sought to *co-opt* officers, thus enabling the externalisation of military functions (see above). The USG openly acknowledges these goals:

But in general [the US Department of State Peacekeeping Operations (PKO) funds] provides funding to train and equip partner nation militaries to conduct peacekeeping operations so that our military does not have to conduct those operations (Interviewee C, 2016).

And yet it is far from evident that educational cooperation actually allows states to influence each other:

In evaluating the effectiveness of these programs, it is important to note that while they appear to achieve the goal of promoting institutional and interpersonal connectivity, those connections can, but do not necessarily, lead to closer bilateral relations (McInnis & Lucas, 2015).

The major *technical* problem with such strategic investments is that they are not easily adapted to a changing environment. Budgets are prepared years in advance and investing in embodied cultural capital takes time – up to 30 years (Shea, 2017). This means that ‘the governor of the ship of state’ can easily oversteer:

You have a big ship [...], moving it through the water, it takes a while to change course. FMF, we had programs in place, and the rebalance to Asia came out. Okay, it’s going to take a while. Then Russia became interested in Ukraine. The political dynamics changed in the region and there was direction from the administration. Okay, well, we need again to move that ship; change course direction again (Interviewee C, 2016).

Attachés and alumni were not able, for example, to avoid fundamental disagreements on the *ethics and laws of war* – the 2003 multinational operation in Iraq is the most well-known debacle. In fact, legal and strategic disagreements can even disrupt *educational cooperation*. When Eastern and Southern European states such as Croatia, for instance, joined the International Criminal Court (ICC) and subsequently refused to sign a bilateral agreement

preventing ICC proceedings against US troops, the USG suspended these states' Foreign Military Financing (FMF) (DOS, 2007). Educational cooperation is not a perfect substitution for integration.

In fact, as threat perceptions and government regimes change, educational disagreements are likely to increase. Regarding threat perceptions, consider the case of Eastern European states. During the Cold War, Europeans disliked hosting what would be the "theatre of nuclear war" – as one politician put it, "the shorter the range, the deader the Germans" (Gambles, 1989, pp. 8, 52). After 1989, American officials encouraged Eastern European officers to transform their militaries into expeditionary forces. Now, many of these states' leaders perceive *Russia* as the greatest threat.

Expensive high-end US equipment designed for expeditionary operations may not meet the needs of small eastern European militaries that must focus on territorial defence and manage tight budgets (Besch, 2016).

Arguments over territorial defence versus out-of-area operations indicate that Western states could increasingly have difficulty agreeing on *how to train troops* and which equipment to buy (e.g. different types of bulletproof jackets, aircraft, tanks, etc.) (see Gros-Verheyde, 2015b, p. 30; G. Tucker, 1976).

Regarding regime change, consider the case of educational cooperation with Turkey. In the 1990s, US armed forces provided Turkish military officers "expanded" IMET training in human rights and 'proper' civil-military relations (Atkinson, 2006, 2010; Calhoun, 1998; R. M. Edwards, 2012). But these classes did not prevent (attempted) coups in Turkey. In the 21st century, the Turkish government sent many students to the US Air University (2014), the US Naval Postgraduate School (NPS) (2014, p. 29), and the US National Defence University (NDU) (2014). Overall, from 2000 to 2014, Turkey had had the largest total number (3,519) of students trained under the US' IMET programme (DSCA, 2015). But in the 21st century, Turkey's government has also become increasingly illiberal and relations with the Trump administration have become conflictual. Educational cooperation is bound to be increasingly contested.

Conclusions

The story of post-WWII Western military cooperation is one of shifting emphases on state and non-state threats. During the Cold War, European military officials focused less and less on countering-insurgency and colonial warfare to deterring the USSR – needless to say, non-state threats were seen as secondary (Aron, 2004; Bigo, 1995a, p. 15; Bozo, 2012, p. 77). But as Western armed forces were increasingly used against non-state actors (e.g. insurgents, separatists, drug lords, terrorists), preparations for inter-state armed combat (i.e. war) and deterrence thereof 'took the back seat'. After 1989, armed forces were increasingly trained for everything except war. They became experts in peacekeeping and humanitarian assistance. They even trained to be trainers. Governments reforming their militaries were encouraged to prepare for *expeditionary* warfare. Even when state officials did not share

similar threat perceptions, they often saw military cooperation as a means of guaranteeing *economic* security. In other words, many officials saw and continue to see the physical security of others as a prerequisite for their economic security. The return of Russia as a perceived threat, in person and by proxy, through overt and covert operations, has not only created semantic confusion, but has also reinforced the eternal tension between *territorial protection* and *expeditionary warfare*, staying and going.

Armed forces are increasingly expected to do everything (R. Brooks, 2017; Holden, 2016). And large funds combined with technological and technical progress mean they *can* increasingly do more of everything. They can kill from afar, police the streets and steal secrets, but they can also train, build and vaccinate. But who, then, places the priorities? Who identifies the threats, tasks and targets? Greeks and Texans might care about immigration, but Estonians and Alaskans fear Russia more. Is deterring North Korea more important than stopping an insurgency in Mali or ethnic cleansing in Myanmar? Fundamentally, if economic, strategic and political disagreements exist, it is not because of a changing 'threat environment', but because (some) *autonomous decision-making* has been preserved at all levels, from the presidents down to the privates. By definition, integration would mean that dissenting regions do not decide who is 'the enemy' – authority, not truth makes the law (Schmitt, 2010, p. 33). State officials want chains of command to remain 'flexible' and 'free' so that *they* can decide.

And yet, as has been shown, Western armed forces are not completely autonomous from one another, be it in relation to policymaking, chain-of-command or the control of other resources. Conditional on some caveats and limitations, soldiers are placed under another state's strategic or operation command; sometimes they are even integrated into a standing inter-state force. In many states' lands, foreign troops create enclaves with their own legal systems and economies. Similarly, when planes and ships visit ports, the people they carry are not accountable to local jurisdictions, occasionally getting away with murder. Scientists and engineers are exchanged and grouped to design the latest weapon systems and software. Equipment is bought in bulk under one standard for one mission-type. Oftentimes equipment is bought so that a (often small) state can specialise in a capability, making it dependent on other states for other functions. Defence companies are increasingly allowed to import parts, accept foreign funds, and form multinational corporations. Curricula follow common templates. State schools focus on one function, one niche. Future leaders mingle in classrooms and conferences.

The motivations and justifications for such autonomy losses are both simple and complex. The main reason is that state officials want to *protect their populations*. They believe militaries can help provide such physical security, but only *via* the resources that other states control. But as has been seen, many other justifications are given. Cooperation can provide prestige, which can provide immediate ontological security. Financial, material, human, and even symbolic resources can also be used as *leverage* (be it in the form of barter or duress) in the obtention of other, non-military goods, services and objectives (e.g. visa-free tourism, fishing rights or increased federalisation). Beyond this exchange of 'capitals', cooperation in the form of liaisons, associations and organisations is used to ensure that military resources can be

obtained in the future. But such coping mechanisms mean that all parties are exposed to external control (Pfeffer & Salancik, 2003). The immediate implication of the loss of autonomy in military policymaking, chain-of-command and the control of other resources is that it cannot be said that 'states' and the formal and informal veto players within that organisation decide. The states form a kind of conglomerate (Shaw, 2000). The 'field' is *transnational* (Bigo, 1996).

Of course, not every decision and practice by state officers is self-conscious and calculated. Many aspects of Western military cooperation have become routine. State officials often cooperate out of habit. They unconsciously employ customary concepts, and are inclined to favour certain options. Annexation, invasion or even threatening war, for example, have rarely been options between post-WWII Western officials. In many ways states *are* like machines, and officers *are* like cogs. For many, the US, the UK, NATO, or even Belgium are *unreflectively* the first-choice partners.

And obviously, not all states are equally dependent, be it in economic, military or political terms. Some states have relatively few troops, equipment, bases, academies, defence companies, or foreign interests. Similarly, some national economies are bound to be less affected by foreign fluctuations than others. Likewise, it is not clear that the military is always the best tool to counter (perceived) threats. In fact, it is not even clear that liaisons, associations and inter-state organisations are *effective* coping mechanisms. It might be that these types of cooperation make the populations of Western less safe (on future research, see chapter 7).¹¹⁸

Many of the *types* of cooperation raised in this chapter are also found in law enforcement and intelligence cooperation. Consequently, chapters 5 and 6 have similar structures to the one laid out here. This said, it has not been possible to follow an identical chapter structure. Just as equipment was the focus of this chapter, some aspects of law enforcement and intelligence cooperation (e.g. criminal law, data sharing) call for special attention. After this, chapter 7 will return to the 'big picture' and list what research must be conducted before a general theory of inter-state cooperation can be developed.

¹¹⁸ What is immediately evident is that states with few resources can refuse to provide these resources with few negatively valued consequences (i.e. with little power comes little responsibility), and that, reversely, resource-rich state have less of an immediate economic or strategic need for other state's industries and education.

5. Law Enforcement Cooperation and the ‘forces’ of social order

Now it wasn't on the nightly news no more / Suddenly it didn't matter no more (JAY-Z, 2006).

In 1881, Giuseppe Esposito murdered two regional officials in Sicily (FBI, 2016d). Subsequently, he fled to New York. Unfortunately for Esposito, he was arrested five months later in New Orleans, and then extradited to Italy. Nine years later, the police officer who organised Esposito's arrest, David Hennessey, was murdered by the Sicilian Mafia.

In October 1934, during a 'state visit' of King Alexander I of Yugoslavia in Marseille, a Bulgarian separatist named Vlado Chernozemski shot and killed the King, along with French Foreign Minister Louis Barthou and his chauffeur (Saul, 2006). Chernozemski wounded 12 other people with his gun shots. A few seconds later, a French Lieutenant Colonel on horseback cut Chernozemski with his sword. The assassin was immediately attacked by the mob. Chernozemski died in the street. The events were caught on film and broadcasted around the world (e.g. British Pathé 1934).

In June 1985, two Lebanese men armed with guns and grenades hijacked Flight 847, a TWA aircraft which had just left Athens and was heading to Rome, Boston and Los Angeles. The hijackers sought the liberation of prisoners held in Israel. While the plane was in Beirut, the hijackers beat and killed a passenger, United States (US) Navy diver Robert Stethem, whose body was "dumped" on the tarmac (New York Sun, 2010). Two years later, one of the two hijackers, Mohammed Ali Hamadi, was caught with liquid explosives in Frankfurt Airport. German Chancellor Helmut Kohl denied US President Ronald Reagan's requests for extradition¹¹⁹, but German court officials found Hamdi guilty of "air piracy" and "murder". In 2006, a court official granted Hamadi's release request (New York Sun, 2010). Two years later, Israeli intelligence officers allegedly killed the other hijacker, Imad Mughniyeh, in Syria by placing a bomb under his car (NBC, 2008).

In June 2000, Dover customs officials found, in a truck transporting tomatoes, the bodies of 54 men and 4 women from China – they had died asphyxiated (Le Parisien, 2000). The truck, which came by ferry from Bruges, was registered in The Netherlands. Only two of the illegal immigrants survived the truck's air vent being knocked closed during the voyage. Subsequently, 3 people were arrested in Belgium, including a British citizen; 3 were arrested in the United Kingdom (UK); and 10 in The Netherlands. The human-smuggling 'ring' was run by British, Turkish and Chinese non-state organisations, with a man called Chen Xiakong as their leader. Six months later, Chinese law enforcement officers found Chen – he was arrested for consuming drugs in a nightclub in Fujian (Le Parisien, 2001).

These four short stories demonstrate both continuity and change in both illicit activities and efforts by state officials to counter such activities. In terms of continuity, one sees that

¹¹⁹ In 1978-80, the governments of Germany and the US signed and ratified a new extradition treaty. One of the reasons for the revision was to include new extraditable offences, such as "aircraft hijacking". Subsequent agreements between the US and Germany, and between the US and the EU focused on assuring the death penalty would not be applied when the offense is not punishable by death in the "requested" state (see King 2003).

transfrontier crime is as old as the modern state and its borders.¹²⁰ In fact, even *transatlantic* crime is as ancient as the modern state. Similarly, these stories show that *law enforcement cooperation*, even of a transatlantic nature, is far from new. And yet, much has changed since the advent of the modern state. Even if effectiveness, efficiency and expediency largely depend on the strategic interaction of state and non-state actors, *technological* innovation has undoubtedly increased these actors capabilities (to move, to communicate, to harm) (Schmitt, 2007, p. 13). In fact, almost every technological innovation can have a ‘dual use’: bitcoins enable laundering, smartphones extortion, online-gaming plotting, trucks and vans terrorising (see Virilio, 1998; Virilio & Petit, 1996).

Finally, *laws and customs* have also changed. Murder, rape, slavery and piracy might have displeased many throughout modern history, but the degree of condemnation, prohibition, criminalisation, and prosecution of each has varied according to period and place. Not only are some crimes inherent to *new* technologies (e.g. cybercrime), but many are the product of *new* mores, *new* state interests, and *new* public policies (cf. animal welfare, copyright, suicide, abortion, recreational and medical drug use) (on the politics of criminalisation, see Andreas & Nadelmann, 2006; Bigo, 1996, pp. 53, 251; Hartjen, 1978, pp. 1-49; Kappeler & Potter, 2017; Ruggiero, 2000; I. R. Taylor & Taylor, 1973). Similarly, the condemnation and criminalisation of illicit practices *by law enforcement officers* have changed over time (cf. extra-judicial killings, capital punishment, torture, extortion, entrapment, surveillance, the use of ‘cover’). So, as much as transfrontier crime and transfrontier law enforcement cooperation are not new, their characteristics are far from fixed.

Overall, three types of law enforcement cooperation can be identified:

- Western states share liaison officers, who through their interaction serve as organisational ‘buffers’ (i.e. “boundary-spanning agents”), regulating access to secret, confidential or background information (Heffron, 1989, p. 75). Liaisons also organise summits, conferences and workgroups.
- Western officials have also created formal inter-agency and inter-state associations, allowing them to “regulate” (i.e. standardise) procedures and harmonise the “substance” of respective criminal laws (Andreas & Nadelmann, 2006, p. 8; Boister, 2012, pp. 16, 277). Similarly, through national and international academies, law enforcement officials have created common *technical standards*, established *model curricula*, and organised *joint seminars*.
- Western officials have also created inter-agency and inter-state organisations (i.e. ‘joint ventures’) that allow liaisons to collaborate and for joint assessments to be produced, notably via pooled data, information, intelligence, and evidence. For example, it is often bilateral and multilateral agencies that are tasked to create common messaging systems and databases, or at least provide access to each other’s ICT. Inter-agency and inter-state organisations are also often in charge of managing *shared* or *pooled* resources for (trans)national operations.

¹²⁰ Illicit practices often predate their prohibition.

As in the previous chapter, this chapter argues that a desire for security has led state officials to (consciously and unconsciously) accept some autonomy losses; and suggests that nevertheless actual autonomy concerns (along with a desire for formal sovereignty) have led state officials to virtually ignore *integration* as a possible alternative to cooperation. This said, to the degree law enforcement organisations differ from those of the armed forces, what follows must perforce differ from the previous chapter. For one, state law enforcement (and thus inter-state law enforcement cooperation) tends to be *less centralised* than the organisation of the armed forces (and cooperation between them). In fact, inter-state legal agreements, informational and communication technologies (ICTs), and formal and informal social relations all resemble *a network* (see Bigo, 1995b).

Due to these fundamental differences, the chapter's outline is slightly different from the last. Although in some states police officers, border guards, customs officials, and immigration agents are a part of *the armed forces*, these are rarely deployed abroad, rendering foreign bases unnecessary. Similarly, Western law enforcement agencies occasionally pool and share resources (e.g. staff, data, helicopters, vessels, trucks, cars, scuba divers, dogs) (DOS, 2010; Felsen, 2012, p. 83; Interviewee H, 2016). But because law enforcement equipment is much cheaper than military equipment, joint *procurement* is not deemed essential. This is also why this chapter does not address either *private* policing or the outsourcing of law enforcement tasks to *non-state* organisations.

Moreover, due to resource constraints, this chapter focuses on *police* cooperation, meaning that customs, immigration, prosecution, and other non-police law enforcement agencies and functions are not addressed in detail. Similarly, transfrontier inter-city cooperation is not covered in this chapter. This said, it will be shown that in practice *different types and jurisdictional 'levels' of law enforcement often interact*. Indeed, getting these different types and areas of law enforcement to coordinate, cooperate and collaborate, both domestically and transnationally, remains a concern for all Western officials today. Nevertheless, most of these different agencies are supposed to provide *physical protection*, so much of what can be said about policing might also apply to other types of law enforcement (on future research, see chapter 7). Finally, due to space constraints, law enforcement ICT is not discussed in detail (on joint data sharing and analysis *in general*, see chapter 6).

As a result, the chapter's outline is as follows: the first section compares the resources of state police agencies; section 2 covers the formalisation of cooperation, and the harmonisation/mutual recognition of the law that is to be enforced; section 3 discusses the operational aspects of inter-state law enforcement cooperation (i.e. joint operations, liaisons and cooperation centres); the final section gives an overview of cooperation in law enforcement education and training, specifically professional standardisation, the formation of informal liaisons, and co-option.

Resources

Due to the federal structure of the Government of the United State (USG), the USG has many types of law enforcement, each with their various authorities and functions. There are, for example, federal, state, county, municipal, and tribal law enforcement, but also drug, firearm,

prison, taxes, park, university, hunting, airport, and railroad law enforcement. Overall, about 933,000 people work for US law enforcement agencies, including about 652,000 *officers* (FBI, 2017). This corresponds to 3.4 employees per 1,000 inhabitants, and 2.4 officers per 1,000 inhabitants (Banks, Hendrix, Hickman, & Kyckelhahn, 2016, p. 10; FBI, 2017).¹²¹ Due to resource constraints, this chapter will focus on police cooperation, and concerning the USG, the chapter will concentrate on the Federal Bureau of Investigation¹²² (FBI) – in 2018, the FBI had about 35,000 people (including civilians), and a budget of about 8,77 billion USD (FBI, 2018; McCabe, 2017). It should be noted, however, that most federal law enforcement agencies cooperate with their foreign counterparts and have liaisons posted abroad.

The Government of France is more centralised, but still has two types of police (i.e. the National Police and the Gendarmerie, with the latter recently being put under the authority of the Ministry of Interior instead of the Ministry of Defence). In 2018, the budget for the police and gendarmerie was about 15 billion USD (Ministère de l'intérieur, 2017). Just as in the US, the forces are also divided into several functions, such as public security, judicial policing, border policing, prison policing, etc. Combining the National Police and the Gendarmerie, the GOF has about 246,000 police employees (including civilians) (Cour des comptes, 2013; Gissler, Ruat, Schneider, & Reberry, 2017). This number has stayed relatively stable over the past two decades (e.g. in 1998 it was at about 223,000). If one focuses just on police *officers* (i.e. not civilians), France has a ratio of about 3.8 officers per 1,000 inhabitants. Because each state tends to have an idiosyncratic police structure and a unique way of counting employees, comparisons of ratios are difficult. This said, it seems that over the years, the number has been close to the EU average (Eurostat, 2015a, p. 43; Krempf, 2016).

The Government of Luxembourg's (GOL) police agency is less jurisdictionally and functionally differentiated than its US and French counterparts. In other words, the units responsible for road policing, border policing, airport policing, environmental policing, etc. are all part of the Grand-Ducal Police (now called "Police Lëtzebuerg"). The number of Grand-Ducal Police employees is about 2,300, and the number of police *officers* (including gendarmes) is 1,800 in 2018, which is about 3 officers per 1,000 inhabitants (PGD, 2018, p. 41). Over the past two decades both of these numbers have been rising gradually; in 2009, for example, the grand total was 1,860 employees (Europol, 2018; Eurostat, 2015b; PGD, 2010, p. 58; 2018). Regarding the police's budget, in 2017 it was about 226 million USD – the budget has been slightly every year (PGD, 2018).

Law

Government officials can be coerced into signing and ratifying law enforcement cooperation treaties (Aden, 2016, p. 322; DiMaggio & Powell, 1983; Lake, 2009; Lula, 2014; Nohrstedt &

¹²¹ N.b. These ratios have been stable for the past 25 years.

¹²² As is well known, this agency also fulfils an intelligence function, and especially a *counterintelligence* function. In 2018, the FBI's counterintelligence budget was about 20 million USD (McCabe, 2017).

Hansén, 2009; Olsen, 2007, p. 229; Omelicheva, 2009). Most of the time, however, Western state officials draft, sign and ratify these treaties willingly, for both principled and practical reasons. In fact, sometimes the formalisation of assistance and the harmonisation of national laws are deliberately kept “below the threshold of visibility” (Scharpf, 1998, p. 23), lest disclosure lead to opposition. This said, seeing that legal agreements are often complicated, even when law enforcement treaties *are* discussed in ‘the public sphere’, they rarely become ‘politicised’ (Enderlein, Wälti, & Zürn, 2010, p. 438; Lavenex & Wagner, 2005). In fact, the complexity of legal agreements (no matter the topic) can even be used as a justification for excluding them “from public discussion” (Habermas, 1971b, p. 75).

Occasionally, however, treaties dealing with issues like data privacy, the death penalty, and state torture do become controversial. When such politicisation does occur, governments have two, non-mutually exclusive options. First, they can abandon legal standardisation and simply *recognise each other’s legal codes*. Second, instead of signing a legally binding treaty, they can sign a non-legally binding¹²³ memoranda of understanding (MOU). In the eyes of many law enforcement officials, the main benefit of an MOU is that it is easily *changed* and easily *concealed* (Aust, 2013, p. 29; C. Lipson, 1991).

No matter the type of agreement, what seems essential to increased efficiency, expediency and (possibly) effectiveness is that political bargaining and political compromises be taken out of routine law enforcement cooperation (Deflem, 2000, 2004; Ellingsen, 2016). Instead, procedures ‘need’ to be based on regulations, rationality, and specialised knowledge (Heffron, 1989, p. 28). State officials seem to believe that formalisation, harmonisation and mutual recognition allow states to increase the effectiveness of law enforcement cooperation without completely integrating decision-making, staff and other resources (see Heffron, 1989, p. 19).

Formalisation and Harmonisation

The desire to harmonise criminal law dates back to the late 19th century (see Andreas & Nadelmann, 2006; Boister, 2012). In 1909, for example, officials from 13 states met to discuss the regulation of opium. A series of conventions were ratified both before and after the First World War (WWI) (Paoli, Greenfield, & Reuter, 2012). Ten years after WWI, the Slavery Convention entered into force, with US congressmen ratifying it in 1929 and French parliamentarians in 1931 (UN, 2016a). This convention was designed to disrupt the essentially *maritime* slave trade, and led to a substantial reduction in slavery. One of the most concrete ‘outputs’ of the convention was *common definitions* of ‘slavery’ and ‘slave trade’.

After WWII, Western officials signed several multilateral treaties that facilitated both general and specialised law enforcement cooperation. General treaties are numerous. Under the auspices of the Council of Europe (CoE), the “European Convention on Extradition” (ECE) came into force in 1960, the “European Convention on Mutual Assistance in Criminal Matters” (ECMACM) in 1962, and the “Convention on the Transfer of Sentenced Persons” (CTSP) in

¹²³ Some MOUs are in fact treaties (i.e. binding under international law). Similarly, some MOUs are governed by domestic law. And in some treaties, parties, such as the USG, will add clauses removing any acceptance of international arbitration. The GOF official position is that all international agreements must be approved by its legislative branch.

1985 (CoE, 2016). *Pace* Andreas and Nadelmann's thesis of criminal law homogenisation as Americanisation, it should be noted that of these three Conventions, ratified by several non-CoE member states (MS), the US Government (USG) only ratified the CTSP.

The United Nations (UN) Convention against Transnational Organized Crime (CATOC) (i.e. the Palermo Convention), however, is very much based on US law and US public policy (Boister, 2012; UNODC, 2016). This convention, which entered into force in September 2003, contains protocols that focus on 1) the trafficking of "women and children", 2) migrant smuggling, and 3) firearm and ammunition trafficking (UNODC, 2016). In practice, the CATOC was designed to set a number of *common definitions*, to *standardise criminal offences* (regarding participation, laundering, corruption, etc.), and to expand legal and "technical" assistance (UNODC, 2016). French officials ratified the convention in October 2002, and Luxembourg officials in May 2008 (UN, 2016a). Although the USG ratified the Convention in November 2005, it added the reservation that it did not consider itself "bound" by Article 35(2) on arbitration and the International Court of Justice (ICJ), making adjudication almost impossible (Boister, 2012, p. 266). Such caveats increase the US's decision-making autonomy, possibly at the cost of effectiveness, for "treaty obligations are frequently flouted and undermined by a lack of trust between states" (Boister, 2012).

Several law enforcement cooperation treaties focus on a *specific* type of transfrontier crime, such a drug trafficking or money laundering. An example of a 21st century *specialised* law enforcement cooperation treaty is the CoE Convention on Cybercrime (i.e. the Budapest Convention), which legislators in France and the US ratified in 2006, and those of Luxembourg in 2014 (CoE, 2016). Like many of the treaties mentioned, the Budapest Convention aims to enable "capability building", "legal assistance" and "legal harmonization" (i.e. the standardisation of legal definitions, criminal prohibitions and evidence preservation regulations) (Grigsby, 2014; Shalini, 2016). Some governments (e.g. Russia) worry that the convention will "violate their sovereignty" (i.e. resource autonomy) (Grigsby, 2014). Article 32(b), for example, can be interpreted as legalising governmental *access to computer data stored on servers located abroad* without the authorisation of local authorities (CYFY, 2013; Kier, 2012; Shalini, 2016). In other words, the Budapest Convention does not address cyber espionage (see chapter 6).

Law enforcement treaties to counter politically-motivated violence by non-state actors (e.g. non-state terrorism) have been more difficult to produce. This is mostly due to non-Western governments seeking to avoid the criminalisation of separatist and anti-colonial violence, and reversely Western governments seeking to criminalise politically-motivated violence by all *non-state* actors (Di Filippo, 2008; J. Friedrichs, 2006; Saul, 2006). Following the assassination of its foreign minister and the King of Yugoslavia (mentioned above), GOF officials proposed a "Convention for the Prevention and Punishment of Terrorism", which focused on "criminal acts directed against a State" (e.g. attacks against *public officials* and the destruction of *public facilities*)¹²⁴ and extradition agreements in relation to these acts (League of Nations, 1937). In November 1937, 24 member states of the League of Nations adopted the convention, but it never came into force (Saul, 2006, 2013; Sunga, 1997, p. 191). After WWII, UN member states developed at least 19 "international legal instruments" to prevent "terrorist" acts (e.g. political assassination and kidnapping, but also politically-motivated attacks on civilian

¹²⁴ I.e. The Convention was designed to stop *discriminate* violence.

aviation and shipping, and the trafficking of explosive materials and money) (UN, 2016b). Many of these agreements provided a ‘framework’ for legal assistance, technical assistance, data sharing, joint operations, etc., but few defined ‘terrorism’.¹²⁵

In Europe, law enforcement treaties are often written as additions to economic agreements, demonstrating the close *historical* relation between economic and physical security policies. The renewed version of the Treaty of the Benelux Economic Union (BEU), for example, was designed to enable the free movement of goods, services, capital and workers between Luxembourg, Belgium and The Netherlands. But it also includes a section on judicial and law enforcement cooperation (GOL, 2015a). The same can be said concerning the Schengen Area treaties. On 14 June 1985 – the day the TWA Flight 847 was hijacked (mentioned above), the foreign ministers of Belgium, The Netherlands, Luxembourg, France, and Germany signed the now (in)famous Schengen Agreement. The proximity of Schengen to Germany and France was meant to be symbolic – the agreement was in fact signed on a boat floating on the Moselle river, emphasising the governments’ ambition to create mobility across borders (Bigo, 1996, p. 113; GOL, 2015b).¹²⁶ Five years later, the Schengen *Convention* was signed in the same village. This convention, which came into effect in 1993 and was applied in 1995, covered visa, asylum, and *police and judicial cooperation* (Administration Communale de Schengen, 2016; Bigo, 1996, pp. 119-133, 198). The Schengen Convention notably addressed *harmonising* privacy protection and border management¹²⁷, and *formalising* data sharing, cross-border pursuits and counter-narcotic joint operations.¹²⁸ Of course, it is not evident that increased openness has led to increased transfrontier crime. But it does seem evident that a desire for openness was the main reason state officials accepted a loss of decision-making¹²⁹ and hierarchical autonomy.

In 2000, the Council of the European Union (EU) “adopted” a Convention on Mutual Assistance in Criminal Matters” between EU MS, intended to “supplement” the CoE’s ECMACM. This mutual assistance treaty, which did not come into force until August 2005, was designed to facilitate cooperation between EU law enforcement (police, customs, prosecutors, judges, etc.), but also between EU and *non-EU* law enforcement (Council of the EU, 2000; Denza, 2003).¹³⁰ The treaty formalised (and thus routinised) traditional cooperative procedures (e.g. the temporary transfer of persons, videoconferences, communication intercepts, information exchanges, the return of stolen objects, etc.), but also gave a legal ‘foundation’ for temporary Joint Investigation Teams (JITs) (see section 3 below), including undercover (i.e. covert) operations. A “network” of JIT experts was also created within the

¹²⁵ It should also be noted that since WWII, governments and jurists have also been devising ways to modify international humanitarian law (e.g. the Geneva and Hague Conventions) so that it can help regulate the conduct of ‘war’ by non-state actors (i.e. irregular combatants), which sometimes involves the use of terrorism.

¹²⁶ In June 2010, a free museum in Schengen opened, arguing in three languages that Schengen’s “abolition of internal border controls was the beginning of the implementation of one of the 4 fundamental liberties that had been fixed by the Treaty of Rome of 1957” (GDL 2015c). According to Didier Bigo, *trucker strikes* actually triggered the negotiations (Bigo 1996:114).

¹²⁷ A “Schengen border manual” was even created (Bigo 1996:131, 133).

¹²⁸ In October 1999, the European Union’s (EU) Treaty of Amsterdam incorporated the Schengen treaties.

¹²⁹ It should be noted, though, that these agreements, like virtually all European agreements, include ‘national security’ exception clauses, to be decided (in theory) by the state.

¹³⁰ Before signing this convention, the Government of Luxembourg noted reservations about the need to protect personal data (Interviewee A).

EU's judicial cooperation agency (i.e. inter-state organisation, 'joint venture') EUROJUST. Since January 2011, JIT network officials meet annually, and have a *secretariat* within EUROJUST (on JITs, see Ludo Block, 2012; Klother, 2014). All of these initiatives can be seen as methods to cope with integration not being an option, with the balancing of autonomy against the (perceived need for) the effective regulation of transfrontier 'flows'.

Of course, in addition to the multilateral treaties just listed, Western states have also ratified several *bilateral* treaties, in the form of "Mutual Legal Assistance Treaties" (MLATS). Most of these treaties *formalise* and *routinize* customary legal assistance (e.g. transfer of suspects, evidence, testimonies, information, etc.). For example, the USG shares two MLATS with the European Union (EU) and one with virtually all European states, notably under the auspices of the UN and the OECD (Rees, 2006, 2009). The two MLATs with the EU (on extradition and other forms of assistance) were signed in June 2003, but did not enter into force until February 2010 (EEAS, 2009). USG officials also signed¹³¹ an MLAT with the Government of Luxembourg (GOL) that entered into force in February 2001, and with the GOF that entered into force in December 2001 (DOS, 2001a, 2001b; GAC, 2014). All these MLATs:

- are based on the principle of 'dual criminality' (i.e. extradition is only for crimes that exist in both states);
- set criteria to prioritise competing requests;
- and contain "a provision allowing extradition to be conditioned on non-application of the death penalty" (DOJ, 2010).

Virtually all MLATS have one or several clauses that allow the requested state to deny assistance concerning "political offences" or when providing assistance would prejudice the requested state's "sovereignty". So, even in the attempt to formalise common rules and routinize decisions and practices, *exceptions to the rules and routines are also formalised*. True, these exceptions, which date back to the 19th century, are seldom used (Blakesley, 1986; Deflem, 2004; Groarke, 1987). And yet, the 'formalised exceptions' remain. Such formal ambiguity is deliberate: autonomy is *de facto* abandoned, but the sovereign right to decide on the exception to the common rules is recognised (within limits) (on efforts to legalise exceptions and regularise irregularities, see Müller, 1999, 2006; Pinelli, 2010; Schmitt, 2008b).

From Harmonisation to Mutual Recognition

"Who would have thought it possible, before 11 September, that a European arrest warrant could be issued that effectively disregards sacrosanct national sovereignties and questions of law and enforcement – yet it has become a reality" (Beck, 2005, p. 267).

It must be noted here that, within the EU, dual criminality is no longer the norm. Indeed, EU MS are now to follow the principle of *mutual recognition of judicial decisions*, which was first mentioned by the European Council in June 1988, and again in October 1999. Legal "instruments" for mutual recognition had already been created *via* the CoE treaties, but many

¹³¹ Within the USG, the DOJ's "Office of International Affairs" negotiates MLATs, which are needed to extradite fugitives and facilitate evidence collection (FBI 2016c).

EU member states had not ratified them. In January 2001 (i.e. before the 11 September 2001 attacks, 9/11), the Council of the EU developed 24 “measures” to implement mutual recognition in criminal matters, one of which (namely “measure No. 8”) was the European Arrest Warrant (EAW) (Council of the EU, 2001).

On 19 September 2001, the European Commission adopted a proposal to create an EAW (Council of the EU, 2002; Wouters & Naert, 2004). By June 2002, the Council of the EU had passed a ‘Framework Decision’ on the EAW. The decision came into force in January 2004, and by April 2005 all EU member states had implemented the decision (Council of the EU, 2007, p. 6).¹³² The main objective of the EAW is to *depoliticise* and thus *accelerate* the extradition procedure by 1) removing the foreign ministries from decision-making, 2) reducing the need for one member state’s national law to have similar offences (i.e. double criminality), 3) imposing time limits, and 4) limiting the number of exception clauses (European Commission, 2016a, p. 13; Lavenex, 2007; S. K. Schmidt, 2007; Vernimmen-Van Tiggelen, Surano, & Weyembergh, 2009).

Unsurprisingly, the EAW remains contested. “The compatibility of the abolition of the dual criminality requirement with constitutional law has been questioned in the Czech Republic and in Hungary” (Vernimmen-Van Tiggelen et al., 2009, p. 9). In practice, Italian judges have “required the categories of offences laid down in Article 2 of the Framework Decision to be interpreted in terms of the offences provided for in Italian law” (Council of the EU, 2007, p. 14). Moreover, the more law enforcement agencies use the EAW (especially for “trivial” offences or to summon witnesses), the higher the risk “the system” will be overloaded. *Via* a handbook with “best practices” (introduced in 2008) and the publication of “guidelines”, the European Commission hopes to *teach* judges how to conduct a “proportionality check”. In other words, what is contested is the loss of decision-making autonomy (along with the sovereignty (i.e. supremacy) of *state* law).

Three conclusions can be drawn from this review of Western legal cooperation. First, Western governments justify the need for the formalisation of assistance and the harmonisation of criminal law in relation to both economic openness and perceived (risks of) criminal activity (narcotics, political violence, cybercrime, etc.). In fact, the latter is often portrayed as a result of the former. Western officials have long argued that criminals increasingly take advantage of 1) the transnational flows of goods, services, capital, people, and communication, and 2) insufficient cooperation between states (Den Boer, 2010). In many cases, this argument has led politicians, law enforcement officials, and even academics to the conclusion that foreign law enforcement agencies need to cooperate ‘more’ (Crawford, 2002, p. 34; Interviewee A, 2016; Interviewee B, 2016; Interviewee F, 2016; Interviewee H, 2016) – in fact, these very arguments were already being presented a century ago during conferences in Monaco and New York (Deflem, 2000, 2004; Jensen, 2014).

This functionalist argument, however, must be taken with a grain of salt. As much as there is no doubt that violent non-state actors try to cross borders, send goods across frontiers, send information abroad, and wire and smuggle funds, few empirical studies have demonstrated that opening borders necessary leads to increased transnational crime (Bigo, 1996, p. 117). Moreover, these transnational activities are not the sole reason state officials have formalised

¹³² In November 2008, the Council of the EU passed a Framework Decision that seeks to help member states transfer prisoners to their state of nationality or residence, which is supposed to enable social reintegration (2008a).

their cooperation and harmonised their criminal law (Bigo, 1996, pp. 15-17, 52-53, 247-325). During law enforcement cooperation negotiations, politicians, diplomats and law enforcement officials have their careers and vested interests at stake, and thus *bureaucratic politics* can also partly explain the (functionally imperfect) outcome of treaty and MOU negotiations.

Second, most state officials seem to prefer multilateral treaties over bilateral treaties; and most drafters tend to mimic pre-existing treaties (Argomaniz, 2009; Boister, 2012; P. M. Haas, 1992; Most & Starr, 1990). As with trade agreements, both trends are due to a desire for increased efficiency¹³³, effectiveness and expediency. This desire for expediency is most evident in the European transition from ‘dual criminality’ to ‘mutual recognition’, which in essence removes discretionary powers and policy-linking (and thus *uncertainty*). Yet, by standardising or recognising legal codes, state officials have in fact accepted other states’ definitions and norms. In both cases, states have lost a degree of decision-making and hierarchical autonomy: in the first case, foreign norms prevail, and in the second populations are accountable for actions that *in their state* are not criminal.

Third, despite the legal agreements just reviewed, and claims of extraterritorial jurisdiction for certain crimes, Western law enforcement agencies still have no real jurisdiction outside of their state (Ellingsen, 2016; FBI, 2016a, 2016g, 2016h).¹³⁴ In other words, governments have formalised procedures and harmonised (some of their) laws, but they have not integrated their law enforcement organisation, judiciaries or jurisdictions. This has consequences. According to many government officials the legal ‘mechanisms’ in place to overcome such jurisdictional boundaries (e.g. letters rogatory) are increasing ineffective and inefficient, especially in terms of speed (on time, speed and politics, see Bigo, 1996, p. 342; Carayol, Denoit, Dillière-Brooks, & Thorion, 2005; Der Derian, 1992, pp. 129-137; Duina, 2013, p. 14; Fukuyama, 2006; Zaki Laïdi, 1998; Z. Laïdi, 1999; Zaki Laïdi, 2002; Ruggie, 1989; Virilio, 1977).¹³⁵ This means the desire to maintain a degree of autonomy might be causing law enforcement and criminal justice efficiency and effectiveness losses.

One of the first products of modern law enforcement cooperation was not an informal group or association, but an *organisation* (namely, the International Criminal Police Organization, INTERPOL). Unlike NATO, INTERPOL was not created to conduct operations. It was to serve as a ‘hub’, a repository. Similarly, the European Police Office (EUROPOL) was designed to increase efficiency without states having to delegate many executive or regulatory functions.¹³⁶ Nevertheless, *qua* organisations, INTERPOL and EUROPOL are far less flexible and adaptive than informal groups and associations – consider, for example, of EUROPOL’s geographic limitations.

Historically, law enforcement officers have always had three ways to communicate across borders:

¹³³ Obtained *via* demand-side economies of scale.

¹³⁴ Except on “the high seas”, aboard “affiliated” aircraft and in “government property” (Ellingsen 2016).

¹³⁵ Consider the Microsoft Ireland case, where US prosecutors deemed standard MLA treaties *too slow* to obtain email data stored by Microsoft in Ireland. The public nature of the law suits probably allowed the suspects to delete their emails, making the specific case moot, but not the principle (see CATO 2015, Ellingsen 2016).

¹³⁶ In this sense, they are much like the now-popular ‘platform’ business model, where users create value (Parker, G.G., Van Alstyne, M.W. & Choudary, S.P. 2017).

Explaining Military, Law Enforcement and Intelligence Cooperation between Western States

- summits, conferences, and workgroups;
- liaison officers;
- and ICTs (e.g. post, telegram, telephone, fax, electronic messaging, etc.).

As long as these options were not put ‘under one roof’, they could be modified as need be (on the organisational benefits of networks, see Castells, 2000, p. 470; Fleetwood & Ackroyd, 2005, pp. 11, 210). And in fact, the traditional functionalist narrative of inter-state law enforcement cooperation becoming increasingly *formalised, centralised and integrated* is too simplistic (Bigo, 1996, p. 327; Kube & Kuckuck, 1992). Rather, since the end of the Cold War, inter-state law enforcement has remained network-like – the ICT ‘revolution’ of the 1990s only reinforced this tendency (see R. Baldwin, 2016; Castells, 2000, 2001).

One reason state officials have not completely integrated law enforcement is that cooperation allows them to (supposedly) increase effectiveness all the while maintaining autonomy from *supranational* courts and parliaments, and (although to a lesser degree) from *national* courts and parliaments (Andreas & Nadelmann, 2006, p. 249; Den Boer, 1999, p. 69; Ehrenhauser, 2013; Interviewee A, 2016; UK Parliament, 2015). Indeed, by outsourcing certain functions offshore (e.g. to other states), law enforcement officers can sometimes avoid *their* state’s ‘checks and balances’. In such cases, the state’s formal organisational hierarchies can be considered inoperative. In such situations, i.e. when transfrontier cooperation effectively escapes state laws and customs, the state *qua* organisation has lost much of its autonomy (see Bigo, 1996, pp. 25,43) – at the limit, the state ceases to exist as an organisation.

In less extreme situations, liaison officers can be seen as “coping mechanisms” (Heffron, 1989) *in the stead of* integration. Although avoiding judicial and parliamentary oversight might appear to increase transnational inter-agency effectiveness and expediency, the state organisational hierarchies that do remain operative (e.g. state agency hierarchies) continue to compound ever-present need-to-know/need-to-share dilemmas (see Aden, 2016). Reversely, although integrating law enforcement agencies would not completely remove the need for liaisons (vis. *national* workgroups and fusion centres, etc.), it would, by definition, create *de jure* and *de facto* hierarchical authority (i.e. steering mechanisms), and possibly more effectiveness.

Operations

The extraordinary increase in the speed by which public announcements, as well as economic and political facts, are transmitted exerts a steady and sharp pressure in the direction of speeding up the tempo of administrative reaction towards various situations (Max Weber, 2009, p. 215).

Rather than integrate their local, regional and state law enforcement agencies, Western officials have sought to develop more “flexible” arrangements, which supposedly allow them to “leverage” the expertise and infrastructure of other governments and respond “more quickly” to crimes, all while avoiding integrating organisational hierarchies (see Bigo, 1996, p. 82; National Security Council, 2011). Within these arrangements, operational cooperation can take three, interrelated forms: joint operations, liaison, and regional police and custom

cooperation centres (i.e. joint ventures), with the latter being designed to *coordinate* operations. For the general public, operational cooperation will be the most visible aspect of law enforcement cooperation.

Joint Operations (or the sharing of humans and equipment)

Because state officials do not want to integrate their law enforcement agencies, states can find themselves lacking functionally ‘necessary’ resources (i.e. capital). This creates a demand for assistance, akin to former colonies’ calls for a ‘return of empire’ (see Salamé, 1996).¹³⁷ Such occurrences are so regular that more endowed states have units dedicated to providing assistance. The US departments of State (DOS)¹³⁸, of Justice (DOJ) and of Homeland Security (DHS), the Drug Enforcement Agency (DEA), and the Secret Service all have units dedicated to law enforcement assistance be it legal, organisational, technical, or operational in nature (on security sector reform, see section 3 below) (Interviewee R, 2016). Similarly, the FBI has two *specialised* teams (and coordination centres) that manage investigatory (i.e. operational) assistance.

In June 2002, FBI Director Robert Mueller created a “Fly Team” within the Bureau’s Counterterrorism Division (FBI, 2016f). The team of special agents and intelligence analysts is based at the FBI’s headquarters and regularly deploys both domestically and abroad. Their main responsibility is to help US and foreign agencies “detect” and “disrupt” terrorist organisations and networks. Since 2002, the “Fly Team” has been “deployed” hundreds of times (FBI, 2016f). They have helped investigate, for instance, the 2015 attacks in France and the 2016 bombings in Belgium (FBI, 2016f; Fox News, 2016; M. Schmidt, 2015). In Paris, the team helped French agents recover data from “cellphones and computers” (M. Schmidt, 2015). Crucially, they also collected travel and social network information from French agents, which was then sent to FBI analysts ‘in’ the US.

The Parisian example is interesting because it shows that the Fly Team not only provides technical know-what and know-how, but also serves the FBI’s interests. One of the reasons the FBI deployed the team to Paris was to ensure that a maximum of information was collected *as soon as possible*, allowing any connections to persons *in the US* to be discovered quickly (M. Schmidt, 2015). If French law enforcement had direct access to US databases, or if the FBI simply trusted that French law enforcement would send the relevant information in time, there would have been less need to send special agents. In 2003, the FBI gained a “National Virtual Translation Center” (NVTC), which assists FBI agents, *defence and intelligence officials, and many other government employees* as they operate at home and abroad (James B. Comey, 2016).

¹³⁷ Comparing resource dependent Western states with dependent non-Western states is a great source of inspiration and would merit a comparative study of its own. In fact, if neo-colonial scholars moved away from methodological nationalism and started thinking transnationally, they might discover a whole new set of dependencies and dominations not necessarily related to entire administrations or territories, and in fact might be running ‘the other way’ or be taking place ‘within’ the West and the North.

¹³⁸ N.b. Much ‘DOS’ assistance provision is actually outsourced to other state and non-state organisations, such as the DOJ, American Bar Association and *for-profit* non-state organisations (i.e. private companies), who are all “briefed” by the DOS before the “deploy out to the field” (Interviewee R).

In 2006, the FBI was provided with a second type of ‘fly team’: “Cyber Action Teams” (CATs). The CATs are also designed to arrive “just about anywhere in the world within 48 hours”, and they too provide assistance to other states and collect data for domestic use (FBI, 2016b). More specifically, CATs help identify hackers’ identities and motivations (e.g. amateurs, criminal enterprise, state actors, etc.) by recognising their “tools” and “techniques”. When these teams respond to an incident overseas, they always work with FBI legal attachés (liaisons based in US embassies, a.k.a. ‘legats’) responsible for the state in question, for they know the laws, customs, bureaucracies, and people. In addition to CATs, the FBI now has a *24-hour cyber command centre*, called CyWatch, which provides “connectivity” to “federal cyber centers, government agencies, FBI field offices and legal attachés, and the private sector” (James B. Comey, 2015). The CyWatch also collaborates with “newly established cyber crime centers at Interpol and Europol” (James B. Comey, 2014). This US investigative method can be considered a type of self-interested resource sharing.

As in military cooperation, resource-poor states have also started to (bi- and multilaterally) *pool and share* their material resources. For decades now, *regional* police have shared operational equipment. Benelux law enforcement agencies, for example, share equipment, allowing costs to be reduced (PGD, 2011, p. 45). Luxembourg forces rarely need water cannons, for instance, so when such a perceived need arises, they borrow them from their Belgian colleagues (Interviewee H, 2016). Similarly, Luxembourg forces have canine units (i.e. trained dogs) that locate drugs, explosives or persons. When the dogs and their trainers are not employed in Luxembourg, they can be lent to Belgian or Dutch law enforcement.

But sharing and pooling also occurs *EU wide*. As military forces join to train and conduct ‘exercises’, Europe’s specialised police (e.g. train police, waterway police, road police, etc.) also meet to train (Statewatch, 2013) (see section 3 below). Interestingly, one of these annual practices has gradually been changed into an inter-state organisation (i.e. a ‘joint venture’) with its own budget dedicated to *pooling information and sharing human and material resources* (on agencification, see D. Gill, 2002; Moynihan, 2006).

In 1996, for example, the Council of the EU decided that a shared directory of “special operation units” (i.e. assault teams created in response to the September 1972 Munich attacks) would be created. After the 9/11 attacks, the Council asked the Belgian special units (Directorate of Special Units, DSU) to use the directory to create a training “network” called ATLAS, *combing both law enforcement and armed forces* specialised in peacetime counterterrorism operations. The objective was to “to make the intervention of the special units more effective” (French Ministry of the Interior, 2008). So, every year, specialised units from all EU MS, but also Norway and Iceland, met to train “at a common standard” for hypothetical scenarios (EU 2008). The ATLAS members also organised joint seminars and joint studies.

In 2005, ATLAS members learnt how to use EUROPOL’s *secure communication platform*, “EurOPs”. And by the end of the year, the EU parliament approved Commission funds so that the ATLAS network could create a common *operations* database and share specialised *equipment*. In January 2006, EU Counterterrorism Coordinator (CTC) Gijs de Vries said that, under the Hague Programme, the network could also be used for *operational* “cross-border assistance” (Ludo Block, 2007a). The next CTC, Gilles de Kerchove, said Atlas was “a valuable tool that would prove more and more useful also externally” (Statewatch, 2013). In 2008, the Council of the EU decided to formalise the ATLAS network. And by 2012, the network was

receiving more than €1 million per year. According to Ludo Block, a former Dutch police liaison officer to Russia and other Eastern European states:

Operational cooperation [...] is still somewhat of a sensitive issue. Governments are reluctant to give permission for deployment of “foreign” police or military on their sovereign territory especially when this by definition entails the possible use of deadly force. [But] since no member state can pretend that it has the capacity to deal with all kinds of large-scale situations that require a special intervention, the possibility of a request for actual operational assistance from one of the EU member states is far from hypothetical (2007a).

All this said, even resource-rich states can be wanting in specific types of ‘resources’ (e.g. witnesses, suspects, convicts, information, evidence, or simply *jurisdictional authority*). Some states, such as the US, have been known to conduct *unilateral* arrests and evidence seizure in other states’ territories (e.g. Mexico), but for the most part Western law enforcement is cooperative in nature. In fact, several treaties have legalised the conduct of *unilateral cross-border operations* (i.e. hierarchical autonomy was abdicated). German and French officers, for example, conduct many surveillance operations in Luxembourg, while the Grand-Ducal Police (PGD, now called *Police Lëtzebuerg*) conducts cross-border surveillance operations in France and Belgium (PGD, 2011, p. 49; 2014a, p. 35; 2014b, p. 36; 2016, p. 38). And while the PGD rarely conducts more than four trans-border pursuits in one year, French law enforcement *regularly* conduct ‘hot pursuits’ across other states’ borders (Council of the EU, 2008a).

Extradition has become so routine that some states even have specialised units dedicated to such tasks. The GOF’s “Prisons Administration Transfers Service” (Service de transfèrements de l’administration pénitentiaire), for instance, has about 30 officers who work ‘in’ France, on borders, and in foreign airports, seaports and train stations. Their *only* task is the “physical surrender of wanted persons” (Council of the EU, 2007, p. 6). Between 2004 and 2007, France “surrendered” 618 persons on the basis of an EAW, while EU member states surrendered 617 persons to France – Belgium and Spain received and sent the most (Council of the EU, 2007, p. 58). In Luxembourg, the PGD conducts about 25 warrant-based extraditions per year (including a couple to the US), and receives between 30 and 60 persons (PGD, 2014a, p. 36; 2014b, p. 37; 2016, p. 39).

Resource-rich states have also found ‘parallel’ and joint investigations to be of use. Such investigations allow:

- Secret and personal information to be shared quickly, albeit under a national officer’s discretion (Bigo, 1996, p. 35);
- Arrests and evidence seizures to occur in many states simultaneously;
- A better understanding of foreign laws and organisations, and the placing of data about foreign individuals *into context* (Interviewee H, 2016).

Of course, diversity in constitutional and criminal law can make such investigations ineffective and slow (Boister, 2012, p. 20; Den Boer, 2014), but in general even officials from resource-rich states see them as more effective than unilateral action (for an opposing view, see Chatterton, 2001).

Within the EU, some joint operations are multilateral in nature, and are coordinated by officers in inter-state agencies, such as INTERPOL, EUROPOL and FRONTEX. French law

enforcement officers have been especially fond of JITs (Ludo Block, 2012, p. 87). The French have helped their EU counterparts counter cybercrime (2014, 2016), money laundering (2016), drug trafficking (2012, 2014), food fraud (2016), car theft (2016), art theft (2015), automatic teller machine theft (2016), human smuggling and trafficking (2012, 2013), paedophilia (2015), and terrorism (2016) (Europol, 2016a). French officers selected for these missions generally already speak English (n.b. they are limited in number (Bigo, 1996, p. 233)) and take additional English lessons prior to the mission (Interviewee A, 2016).

Like their French counterparts (but to a lesser degree), the PGD also participate in joint operations organised under the auspices of inter-state agencies. For example, almost every year, the PGD participates in operations to counter terrorism (2012), cybercrime (2014, 2016), food fraud (2016) and money laundering (2012); to search for wanted suspects in foreign vehicles (2015); and to arrest suspects of trafficking and smuggling (2012, 2015) (Europol, 2014, 2016b; Fagersten, 2010; PGD, 2012b, p. 34; 2016, p. 39). In fact, the PGD occasionally *leads* these joint operations. In June 2014, for example, the PGD led a team (with officers from Luxembourg, Belgium and France) that was created to counter criminals who were copying bankcard details at automatic teller machines (ATMs) in Luxembourg, Belgium, France, Germany, Austria, and The Netherlands (PGD, 2016, p. 22). Six persons were arrested. Although few in number, Luxembourg officers are valued by other European forces, notably for to their linguistic skills (Interviewee A, 2016; Interviewee H, 2016).

This said, most joint operations are *bilateral* in nature, and go beyond investigations. During the touristic season, for example, English and French law enforcement in Kent and the Opal Coast exchange agents (i.e. lose hierarchical autonomy) to conduct *joint patrols* (Berthelet, 2012b) (on transfrontier crime in Kent, see the introduction above). Under the auspices of *the Prüm decisions*, the PGD conducts joint operations with Belgium, France and Germany (Interviewee H, 2016). During large events (e.g. concerts, fairs, marathons, car rallies), France and Luxembourg exchange officers to *control crowds* (Interviewee H, 2016; PGD, 2014b, p. 34; 2016, p. 36).¹³⁹ The *Benelux agreements* also allow for joint armed operations – Benelux ministerial meetings assign priorities for operational cooperation between the three states (Interviewee A, 2016). For example, the PGD conducts monthly operations with Belgian and Dutch forces to counter “narcotourism” (Interviewee H, 2016; PGD, 2016, p. 35).

On the other side of the Atlantic, US officials also conduct bi- and multilateral joint operations, both with Canada and Mexico, but also with states in other continents. Concerning Western states, the US’s most regular partner is Canada. In 2011, the two states deepened their security cooperation considerably. Since then, “Integrated Border Enforcement Teams” (IBETs) (i.e. US and Canadian police, customs, border, and coast guard officers) investigate and interdict “persons, organizations, and goods that threaten [...] national security”.

On the Atlantic and the Pacific, officers from the US Coast Guard (USCG) and the Royal Canadian Mounted Police (RCMP) conduct joint operations on “shared waterways” (a.k.a. “Integrated Cross-border Maritime Law Enforcement Operations”) (ICMLEOs) (DHS, 2016; US Coast Guard, 2013). During these maritime operations, coast guard vessels carry *unarmed* agents from the other state, thus removing “the international maritime boundary as a barrier to law enforcement”. Prior to these operations, visiting agents follow *joint* training, in the

¹³⁹ French law enforcement also conduct joint terrorism surveillance, anti-trafficking and airport security with partners in Burkina Faso, Côte d’Ivoire and Senegal (Guibert 2017).

form of case-studies and seminars on the other state's criminal law, privacy law and national policies (RCMP, 2013).

Interestingly, US and Canadian law enforcement agencies have also taken their joint operations *beyond the border region* (DHS, 2011). In what is called "a perimeter approach", the US Immigration and Customs Enforcement (ICE) agency "leads" bilateral investigations of "transnational crime" via "Border Enforcement Security Taskforces" (BESTs) (i.e. law enforcement agents from all 'levels' of *both* governments) (DHS, 2011, 2016).

Liaisons

Diplomatic Liaisons

The avatar of inter-organisational communication is the liaison officer. Liaison officers play many roles. In terms of organisational learning, liaison officers serve as *cultural interpreters* and bureaucratic 'sherpas', helping governments and agencies understand the other's perspectives, priorities and procedures. This is why liaison officers constantly study the legal, organisational and political intricacies of the other states, and try to develop social networks (but also learn who is not cooperative), passing this knowledge to their replacements¹⁴⁰ (Bigo, 1996; Interviewee I, 2017; Interviewee K, 2017).

Generally, three types of liaisons can be distinguished: diplomatic, operational and informal – but the specific duties of *formal* liaisons also vary by state and agency type (e.g. police, customs, prosecutors, etc.) (on diplomatic vs. operational liaisons, see John Benyon, Turnbull, Willis, & Woodward, 1994; Bigo, 1996, pp. 32, 62). Diplomatic *police* liaison officers work in embassies. Occasionally, these liaisons are to endorse and promote 'national' private sector services and goods (i.e. those procured by their agency), but unlike many of their defence and customs counterparts, promoting private sector exports is not their primary objective (Interviewee K, 2017; Interviewee Q, 2016; Pérez, 2011). Instead, diplomatic police liaisons are to 'apply' (i.e. actualise, transpose) the ministerial decision to cooperate. To do so, they:

- Request, and authorise (or deny) access to, secret and personal information;
- Transmit *investigative* assistance requests (concerning arrests, evidence search and collection, etc.);
- Organise summits, conferences, workshops, joint studies, and joint training;
- Conduct 'fact-finding' and 'benchmarking' missions (e.g. for ministerial or agency reports);
- Help negotiate new agreements (Interviewee A, 2016; Interviewee B, 2016; Interviewee F, 2016; Interviewee I, 2017; Interviewee J, 2017; Interviewee K, 2017; Post, Sprinzak, & Denny, 2003).

¹⁴⁰ This is why liaisons tend to be replaced one-by-one, and not all at once (Interviewee K).

But in the absence of integration – i.e. for want of the “steering medium” that is hierarchical authority (Habermas, 1984, p. 183), cooperation from partner states is *never guaranteed* (Interviewee I, 2017).

The FBI’s diplomatic liaison officers (i.e. legal attachés) are a legacy of US *intelligence and counterintelligence* operations in Central and South America during World War II (FBI, 2016e). After the creation of the Central Intelligence Agency (CIA), FBI liaison officer positions were maintained, but were given new responsibilities, including the transfer of requests for assistance and the coordination of joint police investigations. During the 20th century, FBI directors tried to adapt their organisation to fluctuating crime and budgets by regularly changing the number of legal attaché offices (FBI, 2016e). From 1993 to 2016, for example, the number of FBI legal attaché officers *tripled*. In 2016, the FBI had over 64 attaché offices and 21 ‘sub-offices’, which included “more than 250 agents and support personnel” (FBI, 2016e).¹⁴¹

The history of French law enforcement liaison officers is somewhat similar. Initially created in 1961,¹⁴² the GOF’s police liaison offices merged with the gendarmerie’s liaison offices in September 2012. One of the reasons for this merger was the placement of the management of the “National Gendarmes” agency under the Ministry of the Interior, as opposed to the Ministry of Defence. This said, the merger was also designed to increase effectiveness and efficiency (DCI, 2011).¹⁴³ Both liaison services used to essentially focus on drug trafficking, but their functional remit has widened since. Today, the French Ministry of Interior’s “Directorate of International Cooperation” (DCI) has about 250 police and gendarme liaisons (i.e. “internal security attachés”) placed in about 100 embassies.¹⁴⁴ As with the FBI, several of these liaison offices (“internal security service missions”) are in charge of relations with *multiple* states and agency types¹⁴⁵ (Mission du Service de Sécurité intérieure, 2016). For example, the French law enforcement liaison office in Brussels is also in charge of relations with Luxembourg (Ambassade de France à Luxembourg, 2016). French customs and immigration liaisons are also responsible for multiple states and agency types (Interviewee Q,

¹⁴¹ In 2016, the US Internal Revenue Service’s (IRS) Criminal Investigation Unit had about 10 liaison officers working in US Embassies (Interviewee I 2017). The same could be said of other US law enforcement organisations, such as the Department of Justice (DOJ), the Department of Homeland Security (DHS), and the Drug Enforcement Agency (DEA).

¹⁴² N.b. French customs liaisons (working for the Ministry of Finance) are more *recent*. The position in the French embassy in Amsterdam, for example, was created in 1993 to implement bilateral cooperation with bordering states, both at the point of entry (e.g. airports and seaports), into the (newly established) common market and across (newly opened) state borders, in *regulating* the flow of money and goods (e.g. weapons, cocaine, tobacco, alcohol, waste, cattle) (Interviewee Q 2016).

¹⁴³ N.b. This is an instance of *intra*-state resource pooling.

¹⁴⁴ In comparison, French customs liaisons are more limited in number (19 worldwide in 2016), with a cost/benefit ‘audit’ of the positions being conducted at the end of each assignment; and the BENELUX states have no customs liaisons in France – they work at EUROPOL, in The Hague, which facilitates *multilateral* cooperation (Interviewee Q 2016).

¹⁴⁵ EUROPOL’s liaison officers are also ‘buffers’: they work with multiple states and agency types. Europol’s liaison in Jordan helps EU Member States (MS) law enforcement and intelligence *obtain* biometric data collected by US *armed forces* (Council of the EU 2017).

2016)¹⁴⁶ – although immigration liaison officers usually work at “the operational level” (see section 3 below) (Council of Europe, 2003, p. 13).

Interestingly, Luxembourg has no (i.e. zero) law enforcement liaison officers in its bilateral embassies (Interviewee A, 2016; Interviewee H, 2016). When the PGD needs to communicate with law enforcement officers or government officials abroad *in person*, the PGD uses Dutch or Belgian liaison officers (via the Benelux agreements mentioned above) – which, in essence, is a form of outsourcing (i.e. resource sharing). Reversely, most law enforcement liaison officers who have Luxembourg within their ‘portfolio’ are based in Brussels, which is a two-hour drive from Luxembourg City. The GOL’s Ministry of Internal Security does have a JHA councillor in its EU embassy (i.e. Permanent Representation to the EU (PermRep)), but this position deals more with political, legal and ‘strategic’ matters – notably through the Council of the EU’s Standing Committee on Operational Cooperation on Internal Security (COSI) (Interviewee A, 2016).¹⁴⁷

Although embassy-based liaisons officers often assist law enforcement ‘in the field’, their work is quite different from that of operational-level liaisons, working in a common police and customs centre for example (see below). Whereas cooperation through embassies focuses on legal agreements, fact finding missions, strategic coordination (i.e. “the implementation of the French foreign policy in terms of internal security”), etc. (Interviewee J, 2017; Interviewee K, 2017), operational cooperation has less to do with investigations and more to do with daily surveillance, controls and emergency response (Council of Europe, 2003, p. 13; Interviewee H, 2016).

Operational Liaisons

Unlike diplomatic liaison officers, who work in embassies, *operational* liaison officers tend to work “alongside their foreign counterparts” (FBI, 2016c). Instead of working on treaties, MOUs, strategies, bureaucratic guidance, exchange programmes, etc., operational liaisons are *entirely* dedicated to ongoing operations, focusing on coordination and data-sharing.¹⁴⁸ This said, it needs to be kept in mind that ‘operational’ liaison officers almost never participate *personally* in operations. Rather, their role is to enable *field* (i.e. ‘line’, surveillance and investigative) officers. Operational liaisons can be found in INTERPOL (first in Vienna, now in Lyon) and EUROPOL (first in Strasbourg, now in The Hague), but they are also “embedded” in partner states’ specialised units¹⁴⁹ or in shared centres (see below) (Interviewee K, 2017).

Progress in ICTs means operational liaisons can work if not from home, at least from their homeland. The FBI’s *cyber liaisons*, for example, often participate in operations *from the US*

¹⁴⁶ In other words, due to organisational differences, some joint operations require one state’s police to cooperate with another’s armed forces or customs (e.g. Franco-Dutch counternarcotics) (Interviewee Q 2016). It is in this sense that liaisons can be understood as organisational ‘buffers’.

¹⁴⁷ This said, COSI meetings can also lead to the organisation of ‘joint action days’ via Europol, which help both the EU’s ‘public relations’ and the evaluation cooperation mechanisms (Bordet 2016).

¹⁴⁸ In fact, almost all military, law enforcement and intelligence agencies have some sort of ‘help desk’ that staff can call 24/7/, providing information or even sending assistance – in the literature this ‘enabling’ (i.e. force multiplying) phenomenon is often covered under the rubric of the ICT ‘revolution’.

¹⁴⁹ Often without direct access to *their* computer networks.

– cyber liaisons facilitate bilateral investigations (especially evidence collection), provide ‘situational awareness’, and transmit “tailored” cyber training requests (FBI, 2016c; Vitchock, 2016). But even these cyber liaisons (technically, “assistant legal attachés” or ALATs) are increasingly *posted abroad*, “in those regions impacting U.S. interests and FBI investigations”. Since 2011, the FBI has created permanent cyber ALAT positions in Bucharest, Canberra, The Hague, Tallinn, Kiev, and Ottawa. About another 12 cyber liaison officers work in various locations across the world, responding to changes in “the cyber threat environment” (FBI, 2016c). The location of cyber liaison officers is limited by the host government’s “capabilities in working with the FBI” (FBI, 2016c).

One reason operational liaisons work ‘under the same roof’ is the belief that cohabitation fosters an *esprit de corps*, which subsequently increases effectiveness. For example, EUROPOL’s liaison to the US, Pat Byrne, said:

I am a strong proponent, personally, of the colocation environment. So, colocation in task forces, where you come together for the same mission, in which you are “breaking bread” and you’re sharing coffee each day, that tends to be more successful than a taskforce where you come, have meeting and go back to your own office. So, it creates a culture of the mission (Interviewee B, 2016).

Placing operational liaison officers side-by-side can also accelerate access to secret or personal information (i.e. increase expediency). This has been one solution in the North Sea region, for example. In 1968, senior law enforcement officials from Kent and Bruges started organising meetings to *share intelligence* on human trafficking and smuggling in the North Sea region, along with “best practices” to counter these criminal enterprises. A few years later, law enforcement agencies from France and The Netherlands joined these annual working groups, under the auspices of what is now called the Cross Channel Intelligence Community (CCIC) (Hufnagel, 2013, pp. 44-50; Kent Police, 2016). Over the past 50 years, the CICC has extended its remit to other types of transnational crime (e.g. drug trafficking and terrorism) and crime related to specific major events (e.g. the Olympics) (BBC, 2011). Currently, European and state laws impede the CICC further integrating intelligence sharing, but the integration of French officers (i.e. operational liaison officers) in Kent Police’s “Joint intelligence Unit” has helped overcome some of these legal ‘obstacles’, especially regarding “urgent” informational needs (Police Oracle, 2011a, 2011b).

Inter-State Agencies and Regional Cooperation Centres (or human firewalls in pooled buildings)

It is important here to say a few words about inter-state agencies (i.e. ‘joint ventures’). As much as they can create demand-side economies of scale (i.e. everyone is in the same place, in a ‘one stop shop’), the number of states also means increased coordination ‘costs’ and less trust. An agency like EUROPOL, for example, ‘sits’ halfway between economies of scale and overnumerousness – the price, however, is a (functionally) arbitrary geographic delimitation. Because the EU’s ‘external’ borders are relatively open, EU and non-EU officials have perceived a functional need to cooperate, especially in terms of strategic data sharing, but also in terms of operational data sharing and joint investigations. Three months after the 9/11 attacks, for example, US and EUROPOL officials signed a “strategic agreement”. One year later, they signed an additional “operational” agreement, allowing personal data to be

exchanged.¹⁵⁰ In 2014, EUROPOL gained a Joint Cybercrime Action Taskforce (J-Cat) composed of 15 “cyber liaison officers”, including one from the FBI and one from the US Secret Service (Imeson, 2018). By 2016, EUROPOL had a total of 24 USG liaisons (from 10 US law enforcement agencies) – Canada only had 4 (Interviewee B, 2016). In comparison, only 7 of EUROPOL’s *staff* were from Luxembourg (Europol, 2015; Interviewee B, 2016).

Police and Customs Cooperation Centres (PCCCs) are somewhat different from inter-state agencies. They serve cross-border *regions* and assist *local* police. In PCCCs, operational liaison officers (e.g. border guards, police officers, customs officers) from several states work in the same offices on a daily basis (for more on PCCCs, see Cordeel, 2010; Felsen, 2012; Gruszczak, 2016b; Hufnagel, 2013, pp. 50-58). Just as in INTERPOL and EUROPOL, these liaison officers do not personally conduct joint operations (Council of Europe, 2003, p. 15; Felsen, 2012, pp. 76-82). Rather, their objective is to facilitate and accelerate joint operations, notably by reducing the number of ‘middle-men’. PCCC officials also organise the sharing of equipment (e.g. helicopters, scuba divers, canine units), and provide *strategic* analyses on *regional* transfrontier organised crime – placing raw data about *transnational* criminals into *local* contexts is something that would be difficult without transnational cooperation (Interviewee H, 2016). In terms of barriers to cooperation, languages tend to not pose a problem for such ‘neighbours’. Different laws, customs and personalities, however, can occasionally render cooperation less effective (Berthelet, 2012a). To reduce inter-cultural conflict, PCCC officials (like NATO officials) organise informal ‘socialisation’ activities (e.g. sporting events) (Felsen, 2012, p. 75).

French officials have been formalising pre-existing joint police stations or creating new PCCCs with neighbouring states and regions since the 1990s. One of the first PCCC was in Offenberg, Germany (that PCCC was ‘moved’ to Kehl am Rhein in 2002) (Felsen, 2012, p. 73). Treaties were signed with Italy and Germany in 1997, Spain in 1998, Belgium and Luxembourg in 2001, Switzerland in 2007 (Barbe, 2007; Nogala, 2001). This was initially done via legal frameworks provided by the Schengen Convention, and after 1999 *via* the Treaty of Amsterdam. One of the major changes that came with the Schengen Convention was the legalisation of “station-to-station” contact for urgent matters (i.e. the removal of the need to seek approval from ‘national authorities’) (Felsen, 2012, p. 82). This means that *as with air and sea patrols in military cooperation* decision-making and hierarchical autonomy has been exchanged for (ostensible) effectiveness and expediency. Interestingly, PCCCs not only address ‘serious’ transnational crime, but also ‘petty’ transnational crime, which, because it is seen as unimportant ‘in the capitals’, tends to be ignored by international agencies such as EUROPOL and INTERPOL (Berthelet, 2012a; Council of Europe, 2003, p. 14).

Seeking to systematise their regional cooperation, French officials created a ‘model’ convention to be used in the creation of new PCCCs (Souvet, 1998). Similarly, in 2009 the EU Council created an official a PCCC “best practice” (Felsen, 2012, pp. 73, 82). Most bilateral treaties limit PCCC cooperation to *specific* regions, but others, like that between France and Spain, have only general geographic restrictions (République française, 2003). The most famous PCCC is that of the Eurotunnel. In 2003, the governments of France and the UK signed an agreement in Le Touquet that allows law enforcement agents to conduct passport checks

¹⁵⁰ States that have a “strategic” agreement (e.g. Russia, Ukraine and Turkey) do not have access to operational (i.e. personal) data.

in the other state's seaports, airports and Eurotunnel train stations (e.g. Cheriton, Ashford International and Waterloo International).¹⁵¹ Several years later, the Touquet agreement allowed uniformed officers to be armed (i.e. carry a "12 cartridge service weapon") in the other state's train stations and ports. In 2014, UK officials agreed to give the GOF €15 million to 'process' East African migrants in Calais, the majority of whom were seeking to enter the UK (Le Figaro, 2014).¹⁵² Just as trucker strikes appear to have 'triggered' the creation of Schengen, migration-related delays of the movement of goods and persons (Bernard, 2015) seem to have prompted the UKG to 'outsource' its border checks to France. In August 2015, the UKG announced that it would give a further €10 million, and that the two governments would create a *police and customs cooperation centre* (PCCC) in Calais, including a dozen UK police officers – the agreements also involved the installation of security guards, fences, closed-circuit television (CCTV), and "flood lights" around the Eurotunnel entrance and major French ports (Le Monde, 2015).

To better regulate transfrontier 'flows', in 2001 the GOL created a PCCC centre to be shared with France, and in 2003 a *police-only* cooperation centre to be shared with Germany and Belgium. In October 2008, the ministers of interior and of justice of all 4 states signed an agreement creating a new PCCC – it was the first time a PCCC united so many states (PGD, 2008). The main responsibility of the 40 officers in the new PCCC is to help accelerate the collection, distribution and analysis of information, even when not related to "the Greater Region" (i.e. La Grande Region)¹⁵³ (Besson, 2013; Interviewee A, 2016; Interviewee H, 2016). A police officer in Luxembourg, for example, can send a written information request to the PCCC concerning a person's criminal record. A Luxembourgish agent in the PCCC will pass it to, say, a French colleague in the PCCC, who will then seek obtain the information from the appropriate officials in France. And the response will return via the same channels. In 2014, the PGD police was providing PCCC partners more dossiers than it was requesting (PGD, 2016, p. 21).

Overall, the more a state is *open*, the more officials believe security requires losing some autonomy (see Andreas & Nadelmann, 2006, p. 246). Even the USG, with its tight border controls¹⁵⁴ along the US-Canada border deems all sorts of operation cooperation necessary. Similarly, the UKG, known for jealously guarding its sovereignty, has accepted that French officers carry weapons on British soil. Beyond borders, governments have not (yet) accepted that foreign officers unilaterally arrest suspects or collect evidence. Whether this is inefficient or ineffective is an open question, but the fact that the USG and the GOC are conducting joint operations *beyond* their shared border signals that these officials deem cooperation to be functionally necessary *throughout* their territories. Indeed, in the eyes of many practitioners, sovereignty renders transnational law enforcement simply *too slow*. This is demonstrated, for example, by the FBI sending 'fly teams' to quickly collect counterterrorism and counter-cybercrime information abroad. Beyond cooperation, the dispatch of operational liaison officers can also indicate that a government sees another state's *incompetence* (or different

¹⁵¹ N.b. the USG has also 'outsourced' container and passenger checks in Europe, but sometimes US DHS staff work in European airports (on the PNR, see chapter 6).

¹⁵² In the late 1990s, the migrants seeking to enter the UK from Calais were mostly from Kosovo.

¹⁵³ The Greater Region of Luxembourg, a concept developed in October 1980, is an institution that brings together actors from national and regional levels of government, from multiple policy sectors.

¹⁵⁴ I.e. Less openness, sometimes called 'friction' by economists.

threat assessments) as a security risk. Such fears have led many state officials to promote their way of enforcing the law, notably through professional education and training.

Education and Training

Professional Standardisation

As in other professions, the laws¹⁵⁵ and customs of law enforcement are learnt during basic training, professional development courses, and everyday socialisation (see Van Maanen, 1973). To make cooperation more effective, efficient and expedient, Western state officials have sought to create *common* professional curricula, standards and customs (i.e. inter-state normative and interaction groupings). This has been done through exchange programmes, inter-state academies (i.e. ‘joint ventures’), and ‘technical’ assistance (Interviewee K, 2017; Interviewee R, 2016).

Almost every month of the year, Interpol organises an ‘operational’ or a ‘senior-level’ training course. Operational courses cover topics such as terrorism, drug and human trafficking, forensic techniques, and the use of INTERPOL databases. Senior-level courses focus on transnational cooperation, and are aimed at those “who are in a position to bring about change and improvement upon return to their respective administrations” (INTERPOL, 2016).¹⁵⁶ Complementing these courses are INTERPOL’s biennial senior-level training symposia (also attended by academics), and its annual training newsletter. Likewise, since the mid-1990s, *the Association of European Police Colleges* (AEPC) has been helping EU and non-EU member states advertise training opportunities (the GOF and the GOL’s police academies are members) (AEPC, 2017).

In October 1999, the European Council decided to create its own agency (i.e. ‘joint venture’) dedicated to educating senior police officers: the European Police College (CEPOL) (PGD, 2014b, p. 32). From then on, CEPOL has done this *via* courses, conferences, online seminars, exchange programmes, but also through the development of model curricula (see Hufnagel, 2013, pp. 86-89). As of 2009, CEPOL was training less than 2,050 law enforcement officers, but by 2015 that number increased to nearly 13,000 (CEPOL, 2015). It was not until 2010 that the Council of the EU put a real emphasis on the need for police officers to have exchanges as part of their *basic* training (PGD, 2012a, p. 33).

Interestingly, the CEPOL was originally situated in Bramshill House, where the English and Welsh Police Staff College was located, but in December 2012, the UK Home Office decided to sell the building, and thus in 2014 CEPOL’s “seat” was moved to Budapest (Green, 2014). That same year, the European Commission suggested extending CEPOL’s training 1) to all levels, 2) to all types of laws enforcement and 3) to *non-EU states* that need capacity “building” (CEPOL, 2016b). In 2016, CEPOL and US “Federal Law Enforcement Training

¹⁵⁵ It is important here to distinguish these professional norms from formal criminal law. What it means ‘to be’ a police officer, for example, can be very different from any codified rights and responsibilities.

¹⁵⁶ These courses are often offered in INTERPOL’s regional bureaus, although ‘e-courses’ are also provided online (in English, French, Spanish, and Arabic).

Centers” (FLETC) started negotiating a “working arrangement” (i.e. an MOU) (CEPOL, 2016c). This shows that *location matters*.

In France, the GOF’s Superior National Police School (École Nationale Supérieure de la Police or ENSP) has been accepting 5 to 30 mid- and senior-level officers from abroad *since 1958* (ENSP, 2017). Initially, such programmes were designed to develop law enforcement capabilities in newly sovereign African states (i.e. former colonies). In the 1990s, a few officers hailed from Central Asia and East Asia – all foreign students must be fluent in French. Today, most attend a 10-month Masters-level course and an 8-week “internship”, while about 4 participate in a 5-week management-focused “internship”. As with the USG’s programmes (see below), the GOF’s *foreign ministry* covers the costs, and law enforcement liaison officers handle applications and entrance exams. Naturally, the ENSP also organises courses and exchange programmes with international and national law enforcement agencies, such as INTERPOL, CEPOL, FRONTEX, EUROJUST and ‘twinned’ German and Spanish police academies (*via* the AEPC, just mentioned). French diplomatic liaisons even organise and provide training for other EU MS (e.g. Romania) (Interviewee K, 2017).¹⁵⁷

The PGD is even more dependent on foreign standards, curricula and customs, for it also receives much of professional, technical¹⁵⁸ and scientific education and training¹⁵⁹ from foreign partners.¹⁶⁰ Since its inception, Luxembourg’s PGD has always recruited only a few *management-level* law enforcement officers every year, which means it would not be efficient for the GOL to run its own police management school (Interviewee A, 2016; Interviewee H, 2016). Prior to the 2000 police reform, the PGD’s management-level officers trained in Luxembourg’s *military* academy. After 2000, managerial-level police officers received *all of* their education in Brussels (at the l’Ecole Nationale des Officiers de la Police Fédérale (DSEO)). Since mid-2015, however, the majority train at the French ENSP – in 2015 Belgian law enforcement agencies stopped recruiting at the management-level and thus stopped providing relevant classes (Interviewee H, 2016; PGD, 2016, p. 43), showing the degree of the PGD’s resource dependency.

In the 1930s, the FBI was already receiving officers from other Western states to train at its “Police Training School”, as the National Academy was called at the time. In 2016, international students constituted about 10 percent of each National Academy class (i.e. about 30 students) (FBI, 2016e). In total, over 3,500 law enforcement officers from over 170

¹⁵⁷ Since 2016, the GOF has also been providing training to police forces *in* African states, such as Senegal, notably on the collection of internet “radicalisation” intelligence (Guibert 2017).

¹⁵⁸ As mentioned in the third section, European state officials use joint training as a means of sharing techniques and technologies.

¹⁵⁹ The PGD obtains virtually all of its professional development instruction from abroad, demonstrating the PGD’s dependence on its neighbours. Because these classes are expensive and the PGD must cover the costs, foreign education is occasionally replaced by courses provided by experienced Luxembourgish officers (PGD 2015:22). When this occurs over several years, the PGD risks losing track of the ‘state of the art’. Senior-level Luxembourgish police officers follow most of their professional development courses in Germany, but also at CEPOL (PGD 2012:40). Between 2011 and 2015, for instance, senior-level PGD officers spent about 65 days per year attending CEPOL courses (PGD 2011:39, PGD 2012:37, PGD 2013:38, PGD 2014:38). In 2015, 221 mid-level officers attended development courses abroad, mostly in at the Akademie der Polizei Baden-Württemberg and the BKA Wiesbaden in Germany (PGD 2014:45, PGD 2015:47).

¹⁶⁰ It can be noted here that the forensic police of Luxembourg (and France) have a legal obligation to conform to standards for evidence recovery and police laboratories set at international and EU-levels (e.g. ISO/IEC 17025 & 17020).

countries have graduated from the FBI's National Academy (FBI, 2016e). Many scholars argue that such exchange programmes are in effect a form of 'homogenisation through socialisation' (see Bigo, 1996, p. 239).

After the Cold War, the FBI started also educating *abroad*. In 1994, US President Bill Clinton and Hungarian President Árpád Göncz agreed to found the International Law Enforcement Academy (ILEA) *in Budapest* (ILEA, 2016b) – amidst Hungary, Poland, Slovakia and the Czech Republic, the government of Hungary was the most keen to host the academy (ILEA, 2015b; 2015c, p. 2). The ILEA currently organises an International Curriculum Conference (ICC) to receive 'input' from participating states. Canada, Germany, Hungary, Ireland, Italy, Russia, the UK, Interpol, the CoE, and the International Organization for Migration (IOM) all provide trainers. This said, the curriculum is fundamentally determined *by the FBI and other USG agencies* (i.e. DOJ, DHS, DEA, DOS, etc.) (DOS, 2009a). The Program Director and the Deputy Program Director are provided by the FBI, and the DOS provides most of the funding (DOS, 2009a, 2009b, 2009c; FBI, 2016e).

Since the 1990s, the *DOS and DOJ* have also been sending advisors to Southern and Eastern Europe (e.g. Malta, Cyprus, Albania, Croatia, Turkey, Poland, Romania, Latvia). These advisors instigate (often *at the request* of the receiving state,) the provision of specific types of technical, organisational and legal reforms (i.e. 'capacity building' concerning public corruption, witness protection, counterterrorism) (Interviewee R, 2016). In 2003, for example:

As a result of inputs from the U.S Justice Department's International Criminal Investigative Training Assistance Program (ICITAP) advisers, the Organized Crime Vice-Directorate within the Albanian National Police is being restructured and brings together a single Directorate responsible for economic crimes, money laundering, drug control, anti-terrorism, anti-trafficking, and an analytical unit (DOS, 2003).

Without critical thinking, independent counsel and democratic participation, however, the adoption of (US, French, EU, UN, etc.) legislation and organisation reforms, even when fully consensual¹⁶¹, could amount to a form of *decision-making autonomy loss*, where the 'receiving' state, in effect, is not 'making' its own laws and customs (on auto-nomy, see Lukes, 1974; Prozorov, 2004a, 2004b). The USG term for Eastern European states that, in the 1990s, successfully completed US law enforcement training was "graduates", thereby underling the *pedagogical* aspects of the programmes (on the limits of 'externally-driven' police reform, see Aitchison & Blaustein, 2013; Ellison & Pino, 2012; Ryan, 2009; Ryan, 2011).

Informal Liaisons

State officials have long recognised the socialisation implicit in all education and attempted to use it to their advantage. When negotiating law enforcement cooperation, for example, they have always included a series of "compensatory strategies" that involved professional socialisation as a means of increasing expediency (see Hufnagel, 2013). The reasoning behind this is quite simple. It is thought that even if exchange programmes, inter-state academies

¹⁶¹ As a counterfactual example, one could study the case of states that have refused further 'assistance' (e.g. Russia) (Interviewee R).

and technical assistance do indeed *homogenise* criminal law and professional practices, it is still functionally ‘necessary’ that those involved know and trust their foreign colleagues. Such knowledge and trust, it is thought, can only increase the speed, quantity and quality of cooperation.¹⁶² And, *propinquity* is thought to be the best means to acquire such familiarity.

For example, in 2003 CoE officials concluded that:

[...] the signing and ratification of a formal agreement by governments is not enough. In order to cooperate effectively across borders, agencies involved need to be educated and trained. And perhaps even more important is that they need to build trustworthy relationships with their counterparts on the other side of the national border (Council of Europe, 2003).

The AEPC aims to “support the European sense of community” (AEPC, 2017). Its officials believe that:

the awareness of European identity in police matters creates a basis of harmonisation in different systems and more active international cooperations in operational and analytical measures.

CEPOL is to “facilitate networking” and to contribute “to the development of a common European law enforcement culture” (CEPOL, 2016a, 2016b).

This explains why the ILEA was placed “within a Hungarian National Police compound”, sharing a gymnasium and cafeteria with the Hungarian Police (DOS, 2009a), and why the CEPOL was transferred to Budapest. It is obvious that US officials believe that 1) bonds of affection can be fostered and 2) that they are of use (ILEA, 2015a). The ILEA, for example, is designed *not* just to provide technical knowledge to “emerging democracies” (DOS, 2009c), but also to create “linkages between U.S. law enforcement entities and future criminal justice leadership in participating countries, and among regional participants with one another” (DOS, 2009d). According to ILEA Deputy Director Tom Stocking:

After the completion of a core course, those participants who had been so homesick after week 4, hugged their classmates with emotion, said emotional farewells, and appeared to be in no rush to board the bus that would take them home (ILEA, 2015a, p. 1).

To maintain bonds of affection, the ILEA publishes a newsletter, and US embassies organise ILEA alumni dinners, hikes, trips to Budapest (ILEA, 2015c, p. 3). Of course, one can always wonder how long these bonds will last, if only because meaningful conversation is often difficult – many of the ILEA’s students do not speak English, and many US instructors only speak English (ILEA, 2015a, p. 2; 2015b).

The PGD also tries to foster cultural understanding and socialisation. For example, the PGD and German law enforcement agencies regularly organise *officer exchanges*, where police inspectors spend a few weeks working in the host agency (Interviewee H, 2016). Socialisation, in other words, is thought of as the ‘oil’ that ‘lubricates’ the ‘mechanisms’ of inter-state cooperation – but such socialisation carries a number of risks, for all states, namely co-option.

¹⁶² The idea that formal rules reduce expediency (and possibly effectiveness) and informal relations increase expediency and effectiveness is a recurring hypothesis, found in both academic and policy debates. Such argument, however, is hard to generalise, and, instead, ought to be examined according to period and place (i.e. on a case-by-case basis) – Max Weber, for example, argued the inverse.

Co-option

Social networks are not just desired as an informal means of improving coordination and collaboration. All parties to exchanges, inter-state academies and technical assistance are also fundamentally *self-interested* in the sense of wanting to *co-opt* the other's officers, notably *via* socialisation (see Ikenberry & Kupchan, 1990; Keohane, 1971). US officials, for example, explicitly acknowledge their co-option efforts. When 'alumni' become prime ministers, ministers or agency directors, promotional material calls the process a "success story" (ILEA, 2015b, 2016a). ILEA Director John Terpinas even saw it as a success that "some of [the ILEA's] students have risen all the way to the ministerial level in their governments" (FBI, 2015). And reversely, although the philosophy of the ILEA is "a united effort" by all of the participants to achieve "the common" foreign policy goal of "international" law enforcement, every year the USG 'vets' candidates to ensure they are not intelligence officers (DOS, 2009a).

Overall, it is not evident that training cooperation has produced significant professional standardisation, informal networks or even co-option. According to Jean-Louis Bordet, a JHA counsellor at the GOL's PremRep, one obstacle to law enforcement effectiveness, writ large, is not a lack of trust between foreign law enforcement officers, but rather that the average police officer does not have a European or international 'outlook' (2016). Whereas, according to Bordet, organised crime has become both more professional and more transnational, national officers remain "stuck" in an "intergovernmental" approach to law enforcement. Bordet believes only dramatic events, such as terrorist attacks, can trigger the overcoming of these mentalities (see Argomaniz, 2011).

In other words, Bordet seems to believe that for want of a common outlook, a degree of security and justice is lost. But if Bordet is wrong, if joint education and training *have* created a common standard, informal liaisons, and even allowed for some co-option, if joint education has created a common professional 'field' (Bigo, 1996), what are the autonomy costs? Do the social identities of law enforcement officers and the people they seek to protect align? Will a legitimacy crisis ensue? More immediately, it seems obvious that when importing 'best' techniques and technologies some really (i.e. veritably) preferred practices are relinquished (Andreas & Nadelmann, 2006; Bigo, 1996). Due to the coping mechanisms employed (liaisons, cartels, joint ventures), *all* have lost a degree of autonomy and could lose even more.

Conclusions

To paraphrase Vilfredo Pareto (1897), we could say that much of international relations bears "a resemblance to the movement of a material point under the influence of several forces": the desire for effective regulation and the desire for autonomy. And many aspects of Western law enforcement are similarly affected by these 'forces' of social order. The desire for physical security and ontological security 'moves' state officials to use coping mechanisms, such as liaisons, harmonisation and inter-state agencies, in the stead of outright integration. But such coping is imperfect.

As long as cooperation is used as a proxy for integration, both autonomy and security losses will be accrued. Of course, future empirical research must evaluate the degree to which

various types of cooperation are effective in providing security (see chapter 7), but this chapter has already demonstrated that many imperfections are tolerated. Extraditions, witness transfers and evidence collection remain slow. The implementation of treaties, technical standards and pedagogical tools is also slow. In some states, even the most mundane law enforcement information is only partially uploaded into shared databases, sometimes by hand. Liaison officers depend on their predecessor's acquaintances, and do not bother to call a colleague known for being unhelpful (Interviewee I, 2017). The 'rank and file' of law enforcement regularly fail to put their localised investigations into a transnational context.

At the same time, this chapter has also shown that all law enforcement cooperation involves autonomy losses. 'Foreign' norms and laws are imported – and when they are not, citizens risk being extradited for acts that are not crimes (in their state), thus flouting the *nullum crimen sene lege* principle (see Boister, 2012, p. 20). Similarly, others' best practices and model curricula are adopted. Sometimes, liaison officers determine which techniques and technologies are used, and which organisational templates are applied. Data, of all sorts, increasingly crosses inter-state borders as it does *intra*-state borders. Abroad, foreign law enforcement officers carry weapons, conduct surveillance and pursue criminals as if they were in their own jurisdiction. Cadets and police chiefs from different states become colleagues and even friends, subsequently sharing access to ministers and heads of state (i.e. social capital).

The next chapter will show that intelligence (and cooperation therein) combines features of both warfare and law enforcement. Consequently, the chapter's outline will combine aspects of the previous two. And as with military and law enforcement cooperation, it will be important to keep in mind that intelligence agencies are not only used to provide physical protection (i.e. their data collection, analyses and covert operations can be used for many other ends), and that physical protection could possibly be obtained via non-violent agencies (i.e. other policy tools). This chapter, however, has shown what is special about law enforcement cooperation: autonomy concerns might not only be reducing physical security, they might also be reducing *justice*.

6. Intelligence Cooperation and the benefits of differentiation

“Concrete shoes, cyanide, TNT / Done dirt cheap / Neckties, contracts, high voltage / Done dirt cheap”
(AC/DC, 1976).

I am an organisation that provides a public good, but rarely obtains public recognition. I seek to protect the country, but have an interest in all things foreign. I try to speak truth to power, but lying is really the foundation of my craft. My work is manipulative and deceitful, but personal integrity is paramount – my best staff are ascetic and empathetic, but also charismatic and duplicitous. Who am I? The foreign intelligence agency.

I also provide a public good. Much of my work consisted in making private lives open secrets, but democratisation and private sector opinion polls made the bulk of that work either illegal or redundant. So now I (mostly) focus on disrupting and stopping crimes before they happen. I often use clandestine surveillance and manipulation, especially against foreign intelligence agencies, but sometimes fear and intimidation work best – it keeps potential terrorists and other subversives in check. Who am I? The domestic intelligence agency.

The puzzle this chapter seeks to piece together is the following: why does inter-state intelligence cooperation occur? The first thing that must be noted concerning intelligence matters is that much *human* intelligence and covert action is *procured* and *outsourced* not to partner states, *via* formal agreements, but to ‘turned’ state officials, entrepreneurs, criminals, and insurgents. State secrets are obtained from dissatisfied employees; officials are bribed and de-bribed (i.e. coerced into reneging their corrupt deals)¹⁶³; the services of Mafiosi are purchased; and insurgents are encouraged and sustained (see Agee, 1975; Clarridge & Diehl, 1997; Coll, 2005; Dulles, 2006; van Buuren, 2012; Woolsey, 2000). Unlike traditional warfare and law enforcement, which is mostly done by professionals, the ‘dirty deeds’ of intelligence officials are often done by third parties. This said, of all third-party services, the cheapest of all is formal cooperation with other states’ intelligence agencies, for instead of payment in currency, these agencies often accept other forms of capital (i.e. social, cultural, symbolic, etc.).

Examples of such exchanges are covered below. Just as in the previous chapters, the general argument is that state officers perceive a dilemma between the functional need for resources that other states control and the desire for autonomy. Inasmuch, cooperation is a coping mechanism that facilitates a trade-off between effectiveness and autonomy. Unlike armed combat and law enforcement, secret stealing and covert action are relatively new professions. This means that their legitimacy is a work-in-progress. Academies, curricula, diplomas, best practices, technologies and techniques have only recently started to be standardised. Similarly, unlike peacekeeping or policing, for example, *the expertise* of spies

¹⁶³ Of course, due to the principle-agent problem, bribes can also fail without third party intervention. For example, a multimillion USD bribe a CIA agent (the grandson of US President Teddy Roosevelt) gave to Egyptian President Gamal Nasser, hoping to buy his cooperation, was used to erect the highest tower in Cairo (Lucas 2000:100).

and saboteurs is not always recognised by politicians, statesmen, parliamentarians, or judges. And yet, because the effectiveness of intelligence officers depends on secrecy of sources and methods, the three branches of government never have total control over intelligence agencies (R. J. Aldrich, 2009b; Born et al., 2011, 2015; Brodeur, Gill, & Töllborg, 2003; P. Gill, 1994). Some agency autonomy, in other words, can be gained through appeals to *instrumental rationality*.

Of course, the major difference with the past two chapters is the *conflictual* nature of Western intelligence relations. Indeed, 'friendly' co-opting, spying and sabotage has been the norm, and complete cooperation the exception (e.g. Martin S. Alexander, 1998; Clarke & Johnston, 1998; Easley, 2014; Gallagher, 2013; Hamilos, 2013; Luxemburger Wort, 2013; The Economist, 2012; Woolsey, 2000). The main reason for this is that, *like military and law enforcement agencies*, intelligence agencies are not only used to protect a state's population, economy and territory. And *unlike* military and law enforcement agencies, intelligence agencies are the 'tool' of choice when shared norms are to be infringed. In other words, friendly spying is the exception that proves the existence of inter-state associations.

It can be argued that the de-linking of shared and conflicting intelligence interests is a by-product of professionalization, and especially effectiveness-oriented specialisation. As hierarchies are extended and labour divided, *inter-state* cooperation can occur in one sector (e.g. counterterrorism) while competition and conflict remain in another (e.g. economics and diplomacy) (Wirtz, 1993, p. 551). To paraphrase David Mitrany, intelligence professionalization and specialisation has bound "together those interests which are common, where they are common, and to the extent which they are common to the group and those outside it" (Sangiovanni, 2006, pp. 57-58).

Due to resource constraints, this chapter does not cover intelligence activities conducted by formally non-intelligence organisations (e.g. foreign ministries). Similarly, intelligence activities by military and law enforcement agencies are only addressed when related to cooperation between intelligence agencies *sensu stricto*. The chapter's outline is, perforce, slightly more complicated than the previous two. As will be shown, Western intelligence cooperation is characterised by features found both in military and law enforcement cooperation, namely the geographic and equipment particularities found in military cooperation, and the legal and communicative particularities found in law enforcement cooperation. Due to space constraints, however, issues such as legal harmonisation, basing rights and 'white market' procurement (e.g. of software and satellites) are not given their own sections. These are important and interesting topics, but their essential features have already been covered in the last two chapters. Below, the first section compares resources; the second covers joint operations, for both information collection and 'covert action'; the following sections cover data sharing and analysis, and joint education (i.e. technical assistance and training).

Resources

The United States Government (USG) has 17 separate ‘intelligence agencies’, which are collectively referred to as the “intelligence community”. At the head of this “community” is the Office of the Director of National Intelligence (ODNI), designed “organize and coordinate the efforts of the other 16 IC agencies”. This account, however, is somewhat inaccurate. The ODNI has few hierarchical authorities over these 16 agencies. Moreover, the total of 16 includes units *within* the Department of Defence and other departments. Once one removes the various “branches” of the armed forces and the departments of energy, homeland security, state, treasury, and drugs, one is left with four agencies partly or totally staffed by military personnel (i.e. the Defence Intelligence Agency, the National Geospatial-Intelligence Agency, the National Reconnaissance Office, and the National Security Agency (NSA)), and two agencies staffed by civilians (i.e. the Federal Bureau of Investigation (FBI) and the Central Intelligence Agency (CIA)). Budget-wise, the USG separates civilian (i.e. the National Intelligence Program, NIP) from military expenses (i.e. the Military Intelligence Program, MIP)¹⁶⁴. In 2018, the NIP was about 57.7 billion USD, which is considerably larger than a decade earlier (vis. 47.5 billion USD) – the MIP, however, has stayed relatively stable, at around 21 billion USD (McGregor, 2013; ODNI, 2018).

Due to resource constraints, this chapter will focus on non-military and non-law enforcement intelligence agencies, which in the US case is the CIA and the NSA. Budget-wise, the CIA appears to receive the largest portion and the NSA the second largest portion. In 2013, the former’s budget was about 14.7 billion USD and the latter about 10.8 billion USD (BBC, 2013; McGregor, 2013). Regarding personnel, in 2013 the CIA had about 22,000 (military and civilian) employees and the NSA about 34,900 (FAS, 2012) – about 25 to 28 percent¹⁶⁵ of the *Intelligence Community’s* personnel are contractors, who are not included in these figures¹⁶⁶(Feinstein, 2011; Halchin, 2015; Leopold, 2016; ODNI, 2010).

The Government of France’s (GOF) has six principle (“*du premier cercle*”) intelligence agencies: the General Directorate for External Security (DGSE)¹⁶⁷, the Directorate of Intelligence and of the Security of Defence (DRSD), the Directorate of Military Intelligence (DRM) (all part of the Ministry of Defence, i.e. Ministry of the Armies), the General Directorate for Internal Security (DGSI)¹⁶⁸ (of the Ministry of Interior), and the National Directorate of the Intelligence and Customs Investigations (DNRED) and the National Treatment of Information and Action against Illicit Financial Circuits unit (TRACFIN) (of the

¹⁶⁴ N.b. The NIP does not include the FBI’s intelligence budget.

¹⁶⁵ I.e. This is the percentage of “core” contractors, i.e. contractor who work alongside employees. Consequently, the percentage does not include non-core contractors, i.e. those producing a good or service independent of the core agency functions. Non-core tasks include equipment production, IT services, and administrative duties.

¹⁶⁶ N.b. Nor do these figures include foreign agents.

¹⁶⁷ Although the DGSE is under the authority of the Minister of Defence, it combines covert action with both human and signals intelligence, i.e. the CIA’s and of the NSA’s functions.

¹⁶⁸ The DGSI has many of the intelligence functions found in the FBI, and like the FBI it also has police functions (e.g. criminal investigation).

Ministry for the Economy and Finance)¹⁶⁹ (CNCTR, 2017, p. 9). In 2015, the total budget for all of these agencies was about 1,41 billion USD¹⁷⁰, and the total number of staff (including contractors) was about 13,000 (Coquidé, 2015; Duriez, 2015).

Due to resource constraints, this chapter will only discuss the DGSE and the DGSI (and their predecessors). While in 2018 the DGSE had about 5,600 employees¹⁷¹ (including contractors), in 2016 the DGSI had about 3,200 employees (including both civilians and police officers) – these numbers increased by about 10 percent in three years (Allizard & Boutant, 2017; Bas, 2018; Chevillard, 2017; Coquidé, 2015; Surel, 2017). Budget-wise, in 2018 the DGSE was allotted about 705 million USD, in 2016 the DGSI's budget was about 234 million USD (Allizard & Boutant, 2017; Tetard, 2016).

Luxembourg's government (GOL) has only one core intelligence agency, the State Intelligence Service (SRE, formerly SREL), which performs mostly domestic intelligence functions (although "political" policing and surveillance is forbidden) (Journal officiel du Grand-Duché de Luxembourg, 2016). In 2018, its budget was about 3,85 million USD, but this was to increase by 64 percent in 2019, to 5,9 million USD¹⁷² (GOL, 2017; Grasser, 2018). Before the budget increase, the SRE had about 60 employees (Grasser, 2018; Heck, 2015). As a percentage of GDP, the GOL about 0,001 percent – the GOF about 0,05 percent, and the USG spends about 0,3 percent (Grasser, 2018; Tetard, 2016). In terms of personnel, Luxembourg has about 2 intelligence officers per 10,000 inhabitants¹⁷³ -- whereas France has about 2 intelligence officers per 10,000 inhabitants, and the US 3 intelligence officers per 10,000 (Tetard, 2016).

Operations

"Sociological structures are most characteristically differentiated by the measure of mendacity that is operative in them" (Simmel, 1906).

Whereas internal intelligence agencies are a legacy of political policing, external intelligence agencies are a legacy of military intelligence and diplomacy. In fact, most *policy-oriented* foreign espionage was originally conducted by diplomats. But because diplomatic and intelligence tasks clashed, around the 1900's government officials created specialised foreign intelligence agencies (Herman, 2001, pp. 29, 209; D. Tucker, 2014, p. 65). This said, defence

¹⁶⁹ The GOF has several other (minor, i.e. "*du second cercle*") intelligence units (i.e., notably within the national gendarmerie and the Parisian police).

¹⁷⁰ This number does not include some intelligence-related equipment expenses and payments to telecommunication companies.

¹⁷¹ Of which about 25 percent are military officers

¹⁷² And up to 6,3 million in 2021.

¹⁷³ This is before the 2018 personnel increase.

attachés still serve both functions (see chapter 4) (Herman, 2001, pp. 30, 41). In the 21st century, many states still do not have any intelligence agency dedicated to operations ‘abroad’ (James I. Walsh, 2006). The Government of Luxembourg (GOL), for example, has only one “unitary” intelligence agency, namely the State Intelligence Service (Service de renseignement de l’État, SRE, now SREL), which serves as both an internal and external intelligence agency (Ehrman, 2009, p. 8; Heck, 2015, p. 8). As such, the SRE has allegedly conducted espionage and ‘covert action’ overseas. SRE officers even went on ‘trade missions’ to Iraq, Cuba and Libya “looking to develop” *their own* “business opportunities” (Waldie, 2013).

Intelligence Collection

A legacy of the pre-modern intelligence methods can generally be found on the civilian side of *foreign* intelligence collection, especially in Western states, namely in the use of ‘official cover’. Many human intelligence officers will spend most of the working day conducting non-essential diplomatic tasks. This official position is their cover. It conceals their true official function, gives them a plausible reason for meeting foreign officials and businessmen, and provides them with diplomatic immunity (cf. The 1961 Vienna Convention of Diplomatic Relations) (Bowman, 1995; Demarest, 1995; Der Derian, 1992, p. 49; Herman, 2001, p. 34; Lafouasse, 2001).

If foreign intelligence officers cooperate with local intelligence agencies (i.e. security services) and local law enforcement to collect information, it is because they and their managers have conducted some sort of analysis of the pros and cons of acting unilaterally in the foreign state (Fägersten, 2008). For non-manipulative cooperation to occur (i.e. cooperation where the actors reveal their official affiliation and official functions (if not their real names), the *local* actors must be willing for the foreign officers to collect such information. Moreover, the decision to cooperate in information collection will generally be related to the enabling function of the local agencies: provision of human resources (security, translation), technical resources (transportation, food, lodging, microphones, official documents), funds, etc.

Technical Collection

Western intelligence cooperation is most frequent and formalised in the domain of *technical* collection (i.e. data and information collected via non-human means). In fact, permanent joint (i.e. pooled or shared) technical collection centres exist all over the globe. The main reason for this is that the collection of information *via* technical means (i.e. TECHINT) is expensive and requires long-term investments in specific geographic positions. Of course, intelligence officials can and do collect information from their territories and their embassies, but the placement of interception technologies at key locations ‘abroad’ can be even more effective:

goods go through specific air and sea ports; information goes through specific phone lines, fibre-optic cables and satellites; radar waves move in specific patterns (see Dover, Goodman, & Hillebrand, 2013, pp. 87-95; Greenwald, 2014, pp. 92, 98, 121; J. Richelson & Ball, 1985, p. 3).

During the Second World War (WWII), for example, the UKG's foreign intelligence agency ('SIS', formerly 'MI6') used its access to *Bermuda* to monitor outgoing US mail (Jakub, 1999, p. 199). After WWII, the CIA and the British Broadcasting Company (BBC) divided their labour in monitoring radio programmes *worldwide* (J. Richelson, 1988, p. 40; J. Richelson & Ball, 1985, p. 229). From 1974 to 1999, the GOF accepted to have a US Navy OMEGA navigation antenna placed on the island of *La Réunion* (Nouzille, 2009, p. 403; Proc, 2012). In 2010, the the US National Security Agency (NSA) (a military-civilian technical collection agency) received data collected by the UK's Government Communications Headquarters (GCHQ) at Widemouth Bay, near Bude, in Cornwall, i.e. where transatlantic telecommunication cables "emerge" (Harding, 2014, pp. 155-163). In 2013, the Communications Security Establishment Canada (CSEC) "opened covert sites at the request of the NSA", sharing its "unique geographic access to areas unavailable to the U.S." (Greenwald, 2014, p. 121).

The trade-off inherent to joint technical intelligence collection centres, namely the prioritisation of pooling, sharing and location over autonomy, is very similar *to those of military basing rationales*. In fact, armed forces (e.g. US Air Force) and intelligence agencies (e.g. CIA¹⁷⁴, NSA) are often located *on the same base* (e.g. Aviano) (D. Tucker, 2014, p. 71). After WWII, the NSA started using military bases in the UK, in the UK's remaining colonies (e.g. Hong Kong, Gibraltar)¹⁷⁵, in former UK colonies and dominions (e.g. Australia, New Zealand, Canada, Cyprus), but also in states such as Germany and Italy, to collect data moving through water, air and outer-space (Herman, 2001). The NSA's access to many of these bases was obtained through the UKUSA agreement (a.k.a. Five Eyes), which continues to legally bind the USG with the governments of the UK, Canada, Australia, New Zealand – broadly speaking the British Commonwealth (NSA, 2016), and third-party states such as Germany, Denmark and Norway.

An important factor to consider in relation to technical collection is obviously technological change. Radars were once the *nec plus ultra*, but then satellites were invented. And now fibre-optic cables matter the most. The USG, the GOF and other Western governments still invest in radar bases (Higgins, 2017). And the armed forces and intelligence agencies of the US, Russia and China use satellites to spy, sometimes *on other satellites* (Testé, 2016). But the most useful data currently passes not through air or space, but through *fibre-optic cables* (ODNI, 2012). In other words, location matters, but it matters in different ways as new technologies are created, diffused and used. Contemporary 'prime' TECHINT locations are the 'chokepoints' where data cables enter oceans (cf. Widemouth Bay, mentioned above). When the internet was first used, most of the traffic passed "through America", which contained much of the infrastructure of the internet, and much of the rest passed through Britain

¹⁷⁴ These centres can also be used to organise joint *human* intelligence (i.e. HUMINT) collection (e.g. renditions) (e.g. Gallagher 2016).

¹⁷⁵ The GCHQ still has interception equipment in Belize, Gibraltar and Oman (Thuillier 2000:193).

(Greenwald, 2014, pp. 107-108; Harding, 2014; The Economist, 2016). But as the internet's infrastructure is developed, *a smaller share* of total traffic is being routed through Western networks – in fact many governments are deliberately investing in cables that do not go through the US (Boyer et al., 2018). By 2014, “the proportion of international data passing through American and British fibres had nearly halved from its peak” (The Economist, 2016). And so technical collection such as the NSA and GCHQ agencies must now buy new buildings and find new partners across the globe, in Malaysia and India for example (Harding, 2014, pp. 155-163).

Because satellites and radars are decreasingly useful, in 2008 the GOF's General Directorate of External Security (Direction générale de la sécurité extérieure, DGSE), in cooperation with private telecommunication companies, started collecting telecommunication data passing through international fibre-optic cables at chokepoints in Marseille, Penmarch and Saint-Valéry-en-Caux (Jauvert, 2015). One year later, NSA officials suggested that France join the UKUSA agreement. The GOF's negotiator, Bernard Bajolet, accepted, on the condition that the GOF was a *secondary* party covered by a 'no-spy' agreement. NSA executives said they were in favour of such a deal, but CIA executives refused. In the end, US President Barak Obama sided with the CIA (Dover et al., 2013, p. 180). In March 2010, the NSA intercepted a call where the French ambassador to the US, Pierre Vimont, said French President Nicholas Sarkozy will soon meet Obama and “express his frustration that Washington has backed away from its proposed bilateral intelligence cooperation agreement” (NSA, 2010a). The CIA's 'refusal to not spy' can be explained 1) by a lack of trust in the DGSE to respect the deal, but also 2) by simple bureaucratic politics – the NSA would gain much and the CIA would lose much (on bureaucratic politics, see Allison & Zelikow, 1999; Bigo, 1996; Bourdieu, 2012).

A year after the failed US-French negotiations, French and British state officials agreed in a classified version of the 2010 'Lancaster House' defence treaty to share all the information going back and forth from the US, India, South-East Asia, and Western Africa *bilaterally* (Jauvert, 2015).

The on-going UKUSA agreements are interesting because the NSA and the agencies of the secondary parties just mentioned *divide their technical collection labour*, and pool the fruits thereof (R. Aldrich, 2010; Dover et al., 2013, pp. 87-95; J. Richelson, 1988, p. 40). In other words, in addition to obtaining access to specific sites, one of the benefits of such cooperation is an increase in the number and type of foreign-language speakers available (Hamilos, 2013; NSA, 2007a). As the primary party, the NSA is responsible for (and thus controls) training and indoctrination; in exchange, the NSA subsidises the other states' programmes (Harding, 2014, pp. 158-159; J. Richelson & Ball, 1985, pp. 7-8). Similarly, *tertiary* UKUSA agencies regularly conduct telephonic and electronic surveillance and pass the data to the NSA, which in turn shares the analytical results (i.e. intelligence) (Hamilos, 2013) – the GOL, for example, cooperates with NSA more than the GOF does (Luxemburger Wort, 2013). But data is not the only TECHINT resource pooled and shared – TECHINT *staff* are also pooled. UKUSA joint staffs, for instance, are found across the world (e.g. Cheltenham, Frankfurt, Istanbul, Hong Kong, and Tokyo) (Dover et al., 2013, p. 93; Gallagher, 2018b; Harding, 2014, p. 162; J. Richelson & Ball, 1985, pp. 156, 171).

“When intelligence officers smell flowers, they look around for a coffin” (Brennan, 2016). Through this joke, former CIA Director John Brennan was arguing that the essence of the intelligence profession is to foresee catastrophe (for a similar philosophy, see Virilio, 1998; Virilio & Petit, 1996). The paroxysm of this mentality is found in *counterintelligence* officers, who are trained to see the worst in things. Such, an attitude, however, should not be confused with paranoia. An added benefit of the UKUSA agreement is that the USG and the secondary parties have also agreed to *not* spy on each other (Lowenthal, 2006, p. 205), and yet they break this agreement (Harding, 2014, p. 87; J. Richelson & Ball, 1985, pp. 102, 111, 119, 261-262). According to the NSA’s Central Security Service’s¹⁷⁶ policy guidance, UKUSA cooperation gives partners (and thus third-parties) the opportunity to “infiltrate” USG ICT systems. Thus, before the NSA accepts a foreign state and its agencies as a partner, NSA officials (try to) determine whether the foreign agencies are capable of protecting “US classified information”, and whether the foreign agency in question has the will and the capability to conduct “network attacks” on the NSA’s ICT systems. In short, NSA officials conduct a threat assessment.

UKUSA cooperation also requires officers to be deployed abroad. NSA officers go to Europe and European officers go to the US and to USG bases (on liaison officers, see section 2 below). When this occurs, socialisation invariably takes place (Harding, 2014, p. 163). In Spain, for example, UKUSA counterterrorism officers (from the US, secondary states, and tertiary states, including France – “which the NSA sometimes refers to as the ‘14 Eyes’”) were offered an “a nice tour of Madrid on the bus ride departing work” and “an exceptional hosted dinner (with opera singers providing the entertainment)” (Hamilos, 2013; NSA, 2007a). Such socialisation represents a risk for an intelligence agency, i.e. a co-option risk – co-option by the partner agency or even by a third party *via* the partner agency.

So, whereas second and third UKUSA parties have abandoned some material resource autonomy (e.g. land, bases, buildings), some hierarchical autonomy (adoption of US standards, US training, NSA leadership of senior-level meetings, etc.) and much decision-making autonomy (e.g. difficulty of corroborating US intelligence reports), *the NSA* has also lost some decision-making and hierarchical autonomy. Not only is the NSA expected to follow its own norms (e.g. common standards, no friendly spying, sharing of analyses, etc.), but it is also partially dependent on others’ information, others’ linguists, and exposed to the co-option of its secondees, liaisons and trainers.

Human Collection

Human intelligence is a bit of a misnomer. As in most professions, most intelligence work today involves *humans operating machines*. Since the ICT revolution, few intelligence tasks are technology free, be they done by the spies or the spied. The distinction between technical and human intelligence is merely *the location of officers or agents* (i.e. whether they are *in situ*). In other words, the only difference between TECHINT and HUMINT is the distance

¹⁷⁶ The CSS deals with tactical-level SIGINT and cryptology for both military and civil purposes.

between the information thief and the information. Human intelligence collection is ‘up close and personal’.

Take, for example, an intelligence collection activity conducted by the GCHQ, MI6 and the NSA (whose decryption specialists were in North Yorkshire) during the April 2009 G20 finance meeting *in London* (The Economist, 2015). Although the GCHQ was monitoring ‘live’ the meta-data of all delegates’ cellular phones and obtained “advance copies of G20 briefings to ministers”¹⁷⁷, GCHQ and MI6 set up *cyber-café*s around the summit to obtain private log-in information (e.g. usernames, passwords) (MacAskill, Davies, Hopkins, Borger, & Ball, 2013). As long as this information was not changed by its ‘owner’, intelligence officers could use it to answer all sorts of questions ‘tasked’ by respective governments – the UKG’s intelligence agencies used this method around mosques known for their radical interpretations of Islam.

Literally *stealing* secrets is often the most efficient method of all. French intelligence officers, for example, are known for entering hotel rooms to steal goods, photograph documents and download data from laptops. In 1964, for example, French President Valéry Giscard d’Estaing had DGSE (then called SDECE) officers ‘bug’ a US trade negotiator’s room at the Hotel Majestic in Cannes (J. Richelson, 1988, p. 160). In fact, an intelligence officer even stole documents and returned them while the negotiator, George Ball, was sleeping in the room. Similarly, having other people steal (*via* co-option, for example) is also a type of human intelligence collection. For example, after WWII the CIA allegedly had the French counterintelligence agency (Direction de la Surveillance du territoire, DST, now part of the DGSI) bug a meeting between Cuban President Fidel Castro and *French* President Charles de Gaulle meeting in France (J. Richelson, 1988, p. 176).

Obviously then, unilateral information theft, either by staff or agents, is an alternative to bi- or multilateral information sharing. Complicating matters is the fact that cooperation entails the possibility that some of the partner agencies’ staff have been co-opted by *third* parties. As seen with UKUSA partnerships, intelligence officers considering joint human intelligence collection must always consider the partner’s professional competence, and specifically the *counterintelligence* risks of such cooperation (Fägersten, 2008). When it comes to human intelligence collection, “corruption is a problem everywhere” (Farson, 2008, p. 4).

For example, when in 2010 the French DGSE and Directorate General of Internal Security (DGSI) cooperated with Israel’s external intelligence agency (Mossad) to gain information about the Syrian Armed Forces’ chemical weapons, they also collected information about *each other*, and after the mission was accomplished even tried to co-opt (i.e. ‘turn’)¹⁷⁸ each other (Follorou, 2017). Similarly, each time NATO member states (MS) consider increasing intelligence cooperation or merely admitting a new member state, they must determine whether potential participants have been ‘infiltrated’ by a third party (*via* co-option or *via* ICT systems).

¹⁷⁷ They were especially interested in Turkish delegates’ calls, “to establish Turkey’s position on agreements from the April London summit”.

¹⁷⁸ The intelligence metaphor to turn, and the attendant medieval military term ‘turn coat (of arms)’, appropriately refer to the idea of switching from one intersecting role to another.

Like the chief executive officers of the largest multinationals, heads of government and intelligence agency directors must consider the many risks of outsourcing: the quality of the work might be poor, methods and intellectual property could be lost, opportunity costs will be endured, and the other party's employees will have to be vetted. On the other hand, outsourcing could increase efficiency, effectiveness and expediency. Indeed, cooperation in human intelligence collection can be more efficient and expedient, and thus more effective, at least in terms of data collection. One inconvenience with 'running' agents is that such methods *take time* (L. K. Johnson, 2007, p. 8; Sims, 2006, p. 203). Consequently, dividing labour between states and their foreign and domestic intelligence agencies can be even more efficient than dividing TECHINT collection (see P. Gill & Phythian, 2006, p. 71).

Another advantage of collection cooperation, in general, is that it removes what game theorists call 'the shadow of the future': cooperation avoids the *political costs* of unilateral actions (e.g. official complaints, expulsion of diplomats, refusals to cooperate, etc.), lest they be discovered – these are all in effect a type of 'blowback', which systems theorists call 'negative feedback'. In other words, favouring 'friendly' spying over cooperation also carries risks, but of a different, more strategic, long-term nature. In Bourdieusian terms, one could say that stealing a partner's cultural capital might entail a loss of social capital – everything has its cost.

Finally, to the list of the functional benefits of joint human intelligence collection one can add more lenient legal 'environments' and increased *agency* autonomy. The GOF's lax intelligence oversight laws, for example, are the main reason the CIA, the DGSE, the BND, and the CSIS intelligence agencies decided to create a common Counterterrorism Intelligence Centre (CTIC) (i.e. a joint venture) in the old SDECE headquarters in Paris, renamed 'the Alliance Base' (R. J. Aldrich, 2009c, pp. 124,131,135; Nouzille, 2015, p. 276). The base – which was headed by the former DGSE station chief of Washington, DC – was dedicated to the collection of tactical information¹⁷⁹ concerning suspected terrorists, and their subsequent kidnapping, rendition and interrogation (Nouzille, 2015, pp. 276, 297). The base was funded by the CIA and in 2007 had about 100 staff – the CIA also created a CTIC in Romania. Similar arguments could be made for the torture of prisoners at the US Navy base *in Guantanamo Bay*, and the torture of prisoners *in states such as Egypt*. Lax laws and 'room to manoeuvre' can be found all over.

One of the legal advantages (to the UKG) of the UKG ending its membership of the European Union (EU), is that the UKG will no longer be expected to respect the Charter of Fundamental Rights of the European Union¹⁸⁰, which legally restricts the use of mass (i.e. bulk) surveillance.

¹⁷⁹ Data, information and intelligence (information for short) can be divided into two types: strategic and tactical (Gill and Phythian 2006:85, Johnson 2007:1, Laurent and Forcade 2005:32-34). Strategic information concerns governmental policies. It is generally vague and not time sensitive. Reversely, tactical (i.e. actionable) information is focused on specific cases, persons and actions, and as such is time sensitive. The distinction is important because different types of agencies share different types of information. Because the strategic information tends to have less secret and personal information, it is also more freely shared.

¹⁸⁰ Of course, the UK's *Council of Europe* membership will continue after the end of its EU membership, but it should also be noted that 'exiting' the EU is a prerequisite for exiting the Council of Europe – 'Brexit' facilitates

A counterfactual example is found in Luxembourg. When Microsoft's Skype was accused of cooperating with the NSA, the GOL's data protection commissioner had the authority to conduct the investigation because Microsoft *was headquartered in Luxembourg* (Gallagher, 2013).¹⁸¹

And yet, because intelligence as a profession is based on a utilitarian approval of instrumental norm infringement (e.g. the DGSE's motto is "wherever necessity makes law"), it is difficult to create inter-state organisations (e.g. CTICs) or formalised rules guiding joint human intelligence collection. Overall, the desire for *autonomy* is the main reason firms and intelligence agencies prefer short-term, *ad hoc* arrangements to long-term, formalised cooperation, over even integration. The DGSE's website, for example, explicitly says it tries to "preserve its autonomy" by avoiding *joint* data collection (DGSE, 2002). Consequently, like captains steering a ship, intelligence agency directors must balance the various costs and benefits of unilateral, bilateral and multilateral human intelligence collection.

Another consequence of this paucity of formal inter-state agreements and organisations is that national and transnational *norms vary widely* – i.e. the profession is still under construction. Consider transnational *law enforcement-intelligence* cooperation, for example. In 1966, the Federal Bureau of Investigation (FBI)¹⁸² was already sharing information with the SRE (Arboit, 2016b, p. 231). More recently, the German *external intelligence* service (BND) overtly helped Europol create an automatic translation software (R. J. Aldrich, 2004, p. 742). And yet, even today, the CIA would never cooperate with Europol, even to help identify 'foreign fighters' (Interviewee B, 2016).

Three trends in joint intelligence collection

Looking at the *longue durée*, three trends could lead to a reduction in conflict between Western states, thus facilitating *joint intelligence cooperation*. The first noticeable trend is functional differentiation:

Intelligence and intelligence cooperation are not to be thought of as a homogenous block, but as differentiated according to tasks and purposes (Bjorn Müller-Wille, 2008, p. 56).

Moreover, transnational specialist *contacts* appear to be increasing (Nomikos, 2010). As intelligence agencies split collection activities according to regions, topics or targets, it becomes easier to "delink" issues (R. J. Aldrich, 2009c, p. 122). Organisational specialisation

'ECxit'. In 2016, Theresa May said the UK should leave the Council of Europe and its convention, saying that it "can bind the hands of parliament, adds nothing to our prosperity, makes us less secure by preventing the deportation of dangerous foreign nationals"; and the UK Conservative Party has stated that "consideration would be given to the UK's "human rights legal framework" when Brexit had been concluded" (Boffey 2018). Complicating matters is the fact that future UK-EU treaties, concerning both economic and security cooperation, might include human right provisions, including respect of the European Court of Human Rights (Boffey 2018, Greer 2017).

¹⁸¹ Microsoft was cleared of the accusations.

¹⁸² It is interesting to note that the person who founded the original FBI (the Bureau of Investigations (BOI)), Attorney General Charles Bonaparte, was the great nephew of Napoleon Bonaparte (Johnson 2007:44).

can also lead to the creation of *specialised officers and professions* (R. J. Aldrich, 2009c, p. 125). When personal contacts are limited to officers with shared professional interests and knowledge, co-option becomes less useful, which in turn reduces the need for counterespionage.

During the 1956 Suez crisis, for example, the CIA continued to share TECHINT with the SIS (Herman, 2010, p. 19; Lucas & Morey, 2000, p. 110). Similarly, in 2003 GOF and USG intelligence officers managed to have their tactical intelligence cooperation (concerning Al Qaida in Afghanistan, for example) endure governmental, diplomatic and military disagreements about the invasion of Iraq (Denécé, 2014, p. 32; Interviewee F, 2016; Nouzille, 2015, pp. 260-270, 309). The two states' intelligence agencies have also cooperated in *nuclear weapon design* and *counterterrorism*, all while publicly disagreeing on issues such as NATO, economic espionage and diplomatic eavesdropping (Bourliaguet, 2016; Bozo, 2012, pp. 126-127; Mélandri, 1994) (on dual-track games, see Clarke & Johnston, 1998, p. 417). In many ways, it is the intelligence agencies' *informational interdependence* that encourages such dual-track games (i.e. 'turning a blind eye') (Follorou, 2018a).

If Western governments with foreign intelligence agencies (e.g. USG, UKG, GOF, Government of Germany (GOG)) ever significantly reduce 'friendly spying', they might even start asking allies to increase not just their defence budgets, but also their *intelligence* budgets.¹⁸³

[...] The counterpart to more effective counter-intelligence exchanges between governments is some scaling-down of their intrusive intelligence collection on each other, particularly on economic and other intelligence not bound up with national security. In the long term, there is incompatibility between seeking closer cooperation with foreign states and continuing to spy on them (Herman, 2001).

The second noticeable trend is that despite openness allowing companies to be increasingly (legally, financially and physically) multinational, economic and industrial espionage by states continues, even amongst friends. The CIA obtained its first section dedicated to economic intelligence analysis in 1951 (L. K. Johnson, 2007, p. 164). By 1996, conflict with the USSR/Russia had declined and about one third of CIA analysts were solely dedicated to economic issues (which includes the monitoring of dual-use goods and of sanction evasion efforts) (Herman, 2001, p. 6). Since then the CIA and the NSA have not stopped trying to steal secrets about trade negotiations and procurement bids (e.g. in the electronics and aeronautics industries) (Woolsey, 2000).

In 2006, the NSA deemed France to be an important economic and trade "concern", justifying for example, the placing of "implants" (microphones, etc.) in the French embassy in Washington, D.C., and the recording of its landline phone calls (Greenwald, 2014, pp. 138, 145-146). In 2012, US intelligence agencies were collecting secret information on "French contract proposals or feasibility studies and negotiations for international sales or investments in major projects or systems of significant interest to the foreign host country", especially to compete against French defence companies for export contracts (Follorou, 2018b; NSA, 2012). And in 2015, the NSA and the BND were cooperating to steal secret information from both the European Commission and Airbus (Wagstyl, 2016). However, it is

¹⁸³ For now, CIA officials do not seem to be accusing the DGSE of free-riding.

not evident that the USG gives trade secrets to specific 'US' companies – the USG claims it does not, lest it give unfair (domestic) advantage (Woolsey, 2000). For example, in 2014 CIA Director Robert Gates alleged that every time he tried to pass stolen secrets to defence companies (e.g. on other states' infrastructure), Department of Commerce officials ruled against it (CFR, 2014) – n.b. some intelligence scholars are not convinced (Clarke & Johnston, 1998, p. 424).

In 1980, the DGSE created a special *economic espionage* branch – as mentioned in section 1, *the DGSI* takes care of all counter-economic espionage, except relating to defence companies, which is done by DRSD (DGSI, 2015). In January 2016, the French Ministry of Economy (known as Bercy, a Parisian neighbourhood) issued a decree creating a small unit intended to deal with "strategic information" and "economic security" (SISSE, 2016). This unit was created to improve the "protection and promotion" of France's "economic sovereignty" and industrial and scientific interests. It is not (yet) clear which companies and industries are deemed of strategic interest (Dupeyrat, 2016). The unit's 24 analysts will compile a list of "technologies and industrial processes that are vital to France's security" (Chassany & Stothard, 2016). The expected outcome is that "French" companies will become more competitive (Carpentier, 2016).

The recent creation of an economic intelligence organisation is somewhat surprising, for only the most national of national companies (e.g. some defence companies, small-sized technological innovators, etc.) would merit public industrial espionage and counterespionage. In other words, aiding and protecting multinational companies might be counterproductive. Currently, larger 'national' firms have their own industrial (counter)espionage capabilities, often obtained by employing former intelligence officers seeking to earn higher wages by selling their know-how and connections (see section 3 below) (Brodeur et al., 2003, p. 6; Denécé, 2014, p. 30; Westerfield, 1996, p. 549). In theory, assisting these not-so-national firms would not be an efficient policy. Indeed, as corporations' business between businesses (B2B) increases, corporations of strategic important *to one state* are few (Ruggie, 1998, p. 196). Similarly, as companies become multinational and 'value chains' become global, losses and gains vis-à-vis employment, taxation and resources accrue *at the task level*, and no longer at company or sector level (R. Baldwin, 2016; The Economist, 2007). In theory, economic liberalisation ought to reduce "the need for economic espionage", at least within trade blocks (Clarke & Johnston, 1998, p. 417; Fort, 1993; Wirtz, 1993, p. 551). Reversely, as trade 'wars' grow, and companies abandon global supply chains, economic espionage and similar neo-mercantilist practices might increase.

The international nature of most markets and the growth of private counterespionage might explain why, in 2012, the GOF – known for its spying on the US DOD – was not one of the USG's top *counterintelligence* targets (Greenwald, 2014, p. 125; ODNI, 2012).¹⁸⁴ It might also explain why Luxembourg's SRE recently decided to prioritise countering terrorism over countering economic espionage, and this despite Luxembourg having a large banking sector and hosting the legal headquarters of many MNCs (Heck, 2015). Of course, most large states continue to spy on each other's industries. Beyond a desire to help and protect 'domestic'

¹⁸⁴ Interestingly, Israel was.

firms against rivals and a desire to obtain leverage in trade negotiations (e.g. G7 meetings, Brexit negotiations, defence export contracts), the continued existence of specialised economic units within Western intelligence agencies might be due to the incidence of economic and industrial espionage by *non-Western* states, such as China, and the desire to conduct economic espionage against *non-Western* companies.

The third noticeable trend favouring cooperation is that openness is increasing the quantity and quality of *publicly* available (i.e. open source intelligence, OSINT) information (Alvarez, 2006; The Economist, 2015, 2016). As governments become more transparent (e.g. providing access to state statistics), private corporations collect and *sell* data, and NGOs and the media conduct investigations, the need for intelligence agencies *qua* stealers of secret information decreases (Best, 2008; Stalder & Hirsh, 2002; R. D. Steele, 2007). In other words, the ICT revolution has *reduced* (but not eliminated) the (perceived) need for ‘the last resort’, be it unilateral or in cooperative. Secrets will always exist, and information will always have to be verified and compiled, but the increasing quantity and quality of OSINT means intelligence agencies will decreasingly focus on collection, and increasingly focus on *analysis*.

In fact, intelligence agencies currently collect so much TECHINT (including open-source data) that, even with private sector contracting, they cannot decrypt, translate and analyse it all (Denécé, 2014, pp. 33-26; Thuillier, 2000, p. 136) (on information overload writ large, see Géré, 1998). One solution would be to pool the information and divide the labour, as is already done between the UKUSA agencies. Thus the future might functionally require more *data analysis* cooperation, which would entail creating even more interdependencies (see section 2 below).

Covert Operations

“Our objective is discrete effectiveness. This will lead to even better cooperation” – French President Francois Mitterrand speaking to US President Ronald Regan about allowing US nuclear submarines to dock at French ports (Nouzille, 2010, p. 42).

The terms clandestine and covert operations refer to the operations domestic and foreign intelligence agencies conduct with a goal other than information collection. Of course, this distinction is not always clear. Renditions, for example, could be considered a type of covert action, but since one of the goals of these state kidnappings is often the acquisition of information, they can also be placed under the rubric of information collection.

Some authors argue that distinction between clandestine and covert operations simply denotes whether intermediaries (i.e. proxies) are employed. David Tucker, suggests that the terms clandestine and covert *also* distinguish whether *the result* of an operation is kept secret, i.e. in clandestine operations the victim does not immediately realise what occurred (D. Tucker, 2014, p. 73). But the use of intermediaries and the secrecy of an action and its results are not necessarily related. A rigorous terminology would have to distinguish 1) the actors (officers vs. proxies), 2) the *post facto* detection of the event (known/unknown action); and 3) *post facto* detection of the chain of command (plausible denial/implausible denial). The

use of such distinctions in the study of intelligence cooperation is *not* evident. ‘The great game’ is rarely limited to two players. Even when intelligence agencies do not directly use proxies, they can have manipulation in mind. And even when only two organisations are interacting, the relationship can be fraught with mendacity and manipulation.

For example, an intelligence officer (i.e. the principle) from state X can secretly interact with a person (i.e. the agent) in state Y, asking the agent to perform an act. In this case, state X is acting by proxy, and for some this would be an example of a ‘clandestine’ action. But complicating matters is that fact that the principle can (seek to) manipulate the agent by 1) not revealing the end-goal and 2) *using a false identity* (e.g. saying she works for state Z). Here no third party (i.e. Z) is actually involved, but should the act become public, the actual chain of command might never be discovered. When the cover identity of the manipulator (or of the agent) is *maintained*, the operation is called a ‘false flag’ operation.¹⁸⁵ Further complicating matters, however, is the fact that the undercover principle might be trying to alter the agent’s relations with a third or fourth party. Such tactics are used in *cyberattacks*, for example (Pihelgas, 2015). To keep the terminology as simple as possible, in this chapter ‘covert action’ is used as a general term to refer to all actions by intelligence officers where the end-goal is *not* related to the theft of secrets.

Although the information, prognostics and predictions intelligence analysts present to government officials do not necessarily lead to covert operations, most covert action is enabled *via* stolen secrets (Lowenthal, 2006). And like the theft of secrets, covert action is often considered ‘the method of last resort’ (P. Gill & Phythian, 2006, p. 63; Lustgarten, 2003, p. 322). In fact, covert action is often used *instead* of overt warfare. So, as much as state officials resort to war when diplomacy and sanctions fail, they also often resort to covert action when warfare appears unfeasible or potentially counterproductive. Besides questions of size, speed and the agency in charge, the main difference between covert action and warfare is that the former is done covertly, deniably. Intelligence officers can also be asked to conduct covert action to avoid the use of national insignia, i.e. to make deniability plausible. One reason to avoid using national symbols is related to public relations and international norms. When US officials wanted to assist the government of Soudan, for example, they believed the insignia of US troops would give Libyan officials too much “propaganda” material (Nouzille, 2010, p. 97). This reasoning led the US officials to ask *the CIA* to provide military assistance and equipment. Covert action is also used when the mission is clearly illegal in international law or in a state’s domestic criminal law. This is why, for example, intelligence officers often replace Special Forces after a publicly acknowledged mission is officially ended (cf. below on the UK in Yemen and above on France in Libya). Thus, *in the state where it occurs*, covert action is often best defined as a *crime organised by another state* for ends other than the theft of secrets.

This said, the main reason intelligence officers generally conduct covert action is because, *unlike the armed forces*, they have specialised in covert illegal action. Their profession consists in manipulating *via* lies, deception and secrecy (see L. K. Johnson, 2007). Within their covert

¹⁸⁵ When pirates do not fly their ‘true’ colours, the *ruse de guerre* is called a ‘false flag’ tactic, but obviously the other vessels soon realised the pirates’ true identity (Thomas 1993:80).

action units, some intelligence officers (usually military veterans) specialise in specific types of covert action, such as insurgency, counterinsurgency, assassination, sabotage, hacking, propaganda, trafficking, fraud, etc. (on covert action *via* the internet, see Guibert & Untersinger, 2018). Of course, each state organises its intelligence agencies in a particular manner, mixing legal, geographic, functional and technical competencies in a delicate division of labour, but the general point is that *what distinguishes these specialisations from those found in the armed forces or the police*, is their ability to fulfil such diverse responsibilities covertly, often in breach of one or several states' laws.¹⁸⁶

As with joint inter-state information collection, the main reason for joint covert action is that states and their intelligence agencies often *lack* specific resources required for effective covert action (on resource dependence, see chapter 3). One government will lack an embassy (and related cover stories, diplomatic pouches, and supposedly secure ICT). Another government will lack a specific cultural and social 'capital' (e.g. fluency in a language or dialect; historical and bureaucratic knowledge; relations with local politicians, businessmen, journalists, activists, criminals¹⁸⁷, informers, etc.). A third state might lack a specific human capital (i.e. know-how, competency) required for the planned covert action (e.g. cyber disruption, insurgency, counterinsurgency).

Michael Hayden, a former director of the NSA and the CIA, has argued that whereas the CIA is global, large and tech-savvy, its partners are local, focused, agile, and culturally and linguistically smart (Hayden, 2016, p. 313). One senior CIA official, for example, said that because the MI6 had *region-specific* resources, most "actionable intelligence" for killing "high value targets" in Yemen (e.g. names, address, current location, cell phone numbers) mostly came from the SIS, and not the CIA:

The British have been in Gulf states for decades. They have a reservoir of knowledge, contacts, and expertise that is very important (Shabibi & Watling, 2016).

More prosaically, an internal (i.e. domestic) intelligence agency will have the *legal authority* to access information or use powers of arrest. And *as in law enforcement cooperation*, 'going through' other states can reduce parliamentary oversight in the 'home state' (R. J. Aldrich, 2004, p. 733; Born et al., 2011, 2015; Den Boer et al., 2008; P. Gill, 1994, pp. 66, 325; Claudia Hillebrand, 2013; Mayer, 2014; O'Reilly, 2010).

¹⁸⁶ Unlike their intelligence collection colleagues and law enforcement officers' writ large, covert action officers mostly seek to *prevent* actions from occurring (Lustgarten 2003:328-30). They are to be more proactive than reactive.

¹⁸⁷ Although intelligence agencies devote significant resources to counter insurgencies, terrorism and organised crime, they also regularly cooperate with violent criminal non-state organisations. Such cooperation sometimes leads to 'blowback' (Clarridge and Diehl 2009, Coll 2005, Der Derian 1992:110, Gill and Phythian 2006:55, 102).

Examples of Joint Covert Action

- SRE officers helping the USG, GOF and UKG form covert ‘stay behind’ NATO forces in Luxembourg (Nouzille, 2015, p. 51);
- CIA and SIS officers conducting joint operations in Albania and Iran (J. Richelson & Ball, 1985, p. 229);
- US military officers providing “logistical help” to French intelligence agencies parachuting “émigrés” into Eastern Europe (J. Richelson, 1988, p. 163);
- Australian foreign intelligence agency (ASIS) officers giving embassy assistance to the CIA in Chile (J. Richelson & Ball, 1985, p. 304);
- French intelligence officers conducting assassinations at the request of Government of Morocco (J. Richelson, 1988, p. 167);
- US, French, German, and Portuguese intelligence officers promoting coups and circulating counterfeit money in Guinea (J. Richelson, 1988, p. 167);
- BND officers providing French intelligence officers with actionable intelligence to assassinate arms merchants/traffickers (Nouzille, 2015, p. 36);
- French DGSE officials and US DOD officials coordinating military signals intelligence and covert action (in person and *via* mercenaries) to help Chadian government officials counter an insurgency (Nouzille, 2010, p. 102).
- US, British, French, Italian, Egyptian, Qatari and Emirati special forces and intelligence officers (repeatedly) conducting assassinations and enabling insurgencies in Libya (Guibert, 2016; Nouzille, 2010, pp. 90, 97; 2015, p. 307; J. Richelson, 1988, p. 181);
- French and US special forces and intelligence officers assassinating ‘high value targets’ near Djibouti and Niger (Nouzille, 2015, pp. 8-14);
- French and US military and intelligence collaborating to free a French DGSE officer in Somalia (Nouzille, 2015);
- SIS officers collecting “actionable” intelligence on individuals to assassinate and then providing this intelligence to the CIA (see above), and providing, *via* seconded reconnaissance soldiers, intelligence training to Yemeni officials (Shabibi & Watling, 2016);
- Romanian Foreign Intelligence Service (SIE) officers lending their language skills to the CIA for Russia-focused operations (Interviewee G, 2016).

Thus joint covert operations range from coordination and information sharing to collaboration ‘on the field’. But as the list above shows, these cooperative practices often all require ‘boots on the ground’, in the form of intelligence *and* defence liaisons and trainers, relaying information and orders from state headquarters, and occasionally domestic intelligence officers providing logistics and legal authority.¹⁸⁸

¹⁸⁸ Of course, the argument here is not that all covert action, by US intelligence officers for example, is done with the assistance of other Western states. The examples simply indicate that joint covert action does occur, and

The above list also shows that joint covert operations do not only occur during inter-state armed combat (i.e. war), but also take place in zones of 'peace', even on the territory of Western states, sometimes without the consent of the state in question, and occasionally without informing co-national colleagues. Poor intra- and inter-state coordination has even led to situations where 'allied' agencies are unintentionally 'conflicting' (see Nouzille, 2015, pp. 25, 201; J. Richelson, 1988, p. 161). Thus, whether they be collaborating in an integrated manner, cooperating *via* division of labour, or simply coordinating their actions, 'deconflicting' is a major justification for joint covert action (Westerfield, 1996, p. 531). Beyond this, state officers and their intelligence officers will have very different reasons for accepting or refusing to cooperate in a specific covert action. In fact, officers from the same state will often disagree. Such disagreements are sometimes due to bureaucratic rivalries, but they can also be due to ethical and strategic considerations (Nouzille, 2015, pp. 260-269).

Concerning autonomy, the same conclusions made for joint intelligence collection can be made for joint covert action. Just as the worst scenario for a government is when it does not have any means to *collect information* about a specific question and is *completely dependent* upon others for its information needs (Herman, 2001, p. 207), the worst scenario for a government is to not be able to act at all.

Thus, the empirical question is whether domestic and foreign intelligence agencies are capable of conducting covert action *without the help of the foreign partners*. Oftentimes, real 'front' companies and non-official cover (NOCs) officers are used to *ship* goods, money and personnel (or even to collect intelligence). A front company in Luxembourg, for example, can be used to send arms and salaries to mercenaries in Africa (Nouzille, 2015, p. 135). But often, intelligence agencies *cannot* conduct covert action independently – they need others (on the functional need for transnational cooperation, see Clarke & Johnston, 1998, p. 429; Denécé, 2014, p. 32; L. K. Johnson, 2007, p. 83; Björn Müller-Wille, 2004, pp. 5, 11; Björn Müller-Wille, 2008). Consequently, some autonomy must be relinquished. Missions must be negotiated; command and control delegated; information and equipment shared.¹⁸⁹

As always, the US, a resource-rich state, provides the least-likely case. The highest officials of the mighty USG IC, whose annual civilian intelligence budget is roughly equal to Luxembourg's GDP (see section 1), admit that "virtually every capture or kill of suspected terrorists" has been thanks to the help of foreign intelligence agencies (R. J. Aldrich, 2009c, p. 131; ODNI, 2016). Consider the CIA, for example. It has always done much of its covert action alone. Just as French agents have regularly killed individuals in European states without informing their local colleagues, CIA officers have often conducted covert operations unilaterally, i.e. without local approval – when discovered, this usually results in the CIA station chief becoming *non grata*, even when local officers were *not* the target (R. J. Aldrich, 2009c, p. 136). This said, *even CIA officers* perceive not only a legal need for transnational joint covert action, but also

help understand why. Reversely, academic, investigative and professional accounts of covert action are replete with examples of occasions where assistance was requested (say from the USG to the GOF), but denied (e.g. Nouzille 2010: 90-106). The study of *non-cooperation* between Western states and their security organisations would be a good companion piece to this thesis (see chapter 7).

¹⁸⁹ Due to the secretive nature of joint covert action, the symbols of national identity may be preserved.

a *functional* need. CIA officers need former employees, domestic and foreign businessmen, and domestic and foreign criminals (e.g. Floridian, Sicilian and Corsican organised crime), and cooperative or co-opted (i.e. corrupted) foreign officials, for these individuals have access to resources that the CIA lacks (e.g. The Economist, 2012). Since 1989, “a country alone cannot deal with [asymmetrical] threats” (Interviewee G, 2016).

The main reason for such dependency is openness. Overtime, openness has affected joint covert operations in three ways. First, because open states are easily accessible and usually more economically developed, Western officials (and prospective employees) generally know more about open states and generally would prefer to work in open states (see Wirtz, 1993, p. 524). The lack of access, the lack of area expertise and the undesirability of postings means that Western intelligence agencies that want to operate in closed states are greatly dependent on locals (and their region-specific capital). Second, before the ICT revolution, it could be said that openness enabled unilateral covert action. It was relatively easy to create false identities and life stories (i.e. legends), based on false documents and other personal items, false corporations, false phone numbers, etc. Similarly, weapons, funds and communication could easily be transferred without a trace.

One would think that the ICT revolution would further facilitate ‘action at a distance’, but this is not the case. To the contrary, the ICT revolution has made covert action more difficult. Digital lives hamper both cover and legends (Brookings Institution, 2016). Much of this information (e.g. social media, travel records, employment and credit history) is ‘open source’ (OSINT). Biometrics are even harder to fake and can be used to identify individuals *via* the automatic analysis of closed-circuit television images, along with internet, satellite, and drone images. As intelligence officers know too well, no database is totally secure. Every time information from government agencies (or their commercial contractors) is hacked, sold or leaked, foreign intelligence agencies (and criminal enterprises) are able to use this information to identify intelligence officers, their colleagues and agents (Hanauer, 2016; The Economist, 2015). Of course, all of the above affects *non-state* actors (organised crime, terrorist organisations, environmental activists, lone wolves, etc.), but it is far easier for them to use older technologies, such as short-wave radios, couriers, or even just the postal system (Alvarez, 2006). Intelligence agencies can and do use couriers and the post office, but removing all openness-related electronics from operations would greatly reduce efficiency and effectiveness. The result is that using locals and their already existing organisations is far more facile.

Data Sharing and Analysis

Surveillance without communication is useless (Virilio, 1984).

When states pool and share resources, they can no longer do with them as they please. This applies to intelligence collection and covert action, but it also applies to information sharing

and analysis. During WWII, for example, the USG's external intelligence agency (the Office of the Coordinator of Information (COI), then OSS, now CIA) was completely dependent on the MI6's global communication system. Moreover, as mentioned above, if a state has only limited intelligence collection capabilities, then it will be very difficult to determine the veracity of secret information shared by another state.

The main danger in data sharing and joint analysis is the loss of autonomous decision-making. Counterespionage officers are the most aware of this danger, for avoiding foreign influence, disinformation and manipulation is their *raison d'être*. They seek "self-sufficiency and the autonomy of judgement" (Dunn Cavelty & Mauer, 2009, pp. 134-138; P. Gill, 2012; Vander Beken & Verfaillie, 2010; Warner, 2008, 2012; Westerfield, 1996, p. 552).

Indeed, when intelligence officers share data, information and intelligence, they may unintentionally influence another state's policy-making, and unknowingly provide false or incomplete information. But intelligence officers can also *intentionally* manipulate policy-making, and deliberately provide false and incomplete information (Björn Müller-Wille, 2004, p. 16; James I. Walsh, 2006, pp. 628-629).

So as much as relevant and timely information may help the recipient better control its 'environment', the transmission of information might also help 'the environment' control the recipient. The dual nature of all information, both enabling and potentially disabling, can be found in all types of information sharing, but is particularly present in intelligence sharing, where manipulation is the name of the game.

The 9/11 Commission, for example, said the US IC needed a better balance of unilateral and liaison operations (P. Gill & Pythian, 2006, p. 77). This is difficult, for *via* cooperative agreements such as UKUSA US officials have "access to intelligence that they would not otherwise be able to acquire" (Herman, 2010, p. 18; J. Richelson & Ball, 1985, p. 6). In relation to information sharing and analysis, what matters autonomy-wise is whether the state has 1) an independent analytical capability and 2) multiple sources of information (which facilitate corroboration) (Thuillier, 2000, p. 132). After all, even small states such as Luxembourg have 1) an intelligence service, 2) non-intelligence agencies collecting 'OSINT', 3) multiple foreign partners, and 4) many private-sector sources.

Summits, Conferences and Workgroups

Bilateral and multilateral summits – which in addition to heads of government and ministers often include several heads of agencies (intelligence, armed forces, diplomacy, etc.) – can be used to share information and declare intentions (e.g. Nouzille, 2010, p. 134). They occasionally lead to the agreement of joint strategies or even joint operations. In the context of intelligence agencies, summit agreements also address shared standards or the recognition of other's standards (ODNI, 2007; Svendsen, 2008, 2009, 2010, 2012a, 2012b, 2013). Standards will often cover *counterintelligence procedures*: common code words and information

handling procedures, especially regarding classification and ‘sanitisation’ (Herman, 2001, p. 22; 2010, p. 19; J. Richelson & Ball, 1985, p. 143; James I. Walsh, 2006, p. 630).

Today, many of these standards will be incorporated in a shared software programme that will restrict access to information while also signalling the existence of inaccessible information, thus allowing secret information to be ‘discovered’ but not ‘accessed’. Agreements will also cover oaths joint staff must make, and the training they must take (see section 3 below) (J. Richelson & Ball, 1985). If a government does not want to risk hacking, it can also agree to create fusion centres where only seconded attachés have access to national databases. A third option is agreements to share only strategic information, which is less ‘damaging’ if lost, stolen or leaked.

Conferences are generally attended by agency directors and their senior management formed as a (formal or informal) *association*. These conferences are organised both at regular intervals and in an *ad hoc* fashion. The objective here is to share threat perceptions and strategic analyses, but also to manage bi- or multilateral agencies, and reform them as need be. One typical reform is the creation of working groups, sub-dividing the transnational institution into *functional specialisations*, such as Middle-Eastern terrorism, Islamic terrorism, counterintelligence, cybercrime, open source information, security sector reform (SSR) and accountability.

Currently, information sharing, via summits, conferences, and working groups is far more routine than joint operations. Examples of inter-agency associations include NATO’s special committee (i.e. AC/46) created in 1952, the Bern Group of domestic intelligence services (1971), the related Counter Terrorism Group (CTG) (2002), the Kilowatt and Megaton groups created (c. 1977), the Quantico Club (1979), the NSA-initiated “SIGINT Seniors Europe” (1982) and its various working groups, the Club Med (1984), the Middle Europe Conference on EU accession reforms (1994), the Budapest Club, and the Eurosint Forum (R. J. Aldrich, 2009c; Bigo, 1992; Mai'a K. Davis Cross, 2011; Mai'a K Davis Cross, 2013; Gallagher, 2018a; P. Gill & Phythian, 2006, p. 60; Lefebvre, 2003, p. 325; Monet, 1993; Nouzille, 2015).

According to Hayden and ‘whistle-blower’ Edward Snowden, the directors of ‘Five Eyes’ (i.e. SIGINT Seniors Europe) meet every year. This now includes a total of about 15 agencies, including the CIA and the FBI (Gallagher, 2018a; Hayden, 2016, p. 34). Senior staff of signals intelligence (SIGINT) agencies in NATO MS also meet in Brussels, here the Director of the NSA is the “permanent chair” (2016, p. 38).

With the expansion of the EU, *the Bern Group* has gradually acquired a large membership, growing from 6 states in 1970 to 27 states in 2006 – Bulgaria was not ‘invited’ because its services lacked “integrity” and “professionalism”, especially concerning “counterintelligence” (Interviewee G, 2016). The heads of the ‘secret services’ meet every six months and senior staff meet quarterly, complemented with special meetings as needed. In addition to all EU MS domestic intelligence agencies, Norway and Switzerland’s domestic intelligence agencies participate in the *CTG*, as do French and Italian *foreign* intelligence agencies (Bjorn Müller-Wille, 2008; James I. Walsh, 2006, p. 631).

Explaining Military, Law Enforcement and Intelligence Cooperation between Western States

In addition to multilateral summits, conferences and workgroups, one can also note the regular occurrence of *bilateral* meetings. When the CIA and the GOL's SB (now called SRE) signed their first agreement, the SRE's Director went to Langley (Arboit, 2016b, p. 227). Similarly, the senior staff of the NSA and GCHQ also meet annually (Hayden, 2016, p. 36; J. Richelson & Ball, 1985, p. 150).

Overall summits, conferences, workgroups can be thought of as 'cartels'. In as much, they could lead to a form of inter-agency 'group-think' (on knowledge-based networks, see Mai'a K. Davis Cross, 2011; Gruszczak, 2016a). But in sight of divergent positions regarding the invasion of Iraq, sanctions against Russian elites, chemical weapons in Syria, etc., the risks of this seem quite low (see conclusions below).

Electronic Databases and Messaging Systems

Effective detective work requires a constant interference with personal liberty (Fuld, 1909, p. 7).

In the 21st century, intelligence officers deem intra- and inter-state ICT networks essential to preventing terrorism, cybercrime, arms smuggling, and the evasion of sanctions. This is because ICT networks increase both *the speed* of information sharing and the quality of analysis. Many of the institutions mentioned above have created joint networks, but much of the information shared on those multilateral networks is usually *strategic* in nature.

An example of this is the Bern Group's network, which is administered by the UKG's internal intelligence service (the Security Service Bureau (SS), (formerly MI5). The Bern Group has information sharing agreements with both the EU's Intelligence Centre (INTCEN) and Europol (see below) (Deflem, 2006, p. 349; Bjorn Müller-Wille, 2008, p. 56).

This said, some NATO MS do share *tactical* intelligence networks, such as the *military* networks BICES and MAJIC (Björn Müller-Wille, 2004, p. 41; NATO, 2011; Sparks, 2011). Likewise, agencies in UKUSA member states share tactical (military, counterterrorism, and R&D) SIGINT *via* a network called SIGDASYS (NSA, 2010b). The CTG also has a database of tactical intelligence (concerning terrorism suspects) *and a messaging system* (AIVD, 2016, p. 5; James I. Walsh, 2006, p. 634). Similarly, all the new counterterrorism fusion centres (e.g. the Joint Terrorism Analysis Centre (JTAC), the National Counterterrorism Center (NCTC), etc.) all share tactical information both nationally and transnationally (R. J. Aldrich, 2009c, p. 128).

A typical example of how *terrorism* databases get populated can be found in Luxembourg. In June 2008, an "individual was found observing" the US Embassy in Luxembourg (DOS, 2008). Local identity checks helped discover that the brother and father of the individual were members of Hamas, and the individual might be a member of the Libyan Islamic Fighting Group (LIFG). The US embassy sent the information to the NCTC and nominated the individual to be put on the suspected terrorist watch list (i.e. the Visas Viper Program). It is not clear

who or what this individual was threatening, but it is clear that the DOS was trying to protect the USG's 'overseas interests' (i.e. the embassy and its staff).

Generally, though, tactical, case-oriented information tends to be shared either through bilateral networks or *via* liaison officers (See below). This is because tactical intelligence often gives access to sources, methods, and personal information. For example, the FBI, SIS and the SS created a joint network around 2006, but before this SS-FBI and SIS-CIA information exchange was *ad hoc* and based on *quid pro quos* (Clough, 2004; Herman, 2010, p. 18).

Because state actors want to *prevent* terrorist attacks, they have increasingly sought to collect identifying information (e.g. email meta-data) and personal information (i.e. the contents of an email) *en masse* (R. J. Aldrich, 2004, p. 735). The US started the practice of bulk data collection, and other Western states were soon to follow (Follorou & Untersinger, 2014; Hopkins, 2013; Jauvert, 2015).

This said, heads of government have also signed several bilateral and multilateral agreements on *the transfer* of information, much of which is used *not only by law enforcement*, but also by internal and external intelligence agencies (Gruszczak, 2016a, p. 217; Hobbing, 2010; Interviewee B, 2016). Many EU agencies (e.g. INTCEN, Europol). EU MS legislators have ratified bilateral MOUs with the USG on the exchange of "terrorism screening information" and information related to countering organised crime (Chambre des Députés, 2015; Interviewee B, 2016). These ratifications take time, mostly because EU MS and the USG have to 'harmonise' their data privacy laws and create points of contact to allow for 'follow-up' information requests.

Multilateral data transfer agreements 'signed by the EU' include:

- the Passenger Name Record (PNR) Agreements with Canada (2006), the US (2007/2012), Australia (2011), between EU MS (2016)¹⁹⁰ and soon Mexico,
- the Terrorist Finance Tracking Programme (TFTP) with the US,
- the "Privacy Shield" framework, also with the US (European Commission, 2016b, 2016d) – the US signed a similar agreement with the Government of Switzerland.

The Privacy Shield framework, which went into effect in July 2016, was designed to help 'US' enterprises (e.g. Facebook, Amazon, Google and Microsoft) respect the July 2002 EU Privacy and Electronic Communications Directive via "self-certification". Some officials from EU MS and EU institutions worry the Privacy Shield will be used to legalise indiscriminate data collection by US intelligence agencies, particularly when they work *via* US enterprises and their infrastructure (Buttarelli, 2016; European Commission, 2016c).

In December 2016, the Court of Justice of the EU (CJEU) judged that any legislation permitting the generalised and indiscriminate *retention* of traffic and location data (i.e. meta-data) was incompatible with EU law, specifically fundamental rights to privacy, data protection and freedom of expression (CJEU, 2016). The CJEU also judged that "competent national authorities" should only have *access* to the data of *a priori* suspects. Finally, the CJEU specified

¹⁹⁰ The GOL was against the creation of an EU PNR Directive (Bordet 2016).

that “national legislation must make provision for the data to be retained within the European Union”.

This ruling (and 2017 rulings by the European Court of Human Rights) will not only complicate data analysis by EU MS intelligence and law enforcement agencies (Untersinger & Vincent, 2017), it will also probably require *new negotiations* with non-EU governments, such as the USG, about the bulk transfer of phone and Internet meta-data, but also PNR data. Once again, Western governments will have to decide whether laws that protect citizens from governments, be they domestic or foreign, should be *harmonised* (Interviewee G, 2016).

Fusion Centres and Liaison Officers

“Secrecy that is awkward and undifferentiated is often far too widely extended” (Simmel, 1906, p. 463).

Transmitting information helps analysts interpret, compare, contrast, and deduce. Combining state-owned data, information and intelligence also allows officers to ‘see’ beyond borders, to map individual and organisational transfrontier networks, to discover transnational trends, or to simply note national and regional *differences* significant to policy or practice. Like academics (see chapter 2), intelligence analysts tend to have a regional or topical *specialisation*. Consequently, sharing data, dividing the analytical labour and then sharing the results can increase *efficiency* (see Walsh, 2013).

Such cooperation can also increase *expediency*. Dividing expertise, for example, can help governments respond to changing events faster than would be possible alone – as in academia, gaining regional or topical expertise is a slow process (L. K. Johnson, 2007, p. 9). And *reaction time* can make a significant difference (Ricci, 2008). This said, intelligence officers do not only seek to prevent events (i.e. ‘stop the ticking time-bomb’). Like first responders, and even news editors, they also want to be able to effectively *react* to bombings. In such situations the answer is often to seek ‘outside’ assistance, to outsource analysis to more agile or competent partner organisations (see Sims, 2006, p. 203; Westerfield, 1996).

Transnational information sharing and analysis is increasingly *differentiated*. As mentioned in relation to databases, one way to conduct joint analysis, while maintaining sources and method secret, is to pool only *strategic* information. The SRE, for example, exchanges strategic information with 40 partner agencies, including the CIA and DGSE (Heck, 2015, p. 5). From March 2014 to March 2015, 11,044 written documents were exchanged. The SRE’s main objective is to exchange information with other states’ *internal* intelligence agencies (Heck, 2015, p. 6). In Europe at least, it is likely that strategic information sharing and joint analysis is likely to increase (Guisnel, Kauffer, & Faligot, 2012, p. 664).

As also mentioned above, a second option in data sharing can be called discretionary tactical sharing. Here, the physical separation of computer networks allows for *instances* of unlimited sharing. This is often done by creating *transnational fusion centres*, dedicated to a specific sub-function. Intelligence analysts are seconded so that they may ‘man’ their national

databases from within the centre. This second method allows relevant data, information and intelligence to be transmitted in a timely fashion (R. J. Aldrich, 2004, p. 733), all while keeping sources, methods, and personal information secret (Palantir, 2009; Sinensky, 2012). Still, a lack of access to 'raw' data and reliance on interpersonal communication can lead to unintentional 'distortion' or outright deception.

A third option involves the pooling of *raw data*. In fusion centres with access to raw data, *the software* often serves as a check against unauthorised access (Sims, 2006, p. 209) – i.e. there is no liaison officer using discretionary decision-making to act as living 'firewall'. For example, limits can be placed on 1) access to different systems within one network (i.e. system-level security), 2) access to different files within one system (i.e. record-level security), 3) access to different documents within one file (i.e. table-level security), and 4) access to different components of a document (e.g. row- and cell-level security) (Palantir, 2009). These forms of "access control" allow for more specific and proportionate forms of restriction, but can still lead to inefficient data aggregation and analysis (Palantir, 2009; Sinensky, 2012). During the 2012 London Olympic Games, for example, the NSA *increased to 100 percent* the GCHQ's access to targeted internet data (Hopkins, 2013; Mayer, 2014).

Fusion Centres

We're trying to have multilateral sharing arrangements, whereby we can all collectively use the information that we individually collect and have access to. [...] There's still a lot of work that needs to be done to try to put together a mission architecture that will allow Europe as a whole to share information in a timely fashion (Brennan, 2016).

When it comes to joint analysis, state officials have generally favoured autonomy over effectiveness. In 2007, for example, the head of '14-eyes' SIGINT agencies considered creating a shared hub "where analysts from partner nations could be co-located" (NSA, 2007b). It seems that agency leaders were keen, but lower-level officials disliked the idea.¹⁹¹

In terms of strategic analyses, the main inter-state agency known to exist is the EU's INTCEN. Like state intelligence agencies, most of INTCEN's breaking news, descriptive reports, prognostics and predictions are created with *open source* information – INTCEN even procured 'crawler' software to automatically create dossiers from the Internet (Mai'a K Davis Cross, 2013, p. 396; R. D. Steele, 2007). In 2002, the EU's Situation Centre (SITCEN, now INTCEN) initially had about 6 analysts. By 2012, it had 80, seconded from both foreign and domestic intelligence agencies (Bjorn Müller-Wille, 2008, p. 61).

One major critique of the former SITCEN was that it was *too slow*; now it has staff dedicated to "time-critical work". Initially, the new INTCEN was focused on foreign intelligence, but since 2005 it also 'collects' domestic data and information (Mai'a K Davis Cross, 2013, p. 400).

¹⁹¹ Moreover, many officials thought that such a centre ought to be situated in the UK, lest the application human rights interfere with the hub's activities.

Actually, the agency does not seem to have officers who steal secrets. This said, it does deploy officers abroad to “crisis areas” (e.g. Haiti), giving birth to the notion of intelligence-driven “peace” operations (Norheim-Martinsen & Ravndal, 2011). It also ‘tasks’ staff in EU Commission delegations abroad to collect information – what distinguishes an intelligence officer from a diplomat is *how* the information is collected. Beyond this and what MS’ intelligence organisations provide *via* the EU Council’s secure ICT network, it is also important to mention that the INTCEN obtains information from the United Nations (UN), NATO and the EU satellite centre (EUSC).

Intelligence agency directors have also outsourced many tasks ‘offshore’, to partner state agencies, hoping to increase efficiency and effectiveness. Since 2003, for example, USG and UKG analysts have been cooperating *at the JTAC* (mentioned above) (R. J. Aldrich, 2004). Another example would be *the CTIC* (also mentioned above). In July 2016, CTG MS created the tactical fusion centre within the Dutch domestic intelligence agency (AIVD) in The Hague (AIVD, 2016, p. 5).

Officers from the participating services¹⁹² now meet on a daily basis to share and interpret information, so that they can see immediately whether another agency holds additional information about known or potential terrorists. This has [allegedly] made intelligence exchanges faster and more efficient, with connections easier to establish, and has [apparently] already resulted in a number of operational successes in the past year.

The EU, too, has centres that deal with *tactical* intelligence. The former Western European Union (WEU), for example, acquired the EUSC in 1993 (Gruszczak, 2016a, pp. 4, 98). The EUSC analyses images, but does not operate any satellites – it obtains its data from commercial satellites and satellites jointly procured by EU MS (Björn Müller-Wille, 2004, pp. 21-22) (see chapter 4). The EUSC not only serves military purposes, it also “supplies Frontex [i.e. the EU border agency] with information products enhancing border surveillance” (EUSC, 2017).

Liaison Officers

In his well-known handbook, William Johnson argued that “penetration” is an argument against liaison of any kind with anybody (2009, p. 140). Johnson went on to argue that the two main reasons to ever spy on ‘friends’ are 1) differences in policies and 2) changing alliances. In fact, the expression “there is no such thing as a friendly intelligence service” has become a *cliché* in intelligence circles (Agee, 1975, p. 62). And yet, the CIA, NSA, FBI, DGSE, DGSi, and the SRE all maintain extensive liaison networks. This is because as much as liaison exposes an agency to co-option, it also facilitates the lobbying and co-option of the partner. In liaison, potential co-option goes both ways.

This happened, for example, with a French SDELE (now called DGSE) liaison in Washington, DC. In 1962, he was secretly working for the CIA to see if the SDECE was infiltrated by Soviet ‘moles’. The attaché never returned to France, and, on learning of the co-option by the CIA,

¹⁹² It is not clear which agencies sent liaison officers.

de Gaulle ended “all joint operations” for three years (Westerfield, 1996, pp. 540-541). “More and more, what will need to be pondered is how and how much to spy on your ‘friends’” (Westerfield, 1996, p. 545).

The degree of liaison generally depends on past agreements and practices. It also depends on similarities in goals, methods, ethics, trust, esteem, and capabilities (Lowenthal, 2006, p. 131). The UKG’s SS and the Canadian Royal Mounted Police (CRMP) were already cooperating before WWII (J. Richelson & Ball, 1985). At the time, the FBI had foreign intelligence liaisons throughout the Americas. It signed an agreement with the MI6 in 1940. French and West German officials formalised their cooperation in January 1963 (J. Richelson, 1988).

Hayden says “lots of services want to be the friend of the CIA” (Hayden, 2016, p. 313), but the reverse also seems true. Each USG intelligence agency (CIA, NSA, FBI, DIA, etc.) has liaison officers abroad (both in embassies and in the headquarters of other states’ intelligence agencies), as does the USG’s Office of the Director of National Intelligence (ODNI) (Harding, 2014, p. 162; Lowenthal, 2006, p. 131). Whereas the SDECE (former DGSE) had a unit dedicated to “relations with other services” in 1971 (J. Richelson, 1988, p. 159), the ODNI has had an office dedicated to “Partner Engagement” since its creation in 2004 and the CIA’s “Assistant to the Director for Foreign Intelligence Relations” position was only created in 2015. The ODNI “completed the first-ever inventory of all US intelligence liaison relationships” in 2006 (ODNI, 2006, p. 18). Despite recent organisational reforms, the ODNI, NSA and CIA even seem to be in competition abroad – in 2016, Hayden was arguing that CIA station chiefs still serve as “the face” to every intelligence service in the world (Hayden, 2016, p. 168).

Didier Bigo has argued that data sharing (notably through liaisons) can help an agency in its domestic ‘turf war’s’, notably *via* the acquisition of useful data and professional prestige (Bigo, 2005; 2006a, pp. 8-9). One example is France’s counterintelligence agency (i.e. the DST) exchanging data (on political dissidents and suspected terrorists) with Arab intelligence organisations, so that the DST could better compete for competency and budgets. And of course, know-what as a currency also has value *abroad*. When the DST ‘generously’¹⁹³ gave information on Soviet spying¹⁹⁴ to the USG, CIA and DOD, French President Francois Mitterrand gained he counterpart’s *trust*, and the DST gained US *technical expertise* (Favier & Martin-Roland, 1990, pp. 94-99; Guyaux, 2002; Nouzille, 2010, pp. 46-61). In fact, thanks to this informant, the DST gained great “prestige” in the eyes of the CIA (Nouzille, 2010, p. 61). Arguably, when the DGSE returned to the USG US military equipment seized in Chad,¹⁹⁵ the French were reaffirming their professional relations with US officials, and thereby also maintaining (i.e. purchasing) social capital (on the USG's and the GOF's roles in Chad in the late 1980s, see Nouzille, 2010, pp. 102-106).

¹⁹³ On self-interested altruism, see chapter 3, but also Bourdieu (1994, 2003:276-290).

¹⁹⁴ From the famous agent FAREWELL, who went to the French instead of the Americans because he loved speaking French.

¹⁹⁵ Acquired while helping Idriss Déby, an *Ecole de Guerre* alumnus, organise a coup (see also Gates Jr, Akyeampong and Niven 2012:172-73).

Overall, however, when it comes to data sharing and joint analysis, Western officials seem to favour *autonomy* over effectiveness. In the 21st century, failure in data sharing and analysis have repeatedly allowed Islamic radicals to kill civilians. Just as the FBI and the CIA failed to share information before the 11 September 2001 (9/11) attacks, the intelligence and law enforcement agencies of NATO MS failed to share vital information before the bombings in Brussels on 22 March 2016. In addition to incompetence (i.e. “human error”)¹⁹⁶, “practical restrictions on information that can be shared” made preventing the attacks impossible (Brunsden, Chassany, & Jones, 2016). One of the attackers was on Turkish and American watch lists, but other intelligence agencies did not have direct access to this information. “Multiple countries and their intelligence agencies would run Bakraoui’s name through their terrorist watch list – and his name would never pop up”. A similar story applies to the person who killed tourists in the Brussels Jewish Museum in 2014. He was in French databases, but no one else’s. And the same can be said regarding the November 2015 attacks in Paris – Greek authorities did not have access to Belgian data regarding one of the attackers identified in Athens (Bekmezian, 2016).

True, 1) differentiation in types of secrecy and 2) specialisation within agencies are increasingly facilitating cooperation against *certain types of perceived threats* (e.g. terrorism), but it needs to be noted that many of the attackers just mentioned were on *non-terrorist* watch lists. This means that *cooperation by type of crime is not always effective*. In many cases cooperation would need to be on a case-by-case basis, focusing on specific non-state actors and organisations, and integrating several specialisations (e.g. counterterrorism, counterinsurgency, counternarcotics, counter-organised crime) (Interviewee J, 2017).

Of course, even perfect information sharing and use would not necessarily lead to the avoidance of all security threats, *à la* Minority Report (for non-fiction studies on the causes and consequences of crime prevention (i.e. pre-crime), see McCulloch & Pickering, 2009; Zedner, 2007). The point remains that summits, conferences, workgroups, databases, and liaison officers are all types of coping mechanisms, making up not only for a lack of collection capabilities, but also the fear of losing autonomy (and formal sovereignty) through integration. Such principles have a price.

Education

“In the modern West, the world of intelligence, counter-espionage and double officers provides a reverse image of the states-system: the dark underside of mutual interdependence” (Wight, 1977).

‘Technical’ Assistance

¹⁹⁶ When terrorist suspects cannot be arrested, intelligence officers often enter these persons’ information into transnational databases (e.g. SIS), but other states’ law enforcement and intelligence officers do not always act upon this information (vis. Youssef Zaghba and the June 2017 London Bridge attacks) (Momigliano 2017).

The first thing to note in terms of joint training is the high level of isomorphism between Western intelligence agencies (de Graaff et al., 2016, p. xxxix). Western state officials have been reorganising each other's services in a sort of century-long relay race of intelligence sector reform (ISR): the British trained the Americans, who trained the West Germans and Dutch, who in turn trained the Romanians. (see P. Gill & Phythian, 2006, p. 13). Consider the case of Luxembourg. In 1913, the GOL based its new *Service de Sûreté/Sicherheitsdienst* (SS) on the French model. Several SS officers even conducted "internships" in France (Arboit, 2016a; 2016b, p. 224). During WWII, Belgium's SS helped the GOL's 'exiled' Minister of Justice create a Special Intelligence Unit based in Vichy, France, that was actually modelled on the British SOE (Arboit, 2016a). In the 1940s, French intelligence officers tried to reduce the influence of British intelligence in Luxembourg, but this resulted in a political crisis, with the French military attaché/intelligence head leaving the country (Arboit, 2016a). In the 1950's, the CIA gave the GOL funds and legal templates so that its officers could create a *civilian* intelligence agency (to focus on counterintelligence), which it did in 1960 – now called the *Service de renseignement de l'Etat*, SRE.

A similar story of foreign influence and (temporary) organisational mimesis can be found in the history of the (in)famous CIA. Even before the USG entered WWII, the UKG had a large liaison office in New York City, called the British Security Coordination (BSC). The BSC procured military equipment and helped attachés from all UK military, law enforcement, immigration, and intelligence agencies to liaise with their American counterparts. Beyond liaison, British intelligence officers were also interested in discovering German 'subversion' in the Americas (hence the mail interception programme in Bermuda mentioned above) (Jakub, 1999, p. 199). In 1941, UK Naval intelligence officer Ian Fleming wrote an outline of *the US COI's* charter (Pearson, 2012). And that same year, the COI opened a base in London, staffed by a US-born UK Army officer. The COI wanted 1) *to learn how to create an independent intelligence agency*, and 2) to gain direct access to other states' intelligence liaison officers based in London. The SIS, in exchange, wanted 1) USG material and financial resources, and 2) to persuade the USG to enter WWII (Jakub, 1999, pp. 196-199). In 1943, UKG, USG and 'exiled' French forces conducted joint covert operations. These operations were launched from Algiers, where the agencies *pooled* resources (Jakub, 1999, pp. xii, 191).

Two years later, *the US Army* notified their French counterparts that they were going to "set up" the BND (Critchfield, 2003; L. K. Johnson, 2007, pp. 91-101; Wegener, 2007). Five staff managed about 2,750 BND employees, many of whom were former NAZI officials, corrupt, and Soviet 'moles'. The Americans were interested in using the German's technology, skills, social networks, and, most of all, information about the Soviet Union (USSR) (Haslam & Urbach, 2013, pp. 209-230). In hindsight, the BND turned out to be especially skilled at collecting *military* intelligence. The USG was also happy to use the BND to gain access to and influence *the GOG* and its armed forces. In 1949, the CIA took over and signed a cooperation agreement with the BND, in the form of an exchange of letters. This agreement gave the CIA access to operational details, and a veto on relations with other governments. In exchange for this severe dependence, the USG provided funding.

Explaining Military, Law Enforcement and Intelligence Cooperation between Western States

After the Cold War, the governments of East European states, such as Romania, Hungary and Poland reformed their intelligence (and military and law enforcement) agencies, making them more accountable to the state's executive branch, and in some cases the legislative and judiciary branches, too. These reforms often took place under the 'guidance' of NATO and EU civil servants, in the hope of meeting the standards required to enter these international organisations (Interviewee G, 2016; Thuillier, 2000, p. 138).

Such organisational pedagogies need to be analysed very carefully. These initial relations can create a form of 'path dependency', where bilateral relations become habitual and uncontested. Although habitual bilateral relations reduce the likelihood of friendly spying, they can lead to *overt* attempts to influence each other's policies and practices. Similarly, the sharing of practical knowledge (e.g. 'lessons' learnt) and normative expectations (e.g. 'best' practices) is a form of disciplining, reducing autonomy of agency and governmental decision-making *via* the imposition of pre-established and often unquestioned dogma. If unquestioned and unchanged, such normative transfers can constrain what is perceived as normal and reasonable (on the politics of education, see Canguilhem, 2013; Michel Foucault, 1975; Freire, 1970, 1985; Antonio Gramsci, 1947).

This said, the history of SIS-CIA relations also shows that technical assistance *in intelligence matters* can be akin to a liberal education, allowing state officials to *critique* (their own and others') dogmas and *reflect* on 1) how 'the environment' influences them and 2) on the long-term consequences of their actions (on a liberal education, see Nussbaum, 2009). In other words, technical assistance intelligence matters can provide practical knowledge, factual knowledge, and most importantly *a capacity for critical thinking* that liberates states *qua* organisations from the control of objects, the control of others, and the control of their unquestioned habits and routines. Without such knowledge and intellectual abilities, state officials would never be able to identify, for example, foreign manipulation and interference. Of course, since the 1990s Western reforms have also focused on parliamentary and democratic accountability, i.e. the loss of *agency* autonomy. But this too is a form of *state* autonomy, or more precisely democratic autonomy, where citizens are sovereign. Thus, to the question what is ISR, we could say that it is a state's emergence from its 'self-incurred immaturity'. Done correctly ISR can be the ultimate form of national emancipation.

Joint Training

"Nothing propinks like propinquity" (Fleming, 1956, p. 243).

A review of joint education and training shows some (albeit modest) efforts to create 1) common standards, 2) best practices and 3) transnational social networks. This said, in comparison to technical assistance, joint education and training is very limited. For a profession whose success depends on keeping methods secret and avoiding infiltration, this is hardly surprising. Here, a private sector analogy provides some insight: stealing methods is like industrial espionage (in the defence industry, for example): it allows one to gain

innovation without investing in R&D. But the analogy stops here, for once the secret method is known by all, it is virtually useless.¹⁹⁷

In the 21st century, the SRE tries to outsource *all* training (both initial and on-going) to “a partner service” (i.e. other states’ agencies) (CCP, 2010). This means that, just as during WWII the UKG knew almost everything about the GOL’s exiled intelligence agency, today the GOL’s intelligence ‘partners’ have vast amounts of information on every single SRE officer (and could easily try to co-opt these individuals).

French joint education cooperation started in the private sector, *for the private sector*. Since 1997, a semi-private business school, called the Economic Warfare School (EGE), offers degrees in “corporate intelligence”. Alumni from this school hail from over 60 countries (EGE, 2013). Much later, in 2010, the GOF created the Intelligence Academy (AR), designed to increase *intra-state* cooperation. Although the AR does sporadically organise public events, it does not seem to cooperate transnationally (Académie du Renseignement, 2014). The GOF’s most transnational endeavour started in 2016 with the development of an intelligence school in sub-Saharan Africa (Guibert, 2017). Once again, the aim here was to influence or even control other states’ intelligence officers (Nouzille, 2015, p. 53).

The USG’s IC is slightly more active in inter-state intelligence training. In 1963, the USG created a *Defense Intelligence School* (DIS), designed to 1) train defence attachés, and 2) foster cooperation between US military intelligence agencies. Today, defence attachés are trained at a *Joint Military Attaché School* (JMAS), and the DIS has been renamed *the National Intelligence University* (NIU). The JMAS trains military officers and DOD civilians to become defence attachés, which includes courses on espionage and counterespionage (DIA, 2016). Similarly, the NIU currently provides Bachelors and Masters degrees to both military officers and civilian government officials.

In line with UKUSA training agreements, the NIU has a “European Academic Center” at Molesworth, in the UK, although this will probably be moved to the JAIC in Croughton (J. Richelson & Ball, 1985, p. 7). In 2016, the NIU’s graduating students included officials from UKUSA states (NIU, 2017a). In addition to this cooperation with close allies, the NIU’s Center for International Engagement was offering a four-week Strategic Intelligence Leadership Course to mid-level military and civilian staff *from other states*. Similarly, the NIU offered an “International Intelligence Fellows Seminar” on counterterrorism to senior level military or civilian intelligence staff. Intelligence officers from over 25 states attended the latter, mostly paid for *via* the USG’s foreign military funds (FMF) (see chapter 5). These short programmes include “a four night trip to an east coast city so they can experience American society outside of the nation’s capital” (NIU, 2017b). In 2006, for example, “four Hungarians from national security agencies” participated in “operational” and “policy and media” programmes (DOS, 2006b). In 2007, the US officials went to Warsaw and provided Poland’s Internal Security Agency (ABW) with “interview and interrogation training” (DOS, 2007).

¹⁹⁷ Of course, countermeasures can also be taken.

In this long list, *the CIA's* efforts must not be forgotten. Since the late 1970s, its Center for the Study of Intelligence has sponsored conferences where scholars and practitioners (including intelligence officers) meet *ambassadors and other diplomats* (Dover et al., 2013; Interviewee G, 2016).

The EU's agencies organise small training programmes. The EUSC and the INTCEN both train their staff (EUSC, 2017; Gruszczak, 2016a). The EUSC also trains EU MS officials, and sends delegates to symposia, conferences and salons. EU MS officials, EU Commission officials and private sector representatives share 'best practices' at symposia in several EU capitals and *via* a website organised by the Budapest Club (Mai'a K Davis Cross, 2013; Rettman, 2015). Even more surprising is the *Eurosint* NGO that is funded by the EU Commission and private companies to organise training and the sharing of best practices *via* semi-annual conferences, bi-monthly workshops, and a website.

The more these events help form social networks, shared threat perceptions and trust (M. E. Smith, 2004, p. 8), the higher the potential for co-option and leaks. This seems to occur the most between UKUSA intelligence officers. Australian law enforcement, for example, have accused their fellow intelligence officers of going against the intentions and explicit policies of their own government and sometimes even of helping US officials breach Australian laws (J. Richelson & Ball, 1985, p. 305).

Conclusions

As long as transfrontier threats (e.g. terrorism, proliferation¹⁹⁸ and cybercrime) are perceived, and distant events (e.g. economic crises, environmental disasters, refugee movements) trigger violence, conflict and hardship 'at home', intelligence officials will often deem inter-state cooperation to be a functional necessity. Similarly, when public budgets diminish, state officials will often seek to reduce costs, which will make cooperation-enabled *efficiency* appealing.

Yet, in addition to apparent effectiveness and efficiency, cooperation also entails a degree of autonomy loss. Liaisons, co-option, standardisation, and inter-state agencies can help provide some control over other states, but the tools work 'both ways'. The coping mechanisms put *all parties* partly in the hands of other states and their agencies. Of course, resource-poor states (e.g. Luxembourg) are more dependent than resource-rich states (e.g. the US). But even those with the most resources do not see themselves as omnipotent. And in fact, by *agreeing* to common policies, strategies and tactics; by *dividing* specialisations, by *pooling* and *sharing* resources, and by using *foreign* information and following *foreign* techniques, all states are less free. France, of course, is no exception. Former Deputy Director for Collection and Analysis at the DGSE, Philippe Hayez, for example, believes the GOF's intelligence agencies

¹⁹⁸ Of course, as long as governments are not integrated and publicly-owned defence companies are not privatised, disagreements on the political, strategic and economic pros and cons of arms and dual-technology exports to *states* are likely to endure.

have become too “dependent” on “allied” agencies, and should work to gain more human and technological “autonomy” (IFRI, 2017).

In many cases, cooperation is an imperfect substitute for governmental and agency integration. Empirical studies are needed (see chapter 7), but by definition cooperative networks are devoid of management- and of effectiveness-promoting hierarchies (Fleetwood & Ackroyd, 2005, pp. 210-212). Politicians, diplomats and scholars often argue that when governments agree on definitions (e.g. terrorism, subversion) and the facts (e.g. *threat perceptions*), they often (but not always) agree on how to proceed (R. J. Aldrich, 2004; Interviewee F, 2016; Björn Müller-Wille, 2004, p. 13).

But the absence of integration entails a diversity of *sources of information*, which by itself tends to lead to *diverse* perspectives. Similarly – in the absence of a shared social identity – for any one problem, security risks, economic costs and political benefits will vary (see Fägersten, 2008). Each region and group will have its own subjective interests. Because of this, transnational cooperation tends to involve collective action problems. For example, the greater the number of states implicated, the greater the challenge to find definitional, perceptual and technical *consensus*. Indeed, even when definitions and threat perceptions are shared, and risks distributed, *state officials can still disagree on strategies and tactics*, for security provision is not an exact science. To paraphrase Habermas, this means communicative action will generally devolve into strategic negotiation, requiring *compromise*. And where compromise is required, effectiveness is often lessened.

In fact, in the trade-off between autonomy and security, state officers seem to favour autonomy, *especially in comparison to military and law enforcement cooperative practices*. At the political and strategic level, disinformation and manipulation is *the norm*. The refusal to stop friendly spying demonstrates that diplomatic and economic espionage are deemed more important than increased effectiveness in stopping political and economic violence.

At the technical (i.e. working) level, innovation in intelligence methods is kept secret. Some standards are set, and equipment shared, but joint operations and educational exchanges are far from habitual. *Data sharing is less automated than in military and law enforcement affairs*. As seen above, in banking-influenced Luxembourg *personal* information is shared in bulk, reducing privacy and anonymity. And yet, Luxembourg’s *state* information is jealously stored. In Western states, most intelligence databases remain ‘air-tight’, protected by restricted areas, strong passwords and vigilant attachés. In fact, when information is exchanged, it is often *bartered* (Follorou, 2018a; Sims, 2006, p. 196).

Today, the ties that bind are so weak that management seems impossible. Maybe greater market integration and the unbundling of production tasks will make friendly *economic* espionage unnecessary, thus increasing intelligence cooperation as a whole. For now, protectionism is rising, disrupting global supply-chains, and only the increasing *differentiation* of intelligence is helping Western states face a growing variation in transnational threats.

7. Conclusions: Change within Limits

Men make their own history, but they do not make it as they please; they do not make it under self-selected circumstances, but under circumstances existing already, given and transmitted from the past (Marx, 1852).

This thesis covered many aspects of security cooperation between Western states. And yet, it has left many questions unanswered and the political implications of the research unaddressed. This concluding chapter will try to compensate for these deficiencies by briefly covering the three topics. The first section provides a summary of the thesis, notably by restating in what manner it can be characterised as being a ‘critical realist’ explanation, and by reviewing the main findings. Section two sketches a research programme that could lead to a general theory of inter-state cooperation. The idea here is that the conceptualisation of inter-state groupings should be completed before expanding the theory to other agency types, other states, non-state organisations, and other periods. Finally, the third section explicitly addresses the policy implications of this thesis. The argument is that the thesis is critical in both the Kantian and the Foucauldian sense: it shows what is necessary for security cooperation to occur between Western states, but it also shows what is contingent in Western security cooperation. Here a trichotomy is developed, suggesting that all policies are triply subjective, for they are always based on *fallible knowledge*, *foundationless values* and *political interests*. The implication is that change is possible, but within limits.

Summary

The enemy, the antagonist of routine is reflection (Emile Durkheim, 1969).

A Critical Realist Explanation

To the question “Why does security cooperation occur between Western states?” this thesis’ basic answer has been “**because most state actors do not want their states to integrate**”. Of course, the full answer presented in this thesis is much more complex. Using critical realism as its philosophical foundation, the thesis favoured neither pure economism, nor pure semiologism¹⁹⁹, neither pure materialism, nor pure ideationalism. Rather, the thesis presented a holistic explanation, based on Aristotle’s four causes (i.e. the material, the formal, the efficient, and the final). First, to ensure that the thesis was not only critical but also *reflexive*, chapter 2 covered the history and limits of *the study* of Western security

¹⁹⁹ “While some find in economism a means of exempting themselves by excluding the cultural capital and all the specific profits which place them on the side of the dominant, others can abandon the detestable terrain of the economic, where everything reminds them that they can be evaluated, in last analysis, in economic terms, for that of the symbolic” (Bourdieu 1986:54-7).

cooperation. Chapter 3 then presented a four-dimensional ontology of security cooperation between Western states. Finally, chapters 4, 5 and 6 examined the causes of geo-historical variation in of Western military, law enforcement and intelligence cooperation. Because all explanations require contextual information, chapters 4, 5 and 6 also presented specific empirical events and processes in greater detail.

Regarding *formal and efficient* causes, all the chapters have treated states as unitary organisations in space and time, all the while examining:

- the 'downward' causation of state groupings (e.g. inter-state norms and associations);
- systemic effects (e.g. path-dependency, cybernetics, differentiation and specialisation);
- and the 'upward' causal effects of state organisations, non-state groupings, and of individual officers (i.e. the 'microfoundations').

In other words, the argument (presented in chapter 3) was that the ontology of Western state security cooperation should be presented as a meronymy, and not a taxonomy. States, by definition, are discrete units, but these units have parts and can themselves be parts of larger units. Indeed, *groupings of states* are not limited to formalised wholes (i.e. larger organisations, such as unions, federations, etc.). Instead, states can also be grouped into simple interaction groups and associations (Elder-Vass, 2005, 2010). Moreover, the 'parts' of states, such as state organisations (i.e. agencies) and officials, can also form groups, often of a transfrontier nature, and these can be both formal or informal groups, and inter-state or non-state groups. From this basic meronymy one understands the importance of reductionist and emergence-based explanations, but also the importance of holism, i.e. looking at state security cooperation *as a whole* or more specifically *as a system*. With their intricate interconnections and interdependencies, this is especially true concerning the study of European and transatlantic relations (Shaw, 1997, 2000).

The consequence of the systemic approach is that one tends to not try to explain single events, but rather tries to understand how the parts can affect each other, under what circumstances this happens, and how this might be observed (what in critical realism is called the real, the actual and the empiric). Conceptualising such complexity is a challenging task, which as Chapter 1 noted, was only incompletely done in this thesis (see section 2 below on future research). The point is that IR scholars should stop thinking about causation in terms of constant conjunction, and rather should put their efforts into ontological theorisation. IR needs more models that move from the macroscale to the microscale, describing and explaining *the relations* between the various layers of social life, from the largest transfrontier groupings down to the lowest 'ranked' individuals (and even further 'down' to the psychological, biological, the chemical, and the physical).²⁰⁰ This is why chapters 3 through 6

²⁰⁰ . Likewise, IR models should consider all these groupings' relations to their 'environment', most importantly relations with technology and non-state actors, but also with the natural environment (i.e. fauna, flora, climate, etc.) (Sprout & Sprout, 1965).

discussed the role coping mechanisms, such as liaisons, co-option, associations, and organisations.

Regarding *final* causes, chapter 3 presented some *reasons* why Western state officials might want to cooperate with officials from other states. The principle argument here was that officials increasingly perceive *a functional need* for resources that other states effectively control (often in a monopolistic manner), but that these same officials generally want to avoid both integration and violent conflict. Chapter 3 also distinguished individual, agency, state, and inter-state *interests*, and suggested that even apparently *altruistic* actions can be (consciously or unconsciously) self-interested, and this for many reasons. This said, chapters 3 through 6 also described the causes and consequences of professional and organisational specialisation, two phenomena that by definition are based on an instrumental rationality. The four chapters also highlighted a very modern phenomenon that is especially visible in security cooperation, namely *role intersectionality*. Due to the overlapping of personal, organisation, state, and inter-state roles, officials are regularly forced to choose between competing norms and identities, including non-state norms and identities such as profession, family, and religion. The ‘turning’ of employees is not something limited to rare instances of political espionage. Rather, such ‘treason’ is found in everyday life and often occurs unintentionally and even unconsciously. The lesson here is that of *Antigone*: a person’s role is never fixed and explaining any specific social action requires a study of habits and customs, but also of clashing social demands.

Regarding the *material* (and physical) determinants of Western security cooperation, chapter 3 only briefly covered the effects of *space and time*. Chapters 4, 5 and 6, however, gave a more extensive overview of the *economic and technological* aspects of security cooperation between Western states (e.g. defence procurement, the ICT revolution, signals intelligence, economic espionage, etc.). Regarding space, an important question is the degree to which technology is reducing the need for people to work in proximity. But just as important is the question of how openness (i.e. the relatively free flow of communication, capital, goods, and people) affects economies and physical security. The lessons for IR scholars are many. First, it seems obvious that one cannot deny existence of organised crime (including terrorist groups) and the dangers they pose to the inhabitants of Northern America and Europe. This said, such dangers pale in comparison to the leading causes of mortality (e.g. diabetes, obesity, suicide, etc.), and the long-term consequences of climate change. Second, IR scholar ought to reduce their fixation on state borders. Most transnational relations occur in cities or via ICT, meaning space and geography still matter, but not necessarily in the ways we think (Saskia Sassen, 1991; S. Sassen, 2008).

Of course, due to resource constraints, several significant and interesting material and physical factors and phenomena were not covered, namely military basing, law enforcement databases and messaging systems, the use of (public and private) spaces for human intelligence collection and covert operations, etc.). The leitmotif of the entire thesis, however, has been *the control and the (perceived) functional need for resources*, both material and immaterial, reified and ideational, concrete and symbolic; but also *the theft, commerce and*

gifting of these resources between organisations (through their staff), associations (through their members), and individuals.

Data Analysis: comparing states and comparing agencies

Comparing States

Unsurprisingly, the United States' (US) security cooperation with other Western states is the vastest, and Luxembourg's the most limited, while France's cooperation sits somewhere between the two. Be it in terms of ratified legal agreements, memoranda of understanding (MOUs) signed, diplomatic and operational liaisons assigned, joint and coordinated operations conducted, or educational and training cooperation provided, US activities outnumber those of Luxembourg. Similarly, US officials are often the 'first mover' in security cooperation, while the Luxembourg officials are often reacting to other states' initiatives. There are exceptions, of course, especially concerning multilateral law enforcement operations (e.g. Joint Investigation Teams). The evidence collected also confirms the stereotype that the US government often acts unilaterally, bilaterally or *via* informal, *ad hoc* coalitions, while Luxembourg's government (GOL) almost always 'acts multilaterally', i.e. participates *via* inter-state organisations (e.g. NATO, the EU, EUROPOL, etc.). But again, there are exceptions. Much US military and intelligence cooperation is done via inter-state organisations (e.g. NATO, UKUSA, etc.), while the Luxembourg police and intelligence often cooperate *bilaterally*. France's government, once again, often seems to 'sit' between these two extremes, acting in all manners (i.e. unilaterally, bilateral, multilaterally, informally, formally, etc.). Thus, one of the main findings is a confirmation of the small state literature: **material resources matter, especially the number of staff**, which in turn is often indirectly related to the number of legal residents within a state's (i.e. the number of potential recruits, the number of tax payers, the number of people to protect and police, etc.). Again and again, the evidence suggested that the both the ratio and scarcity of staff determined the when, where and how much of security cooperation.

The significance of resources, especially human resources is most visible when one examines the geographic location of cooperation. The US seems to be almost everywhere and Luxembourg nowhere. Similarly, French staff and equipment are found abroad, but less so, and in smaller quantities. Whereas the US' cooperation is global, France's tends to be regional, and Luxembourg's purely national. Of course, this is a generalisation. There are many places in the world where the European Union (EU) and resource-rich EU member states (MS) have replaced US programmes or simply share competencies with the US (regarding 'technical' assistance and security sector reform, for example). And Luxembourg *qua* organisation, despite its limited resources, does have a presence abroad, notably a military presence of a few soldiers and pilots.²⁰¹ Moreover, the GOL's officials make great use of their wealth (e.g. economic capital), exchanging it for other types of capital (symbolic,

²⁰¹ Its presence in relation to non-security matters is even greater.

social, cultural, etc.). A recurrent theme is the fact that Luxembourgers tend to have good linguistic skills (i.e. embodied cultural capital), whereas their French and US colleagues tend to be monolingual. Although English is increasingly a working language throughout the West, speaking French, German or Dutch can facilitate cooperation 'on the field', be during peacekeeping, on patrol, on call, or while handling an informant. In other words, **languages still matter, especially at the lowest levels of the chain of command.**

Less well known is the transnational history of agency differentiation, specialisation and isomorphism. In other words, when a scholar seeks to avoid Galton's Problem, even a superficial historical analysis demonstrates that **the origins and reforms of state security organisations (i.e. agencies) have always had an international component.** The consequences of this, however, are complex. *A priori*, having similar 'roots' ought to facilitate cooperation – and indeed it can even lead to co-option and path dependency (e.g. NORAD, UKUSA, Luxembourg's dependency on French and Belgian schools and academies), but even with the same 'genes', organisations can conduct their own reforms or switch to a third party's norms, leading to a form of 'creolisation'. Legacies are not eternal. The tendency for organisations to differentiate and specialise, for example, seems to occur especially within *large organisations*, but not in small ones²⁰², leading to organisational differences, which liaison officers are then asked to remedy (i.e. nullify). True, Luxembourg's state security organisations have specialised in *niche* capabilities (e.g. demining, canine units, counterintelligence), thus increasing their relative value as 'partners'. But such specialisation also entails the absence of other advanced or even conventional capabilities and thus quasi-impossible cooperation. Put differently, the consequences of Western security cooperation contain both organisational *equifinality* and organisational *multifinality*: just as state organisations can come to resemble each other, they can also be very different from each other *despite* a shared history.

Concerning autonomy, the findings are both banal and surprising. As expected, due to its various forms of resource dependence, Luxembourg's officials have abdicated a great degree of autonomy; and inversely, the USG, with its wealth of capitals, remains relatively autonomous. As is well-known, since the presidency of Charles de Gaulle, French heads of state have valued legal sovereignty and actual autonomy, and thus they have often prioritised these goals over effectiveness, efficiency or expediency (Morse, 1973). This said, the previous chapters have also shown that **all states, including the US and France, are far from completely autonomous in their decision making, hierarchies and resource control.** In fact, the theme of post-World War II (WWII) Western relations is not one of growing mastery and control, but one of interdependence (see R. N. Cooper, 1968; Cranmer et al., 2012; Iriye, 2014; Keohane & Nye, 1977; Lamy, 2013; Rogerson, 2000; Rosenau, 1980).

If one distinguishes between decision-making autonomy (e.g. multiple data-sources, critical thinking, democratic/stakeholder participation, etc.); hierarchical autonomy (e.g. command-and-control, monopoly of violence, etc.); and resource autonomy (e.g. currency reserves, control over equipment and buildings, etc.), it becomes evident that, at times, the most powerful of states can be like Gulliver tied by Lilliputians, i.e. cognisant and whole, but

²⁰² n.b. Another confirmation of the small states literature.

incapacitated by asymmetrical opponents. At other times a state can be more like the blinded cyclops in the Odyssey, i.e. resource rich and healthy, but blinded by a lack of data, information or knowledge. And, thirdly, many resource-rich states are often like Thomas Hobbes' Leviathan, cognisant and capable, but divided by inner conflict and disobedience. As shown throughout chapters 4,5 and 6, states such as the US and France have known instances of all three cases. **At times, small states' assistance has not been necessary, but has been significant.** Luxembourg's financing of aircraft, satellites and private military companies has saved much money, and possibly lives. Likewise, the symbolic aspects of such cooperation are taken seriously by all parties.

As shown in chapter 3, state officials are much like the leaders of firms who want to control other firms in the face of anti-trust laws, and thus resort to lobbying, exchange of board members, cartels, and joint ventures (Pfeffer & Salancik, 2003). But in doing so, state (and firm) officials expose their own organisations to (the risk of increased) external control and influence. Indeed, coping mechanisms are 'double-edged swords', exposing all parties to potential autonomy losses in decision-making and the control over staff and other resources. To repeat a point made above, at the limit who is deciding, who is ordering and who is possessing becomes *even more uncertain*. As in quantum entanglement, there are many instances where one state cannot be described independently from the others, even when their territories are at a great distance – state relations ought to be conceived as part of a system (for a different quantum analogy, see Wendt, 2015).

Comparing Agency Types

In a summary, one must perforce generalise. But in doing so, all nuance and detail is suppressed, squandered. So, it is necessary to keep in mind that as much as there are differences between states, there are also differences between agency types. **Western military cooperation has become increasingly centralised** and formalised. Liaisons and co-optation occur, of course, but international organisations, the (long- and short-term) abdication of command, and pooled and shared resources are increasingly common. Post-WWII law enforcement cooperation, on the other hand, is increasingly de-centralised, with liaisons scattered across the globe, huddling in hubs and communicating through servers. As much as Western soldiers are integrated and reintegrated, **police and customs officers are connected and coordinated**. This brief sketch is exaggerated, of course, but behind the stereotype is a truth: law enforcement is a regional, even local affair, happening in communities, countryside and cyberspace, while war, in all its postmodern aspects, tends to take place over vast venues, with flanking, clearing and holding taking place state-wide and beyond. In 'peace'time, these warriors are even more concentrated and coalesced into common barracks and shared training sites, testing their comradeship and interoperability.

As chapter 6 has shown, intelligence is an entirely different affair, both in terms of cooperation and mode of operation. Generally, it is largely illegal, even criminal (in other jurisdictions, but also sometimes in the homeland), which *de facto* makes cooperation illegal

– and often illegitimate. It also serves many more ends than do the armed forces or law enforcement. Due to shared norms between Western states, foreign intelligence agencies are the accepted *ultima ratio*. Friendly spying, for example, is both fair game and unacceptable. Domestically, the same ambiguity applies – domestic intelligence agencies are often seen as both necessary and threatening, to all. This versatility and dubiousness means **intelligence cooperation has tended to only occur in an ad hoc, bilateral manner**. Secrets and methods may leak; officers and entire agencies turn. In sum, despite a common history and a degree of mutual dependence, governmental, bureaucratic and popular distrust of (national, but especially) ‘other’s’ intelligence agencies have been the norm. But as soon as one understands that, like embassies and the press, **intelligence agencies are a source of autonomous decision-making**, the reluctance of state officials to integrate their intelligence agencies becomes understandable. Intelligence officers are *trained to distrust*. Despite these unpromising settings, many formal liaisons, associations and organisations have been created and maintained. The reason, it seems, is that **differentiation has allowed for delinking** (e.g. ‘friendly’ economic and diplomatic espionage and even political blackmail can continue in parallel to *intense counterterrorism cooperation*). Still, in comparison with military and law enforcement cooperation, far less intelligence autonomy has been abdicated.²⁰³

Further Research: A Programme

Critical social theory does not relate to established lines of research as a competitor; starting from its concept of the rise of modern societies, it attempts to explain the specific limitations and the relative rights of those approaches (Habermas, 1984).

As mentioned in Chapter 1, this thesis can be understood as a first ‘step’ in a larger research project that is to develop a general theory of inter-state cooperation.²⁰⁴ This section will briefly outline what would need to be done to develop a general theory of inter-state cooperation. First, the conceptualisation of states as organisations and state groupings should be developed. Only then it would make sense to expand the theory development project to different types of agencies, non-Western states and non-state organisations, and previous periods.

Completing the Conceptualisation

The conceptualisation of the state and state groupings, as presented in this thesis is incomplete. Concepts and theories from the 20th and 21st centuries have yet to be examined and applied within the theory and framework presented in Chapter 3. Specifically, the founding, now ‘classical’ organisational theories ought to be studied in more detail, especially

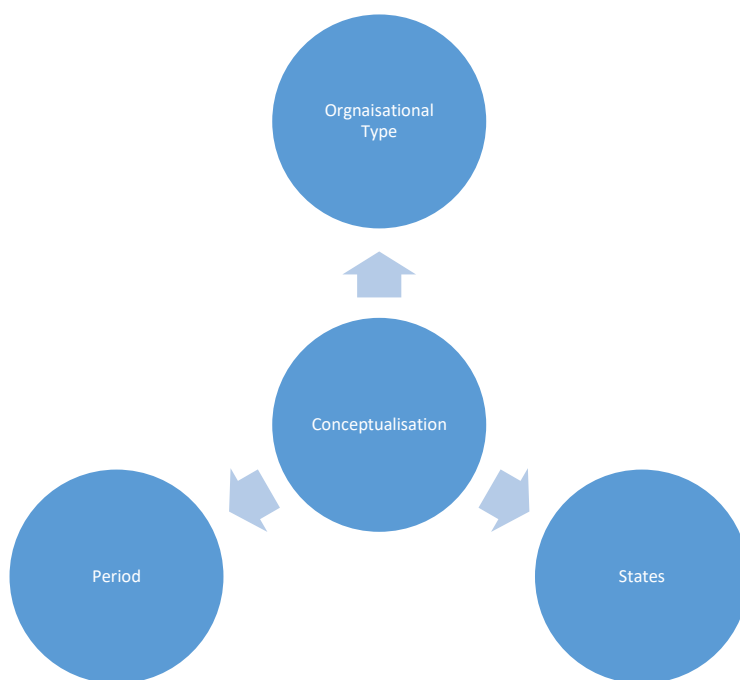
²⁰³ The exception, of course, is Luxembourg. All of its intelligence staff are educated abroad.

²⁰⁴ Which could then serve as the basis for a theory of the ‘ecosystem’ of states.

concerning organisational ‘gangplanks’ as a remedy to a lack of integration (e.g. Fayol, 1966). Similarly, the definition of organisational goals, the question of organisational adaptation, and organisational learning are all topics not addressed in this thesis that could be of great use in explaining inter-state security cooperation (e.g. Simon, 1964, 1976, 1982, 1991; Von Bertalanffy, 1968). Finally, in the 21st century organisational theorists and business and management scholars have paid great attention to *inter-organisational networks* (e.g. Parkhe, 1998; Parkhe, Wasserman, & Ralston, 2006). Every month, detailed empirical studies of inter-organisational networks (made of states, cities, firms, NGOs, etc.) are published in peer-reviewed journals (e.g. Krahnemann, 2003a, 2003b, 2005, 2008, 2011). Both the concept of organisational networks and the numerous case studies would be a great source of inspiration and insight.

Expanding the Theorisation: Branching out by type, place and period

The expansion of the thesis’ theorisation to a larger project can be conceived as an ‘explosion’, moving out in the types organisations studied, the types of regions and states studied, and the historical periods studied:



To develop a general theory of inter-state cooperation one would have to study inter-state cooperation between other types of *state organisations* (e.g. coast and border guards, customs, immigration, finance, etc.), but also state cooperation with (licit and illicit) *non-state organisations* (e.g. for-profit and non-profit organisations, for-profit criminal organisations,

and non-profit criminal organisations).²⁰⁵ This said, the theory would also benefit from a more detailed study of specific sections of this thesis. Inter-state cooperation between *state schools and academies*, for example, is worth covering in more depth, as is the question of *decision-making autonomy*. Building on the work of critical scholars (such as Foucault and Paulo Freire), sociologists of modernity (such as Beck) and contemporary organisational theorists, this type of research could lead to interesting findings concerning organisational learning and thinking (so to speak) as a source of organisational autonomy. Likewise, the historical aspects of Western security cooperation are only superficially covered in this thesis. Consequently, future research ought to ‘go back in time’, to the 20th century, the 19th century, and to the ‘birth’ of the modern state, facilitating the incorporation of factors such as colonialism, lesser technologies, and different conceptions of the function(s) of the state and tolerable risk, and the identification of historical origins, legacies, path dependencies, and critical junctures.

A general theory would also have to take non-Western states and regions into account. Gradually, these regional studies would have to be incorporated, leading, for example, to a theory that addresses all American, European and African states. Although this might seem too ambitious²⁰⁶, even a very simplified theorisation would help identify inter-regional system effects, especially in relation to the countering of organised crime (e.g. trafficking) and non-state political violence (e.g. terrorism). Most importantly, this gradual geographic expansion would help the theory incorporate *more conflictual* (or at least non-cooperative) inter-state relations, involving illiberal states, *de facto* states, and ‘failed’ *de jure* states.

On Policy Tools and Goals: What has been does not have to be

The formulation of critical theory is not an option; theories and findings in the social science are likely to have practical (and political) consequences regardless of whether or not the sociological observer or policy-maker decides that they can be ‘applied’ to a given practical issue (Anthony Giddens, 1984).

“A goal is a value in action” (Davis 1972)

As much as this thesis is directed towards academic stakes and questions (see chapter 2), it would be naïve to suppose the text (i.e. the discourse, *les énoncés*) will remain within academia, never to be instrumentalised, never to affect other ‘fields’. Moreover, as a *critical realist* explanation, it is only logical to make explicit the critique of dogma and ignorance that has been at the heart of this project. As much as the past chapters followed Immanuel Kant in seeking to show what makes Western security cooperation *possible*, it is necessary to end this work by following Michel Foucault and showing all that is *contingent* in Western security cooperation.

²⁰⁵ Of course, this terminology would have to be refined.

²⁰⁶ Although not as ambitious as some IR theories.

Explaining Military, Law Enforcement and Intelligence Cooperation between Western States

Two preliminary points can be recalled here. The first is that, as policy tools, military, law enforcement and intelligence agencies can serve many ends, of which physical security is only one. The second preliminary point, which has been mentioned several times already, is that military, law enforcement and intelligence agencies are not the only or necessarily the best means of obtaining physical security (see Holden, 2016).

A third, primary point can be developed here. The argument below is that all policy goals (thus the policy tools used to reach them) are based on three types of subjectivity: fallible knowledge, foundationless values and political interests. This argument is presented in general, and then applied to the two policy goals central to this thesis, i.e. security and autonomy. The point is that states, democracies and individuals do have policy alternatives. In this sense, what follows is a critique of functionalism. As much as the theory presented in Chapter 3 presented what makes it all possible, what has been done does not have to be. The point (of critical realism) is to identify both the necessary and the contingent. This is why what follows argues that *change is possible*, but within limits.

Policy Subjectivity: A Trichotomy

In a properly *critical* science, it is necessary to make explicit the reasoning, values and political implications ‘behind’ each policy goal and tool. For all policies are *triple* subjective (for a similar trichotomy of subjectivity, see Sayer, 2000b, pp. 58-62).

First, because the tools and the goals of any policy will affect ‘who gets what’ and ‘who governs’, they are, by definition, political (C. Brown & Ainley, 2009, p. 132). This means they are subjective in the sense of having both technical *and* political implications. Or as Habermas has argued:

even the most technical of solutions to the most technical of problems will always have political implications”, and “political action cannot rationally justify its own premises” (1971b, p. 63).

Second, because policy tools and goals are political, they are intrinsically *value-laden* (Aron, 1969, pp. 458-459, 478-479; Dewey, 1939; Fromm, 1968, p. 57; Habermas, 1990, 1993; Horkheimer, 2013, p. 15; Oakeshott, 1991, pp. 70-95; Pareto, 1897; C. Taylor, 1989). The means and the ends are subjective in the sense of being based on both facts *and* values. As Horkheimer once wrote:

The statement justice and freedom are better in themselves than injustice and oppression is scientifically unverifiable and useless. It has come to sound as meaningless in itself as would the statement that red is more beautiful than blue, or that an egg is better than milk (2013, p. 15).

In turn, these values are foundationless – both politics and values cannot be rationally justified (Habermas, 1971b, p. 63).²⁰⁷

Third, policy tools and goals are also based on facts, which are always *fallible*. Policy means and ends are subjective in the sense of being based on (all too) human perception and

²⁰⁷ In the 2000s Habermas’ shifted from a strict consensus theory of truth to a ‘weak naturalism’ (2003:8).

(imperfect) concepts and theories (Anthony Giddens, 1977, p. 12; Habermas, 1971a; Hume, 2000; Kant, 1996; Keat & Urry, 1981; Oakeshott, 1991, pp. 70-95; Peirce, 1958; Quine, 1971). To this, one can add the problem of *unforeseen consequences*, which is a different type of cognitive limitation (see Beck, 1992; Davis, 1972; Dewey, 1939).

In sum, the implementation of policies based on fallible knowledge and foundationless values affects the rights, responsibilities and material circumstances of many people (and other living organisms) *unevenly* (see Habermas, 2003; Mingers, 2014, pp. 199-205, 212-214). Consequently, it can be argued that, as policy goals, security and autonomy are based on fallible knowledge, foundationless values and political interests.

Security: fallible, foundationless and political

Security policies are twice fallible. They are fallible regarding the *witnessing* of violence, and fallible in the *prevention* of violence. Except for radical sceptics, most would accept as a fact that humans are really vulnerable to physical harm. This assumption, however, does not presuppose that humans can observe the occurrence of physical harm 'directly'. Contrary to what naïve realists might argue, human perception is distorted by faulty senses and instruments, imprecise concepts, and cognitive biases. When someone *witnesses* physical harm, for example, their description of these events never corresponds perfectly with what actually occurred (Bhaskar, 1979b; Chalmers, 1999; P. M. Haas, 1992, p. 21; Habermas, 2003, pp. 8, 38, 41; Jervis, 1976, 2010b, 2010c; Loftus & Palmer, 1996; Mingers, 2014, pp. 162-164; Sayer, 1992, 2000b).

Many contemporary threats to state populations are directly or indirectly caused by human intervention. They are 'manufactured'. As human intervention affects more and more aspects of social life, the ramifications of social acts (i.e. "the side effects of the side effects") become impossible to foresee (Beck, 2007, pp. 18, 127). In consequence, our limited knowledge concerning past, ongoing and potential manufactured harm is eminently *fallible*.

Concerning the value-laden nature of security policies, that the physical protection of a state's population *ought* to be a policy goal is obviously a value-judgement. Even if one takes a positivist stance, it will remain the case that risk only exists where something *valued* can be harmed (Enderlein et al., 2010, p. 481; Loader & Sparks, 2002; Rosa, McCright, & Renn, 2015, p. 21). And even when there is an apparent consensus that something of value could be harmed, psychological attitudes (e.g. risk aversion or tolerance, empathy fatigue)²⁰⁸ and ethical and religious values can create contradictory opinions concerning the best course of action (i.e. which tools should be used) (Rosa et al., 2015, p. xxvi). This is why risk perception, assessment and management are all inherently value-laden:

Differences between states over the nature and scope of the current [...] threat, and the most appropriate responses to combat it, reflect subjective characterisations based on national biases and experiences (Baylis, Smith, & Owens, 2014, p. 370).

According to Beck, fallibility and 'value-ladenness' have taken on a dramatic importance in the increasing *preventive* nature of security policy. Risks are, by definition, foreseen potential

²⁰⁸ Even within one city, neighbours can have varying tolerance for insecurity – what is normal for one can be deemed unacceptable by the other.

harm (Beck, 2007, pp. 10, 188). In other words, *unforeseen risk does not exist*, only unforeseen harm does. Both imperfect knowledge and value differences make *objective prognostics* impossible (see Knight, 1921). Reversely, when state actors claim to have countered a potential harm, imperfect knowledge and value differences make it impossible to determine with certainty whether the harm would have actually occurred (McCulloch & Pickering, 2009; C. Weber, 2005).²⁰⁹

Beck, James Rosenau, Alexander Wendt, and Robert Wright have all argued that interconnections and the systemic risks they create give public administrations greater incentives to cooperate (Beck, 2005; Rosenau, 1980; 1997, p. 72; Wendt, 2003; Wright, 2001). Yet, the prevention of *intentional* bodily harm via the use of physical force is always contentious – it is often referred to as ‘high politics’ (Shannon, 2005). Security policy is of a highly political nature not only because uncertainty and value-ladenness make all *justifications of risk-relation decisions* tenuous and contestable (Beck, 2005, pp. 103, 106; 2007, pp. 32-34; P. M. Haas, 1992, pp. 1-4), but also because physical protection is almost always *unevenly distributed*, creating a what can be called “risk inequality” (Lustgarten, 2003, pp. 330-333) – even today, states, non-state organisation and individuals are not equally vulnerable (Beck, 2007, pp. 126-127, 160-186, 196; Ignatieff, 2001, p. 191; Rosa et al., 2015, pp. 22, 80, 119; Rumsfeld, 2009; Shaw, 2005). What is more, in liberal democracies such as those (still) found in the West, state officers will be expected to, in addition, *respect basic rights* and consider ‘public opinion’. If state laws, national customs, and public perceptions of risk are ignored, cooperation can become politicised.

Autonomy: fallible, foundationless and political

We owe our life to the difference between the economic framework of late capitalism, and its political façade. To theoretical criticism the discrepancy is slight: everywhere the sham character of supposed public opinion, the primacy of the economy in real decisions, can be demonstrated. For countless individuals, however, the thin, ephemeral veil is the basis of their entire existence (Adorno, 2005).

In 1942, Erich Fromm distinguished two types of freedom: one negative and one positive, which broadly refers to autonomy and capacity (see Aron, 1965; Michel Foucault, 2004; Fromm, 2001, pp. 4, 26, 28, 53, 91; Hayek, 2014; Sayer, 2012). One of the most famous scholars to follow Fromm’s lead, was Isaiah Berlin, who for his inaugural lecture at Oxford University presented two concepts of “liberty”, the negative concept and the positive concept (1958). According to these authors, negative freedom (i.e. autonomy) refers to the freedom of *individuals*, cherished by liberals, from other individuals and the state, from “interference from others” (Carter, 2012). Policies promoting the free movement of goods, persons, capital, and ideas, for example, is based on a negative conception of freedom. On the other hand, to be free in the positive sense is to *really be able*, to actually govern, to have effective control. Political philosophers, such as Rousseau, Dewey and Hannah Arendt have all construed positive freedom to mean *participation in politics* (via the public sphere, i.e. in a political entity’s self-determination (Anshen, 1943; Arendt, 1961; Carter, 2012; Rousseau, 1983, p. vii).

²⁰⁹ A point dramatised in Philip Dick’s 1956 “The Minority Report”.

But any political analysis must distinguish *material capabilities* from the formal right to *political participation* (see Aron, 1965; Russell, 1942).

Paradoxically, when one applies this distinction to international relations, a *domestic* formal right to political participation can be understood as being dependent on *global negative freedom*, for democratic *self-determination* is contingent upon the absence of interference by non-nationals (see Ruggie, 1983; Schmitt, 2008b).²¹⁰ The main problem is that it is difficult for a state (through its staff and its citizens) to know when other states are intentionally interfering (see Oppenheim & Roxburgh, 1905, p. 222). Inference is so frequent and enduring that it can barely be called “interventions” (Salamé, 1996, p. 18). Consequently, truly democratic self-determination requires more than “rational reflection on all the options available” (Carter, 2012; Wilsnack, 1980, p. 471). Rather, the effective realisation of state autonomy requires state *reflexivity* (i.e. critical thinking applied to others *and oneself*).

To acquire policymaking autonomy, state officers and citizens need to be able to identify the material and social forces that affect their policymaking and its application (in reference to organisations in general, see Pfeffer & Salancik, 2003). “The measurement of influence is bound to be difficult” [...] none the less, these difficulties should not be exaggerated (C. Brown & Ainley, 2009, p. 95).

Institutions that are capable of such conscious boundary drawing are enabled in a way that those of the first modernity were not. But this process also generates qualitatively new kinds of trouble and crises (Beck, Bonss, & Lau, 2003).

Giddens and Scott Lash place such reasoning within the context of “institutionalised reflexivity” (Beck, Giddens, & Lash, 1994; Anthony Giddens, 1990; Anthony Giddens & Pierson, 1998). Via reflexivity, public officials can “emerge from their self-incurred immaturity” and attempt to distinguish between *a lack of autonomy* that is due to intentional foreign interference, and a lack of capabilities that is due to a lack of resources (i.e. resource dependence), or combination of both (e.g. situations where a lack of resources is due to foreign interference) (see Carter, 2012; Hayek, 2014; Kant, 1784; Sen, 1993, 2004; Zürn, 2014).

Reflexivity in this sense is a necessary factor in actualising policymaking autonomy – a state with obedient state officials and great capabilities, but no critical thinking would be a slave to its environment. Many EU scholars have argued that European states ought to ‘pool’ their ‘sovereignty’, i.e. exchange autonomy for capabilities, for without such an exchange, some EU states (especially small EU states) would be more free, but less able (Beck, 2005, pp. 87, 91, 202; 2007, p. 233; Grande & Risse, 2000, p. 253).²¹¹ This said, the end result of pooled resources is a state akin to Nietzsche’s “Christian slave” (on manipulation, see P. Gill & Phythian, 2006, pp. 95-101; Lukes, 1974; Rosenau, 1963; Rosenau, 1997, pp. 146-151; J. Scott, 2001; Wrong, 1988). In fact, the founders of European integration, such as Monnet, intentionally and openly sought such ‘state serfdom’.

Contra Chris Brown and Kristen Ainley, Foucault doubted whether individuals (and thus organisations) would even become truly autonomous, whether they would ever escape their

²¹⁰ One way of conceiving positive freedom in international relations is in the institution of global democracy, i.e. Schmitt’s fear of a world with no outside.

²¹¹ Such arguments are often expressed in a contradictory manner – e.g. “to be truly sovereign it may be necessary to surrender part of one’s sovereignty” (Brown and Ainley 2009:128).

‘immaturity’. For him, it was more of an ideal than a realistic objective. For as much as dependence on other’s resources and capabilities can be identified fairly objectively, ascertaining whether one is being influenced or manipulated (by others people, other things, or one’s concepts) will always be a subjective, fallible endeavour (Michel Foucault, 2004; Lukes, 1974). In other words, both false positives and false negatives are possible, as are known unknowns and unknown unknowns (Rumsfeld, 2009). In this epistemological understanding of the term, the quest for complete self-determination may be in vain.

One’s degree of autonomy is not only difficult to determine, it is also, like all policy goals, inherently value-based. In the *normative* political theories of Rousseau, Dewey and Habermas, for example, a democratic state can only obtain autonomy (i.e. self-determination) through the political participation of *autonomous citizens* in the ‘public sphere’ (Habermas, 1998). At its core, the desire of any political entity for autonomy (and implicitly recognition by other entities) is a normative goal with which some (e.g. cosmopolitans) do not value, preferring policy goals such as peace and prosperity for example (Archibugi & Held, 1995; Archibugi, Held, & Köhler, 1998; Held, 1995, 2013; Lamb, 2004; Harold Joseph Laski, 1932; H.J. Laski, 2014; Morefield, 2005).

Consequently, when reference is made to state autonomy as a policy goal, it should be immediately clear that the goal is inherently *political*. Boundary debates, concerning separatism, irredentism and federalisation for example, demonstrate that questions of which groups of people should self-determine are not self-evident (Rosenau, 1997, pp. 75, 118-143). After World War II, the political nature of self-determination came to the fore when US and UK promises to support the sovereignty and autonomy of anti-colonial groups were not kept (Fisch & Mage, 2015).

This said, policymaking autonomy is not political in a conventional, domestic sense. In as much as prosperity and security belong to ‘politics’ (as defined by Aristotle, Weber, Hannah Arendt, Laswell, and Sartori), policymaking autonomy belongs to ‘the political’ as defined by Weber and Schmitt (Loughlin, 2004, p. 154; Oakeshott, 2008; Schmitt, 2007, 2008a; Max Weber, 1978, pp. 55, 903-910). According to Weber, what distinguishes inter-state relations from intra-state relations is *the legitimacy of domination*, especially regarding the regulation and use of physical force. The more a population calls a government’s domination or a state’s borders illegitimate, as happened during the French revolution and during de-colonialization for instance, the more *the political* nature of the desire for autonomy is made visible (on the people’s constituent power, see Schmitt, 2008b, pp. 136-139; Schmitt, 2014).

Overall, the assumptions on which security and autonomy policies stand are factually, normatively and politically contestable. In other words, state officials might be pursuing these goals for the ‘wrong’ reasons, i.e. based on factual errors, dubious values and sectarian interests. The subjective nature of the two policy goals suggests that a state’s domestic *legitimacy* is always be uncertain – a security or autonomy crisis is a constant risk (Beck, 2007, pp. 11-12; Krahnmann, 2011; Rosa et al., 2015; Scharpf, 1999).

Concluding the Conclusions

Explaining Military, Law Enforcement and Intelligence Cooperation between Western States

This thesis answered the question “Why does security cooperation occur between Western states?”. The basic answer was “because most state actors do not want their states to integrate”. More specifically, the thesis developed a four-dimensional ontology of Western states, and presented the causes of military, law enforcement and intelligence cooperation. This concluding chapter outlined what remains to be done to develop a general theory of inter-state cooperation, but also showed the many ways what has been does not have to be. Change is possible, but within limits.

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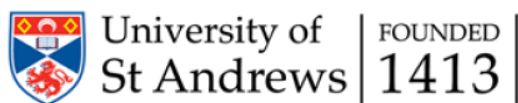
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Annex: Ethical Approval



University Teaching and Research Ethics Committee

26 February 2016

Dear Olivier Lewis

Your ethical application has now been reviewed by the University Teaching and Research Ethics Committee (UTREC), alongside the following supporting documentation:

1. Ethical Application Form
2. Participant Information Sheet
3. Consent Form
4. Debriefing Form
5. Questionnaires

I am pleased to confirm that UTREC has granted this application ethical approval and the particulars of the approved ethical application are as follows -

Approval Code:	IR11958	Approved on:	24 Feb 2016	Approval expiry:	24 Feb 2021
Project Title:	Explaining Variation in Cooperation between State Security Agencies – Transatlantic Counterterrorism Since 9/11				
Researcher(s):	Olivier Lewis				
Supervisor(s):	Dr Javier Argomaniz				

Approval is awarded for five years. Projects which have not commenced within two years of approval must be re-submitted for review by your School Ethics Committee, who may escalate your application to UTREC for review. If you are unable to complete your research within the five year approval period, you are required to write to your School Ethics Committee Convener to request a discretionary extension of no greater than 6 months or to re-apply if directed to do so, and you should inform your School Ethics Committee when your project reaches completion.

If you make any changes to the project outlined in your approved ethical application form, you should inform your supervisor and seek advice on the ethical implications of those changes from the School Ethics Convener who may advise you to complete and submit an ethical amendment form for review.

Any adverse incident which occurs during the course of conducting your research must be reported immediately to the School Ethics Committee who will advise you on the appropriate action to be taken.

Approval is given on the understanding that you conduct your research as outlined in your application and in compliance with UTREC Guidelines and Policies (<http://www.st-andrews.ac.uk/utrec/guidelinespolicies/>). You are also advised to ensure that you procure and handle your research data within the provisions of the Data Provision Act 1998 and in accordance with any conditions of funding incumbent upon you.

If you have any questions in relation to this ethical approval then please do not hesitate to contact me.

Yours sincerely

Dr Emily Hearn, UTREC Secretary, on behalf of UTREC

cc Supervisor Dr Javier Argomaniz
SEC Convener Prof Ali Watson

University Teaching and Research Ethics Committee
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