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Unpacking ‘International Terrorism’: Discourse, the European Community and Counter-Terrorism, 1975–86[†]

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Abstract

According to convention, the emergence of ‘international terrorism’ led the European Community (EC) member states to initiate co-operation from the mid-1970s onwards. A different story is told here by examining how ‘international terrorism’ appeared as threatening and co-operation in the context of the EC became regarded as a logical solution. The article frames this as political events (‘international terrorism’) overflowing the space of politics (the state), whereby the latter felt it necessary to set up a series of arrangements to try to encapsulate the excesses of the former. It shows how the interpretation of terrorism as an illegitimate political provocation constituted an obligation for states to respond. Stressing the international character highlighted individual states’ inability to tackle terrorism, which made it possible for co-operation to appear as obvious. Trevi and the Dublin Agreement are examined as manifestations seeking to work around, and thus reinventing, the limits of state sovereignty.

Keywords: European community; counter-terrorism; co-operation; discourse; governmentality

Introduction

In 1975, the member states of the EC (European Community) began to co-operate on security matters despite lacking any formal Treaty competences to this extent. The threat posed by terrorism (Chalk, 1996, p. 2; Bures, 2011, pp. 59–60) and stalling co-operation on this issue in the UN (United Nations) (Argomaniz, 2011, p. 5) is said to have triggered closer co-operation between the member states and initiated police and judicial co-operation, which was eventually institutionalized and formalized during the 1990s. This article takes a different approach by arguing that the interpretation of events as ‘international terrorism’ between 1975 and 1986 helped bring about a space for a distinct mode of governing to emerge which centred on a plea for international co-operation between the member states as a logical solution. By investigating a historical case, the article advocates reconsidering the EC’s early involvement in dealing with terrorism. The 11 September 2001 attacks have trained the focus of scholarship towards analysis of post-2001 developments, but the mid-1970s to late 1990s are significant in their own right for the rationalities of governing terrorism that they brought about.

The contemporary literature on the EU and counter-terrorism contains few accounts of the EC/EU’s early attempts to tackle terrorism.¹ Several works assessing the pre-2001 period do so teleologically: the pre-2001 period is considered in terms of offering a better explanation of dynamics after the 2001 attacks (cf. Argomaniz, 2011; Bures, 2011; Bossong, 2013). Brown (2010, p. 4) examines only the period since the EU was formally

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¹ For literature overviews, see Argomaniz, 2011, p. 8; Bossong, 2013, pp. 1–4; Argomaniz *et al.*, 2015, n. 1.

tasked with counter-terrorism through the Maastricht Treaty in 1992. Friedrichs (2008, pp. 39–109) devotes substantial attention to counter-terrorist initiatives set up during the 1970s, although he is concerned with the formation of state preferences about international police co-operation and does not study the EC context as such. Blumenau offers a detailed historical analysis of the member states negotiating an EC legal instrument for dealing with terrorism. Unfortunately, Blumenau's (2014, p. 417) assessment that the threat of terrorism was not serious enough for member states to overcome their reservations against legal co-operation is his conclusion rather than his starting point. Guittet and Baker-Beall are the exceptions in discussing early EC efforts to tackle terrorism by arguing that co-operation was not a self-evident response to terrorism; their arguments find resonance here. Guittet (2004, pp. 446–447) argues that states adopted a circular logic in justifying international co-operation against terrorism: the response to an increase in violence through co-operation begets new co-operation, because past collaboration is never enough to deal with new instances of violence. Baker-Beall (2013, p. 313) shows how the response to terrorism is conditioned by the discourse in which such a response is articulated.

This article places under scrutiny the notion of 'international terrorism' and attempts by the member states to deal with it, from the first deliberations in 1975 until concerns about terrorism gradually became part of a broader discourse on EC which tied together terrorism with concerns over drug trafficking, illegal migration and organized crime in the second half of the 1980s. The central concern of the article is to understand how the notion of 'international terrorism' emerged and how the member states endeavoured to govern this issue between 1975 and 1986. More specifically, the qualities ascribed to 'international terrorism' are examined. What is it about 'international terrorism' that made it into a concern of an allegedly unprecedented nature? Next, the practices and ways of reasoning through which 'international terrorism' was dealt with at the EC level are addressed. The article's core argument situates the governing of 'international terrorism' as an instance of a political order trying to capture the excesses of political events said to overflow its borders (Campbell, 1998, p. 17). The aim is to break with the idea of counter-terrorism as an obvious response to what is known as terrorism by pointing out that the making and justification of the response is contingent upon the interpretation of the problem. This research therefore joins a growing body of literature that critically examines the concepts and terms through which EU counter-terrorism is made meaningful (Guittet, 2004; Tsoukala, 2004; Jackson, 2007; De Goede, 2008; Hassan, 2010; Baker-Beall, 2014). The article testifies to the emergence of what is now widely understood as counter-terrorism, a distinct policy field and set of practices devoted solely to targeting those identified as terrorists.

The structure is as follows. Section I introduces governmentality, discourse analysis and the sources. The interpretation of the empirics within this section is organized according to the emergence of a problem, and EC-based responses rationalizing this problem in order to deal with it. Section II shows how 'international terrorism' manifested as problematic through two associations: terrorism as simultaneously a political and depolitical event, and its characterization as international. This discourse, in turn, is premised on a particular understanding of terrorism, namely as a security issue. Section III centres on Trevi and the Dublin Agreement as attempts to govern terrorism. These initiatives are ways of trying to work around the limits imposed by sovereignty. The conclusion connects back to the dynamic of a political order trying to capture the excess ('international terrorism') overflowing its borders.

I. Governmentality, Discourse, Sources

Foucault coined the term *governmentality* during his lecture series 'Security, Territory, Population' in 1977–78. Rather than confront the state as a 'ready-made object' (Foucault, 2007, p. 120) or adopt an 'institution-centric approach' (2007, p. 116), Foucault decided to situate the state 'in a general economy of power' (2007, p. 117). Via the notion of government, Foucault sought to rethink how the state operates. Government refers broadly to the shaping of conduct, meaning that government is omnipresent – for example, the superior in a convent, the teacher in a class, the state in relation to its population, are all instances of governing. Governmentality, as the contraction of the words 'government' and 'mentality', was defined by Foucault as an 'ensemble formed by institutions, procedures, analyses and reflections, calculations, and tactics that allow the exercise of (...) [a] very specific, albeit very complex, power' (2007, p. 108). Put differently, it refers to 'way[s] of thinking and acting' to shape the conduct of subjects (Rose and Miller, 1992, p. 174). An analytics of government examines how the guiding of subjects' conduct involves rationalization through the development of practices (or techniques) to intervene upon, and thus shape the conduct of, subjects.

Governmentality does not take the state as its analytical starting point, but problematizes governing and the state as timeless and self-evident activities (Walters and Haahr, 2005, p. 14).² Moreover, governmentality forges a connection between political grand narratives and how these are translated into practice through seemingly apolitical techniques (Merlingen, 2011, pp. 161–2). The strength of governmentality is to show how techniques such as information exchange and extradition regimes are implicated in making knowable events in particular ways as objects of policy-making. As such, governmentality, by incorporating techniques as performative sites of knowledge production (cf. Bigo, 2002; Balzacq, 2008), enriches debates involving securitization theory and critical security studies more broadly.

In terms of method, an analytics of government accounts for two dimensions. First, it examines the rationalities or, as Dean puts it, the 'way of reasoning, or way of thinking about, calculating and responding' (2010, p. 24). This involves a close reading of texts (discourse analysis) – not one seeking to access a deeper understanding of the motives or behaviour of the actors involved (Rose, 1999, p. 56), but one that treats texts as meaning-making practices and therefore as the object of study. Discourse is defined as a 'structured, relational totality. A discourse delineates the terms of intelligibility whereby a particular "reality" can be known and acted upon' (Doty, 1996, p. 6). Discourse analysis is attentive to the lexicon mobilized by the actors to make sense of events, the subject-positions they create for themselves (Self) and so-called Others and the alternative views and policy options that are marginalized or silenced when particular representations dominate the understanding of events.³ Second, governmentality requires an appreciation of the techniques of governing. Techniques refer to 'the practices and devices through which political rationalities are operationalized and implemented in actual governance programmes and activities' (Merlingen, 2011, p. 153) and to 'inscription devices such as reports, charts, tables and maps' (Dean, 2010, pp. 37, 42).

² Recent examples of governmentality in IR include Methmann (2013) and Zanotti (2013), and, for EU studies, Joseph (2014) and İşleyen (2014).

The selection of texts is informed by the notions of key text, clustering and revelatory potential in order to make the volume of texts – 387 in total originally, collected in various archives – suitable for close reading.⁴ A key text refers to a major node in the web of texts which structures the discourse more than other texts. The clustering of texts, suggestive of intense political activity, into periods (1976–78, 1982, 1985–86) further reduced the volume. The revelatory potential of a text concerns how productive a text is of the features of the discourse. In total, 46 texts were considered productive/authoritative.⁵

The texts are diverse in style. Some are carefully crafted documents aimed at displaying unity (declarations, resolutions and reports). Others are verbatim records revealing differences of opinion (debates and question-and-answer sessions, both written and oral). The texts are produced by various actors (European Council; Council, including European Political Co-operation (EPC); European Parliament; and Commission). All texts were intended for the public sphere, meaning the analysis is about the public discourse on ‘international terrorism’.

The periodization is informed by 1975 being the year of the first substantial decision regarding terrorism in the EC context (to initiate co-operation on security matters). The year 1985 was initially established as the cut-off point based on a reading of secondary sources (Lodge, 1988; Argomaniz, 2011; Bossong, 2013), but it was moved to 1986 due to the discovery of additional texts which introduced a new subject-position (state sponsor of terrorism) that had only been latent in the discourse before.

II. ‘International Terrorism’ as a Problem of Government

This section examines the associations which turned terrorism into a problem that obliged states to respond. After a brief historical background of the emergence of terrorism as a problem, attention turns to the public understanding of terrorism in the EC context. The emphasis is on the articulation of terrorism as a simultaneous political/depolitical problem, its characterization as a cross-border event and the particularity of the discourse on ‘international terrorism’.

A New Form of Violence?

The current understanding of terrorism as a form of political violence is mostly traced to the late 1960s (Thorup, 2010, pp. 102, 118), although others stress its timeless character (Law, 2009) or point to the nineteenth century for origins (Carr, 2006, p. 6). Three subjects often populate the history of terrorism from the late 1960s until well into the 1980s. It can be argued that the grouping together of the violence of these three subjects led to perceptions of a sharp increase in incidents (cf. Laqueur, 1977, p. 226), which in turn fed the conviction that a new form of violence – terrorism – was emerging.

The first subjects, often considered to have inaugurated the modern era of ‘international terrorism’ (Hoffman, 1998, p. 67), are various Palestinian organizations striving for an independent homeland which began to hijack commercial airliners to attract

³ I follow Epstein’s (2010, p. 343) distinction between subject-position (a position within discourse) and subjectivity (social actors that are irreducible to discourse).

⁴ The material was collected at the archive of Parliament (CARDOP) in Luxembourg, at the Council of the EU (Central Archives) in Brussels and through online access to the Official Journal (OJ) of the EU.

⁵ Constraints of space prevent a full listing of the material.

international attention to their cause in the late 1960s. Second, what were considered radical leftist groups, such as the Weather Underground in the US (United States), the RAF (*Rote Armee Faction*) in West Germany, the *Brigate Rosse* in Italy and AD (*Action Directe*) in France engaged in violent and coercive acts throughout the 1970s and the 1980s. Third, the heating up of ethno-nationalist struggles from the 1960s onwards was associated with increased violence from ETA (*Euskadi Ta Askatasuna*) in Spain and the IRA (Irish Republican Army) in the UK (United Kingdom).

From the perspective of discourse, this violence's coming into being as a distinct category is understood as the reappropriation of an existing term (terrorism) with a specific history to it. The use of the term terrorism to signify violent events had the effect of overpowering related terms such as 'sabotage' and 'anarchism' which had been more dominant in earlier decades (Thorup, 2010, p. 118). So, discursively speaking, it was the increased use of an older term as a new category to make sense of violent acts that suggested the advent of a new type of violence, rather than terrorism having an 'essential origin' (Ditrych, 2014, p. 3).

Terrorism as an Illegitimate Strategy of Political Provocation

While the EC institutions conducted deliberations behind closed doors – the information exchange scheme known as Trevi is a prime example – the European Council, Council (including EPC), Commission and Parliament also acted in public capacities. As such, they were implicated in the (re)production of a public discourse about 'international terrorism'. Their statements contributed to what was considered a normal posture in relation to 'international terrorism' and thus what constituted a proper response. What qualities were ascribed to 'international terrorism' and what logic informed this discourse? Tracing this process of meaning-making allows for mapping the boundaries within which 'international terrorism' was made sense of, thereby highlighting what could and could not be said about it. The purpose is to illustrate that what is considered normal about 'international terrorism' is the product of specific assumptions about what constitutes danger.

What meaning is ascribed to terrorism in EC texts? Consider the first European Council statement on terrorism in July 1976: '[t]he Member States (...) hereby declare that they regard the inhuman practice of taking hostages for the purpose of putting pressure on Governments, for whatever political or non-political ends and for whatever motives, as completely unacceptable' (European Council, 1976). The European Council asked for co-operation 'in combatting the evil of terrorism' (European Council, 1976). In April 1978, following the kidnapping of the Italian politician Aldo Moro by the *Brigate Rosse*, the European Council 'expressed its great concern at the continually increasing number of acts of this kind and at the extension of terrorism in general which, if not effectively combatted, will strike at the functioning and the very principles of democracy' (European Council, 1978, p. 21). Parliament responded to the kidnapping by adopting a resolution in which it '[u]nreservedly condemns all methods of pursuing political ends which pose the gravest threat not only to human life but also to freely elected democratic institutions' (European Parliament, 1978a, p. 41). Commission President Jenkins reacted to the violent taking of Moro by noting that '[t]he Community was born out of and stands for two fundamental democratic principles – those of individual freedom and the rule of law – and neither can properly survive without the other; terrorism places them both under

threat' (European Commission, 1978a, p. 144). Terrorism is made into an Other whose presence was regarded by states as a cause for concern which, in turn, invited condemnation by states.

Similar to the fragments cited above, Parliament showed itself to be 'disturbed', 'concerned' and 'outraged' in light of a 'resurgence of terrorism in Western Europe' in no less than six resolutions adopted in February 1985 (European Parliament, 1985a, pp. 87, 91–92). According to Parliament, 'terrorism, which seeks to destabilize society, is a serious attack on the democratic order of the Member States and a threat to international relations' (European Parliament, 1985a, pp. 93, cf. 87, 89, 91). Following the simultaneous attacks at the Rome and Vienna airports in December 1985, the EPC ministers reiterated Parliament's characterization of the situation as 'barbaric acts of terrorism' (European Political Cooperation, 2000a, p. 324; European Parliament, 1986a, p. 127). In the same statement, as well as others that followed during 1986 and which were directed at Libya and Syria over support to what the EC and the US considered as terrorists, the EPC ministers made evident that 'terrorist attacks can never be justified and do not serve whatever political cause the perpetrators claim to be assisting' (European Political Cooperation, 2000a, p. 323; European Political Cooperation, 2000b, p. 325). The EPC ministers drew from this stance the consequence that '[s]tates that favour or protect terrorists cannot expect indulgence nor can they expect to have normal relations with the Twelve [member states]' (European Political Cooperation, 2000a, p. 324; European Political Cooperation, 1986a; European Political Cooperation, 1986b; European Political Cooperation, 2000b, p. 325). These texts position terrorism as incompatible with liberal democratic life as organized in the EC. Through this binary opposition, whereby liberal democracy emerges as the benchmark of legitimacy, terrorism is made into an illegitimate strategy of dissent. Following Thorup, terrorism becomes an 'asymmetric counter-concept' for the state to legitimate its own rule (2010, p. 118).

What effects has the use of terrorism as an asymmetric counter-concept for subjects disputing this asymmetry, for what is the norm and for what is normal? In terms of subjectivity, the discourse on terrorism in liberal democracies restricts who can be labeled a terrorist to non-state actors, because terror is considered a coercive method anathema to the idea of democracy as constituted by peaceful dialogue (cf. Guittet, 2004, p. 447; Baker-Beall, 2013, p. 322). The implication of this Self/Other construction is that the label 'terrorist' does not stick to liberal democracies. The norm of how to respond to terrorism emerges as the effect of a duality in articulations. On the one hand, the interpretation of terrorism as contesting the state as the only legitimate authority of political order turns terrorism into a political act. On the other hand, this political character is simultaneously undone by the assertion of terrorism's illegitimacy. Crucially, this tension between the political and depolitical status of terrorism produced a norm – to 'eradicate' (European Council, 1976) – for how states should deal with terrorism. The logic organizing the discourse on terrorism was that state inaction in the face of terrorism might suggest alternative ways of settling claims not involving democratic means, which would open the door to discussion of 'what constitutes a just political order' (Ditrych, 2014, p. 56; cf. Thorup, 2010, p. 43). In other words, terror challenges the assumed timeless character of the sovereign's rule (Evans, 2013, pp. 11–12).

Following from the preceding point, the discourse on terrorism structures what is normal in discussing terrorism. During a Parliament debate in October 1984, as MEPs voiced their indignation about bombings targeting party political offices in Belgium and a hotel in Brighton where the British Prime Minister Thatcher was staying, MEP Schwalba-Hoth

commented that 'such deeds are the expression of a need to get a message across. For example the denial of the right to self determination of the Basques and the people of Northern Ireland' (European Parliament, 1984a, p. 157; cf. European Parliament, 1981a, p. 266). The utterance was immediately met by protests. At the close of the debate, Commission Vice-President Tugendhat referred to Schwalba-Hoth's statement as an example of '[t]hose who speak blithely about terrorism' and reminded the audience, as many speakers before him had done, that 'it is right that this House (...) which stands for freedom [*sic*] under the law, democracy and the reconciliation of ancient disputes, should condemn terrorism in all its forms' (European Parliament, 1984a, p. 158). The invocation of terrorism as a discursive strategy to disqualify someone's vision or arguments as political was not restricted to actual violent perpetrators, but extended to legitimate subjects who sought to problematize the stark binary between terrorism and liberal democracy.

Terrorism as an International Problem

Distinct about the articulation of terrorism in the EC context is its characterization as an international matter (cf. Baker-Beall, 2013, p. 324) during the 1970s and 1980s. Three images can be discerned in the EC context, namely terrorists as crossing borders, as supported by states and as organizing across borders. Not all the images held sway to the same degree in the different EC institutions (European Council, Council, including EPC, Commission and Parliament) which commented on how to govern terrorism. Neither are the images ideal types – they often appeared alongside each other; however, they are examined here separately for the purpose of analytical clarity.

The European Council mobilized the notion of 'international terrorism' in the title of a declaration in July 1976. The declaration foregrounded the cross-border character of the phenomena causing concern: '[r]ecent events have shown once again that no country, no people and no Government can hope to be spared acts of terrorism, kidnappings and hijackings directed against its citizens and interests unless all countries agree on effective measures' (European Council, 1976, p. 4). Commission Vice-President Cockfield put it straightforwardly during a Parliament debate in February 1985: '[t]errorism does not respect state borders and action, therefore, needs to be on a European level' (European Commission, 1985, p. 131). EPC statements from January and April 1986 in relation to Libyan actions also drew on the term 'international terrorism' to frame events (European Political Cooperation, 2000a, p. 323; European Political Cooperation, 2000b, p. 325). The statements indirectly move away from the idea of borders as effective barriers to prevent the movement of undesirable subjects. The concept of the international signifies the cross-border mobility of terrorists as a concern. While section III addresses this in more depth, for now it suffices to know that 'international terrorism' as revolving around border-crossing is only one instantiation of the term.

Another manifestation of 'international terrorism' was the claim of certain states supporting terrorists. While Parliament – together with EPC, as will be seen below – underwrote the idea of particular states supporting terrorists (European Parliament, 1977, p. 25; European Parliament, 1982a, p. 28; European Parliament, 1985a, p. 87), the Others it constructed as sponsors were not always publicly shared by other EC actors. Bulgaria and the SU (Soviet Union) were occasionally identified as terrorist sponsors (European Parliament, 1983; European Parliament, 1985b, p. 189), notwithstanding some scepticism by other

MEPs (European Parliament, 1983, p. 213; European Parliament, 1984b, p. 5). A 1984 Parliament report could not find any 'conclusive evidence of direct Soviet involvement' with terrorism in the EC (European Parliament, 1984c, p. 11), although the accompanying resolution suggested consequences if the SU did so (European Parliament, 1984d, p. 44). Publicly, the notion of Bulgaria and the SU as terrorist sponsors never gained currency outside the realm of Parliament.⁶ This was different in the cases of Libya and Syria in 1986, in both of which EPC ministers tried to orchestrate an economic boycott and restrict diplomatic privileges (European Political Cooperation, 2000b, pp. 325–326; European Political Cooperation, 1986b).

While the previous image of 'international terrorism' primarily revolved around physical movement across the border, state-supported terrorism as articulated by the EPC enacted the international somewhat differently. As the EPC statement from January 1986 reads: '[t]he Twelve express the wish to cooperate with all States, including those in the region, to deny terrorists support, cover or refuge' and 'condemn statements emanating from any quarter expressing support for terrorist attacks' (European Political Cooperation, 2000a, p. 323; European Political Cooperation, 2000b, p. 325). The 'international' refers not just to physical movement, but includes a material ('cover or refuge') and moral ('expressing support') dimension as well. Moreover, the focus in EPC on the state as sponsor of terrorism made the problem of terrorism part of a larger frame – that of diplomacy – having the effect of making it a more intractable issue, as dealing with terrorism now involved managing unruly states in addition to non-state actors.

The last image concerns terrorist groups collaborating on an international scale. The cross-border concern emerged here through the association of terrorists with the notion of organization. Publicly, this image held sway only within Parliament. A resolution from November 1977 noted that 'acts of terrorism frequently appear to be the result of international criminal planning' (European Parliament, 1977, p. 24). A 1982 Parliament report sketched the problem as follows: 'terrorism has been internationalized (...) through ideological and technical cooperation between terrorist organizations' (European Parliament, 1982a, p. 28). The image appeared most forceful around 1985, with numerous resolutions referring to 'terrorists (...) forming international alliances and waging organized and deliberate attacks on the security fabric of Europe' (European Parliament, 1985c, p. 49), 'the undeniable collusion between the various terrorist movements at [*sic*] international level' (European Parliament, 1985a, pp. 88, cf. pp. 89–92) and 'the international character of the movements' (European Parliament, 1985d, p. 109). The label 'Euro-terrorism' was also used to articulate cross-border co-operation between terrorist groups. As explained by MEP Penders (European Parliament, 1985e, pp. 141, cf. pp. 129, 131, 139; cf. European Parliament, 1985f, p. 219): 'Euro-terrorism refers to the wave of violence and killings which is sweeping Europe. But Euro-terrorism has more than just a geographical meaning; it implies that the instigators are organized on a Europe-wide level.' The notion of the international in 'international terrorism' thus emerged as variegated, in terms of both what it referred to and where it resonated. Border-crossing appeared as physical movement, but also in a material, moral, and organizational sense.

⁶ The situation was the obverse in the US, where the idea of the SU as a sponsor of terrorism was widely debated in parliament, government and academia (see Stampnitzky, 2013, chap. 5).

Terrorism as a Security Discourse

Any discourse is premised on a particular envisioning of events and it is worthwhile to reflect on what is particular about the discourse on 'international terrorism'. Although it may appear an obvious conclusion, the discourse on 'international terrorism' is part of a larger discourse on security. As this section has shown, the meaning-making practices involving the signifier terrorism were premised on an understanding of liberal democracy as the legitimate Self, governed by non-violent modes of conflict resolution, which turned the terrorist into the illegitimate, violent Other. In particular, terrorism is positioned in EC texts as endangering the political system. However, terrorism as a danger, despite this being a widely shared conception in EC texts, remained a contingent understanding, because there were other, although marginal, views about terrorism – as the following example shows.

In 1986, MEP Alavanos asked the Council what it intended to do about Commission findings that 'there will be a sharp decline in the number of American tourists visiting Europe in 1986 following the wide-scale propaganda exercise in the USA to dissuade Americans from taking holidays in Europe' (European Parliament, 1986b, p. 188). The question came in the wake of the Rome and Vienna airport shootings in December 1985. The Council referred to a Commission communication which emphasized 'that the apprehension voiced by potential overseas visitors is statistically groundless' (European Parliament, 1986b, p. 188). The Council continued by noting 'the efforts (...) to reassure Americans as to the negligible impact terrorism has on everyday life in Europe' (European Parliament, 1986b, p. 188). A completely different view is articulated here: that of terrorism as a nuisance, marginal to daily life, and whose truth emerged through statistics rather than the association with being a political threat. The view of terrorism as a security issue is not self-evident, but results from being linked with qualities (illegitimacy, political danger) and the broad acceptance of this view in the EC context. The effect is to treat the security discourse as representing the truth about terrorism, whereas the above example suggests the partial nature of this representation.

III. The Politics of Response

This section inquires into how the EC sought to govern 'international terrorism' and how this was not a self-evident affair. It shows how the EC could emerge as a viable setting for governing terrorism. First, it situates the EC responses to terrorism in a broader context, in order to grasp the specifics of the two initiatives (Trevi and the Dublin Agreement) before examining them in more detail.

The Limits of National Security Arrangements

As examined in section II, the notion of the international in 'international terrorism' was part of how terrorism emerged as a problem through the association with border-crossing. The claim was that terrorists could escape the authorities in one state by travelling to another state. The representation of terrorism as a cross-border event was not only captured by the signifier of 'international terrorism', but also appeared through the linkage of terrorism with the notion of co-operation between the member states, as is highlighted in the next paragraph.

The European Council declaration from 1976 made clear that ‘combatting the evil of terrorism’ could not be done ‘unless all countries agree on effective measures’ (European Council, 1976). In response to the kidnapping of Moro in 1978, the European Council mentioned ‘that high priority must be given to efforts to intensify co-operation among the Nine to defend our societies against terrorist violence’ (European Council, 1978, p. 21). The six Parliament resolutions from 1985 drew on terms such as ‘effective co-operation’, ‘coordination’, ‘common rules’ and ‘Community-wide (...) measures’ to express the need for cross-border collaboration between the member states (European Parliament, 1985a, pp. 87–90, 92–93; cf. European Parliament, 1977, p. 24; European Parliament, 1982d, p. 45). The emphasis on co-operation implied the existence of a cross-border problem and, by extension, that a single state could not deal with terrorism on its own (cf. Baker-Beall, 2013, p. 328). On a deeper level, the discursive linking of terrorism with the need for co-operation between the member states was a condition of the possibility for terrorism to emerge as a valid topic in need of governing in the EC context (cf. Baker-Beall, 2013, p. 313).

What the discourse on ‘international terrorism’ problematized was the mobility of terrorists, because their crossing of state borders, in the absence of proper international co-operation to offset this alleged terrorist advantage, meant they would remain unpunished. Terrorist mobility made possible and even necessitated co-operation between states. Co-operation was regarded as an obvious reaction to cross-border terrorism.

However, governmentality offers a different view. Section II showed the representation of terrorism as undesirable conduct depended on two associations: the reading of terrorism as a challenge to state authority and its international nature, which formed the basis for states to co-operate. Both associations relate to the concept of sovereignty. Sovereignty imposes territorial and judicial limits in terms of where and when the state can act, namely that state authority ends at the edge of its territory. Rather than subscribe exclusively to the view that mobility was what constituted terrorists as threatening, a governmentality perspective shows terrorism’s becoming as threat to emerge against the backdrop of a discourse on political order or sovereignty. The state, via the desire to maintain its territorial borders, contributed to terrorist mobility appearing as troublesome, and not terrorist mobility as such.

But in terms of governing terrorism, sovereignty introduced a friction. On the one hand, sovereignty conditioned state action to restrict itself to its territorial limits. On the other hand, sovereignty required the state to act in order to fend off challenges to its authority. This meant that the governing of terrorism as a form of undesirable conduct became a question of how to conduct government, that is, of how governments should respond.⁷ As is addressed next, this friction due to sovereignty made possible experiments with ways to govern, or ways to configure political order in such a way to account for political events (‘international terrorism’) transgressing borders.

International Responses

Before examining in more detail Trevi and the Dublin Agreement as attempts to govern terrorism as an EC affair, these efforts are set in a broader context. The event that

⁷ The distinction between the conduct of government and the government of conduct is Dean’s (2010, p. 38).

galvanized attention to terrorism was the hostage-taking of Israeli athletes by a Palestinian group during the Munich Summer Olympics in September 1972. The UN General Assembly debated terrorism following the Munich drama, although political differences over the definition and causes of 'international terrorism' prevented agreement, leading instead to a string of more 'technical' resolutions and conventions on specific aspects of terrorism (Thorup, 2010, p. 125). The intelligence and security services had already deliberated about terrorism before the UN action. WEU (Western European Union) services discussed it for the first time during one of their regular meetings in October 1970 (Engelen, 2007, p. 173), and it was raised within the NATO Special Committee from 1972–73 onwards (Bro, 2007, p. 242). Around the same time, the so-called Club de Berne emerged – a broadening of WEU co-operation which aimed at building trust among mid-level intelligence officers (Engelen, 2007, pp. 174–75).

Beginning in June 1976, EC interior ministers organized regular meetings as Trevi to consult on how to deal with terrorism (European Parliament, 1978b, p. 8). Meanwhile, the Council of Europe drew up the ECST (European Convention on the Suppression of Terrorism) to work around loopholes in extradition; it entered into force in 1978. While the EC member states reached agreement to implement the ECST among themselves as the Dublin Agreement in 1979 – the result of a political deal between France and West Germany (Blumenau, 2015, p. 317) – it was never ratified. Police practitioners created the PWGT (Police Working Group on Terrorism), another co-operative forum against terrorism, in 1979 (Chalk, 1996, p. 124). The inability or ineffectiveness of actors with a global reach (UN, Interpol) is cited as a reason for developing regional initiatives (Fijnaut, 1993, p. 79; Argomaniz, 2011, p. 5), although the above listing of the various bodies suggests that the wheres and hows of dealing with terrorism were neither self-evident nor undisputed.

Trevi and the Dublin Agreement

Trevi facilitated 'the exchange of technical information and experience' concerning terrorism and was founded in June 1976 (European Parliament, 1978b, p. 8). The EC interior ministers were politically responsible, with senior officials directing specialists devoted to information exchange and the sharing of best practices (Peek, 1994, p. 202). Its form and functioning was not obvious. After creating Trevi, the interior ministers had apparently postponed the decision to 'establish the context within which this meeting should be held' and it was not until Council President Thorn reported in April 1976 that it was decided that the 'most suitable context (...) is that of political cooperation [EPC]' (European Parliament, 1976, p. 75). The choice of EPC was a curious one, as it was the domain of the foreign affairs ministers. It did make sense in terms of convenience, because, as Commission President Jenkins admitted in 1978, 'it would be a little difficult to bring all these ministers together within that framework [the Treaty of Rome] because it [Trevi] is not covered by the Treaty as such' (European Commission, 1978b, p. 220). To complicate things further, the interior ministers' meetings appeared to be a 'purely intergovernmental affair under the aegis of neither the Council nor political cooperation' (European Parliament, 1982c, p. 153; cf. European Parliament, 1982d, p. 1).

The character of the Trevi meetings was 'naturally confidential and the only public reports on them are press releases issued at ministerial meetings' (European Parliament, 1981b, p. 19). While the ministers appeared happy with Trevi – 'an effective instrument for preventing international terrorism in that they enable the Community Member States

to hold regular exchanges of information' (European Parliament, 1982e, p. 7) – others were less pleased. Certain MEPs felt they were kept in the dark regarding activities which potentially strained civil liberties. MEP Cot asked: '[w]hat judicial action does the Council intend to take to guarantee the rights of the individual in cases where they might be jeopardized by cooperation resulting from this work?' (European Parliament, 1979a, p. 5; cf. European Parliament, 1978b, p. 8; European Parliament, 1984b, p. 4). MEP Bonde enquired: '[h]ow is 'terrorist activity' distinguished from other forms of "subversive activity"?' (European Parliament, 1982d, p. 1). Police practitioners disliked Trevi for their own reasons. Allegedly a result of despair with the political nature of Trevi, the PWGT emerged to facilitate practical and operational co-operation (Chalk, 1996, p. 124). Trevi as an EC initiative for governing 'international terrorism' appeared a product of convenience. EPC likely provided a precedent to organize Trevi outside the Treaty basis which was sufficient for some (the EC ministers), probably because it allowed a retreat to the rationale of secrecy to dodge politically uncomfortable questions, but disappointed others (police practitioners) as a way of working around the limits of sovereignty.

While Trevi tried to keep track of terrorist mobility, the Dublin Agreement attempted to curb terrorist mobility. This latter initiative centred on amending the so-called political offence exemption. In nineteenth-century Europe, a legal tradition emerged which allowed democratic states to shield foreigners from extradition to their home country if they risked being persecuted for their political ideals there (Gilbert, 2006, p. 19). In the mid-1970s, European states developed the ECST and the Dublin Agreement to codify that terrorism was not a proper ground for claiming a violent act as a political offence. What both initiatives tried to put in place was that states either had to extradite a suspect or prosecute this person in its own courts. The aim was to ensure that even if terrorists crossed state borders, they could not escape the rule of law. The ECST and the Dublin Agreement can be read as efforts to articulate the terrorist as a distinct subject-position to enable effective government of an undesirable form of conduct. Such efforts involved a struggle over how to conduct government, including what kind of Self was at stake.

What form of governing did the Dublin Agreement proscribe? Article 1 listed which deeds were no longer considered a political offence. Offences were linked to specific practices, for instance, 'an attack against the life, physical integrity or liberty of internationally protected persons', 'kidnapping, the taking of a hostage or serious unlawful detention' and 'the use of a bomb, grenade, rocket, automatic firearm or letter or parcel bomb if this use endangers persons' (Council of Europe, 1977, p. 2).⁸ Article 1 attempted to isolate certain forms of undesirable conduct in order to enable government. The desired form of governing is found in Article 7, where a state 'which has received a request for extradition (...) shall, if it does not extradite that person, submit the case (...) to its competent authorities for the purpose of prosecution' (Council of Europe, 1977, p. 3). Sovereignty is renegotiated here – although in a minor way – as Article 7 enacted between the member states a norm of either extradite or try in order to come to grips with a cross-border event which a single state could not deal with on its own.

But the confrontation with the terrorist Other through the Dublin Agreement took place on an understanding of the member states as liberal democratic Selves. For instance,

⁸ The Dublin Agreement regulated the relation between the ECST and the member states; it relied on the ECST for the actual text of the agreement.

Article 5 *exempted* the offences mentioned in Article 1 as political and placed them beyond extradition 'if the requested State has substantial grounds for believing that the request for extradition (...) has been made for the purpose of prosecuting a person on account of his race, religion, nationality or political opinion' (Council of Europe, 1977, p. 3). Articles 5 and 7 reflected a considerable tension, because via the former, the latter could be undone. With the Dublin Agreement the member states positioned themselves to act in between the desire to exempt certain offences from being political offences and that to retain the right to political asylum. The Agreement's composition thus reflects how it is informed by competing Selves. The Dublin Agreement attempted to capture an event ('international terrorism') which escaped political order through an intensification of the bounds of (il)legitimacy and by trying to align the legal orders of the member states.

Parliament's engagement with the Dublin Agreement showed, at least in public discourse, the existence of alternative conceptions of how to conduct government. Again, this occurred within the discourse of the member states as liberal democracies. While these alternatives shared the view that the curbing of cross-border terrorist mobility was needed, they were at odds over the where and how of government. Some conceived of governing terrorism as the need to break with remnants of the past which were no longer in line with the spirit of the age. MEP Elles considered the political offence exemption one of those 'hangovers from the nineteenth century' (European Parliament, 1979b, p. 171). For Elles, extradition between the member states without refusal on political grounds was no longer problematic due to a shared culture that allowed for trust and confidence: '[w]e are all (...) parties to the European Convention on Human Rights and Fundamental Freedoms, a convention which recognizes and protects the rights of all individuals in the matters of arrest, detention and trial' (European Parliament, 1979b, p. 171; cf. European Parliament, 1982f, p. 219). Similarly, a 1982 Parliament report observed that 'in a shrinking world, the older concept of sovereignty is no longer applicable in many areas and must therefore yield to the new dimensions of international life' (European Parliament, 1982a, p. 27). The report found that 'a politically unified Europe is impossible without a unified judicial area, so that any progress in this area is progress on a European scale' (European Parliament, 1982a, p. 27).

Others had more reservations, especially about the ability to distinguish clearly between the categories of terrorism and politically motivated violence. MEP Gendebien referred to the 'imprecise borderline separating what is called terrorism from political crime or even, in extreme cases, from straightforward political opinion' (European Parliament, 1979b, pp. 182, cf. pp. 173, 175, 184; cf. European Parliament, 1981a, p. 267; European Parliament, 1985e, pp. 135, 138). According to the minority opinion of the aforementioned 1982 Parliament report, an imprecise definition of terrorism 'seriously jeopardises the tradition of political asylum' (European Parliament, 1982a, p. 30; cf. European Parliament, 1979b, p. 184; European Parliament, 1980, p. 45). The report's minority opinion went even further and concluded that '[c]ertain members felt that while a common action against terrorism was necessary, the proposals put forward were neither addressed to the correct bodies nor founded on a valid legal basis' (European Parliament, 1982a, p. 30).

Central to the Dublin Agreement and the suggestions by MEPs regarding extradition was that they attempted to align their self-understanding as liberal-democratic with the question of how to confront a problem ('international terrorism') which allegedly escaped the individual capacities of states. Even though all based themselves within liberal

democracy, their suggested courses of action were very different. All wrestled with how to govern the situation, although not all took the EC as the self-evident starting point for coming up with a solution.

Conclusion

This article examined how the notion of ‘international terrorism’ emerged as a problem in EC public discourses and how the EC sought to govern terrorism through information exchange and by amending extradition procedures. The problematizing of terrorism was due to two associations: first, the reading of terrorism as an illegitimate political challenge, a simultaneous enactment of the problem as political and depolitical. Second, terrorism was characterized as an international event by its linkage, in various ways, to the crossing of borders. Terrorists moved across the border to hide in another state; they organized across the border, although this image resonated merely in Parliament; and certain states were named as sponsors of terrorism. Particular about the discourse on ‘international terrorism’ was its constitution as a security discourse, which marginalized other ways of understanding terrorism – e.g. as a nuisance – and conditioned how to govern terrorism. For instance, Trevi and the Dublin Agreement articulated the governing of terrorism as, respectively, a police and judicial affair.

EC attempts to govern ‘international terrorism’ were continuous instantiations of forging a correspondence between political events (‘international terrorism’) and the space in which politics was conducted (the sovereign, territorial state). The emphasis on ‘international terrorism’ as overflowing borders conditions the political order into trying to capture this excess. This ambition always falls short of its goal, leading to a continuous invention of governing structures aimed at improvement. Rather than taking for granted the state as reacting to an external force such as ‘international terrorism’, this reading showed how the spaces between political events and the enclosure by political order are discursively mediated rather than given up front.

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