

Sovereign Practices

Exceptionalism and the Politics of Counter-Terrorism: Liberty, Security and the Politics by Andrew W. Neal. London and New York: Routledge, 2010. Pp. 150+ notes+ bibliography+ index. £75 (hbk). ISBN 978-0-415-45675-3.

Talking to Terrorists. Making Peace in Northern Ireland and the Basque Country by John Bew, Martyn Frampton and Iñigo Gurruchaga. London: Hurst & Co., 2009. Pp. 259+ notes+ bibliography+ index. £18 (hbk). ISBN 978-1-85065-967-9.

There would appear to be very little in common between these two recent works on terrorism. They touch different dimensions of the topic, follow different ontological, epistemological and methodological approaches and have different goals and interests. Nonetheless, reading the two books together provides a stimulating contrast on terrorism and the state practices associated with it. After briefly analysing the arguments, objectives and conclusions of both books, this review will show how such different intellectual exercises can help us better understand the problematic of sovereignty in the context of the war against terrorism.

Deciding on the Exception

‘Misleading’ is the least that can be said of the title *Exceptionalism and the Politics of Counter-Terrorism* once one has begun to dig into the complexity and brilliance of its content. There is simultaneously much more in it than an analysis of exceptionalism in a time of war on terror, and little in terms of politics of counter-terrorism. Andrew Neal’s book is a sophisticated theoretical discussion of how the triangle liberty–security–exceptionalism has been treated in Western political thought since Hobbes and Kant, and of how that treatment has led to the reification of a particular regime of truth. As is made clear, ‘[t]he aim of much of this book has been to break the connection between the heterogeneous practices and discursive formation signified by “exceptionalism” and the philosophical and legal problem of “the exception”’ (p. 135). Neal follows a Foucauldian understanding of the topic, using the French thinker’s thought as a springboard to criticise all other authors. In that sense, even though most of the criticisms are accurate and well supported, the reader is left to wonder whether Foucault’s thought could not also be seen as faulty and open to criticism.

Thomas Hobbes and Immanuel Kant are the first authors to be analysed and criticised in this book. This comes in chapter two, after two introductory chapters in which Andrew Neal sets the terms of discussion of his work, by highlighting the underlying fallacy in the liberty versus security debate. Following the brief analysis of four cases—the anti-US terrorist attacks of

September 2001, the subsequent passing of the US PATRIOT Act in 2001, the civil liberties debate in the European Union, and the UK Civil Contingencies Act—Neal concludes that liberty and security, rather than being dialectically opposed, are part of the same discourse as they are both intimately related to a discourse of sovereignty (p. 21). Practices of exceptionalism take this relation to its limit (p. 21), as the sovereign is called to curtail liberties in the name of liberty (through security). It is in the attempt to expose this paradox that Neal moves to the analysis of Kant's and Hobbes' political thought. By looking at the debate between liberty and security through these two authors, Neal concludes that even though they are usually seen as thinkers with quite distinct positions, they both end up reifying the sovereign state as the ultimate guarantor of freedom. In that sense, 'it is all freedom under the state, as the state is the minimum condition of possibility for the socio-political realization of universal freedom' (p. 54). Therefore, sovereign exceptionalism is the price to pay for that freedom. Security and liberty are thus not opposites, but one and the same: the security of liberty.

After being set free from this dichotomy, Neal goes to the core of his analysis, focusing on Carl Schmitt's 'exceptionalism' in order to understand how the politics of the exception is constituted and in turn forms knowledge-claims that permeate our understanding of politics. Schmitt managed to unify the definition of the exceptional problem and the exceptional solution under the same leader—the sovereign. According to Neal, Schmitt conflates 'three different things: (1) the "real possibility" of the exceptional event; (2) the sovereign decision that the exception exists; and (3) the exceptional sovereign response to the event' (p. 74). In that sense, as suggested by Neal, Schmitt's account of the exceptional is highly biased towards the reification of a particular sovereign understanding of politics. Neal's debate with Schmitt is long and complex, leading to a confrontation between Schmitt and Foucault, present in most chapters, but directly revealed in the conclusion.

On the way, Neal brings to the fore authors such as Giorgio Agamben and Ole Wæver, both seen as 'reifiers' of sovereign politics, at least as understood by Schmitt. It is Foucault, however, that finally brings a clearly distinct view that not only allows for a critique of Schmitt's exceptionalism, but also a move away from the underlying sovereign logic imbedded in his thought; a logic that places 'an absolutely modern sovereign state with metaphysical foundations which foresees the contingency of the exception, heralds its arrival and offers our salvation from it' (p. 141). In contrast, a Foucauldian approach asks 'how a whole series of practices came to be articulated around a supposedly universal concept which did not previously exist' (p. 144). The aim of such an approach 'is to explain how the truth and legitimacy of exceptionalism, the *dispositif* of exceptionalism, came to exist under present conditions' (p. 146). His main conclusion is that the 'exception is only the correlate of a heterogeneous array of practices looking for legitimacy' (p. 150). It is by understanding that there is nothing deterministic or metaphysical in Schmitt's claims that we manage to move beyond his essentialist understanding of the exceptional.

Apart from offering a slightly biased understanding of the Copenhagen School (Neal completely dismisses the Arendtian political ethics of the securitisation theory and over-emphasises its Schmittian influence) the only major criticism that can be levelled against Neal's work is its lack of focus on counter-terrorism (and, again, this is related to the inter-play between title and content, rather than to the overall structure and coherence of the work). Neal mentions different measures approved within the context of the war on terror in Chapter 1 and he does analyse the exceptional significance of the US detention centre in Guantanamo Bay. All these cases, however, serve to illustrate Neal's arguments and are not part of his core analysis. That is, the politics of counter-terrorism could have been replaced by another topic, as long as it played with the idea of the exceptional. The conditions that make possible specific practices and discourses associated with terrorism and counter-terrorism are thus under-specified in this work. For instance, it would have been interesting to know whether the discourses and practices of counter-terrorism are the same as those used in the so-called 'War on Terror'. Is the latter merely an amplified version of the former, or does the War on Terror entail additional specific dimensions that make counter-terrorism an insufficient concept to describe the measures undertaken by Washington and its allies since 2001?

The Practice of Counter-Terrorism

Talking to Terrorists does not have the theoretical ambitions of *Exceptionalism and the Politics of Counter-Terrorism*, but it certainly is a stimulating analysis of the counter-terrorist policies implemented in Northern Ireland and the Basque Country in the last 40 years. John Bew, Martyn Frampton and Iñigo Gurruchaga provide detailed narratives of these two conflicts (albeit focusing on Northern Ireland more than the Basque Country), examining the importance of opening negotiations or even merely communicative channels between states and so-called 'terrorists'.

Contrary to the idea that terrorists are politicians in disguise that states have to engage with in order to cease their violent activities, both the Northern Ireland and the Basque Country conflicts show that establishing dialogue with these movements might actually lead to the perpetuation and escalation of the conflict, rather than to its resolution. What the Northern Ireland case shows in particular is that such a conciliatory approach works better when the non-state movement has been weakened and thus is more prone to tone down its demands and is more open to negotiate (p. 257). As they conclude:

[u]ltimately, if talking to terrorists can be said to have had some success in Northern Ireland, this was only when the terrorists had come to accept the rules of the game and agreed to abide by them in the search for a settlement. (p. 259)

It is clear from these authors' analysis that there can exist a strong discrepancy between dialogue and communication, and that, when this occurs, the likelihood

of success of the former is betrayed by problems in the latter. In Northern Ireland, for instance, the Irish Republican Army (IRA) more than once misunderstood the British willingness to engage in talks as a sign of either weakness or lack of interest in Northern Ireland. In this case, what was being said was different from what was being perceived; the communication that resulted from the dialogue was, in that case, very different from the content of the words that were being uttered.

Thus, the overall conclusion put forward in *Talking to Terrorists* is that talking and negotiating with these types of movements is not a panacea that solves all sorts of conflicts (p. 252). There must be necessary strategic conditions in place for such a move to work. It seems clear from these authors' point of view that counter-terrorist responses must involve a sufficient degree of coercion that gives the state some leverage on the negotiation table (p. 247). Even though excessive repression or coercive measures might and do have escalating effects, those are usually not as pernicious as thinking that dialogue alone will solve the conflict (p. 254). As Bew, Frampton and Gurruchaga conclude, 'the importance of "hard power" cannot be overlooked' (p. 254).

In contrast to Andrew Neal's book, *Talking to Terrorists* is an empirical account that takes the historical-political conditions as given and tries to analyse the conflicts through those same conditions that *Exceptionalism and the Politics of Counter-Terrorism* alerts us to. As a result, the conclusion of this book leads to a strong reaffirmation of the principle of state sovereignty. In addition to the problems associated with the theoretical implications of reaffirming such a principle, another problem with these authors' conclusions is that they are based on two conflicts that seem far from completely settled. In that sense, the analysis of the inter-play between states and 'terrorists' can only be done through a temporary prism, considering temporary results. We cannot know if what is today seen as a pernicious move or as a problematic approach will not reveal itself to be a key stepping stone to a more enduring peace. The lack of a right answer—something this book clearly underlines as crucial to understanding counter-terrorism—is rendered much more complex given the volatility of provisional conclusions.

Sovereignty and Terrorism

When using *Exceptionalism and the Politics of Counter-Terrorism* to read *Talking to Terrorists*, there are two aspects worth highlighting: first, the similarity in practices and discourses by both states and non-state movements in Northern Ireland and the Basque Country; and second, the idea of the sovereign peace.

When moving from the account on the conflict in Northern Ireland to that in the Basque Country, the ease with which the reader adapts to the context of the latter is noticeable. More than the similarity of contexts, it is the similarity of what is said and done by the conflicting actors that is striking. The

accusatory discourse of colonialism against the central government (against London in the case of the IRA, and Madrid in the case of ETA); the splintering of movements, the distinction between moderates and radicals, a distinction that is mutually constructed and self-reified; the usage of political amnesties on the part of the state as a tool to reduce tensions; the terrorist labelling and the incoherent practice of indirectly negotiating with 'terrorists' and finally the oscillation in the state's response to terrorist attacks. Sometimes these violent acts lead to more repressive policies, while at other times they are seen as provocations that have to be under-played for the greater good of a lasting peace.

This relates to another point which, in Neal's work, helps to uncover the underlying assumption of counter-terrorism and that is the idea of 'sovereign peace'. The focus of *Talking to Terrorists* is on the idea of terrorism as a disturber of the British and the Spanish states. Hence, the major goal of counter-terrorism in these cases is neither societal peace nor outright repression per se, but rather the reaffirmation of state sovereignty. This involves the reaffirmation of the monopoly of legitimate violence, and particularly the potential and practical implementation of that sovereignty through a whole range of mechanisms, instruments and techniques. A movement that threatens such a principle obliges the state, within a certain historical-political context, to develop a whole set of measures that can range from negotiation to violence. The goal is to make sure the conflict is dissipated and that the status quo is restored with as little change as possible. As Bew, Frampton and Gurruchaga note (p. 30), when London decided to send in the Army to pacify Northern Ireland in 1969, '[t]he plan had simply been for the Army to "hold the line" between what were seen as two warring tribes, in order to allow a return to something not too far removed from the *status quo ante*, albeit with a greater emphasis on a continued process of reform to meet the demands of the civil rights movement'.

Bew, Frampton and Gurruchaga's work highlights in the narratives of both conflicts an aspect that is not sufficiently considered by Neal, which certainly deserves further attention, and that is the 'normal' measures that are used in counter-terrorism. In order to effect this sovereign peace, states develop and undertake certain policies that can be politically announced as exceptional but that can also be undertaken within what the Copenhagen Schools calls 'normal politics'. These measures can be presented and decided without any call for an exception, and still be used in the reaffirmation of the sovereign state. That is, counter-terrorism can be used to understand exceptionalism, but the latter can only partially explain counter-terrorism (and that is why Neal could have further developed his points regarding this subject).

As a result, the affirmation of sovereignty must include, in these cases, a whole series of policies and discourses of which exceptional declarations and practices are mixed with 'normal politics'. Andrew Neal's work gives a strong theoretical background to help us understand how these exceptional claims are constructed, the implications of accepting them at face value, as well as their heterogeneous contingency that makes Schmitt's exceptionalist claims

historically weaker than usually thought. *Talking to Terrorists*, on the other hand, is a solid illustration of the difficulties, obstacles and problems associated with the sovereign implementation of these practices; of how counter-terrorism is an incoherent, contradictory and uncertain policy area and of how, in the specific cases of Northern Ireland and the Basque Country, well-intentioned 'normal' policies often led to unintended outcomes while 'exceptional' repressive measures eventually contributed to the pacification of both areas.

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Wary of World Politics

After the Globe, Before the World by R.B.J. Walker. Abingdon: Routledge, 2010. Pp. 258 + notes + bibliography + index. £22.99 (pbk). ISBN 978-0-415-77903-6.

This is a thoughtful philosophical work with a complex argument but a rather straightforward message. The message can be summarised in one line: Be wary of the binary opposition between the politics of the international and the politics of the world. Like all such oppositions—we remember of course Walker's¹ previous inside–outside argument—these two conceptions are actually dependent on one another. We are better off looking at what this opposition presupposes, what boundaries and limits this distinction sustains. We should note how this field from one to the other sets out a series of inclusions and exclusions, of possibilities and impossibilities.

We can thus expect to find in Walker's new book some familiar themes that question the positing of beginnings, endings and spatio-temporal trajectories. This is done through a critique of traditional approaches to International Relations (IR) theories like realism and liberalism but also those arguments that stress the idea of new configurations that go beyond the international to invoke what Walker calls 'the world'. Thus we already know that realism and liberalism produce one another, that they are mutually constitutive and reflect idealisations of the states system. But now we also told how modern politics—which attempts to contain the world within the international—must also posit the world as a constitutive outside.

The relationship between the international and the world is therefore a complementary and mutually productive one. Walker notes how the politics of the international generate problems flowing from particularism, pluralism and fragmentation—e.g. questions of the nature of sovereignty and the states system—which then raise issues of universalism—such as our understanding of humanity, globality and human reason (p. 4). Thus the modern states system works on the basis of a claim to reconcile rights within states with a universal understanding of humanity, the later helping constitute the former. On the basis of this, Walker provides a critique of a range of contemporary arguments that