The Anglo-Spanish Experience: a Comparison of Counter-terrorism Strategies in the UK and Spain

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Abstract

This thesis provides a comparative analysis of UK and Spanish approaches to counter-terrorism between 2004 and 2014. The aims of this study are to identify and examine comparable counter-terrorism approaches in the United Kingdom and Spain, using both theoretical and legal frameworks to underpin the statistical analysis applied.

Whereas international counter-terrorism has been readily studied in the context of important events such as the September 11th attacks, very little work has been conducted regarding individual European comparatives. This is seen particularly in respect to comparative studies of counter-terrorism development and application, whereby the respective experiences of the UK and Spain are relevant.

To do so, this study chooses three indicators of counter-terrorism: policing numbers, security spending, and criminal prosecutions, and undertakes statistical examination using national comparatives, and associations with terrorism incidents. Using the period 2004-2014, it views the analysis through the lens of historical institutionalism and measures such events through the roles of institutions, exemplified by attacks in Madrid (2004) and London (2005) respectively.

It argues that while police numbers show little comparable data between the two nations, security spending is heavily influenced by economic and external factors in the UK and Spain. Similarly, and when correlated with terrorism events, conviction rates expose interesting divergences – the use of the criminal justice system in Spain suggest a number of historically-institutionalised issues not seen in the UK, particularly through the use of the nation's constitutional reform.

Finally, it therefore offers a contribution to existing knowledge through suggesting that further understanding of historical events and their impact on legislation could have great influence on national counter-terrorism approaches. This could be furthered through a focus on alternative counter-terrorism strategies, which may show similarly institutionalised issues.

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Chapter 1: Introduction

The thesis examines the key issues in counter-terrorism in the UK and Spain, looking at how each nation has differed in their approach to dealing with security challenges. Within this, the study will contribute new evaluations on the legal frameworks in place. It does so by focusing, specifically, on three aspects: statistical analyses regarding the way each nation has used police numbers, its security expenditure and the criminal justice system to prevent and punish terrorism. The importance of this lies in the lack of study using these research parameters: particularly through the theoretical approach used in these dimensions (historical institutionalism) and the time frame to be considered. Although comparative studies between European nations have taken place (see work by: Foley, 2013), the historically-motivated approach to evaluating the UK and Spain in particular provides scope for further contribution. The study's original research uses primary sourced data from both countries, validated by the EU's Eurostat organisation and EUROPOL security force (Lavranos, 2013).

1. 1 Background and Questions

Counter-terrorism strategy in the UK and Spain has demonstrated both consistencies and variances in its implementation, often considering a multi-faceted approach to security in both nations. While the promise of European homogeneity has provided some direction to a common counter-terrorism approach (Boer *et al.*, 2008), any alteration in approach or security practice within the counter-terrorism sphere is mainly taken at the national level (Van de Linde *et al.,* 2002) with some interaction among the European Union's (EU) security institutions. The terrorism "threat" (Nesser, 2014) shows a need for better cooperation amongst the continent's member states, which may also inform a more homogenous counter-terror approach.

The differences in counter-terror operations between the two nations have been traditionally considered a significant gap in the research, as the examination of strategies in counter-terrorism success and failure are limited (Lum *et al.*, 2006: 40). In this regard, there is a lack of assessment about the effectiveness of different counter-terrorism approaches at governmental or supranational levels. This is also exemplified through the

lack of temporal or longitudinal analyses in comparative studies, despite terrorism's historical frequency.

Consequently, the study considers the security and counter-terrorism practice of the UK and Spain within the importance of its legislation (Monar, 2015), and also the theoretical consideration of historical institutionalism. For both legal and theoretical evaluations, the subsequent statistical analysis will be conducted across a 10 year period. Ergo, The time frame of 2005-2014 is chosen in order to both take into account the changes in strategy brought on by the Madrid and London bombings in 2004 and 2005 respectively, and also the decision by the UK to re-consider its position in the EU[1]. Considering this, the following research questions are raised:

1. What were the major differences/similarities between the counter-terror approaches of the UK and Spain in the period 2005-2014?
2. Have historical events had an impact on the way in which the UK and Spain determine their counter-terrorism approaches?
3. Has attack frequency changed as a consequence of Questions 1 and 2?

The choice to study both the UK and Spain within the context of these questions is defined principally by their respective historical experiences; this will feature both in Chapter 2 through an outline of historical events, and in Chapter 4 through the analysis of their respective legal frameworks, which will encompass the assistance and aid of historically-institutionalised theory. The variance in strategic approach undertaken by both nations during the IRA and ETA campaigns respectively helps to illustrate how security services may operate in different ways (Alexander, 2013: 24-30). Again, the importance of historical motivation to this study makes a focus on both above groups integral to understanding modern counter-terrorism.

The UK and Spain has experienced significant events of terrorism, observed particularly through the prolonged campaigns in Northern Ireland (UK) and the Basque Country (Spain), which sets it apart from other European examples through the severity and intensity of said campaigns. Interestingly, an analysis conducted for the Washington Post (Alcantara, 2016) illustrated the upsurge in incidents in countries such as France, whereas

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[1] The decision to undertake a referendum on the UK's membership of the European Union was confirmed in the 2015 General Election.

incidents in the UK and Spain have remained consistent, pointing to a changing landscape for counter-terrorism in those countries.

The development of counter-terrorism is as complex as it is difficult to define, due to the dramatically changing dynamics behind both security practice and political decision-making influencing them. This thesis will attempt to take into account conflicts between both counter-terrorism mechanics and delicate security cultures that influence the decision-making process in European nations. In order to achieve this, the context surrounding the choice to examine this comparative should be outlined.

1. 1. 1 Approaching Counter-terrorism

The very act of terrorism requires both definition and understanding. Terrorism is widely considered to be the act of using violence for political or religious gain – in essence, spreading "terror" (Hoffman, 1986; Ganor, 2002; Martin, 2015). However, it is a notably controversial topic, with a competent definition being extremely difficult to ascertain amongst uncertainties relating to insurgency and armed conflict (Hodgson & Tadros, 2013). With this in mind, reflecting upon the definition of terrorism can leave the academic community focusing unduly on categorising how the threat manifests; while contrastingly, security services will attempt to focus on the aim of stifling attempts.

The variety of approaches by individual European nations in counter-terrorism and security, and their respective positions in the European Union, requires further elaboration. While the Union is not a measured factor in this work, its role and importance to the study is important to perceiving how the security efforts of the selected nations have differed within its framework. It can be accurate to claim that counter-terrorism cannot be successfully defined due to the sheer weight of architectures, laws and initiatives that derive from the concept, whereas the facets and norms surrounding its policy can be examined theoretically, i.e. through the likes of a historical institutionalist lens.

Actual security activities – and within this study, those pertaining to the UK and Spain principally – are structured according to their respective strategic objectives: i.e. geographical operations such as community policing, international and cross-border activities; or by crime, such as homicide, narcotics or counter-terrorism (Mounier, 2007).

Cooperation and strategic homogeneity in counter-terrorism, therefore, is indicative of more than just International Relations (IR) or political expediency – it would require an understanding of all counter-terrorism action and intention, alongside a willingness to learn from relevant foreign institutions.

To clarify, some initiatives for counter-terror security undertaken by the UK and Spain may help to identify the research rationale behind this thesis. Appendix A compiles a number of recent initiatives from both nations discussed in this thesis, ranging from data retention (UK, 2014), to laws ignoring the statute of limitations (Spain, 2010) – criteria for inclusion is considered in Chapters 4. This breakdown of initiatives identifies some differences in decision-making across both national and temporal lines, despite both nations adhering to the supranational guidance of the EU at this point. Similarities are drawn within certain legal remits, particularly in relation to data access and retention, and will be examined further in this work.

1. 2 Statement of the Problem

Fundamentally, the subject of counter-terrorism brings together conflicts of security, nationality, attitude and historical issues. Comparative analysis of counter-terrorism strategy allows for investigation of internal and external factors that might impact this: it includes actual counter-terror architectures, partisan and possibly nationalistic political focus, and even the cultural approaches of differing European nations. Understanding how different states use counter-terrorism and its structures could aid thinking as regard to the strategies that are altered and adapted for more 21st Century threats. Foley (2013: 168) identifies this in his exemplification of the UK and France, whom were shown to modify their counter-terrorism responses in accordance with the threat environment.

Selecting the UK and Spain for comparison recognises important "critical junctures"[2] in their counter-terrorism approaches. In order to do this, similarities relating to the historical experiences of the nations should be taken into account in order to inform this categorisation: the basis of which considers examples of separatist insurgencies or institutional similarities. A number of institutions that may influence UK security decision-making are considered, contrasted by the general inflexibility of Spanish

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[2] See: Chapter 4

constitutional rigidity. The aforementioned counter-terrorism strategies: police numbers and security funding; prosecutions and convictions; and legislative strategy, will be evaluated and quantified.

1. 3 Research Objectives

This study will provide a comparative analysis of counter-terrorism approaches in the UK and Spain in order to explain the variations observed in the implementation of strategic[3] approaches (i.e. prosecution frequency, police numbers or funding) – in-depth explanation of how, why and in what context these strategies are elected is outlined in Chapter 5. The use of a 10-year chronological benchmark, within 2004-2014, is intended to dictate the statistical interpretations of the study, and consequently inform the results of any comparative.

The analysis will involve the following aims:

i) The identification and comparison of counter-terrorism strategies used in the UK and Spain between the years 2004 and 2014.

ii) The identification of correlations and associations in counter-terrorism strategies against attack frequency in both the UK and Spain.

As set out above, this thesis will focus on the comparative nature of UK-Spanish counter-terror approaches, with strategies delivering an innovative outlook on the practices of two European nations with a markedly similar security history (De la Calle & Sanchez-Cuenca, 2013: 2). This historical issue marks the justification for both the choice of quantitative parameters; alongside the thesis' theoretical framework, which will consider the role of relevant institutions (where available for consideration) in the face of security events underpinned by path dependence and critical junctures.

This study can look at 2004/5 as a year of key event in counter-terrorism, which works to explain the critical juncture perspective looked at later in this work. The Madrid and London bombings respectively provide a possible juncture influencing institutions, which subsequently inform the decision to look at certain counter-terrorism indicators: police

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[3] In the case of this thesis, "strategic" refers to the strategies employed as measurable security parameters: police numbers, security funding, and conviction rates.

numbers (aggregated by Europol's choice to elect for counter-terrorism measurements); security funding (aggregated by Europol to work as that dedicated for counter-terrorism); and finally prosecutions (successful convictions). This will be discussed in Chapter 7 under the guise of legal frameworks and constitutional issues alluded to in Chapter 4.

The objectives set out above are to be set within the framework of a historically institutionalist perspective, which intends to consider how different institutions and agencies may react to events in both countries. Institutions will be considered as the following:

- National police forces;
- Finance ministries and offices (respectively);
- The Criminal Justice System

Here, the research will sit it within this theoretical framework, considering how different counter-terror indicators may vary within evidence of institutional change and fluctuation. Most prominently, the study will keep in mind how, alongside counter-terror strategies, institutions may or may not be a useful approach for measuring the effects of events.

1. 4 Thesis Structure

The remainder of this thesis is organised around the following chapters:

1. Historical Context

Chapter 1 provides identification and analysis of the varying historical contexts affecting each case study. The chapter seeks to explain how certain issues affecting each nation may have developed into both motivation for terrorist actors, and influence for security agencies and their strategies. Such issues include the particular influences and impacts of the IRA and ETA on the UK and Spain respectively, looking at the specific, elongated campaigns of both groups. This works as a preliminary introduction to many issues that feature in the literature within the next chapter.

2. Literature Review

This chapter intends to identify and expose possible gaps in the literature regarding counter-terrorism, particularly regarding relevant topics covered by academic work on counter-terrorism strategy. In turn, it follows the scheme and focus set out by the research objectives above – the chapter alludes to both internal and external factors influencing the creation and implementation of counter-terrorism practice in the UK and Spain, and how this may affect security strategy. A number of relevant issues pertaining to the external influence of the USA; the application of security architectures in counter-terrorism, with particular reference to the UK and Spain; and theoretical frameworks in counter-terrorism, are discussed.

3. Theory and Legislation

This chapter provides an outline of the thesis' historical institutionalist approach which results in a better understanding of how the nations referenced, and the respective security agencies and systems of justice, engage with counter-terrorism in the context of their historical influences. This is followed by an analysis of legislation passed in the time period 2005-2014, looking at how historical motivations may have framed decision-making in legal terms, including national constitutions. Appendix A features the principal pieces of legislation that are used for comparison in the time-period analysed in this thesis.

4. Methodology

The chosen counter-terrorism strategies, such as prosecutions and police spending frequencies, inform the study's methodology and data collection. Data was collected via public-access sources such as the European Commission and where absent, national security databases. As such, Chapter 4 introduces the methodology for this thesis, describing the data collected and the statistical analysis employed to make sense of this data.

5. Findings

Chapter 5 discusses the quantitative findings that informed the research objectives. Results included limited statistical significance and correlation within the strategy of policing numbers in both nations. However, they also revealed divergence in how funding was applied in the UK and Spain; more importantly, a huge divergence in the application of the criminal justice system and prosecution services was notable between the UK and Spain.

6. Discussion

The discussion brings together the results of the data, and any variables outlined in the case studies are conducted; this works as a resolution to the thesis' research objectives. Issues of legality, most particularly through constitutional limitations, are reflected upon in parallel with results from the data to allude to reasons behind fluctuations in the use of aforementioned counter-terrorism strategies in both countries, such as the use of the criminal justice system. Important correlations and divergences provide successful inferences and create potential links to both former literature and also any future work.

7. Conclusion

Finally, all aspects of the analysis, both theoretical and empirical, are compiled to complement the discussion, using a holistic approach to evaluating the research objectives. The study concludes that while some changeability is evident in police numbers across the UK and Spain in terms of its use as a counter-terror strategy, funding and prosecutions present a number of interesting caveats for analysis within the theoretical and legal frameworks considered in the thesis, such as Spain's restricted legislative approach to counter-terrorism.

Chapter 2: Factors Affecting Counter-Terrorism in the UK and Spain: National Histories and the USA

Countering terrorism is not the result of a single process or one unique mechanism – it can be considered as an evolving beast, requiring adaptation and change, considering multiple actors, institutions, and priorities. In this regard, factors both historical and contemporary are key to shedding light upon the significant cultural and historical differences/similarities which underpin the issue of achieving European-wide homogeneity in counter-terrorism. The UK and Spain, while not unique in experiencing campaigns of terrorist activity, have experienced threats and incidents that can be categorised as similar due to their geographic proximity and timescale, with both the campaigns of the IRA and ETA respectively reaching heights in the 1970s (Sanchez-Cuenca, 2007: 1-3; Hanley, 2013).

Moreover, the similarities between the two cases can also be contrasted with their evident differences: disparate geographical and cultural backgrounds provide interesting room for comparative analysis. With this in mind, the EU's principal counter-terror focuses largely on international security discourse – for example, with the likes of the United States (Segura Raventós, 2015). At national levels, historical context enters the sphere of influence due to the relative linguistic, cultural and even demographic divergences found in EU member states' political discourse. Such issues are multi-faceted and influence counter-terrorism strategy, particularly the way the criminal justice system may be used to prosecute suspected terrorism offences.

The first aim of this chapter will be to outline the counter-terrorism approaches in the UK and Spain, considering in particular how strategy may have been affected by the style of campaign undertaken by the Irish Republican Army (IRA) and *Euskadi Ta Askatasuna* (ETA) respectively. Secondly, the chapter will look at how the USA and its legislation may have impacted upon Europe and its member states. Within this, it is this chapter's intention to provide an overview of key developments and mechanisms prevalent to the counter-terror operations of the UK and Spain.

2. 1 Countering Terrorism in the UK and Spain: the Respective Historical Impacts of the IRA and ETA

Over a period of decades, the UK was forced to confront extremist nationalist insurgency from, most notably, the Irish group "the Irish Republican Army" (IRA), which resulted in one of the most famous and comprehensive counter-terrorism strategies to date in the form of the Northern Irish peace process of 1997 (Dixon, 2014). Spain, similarly, throughout a prolonged campaign of over 30 years, experienced sustained attack and threat from the Basque Separatist group, ETA. This affected national defence, political stability and the nation's economy (Barros, 2003; Alonso & Reinares, 2005; Barros *et al.*, 2006; Alonso, 2013). Both campaigns illustrate the changing nature of terrorism (Rasler & Thompson, 2009) and how individual nation states react when faced with such an extended period of combat – this can be through political policy or security strategy. It is therefore important to underline how the representative nations have dealt with the continuous threat.

2. 1. 1 The IRA and the UK

Firstly, it can be understood that it is difficult to discuss the UK's contemporary approach to counter-terrorism without reflecting on past experiences in Northern Ireland. British security efforts to comprehend and combat new threats are inherently linked to this campaign on home shores (English, 2013), and the 9/11-centric research often fails to consider the historical implications behind counter-terrorism efforts in European nations. This is most prevalent in respect to the UK, where terrorism legislation and counter-terrorism practice has suffered from waves of "presentism" (Lister & Jarvis, 2013[4]), focusing unduly on contemporary events. In turn, we see a greater rationale for the application of historically-institutionalised approaches to understanding counter-terrorism in this context.

Important to the origins of UK terrorism, the campaigns of the IRA provide a strong basis for understanding how the country has attempted to diversify its counter-terrorism strategy in the face of a transnational threat. In fact, more generally the academic research has pointed to the changing public image of the group as being key to the development of new security strategies generally (Hanley, 2013); this resulted in a contrast of opinion in relation to the terrorist group's real objectives or plans for the territory. The consequent

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[4] See Chapter 2 in Lister and Jarvis (2013).

peace process illustrated how the IRA's plans could be circumvented by political, top-down policy which avoided further, confrontational, security action. This may be over-simplified, but opinions have ranged from the complete abstention of violence by the IRA post-peace process (Whiting, 2016), to the idea that it was actually less effective in counter-terrorism terms (Rosler, 2016). The process was long-term in its approach, implying a successfully implemented social and political policy, as opposed to security deterrence and military intervention (Hancock, 2008: 32).

Counter-terrorism and its approaches are often reactive as opposed to pre-emptive, which would perhaps allude to the approach employed by British security. It is of particular interest to the idea of reactionist counter-terrorism that Gill and Horgan (2013) mention the shifting natures of PIRA participants and their targets, with the transition of sociological profiles towards more peaceful methods of contention resulting in further alterations in homogeneity and group resilience.

In keeping with the reactionist approach to counter-terror security implied, there is a suggestion that this problem went further in the UK case study. There is evidence that a significant focus was attributed to backlash-based strategies[5], as opposed to prescribed deterrence (LaFree *et al.*, 2009b: 19-20). LaFree's analysis revealed that a number of employed strategies were found to be more consistent with backlash during the period 1969-1992, demonstrating a certain immaturity to counter-terrorism practice. The UK's response to attacks by the IRA were often considered excessively zealous in nature (English, 2013), strengthening this backlash theory, and also postulating an institutionalised policy of heavy-handedness based on historical events.

Within discussions of counter-terrorism strategy, political dimensions are considered as a modern possibility to weakening a terrorist group's capabilities. This was shown in the Northern Irish case through the role of *Sinn Féin*, which through UK national efforts and consistent dialogue, worked closely as the political arm of the IRA (McGrath & Gill, 2014). The power of using political support and dialogue helped not only reduce terrorist violence, but also mediate the strength of any public sympathy for IRA activity. This managed to alter UK counter-terrorism yet again, on this occasion towards a "ballot, not bullet" strategy.

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[5] LaFree identified "backlash" strategies as those attributed to knee-jerk counter-terrorism strategies or reactions after a particular attack or incident during the 1970/80s.

What makes this particular sub-section important to this thesis is the ever-changing position that the UK takes when dealing with terrorist activity; and this was most visible in the campaign of deterrence against the IRA. Specifically, the transition from zealous security management to political negotiation in this case sets the stage to study the UK's counter-terrorism principal influences.

2. 1. 2 ETA and Spain's Francoist Past

Unlike the relatively stable political position in the UK, Spain was forced to contend with the political and economic consequences of dictatorship and transitional democracy, alongside subsequent, separatist violence in the Basque country. Pertinent to the debate on counter-terrorism's strategic change is the impact of totalitarian control on security issues and the state of Spain's political and geographic diversity. Within this, arguments are derived as to the result of ETA's strategy and target selection being inherently linked to the state of Spain's governance.

Spain's counter-terrorism decision-making and strategies have seen the remnants of Francoism impact on how the country's security architecture is managed – structures which are affected to this day (Cardona, 2012), and institutions that continue to bear the marks of their histories. The politically-orientated focus on terror by Franco's security forces does not allude to current practice; however, the development of over-zealous interrogation methods and heavy-handed counter-terror policing has become synonymous with many facets of contemporary Spanish security (Alonso & Reinares, 2005: 4). It is perhaps important to interpret any analysis of current security strategy within the guise of Spain's recent dictatorial rule, and how local communities react to the terrorist/freedom fighter paradox amongst other effects.

Ideologically, while separatist desires have always underpinned ETA's focus and targets, significant evidence found that there was a "national" element to attack strategy (De La Calle & Sanchez-Cuenca, 2013; McGrath & Gill, 2014). In essence, the choice to attack within the Basque Country predominantly emphasises both the group's limitations, and how counter-terror strategies would have been concentrated. This local focus led to Spain taking a belligerent approach to its counter-terrorism practice, justifying the

commencement of a "dirty war"[6] producing significant bloodshed (Alonso & Reinares, 2005). This in turn opens the debate to the strength of institutional factors endemic to Spain's attitudes towards terrorism activity and its prevention, which could also face the threat of either internment or collusion.

Of course, this leads to the question of ETA's survival in the face of a "belligerent" Spanish counter-terrorism effort. Inconsistent understanding of ETA's reactions to Spanish security attrition has led to confusion as to the end of the group's potential – while many media outlets and sources attempted to affirm the end of the group's hostilities, the Spanish government has maintained a largely belligerent strategy, as exemplified above (Zulaika & Murua, 2017). This divergence only seeks to confirm the aggressive strategic position set out and continued from Francoist security architectures – police oppression and military failure were both considered as motivations for ETA's expected collapse.

Following these ideas, it can be argued that ETA's variations personified the shifting focus of Spanish counter-terrorism forces – a more attrition-based attack strategy was undertaken from 1978 by the terrorist group, in contrast to a predominantly territorial-based attack policy (Alonso & Reinares, 2005; Reinares, 2005). Overall, it appeared that the shift in attack pattern occurred in tandem with Spain's transition to democracy and changing security focus (LaFree *et al.*, 2012), which is important to arguments of institutionalised counter-terror approaches. Interestingly, the result of attrition led to a loss of internal support, which could be argued as an unintended consequence of a heavy-handed counter-terrorism approach (Murua, 2016; Berastegi, 2017).

Extending this, there was an element of hierarchical diffusion and geographic disparity which occurred in cases where time had elapsed, demonstrating how security services had adapted and innovated after the fall of the dictatorship (LaFree *et al.*, 2012). It is indicative of a Spain in transition that its counter-terrorism focus would be similarly affected by changes in political discourse, including the distribution of security forces and changing attitudes to belligerency. This refers back to the contemporary struggle in establishing ETA's current threat value – governmental discourse working against

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[6] *Guerra Sucia*, in Spanish. This event included paramilitary factions, such as the Antiterrorist Liberation Group (GAL), acting allegedly outside of governmental jurisdiction in attacks on ETA soldiers and civilians alike.

academic assumptions of a finished campaign complicates the process of counter-terrorism (Zulaika & Murua, 2017).

Referring back to the political dimensions considered in the UK case study, efforts to use this as a counter-terror approach was not acted upon as strongly in Spain. ETA's political arm, *Herri Bastasuna*, followed many of the dynamics seen in the Northern Irish case, but the Spanish state refused to allow dialogue with the group, even prohibiting their rights as a legal entity (McGrath & Gill, 2014: 28). This posits an interesting strategic divergence in the two case studies, with Spain preferring to rely on attrition-based counter-terrorism to reduce ETA's influence.

2. 1. 3 The Impact of History

While certain events in the respective histories of both the UK and Spain have influenced the decision-making process in counter-terrorism, specific approaches and policies have emerged as a direct result, albeit in a limited fashion. Wherein a comparative can be made through historical events in the UK and Spain, the policies and strategies that would affect the research approaches of this thesis are paramount to understanding the two nations' subsequent security developments.

Featuring heavily in modern counter-terror legal frameworks, the UK's CONTEST Strategy, compiled and enforced through an effective counter-radicalisation strategy, were implemented in 2003 (Vidino & Brandon, 2012; Heath-Kelly, 2013), and has been subsequently updated and advanced recently in 2018[7]. CONTEST was devised largely as a prosecution model in order to apply the various legislative processes designated for terrorist activity (Macdonald, 2014). *PREVENT*, as one of the work-streams designed by CONTEST, was considered a proactive step to reducing the terrorist threat, as opposed to retroactively tracking the culprits – this encompassed the "pursuit", "prevention", and "protection" tactics to reduce radicalisation within communities. Heath-Kelly (2013), however, elicits some of the weaknesses of this approach, proclaiming that the structure

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[7] Counter-terrorism strategy (CONTEST) 2018 – See:
https://www.gov.uk/government/publications/counter-terrorism-strategy-contest-2018

of *PREVENT* provokes instability and determines indicators for radicalisation that perhaps does more harm than good.

Moreover, counter-terrorism and its use within the UK constitutional has implications beyond the Northern Irish Troubles, with the flexibility of its framework being lauded in other case study comparatives – particularly within the United States (Donohue, 2008). This being the case, there are also suggestions of negative connotations being attached to counter-terror architectures in the UK, with specific reference to the "war on terror" period of legislating. The politics of counter-terrorism was further altered by the Northern Irish campaigns via parliamentary motions. In 2014, Home Secretary Theresa May attached a security amendment to the passing of the Immigration Bill, featuring an "externalisation" of terrorist actor identification to non-British citizens (Fisher, 2015). That is to say, the association of a terrorist actor being a non-British citizen had continued from the Troubles to feature in contemporary counter-terrorism.

The result of ETA's campaign Alonso and Reinares (2005: 273) have complemented Spanish counter-terrorism attempts by underlining a number of the more innovative, and controversial, security measures implemented: this has included the distribution of ETA prisoners across the country to avoid the clustering of radicalisation. To this regard most of the literature is ETA-centric, with a specific focus generated by partisan political opposition and a dependence on security controversies to pass policy (Moreno, 2005). Argomaniz and Vidal-Diez (2015) continue the trend of evaluating Spain's hard-line response to the terrorism-political nexus (see: section *1.5*), in turn exposing the difficulty in ascertaining clear policy-making decisions in counter-terrorism. This is in spite of extensive experience and a unified political platform for all governing parties. Moreover, it has been recently confirmed by the literature, with Murua (2016) emphasising the lack of fundamental support towards ETA's continued armed struggle, leading to their disarmament.

All of the above seeks to confirm what could be considered a "blurred break with the past" (Berastegi, 2017), in relation to transitional counter-terrorism in the UK and Spain. The counter-terrorism narrative is complicated additionally by the emergence of a supra-national Europe, which posed as yet unresolved challenges to two nations with chequered security histories. Most importantly though, issues of constitutional importance in counter-terrorism strategy will feature in Chapter 4 – in particular, and relevantly for this

work, the key divergence noted is the ability to transition to alternate approaches in the UK, and the resilience and steadfastness to maintain one security pathway in Spain.

2. 2 The Legislation of the USA

The influence of the USA on how European nations may conduct counter-terrorism cannot be overstated. An example of influential legislation, the USA PATRIOT Act[8] of 2001 (*see:* GPO: *Public Law, 107-56*, 2001) was implemented in direct reaction to the September 11th attacks, permitting policing bodies such as the FBI far-reaching powers such as asset and spending control, and extended tools for border security. This also implied the first use of internet surveillance in a counter-terrorism context (Kerr, 2003), promoting a new environment within which security measures, and more importantly counter-terrorism strategies, are ubiquitous to international focus. It is the significant upheaval in security approach observed post-9/11 that gives weight to this study's decision to select data from similarly-levelled events in the UK and Spain respectively.

The US-EU PNR Agreements[9] have delivered a cogent paradigm for the focus of counter-terror security practice, as it is generally placed within an economic context to defend financial or trade interests, including new provisions for customs (Anagnostakis, 2015). Similarly, further influence is noted through the EU-US Terrorist Financial Tracking Programme (TFTP), which has been proficient in its role of plot detection and the freezing of assets. However, there are critiques of the legal precedents within the use of both the PNR and TFTP, as the uneven leverage applied to EU citizens by the USA is inconsistent with the goals of the legislation (Fahey, 2015): in particular, they prevent any attempts of legal redress or review. This applies to leverage across the European continent as a whole, as opposed to individually targeted nations.

EU criminal law policy contains a statement of categorisation for the variety of challenges faced (*see:* Criminal Law Policy, 83(2), *Europa*) – financial regulations and offences are clarified in depth, with only scarce mention to actual legislative processes regarding

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[8] "**U**niting and **S**trengthening **A**merica by **P**roviding **A**ppropriate **T**ools **R**equired to **I**ntercept and **O**bstruct **T**errorism".

[9] US-EU PNR (Passenger Name Record) Agreement: this was the agreement between the United States of America and the European Union are regard the use and transfer of Passenger Name Records to the United States Department of Homeland Security (Segura Revantós, 2015).

counter-terrorism policy. The European Parliament lies at the heart of the European counter-terrorism management model, and the initial obstruction of the US-EU Passenger Name Record (PNR) data transfer confers a rejection of this mentioned influence in favour of a different approach (Kaunert *et al.*, 2014). The complex relationship between the EU and USA in respect to their security challenges provides some basis for understanding how two nations may operate within their confines.

2. 4 Conclusion

The historical experiences of the countries identified above help both to justify their position in this thesis, and also work as a basis for contemporary analysis of different counter-terror approaches. Both nations' historically-institutionalised strategies, moulded by experience, are multi-faceted, and in some cases massively disparate.

Returning to the examination of history, it is even more cogent when considered in comparison to the USA. It has been contended that strategic culture has been "elusive" for Europe due to the huge mix of cultures and histories involved (Rees and Aldrich, 2005). In fact, the specific cases of the UK and Spain have revealed the difficulties in homogenising any counter-terrorism approach, taking into account extended, separatist campaigns under national confines. From here, the internal themes mentioned may inhibit or at least influence how a strategy may be implemented.

In Chapter 3, the experiences and factors shown in the above discussion is built upon and exposed through the academic literature. This will identify and support particularly relevant nuances that may affect and inform the decision-making to study the research objectives set out in Chapter 1.

Chapter 3: Literature Review

3. 1 Introduction to the Literature on Terrorism and Counter-Terrorism

This literature review focuses on work relating to the security strategies of the UK and Spain, and counter-terrorism measures within their frameworks. There will be brief mention and reference to work conducted on the European Union´s Schengen Area in order to provide perspective on supranational influence. Alongside this, a number of more prevalent issues in terrorism research, and matters related to counter-terrorism strategy, will be examined with the purpose of underpinning the literature's observations: particularly, those pertaining to British and Spanish transitioning to international strategies. Matters surrounding actors, threat and foreign involvement are to be analysed within the context of counter-terrorism, and their implications for security policy more generally.

In order to answer the question surrounding the theoretical and empirical variations between the counter-terrorism approaches of the UK and Spain, and subsequently its contribution to the field of counter-terrorism research, it is important to establish a review of the literature regarding how counter-terrorism practice has been exported, adapted, and operationalised within these case studies. Thus, sub-sections considering the influence of the United States; the counter-terrorism strategies utilised in the UK and Spain, and more specifically, the work of Lister & Otero-Iglesias; considerations of the Schengen Area; and theoretical approaches to terrorism research, will engage with the relevant literature.

The numerous theoretical considerations that pervade debate in counter-terrorism are present, including how the US has reacted to the pan-European strategies of counter-terrorism and the historically-motivated struggles affecting them (Crelinsten, 2013). Thus, indications as to how theory can impact the methods and approaches to counter-terrorism will be made evident.

3.1.1 Who and Why in the Act of Terrorism

Actors and decision-makers are important to understanding the prevalence of terrorism and counter-terrorism-related issues. There is a strong focus upon Islamic fundamentalist terrorism, which may compound weaknesses in the counter-terrorism armour, in turn diverging from Europe-centric considerations. Silke has attempted to convey this point across his research (2001; 2004; 2008), and emphasises the undue focus of terrorism research on Jihadism, suicide bombings and data collection within these motivators and strategies – this is also evident across much of the critical literature (Moghadam, 2006; Jackson, 2007) and is heavily present in work by Schmid (2011; 2013). Such a focus can damage attempts to broaden security strategies surrounding counter-terrorism, and inhibit any possibility of coherent policy-making, or security decision-making for that matter, due to a narrowed focus on selected actors.

Consequently, the literature has centred on this frame of thinking, indicating that the terrorist actor should take precedence over the prevention of incidence. Vidino and Brandon (2012: 165) interviewed a number of security officials across the EU to discuss such actors, concluding that the identification of an "enemy within", i.e. home-grown or a local terrorist operation, was in fact self-deceiving. This is interesting when compared to contemporary research undertaken regarding lone-actor terrorist incidents (Gill *et al.* 2014), but does also point to a bigger picture containing implications beyond Islamic groups and political Islam. From this, the literature is inferring that counter-terror attempts to categorise offenders through radicalised ideologies and attack strategy may fail in its consistency.

To this regard, how are such actors categorised, and how are these incidents distributed? The literature indicates that the organisational structure of terrorist entities, both cellular and individual, have undergone change (Jordan, 2014), alongside the overall disparities in frequency year-on-year. As such, Jordan (2014) compiled attack frequency data from 1995-2013 across the Spanish Peninsula and categorised across vectors related to actors, which illustrated that while organisation-based terrorist activity was dominant until 2008, there was a later shift towards lone-actor activity. This is a relatively new challenge for counter-terrorism, potentially changing its strategy: here, the perceptions of cell-based organisational terrorism are depreciated by the steady increase of lone-actor incidents and attempts. Gill *et al.* (2014) corroborate this increase, and emphasise its changing nature; this being a global trend as well as one merely observed in Spain.

Issues of who and why can also distract from much research's focus on prevention, and can even lead to confusion in this respect. This is best demonstrated by Sageman (2014: 576) who proposed the debate surrounding the "stagnation of terrorism research", which was enforced by the following statement:

> "We have a system of terrorism research in which intelligence analysts know everything but understand nothing, while academics understand everything but know nothing".

Here, he indicates that beyond national security/counter-terror policing strategies, there exists a divergence between the way the subject is studied and understood. This has important consequences for the debate on international cooperation: while dialogue and debate are essential to academic research, collaboration should be prioritised to maintain high quality work. Sandler (2011) offers a number of theoretical and quantitative approaches to the terrorism literature; however, again, it is notable that theoretical notions such as game theory relay little practical benefit for policy-makers, whereas a more informed, empirical basis for strategy would help structure future policy.

3.1.2 The Impact of Terrorism

Counter-terrorism research considers a range of issues, including the combating of methods, strategies and radicalisation used in terrorism. The growth in interest and focus on counter-terrorism can be largely attributed to the cultural and political impact of the events on 9/11 in New York, which has resulted in the basis for most academic articles and a huge increase in research regarding terrorism (Hoffman, 2002; Nacos, 2003; Enders & Sandler, 2005; Gaibulloev & Sandler, 2008; Silke, 2003; 2008). Indicatively, this has reflected and perpetuated the dominant Anglo-American focus and conduct of terrorism research and International Relations over the past 15 years. Comparative studies relating to European states and counter-terrorism, while evident (*see:* Foley, 2013), are few and sometimes speculative in their scope (Zimmermann, 2006).

As seen in Chapter 1, defining counter-terrorism is as difficult as its coordination, and the literature is aware of this problem. Efforts to identify consistencies in the definition of terrorism are ubiquitous and provide an ample starting point (Hoffman, 1986; Ganor, 2002; 2011; Arshad, 2014; Navarro, 2014); comparatively, counter-terrorism does not

benefit from such a discussion on its definition, and instead is largely contained within the language and discourse surrounding it, resulting in some confusion (Sciullo, 2012). The subsequent security institutions in counter-terrorism work within national governing frameworks; and the definition of targets, and their impact, can be quite vague (Crelinsten, 2013). It can thus be sometimes difficult to ascertain which institutions are directly, or indirectly involved in counter-terrorism.

As such, a target-focused approach to counter-terror can be a nationally-driven issue with relatively little international involvement: this is pointed out by Legrand and Bronitt (*seen in:* Prenzler, 2012: 5), whereby the influence and involvement of central government in reviewing performance is indicative of how counter-terrorism policing is concentrated. This is important to this study's analysis of policing numbers and its influence on counter-terrorism. Similarly, arguments have been made to involve nationally-based armed forces in the active pursuit of defeating terrorism (Bigo & Tsoukala, 2008), with alternative, pre-emptive security being superseded in the light of an international threat: however, again, such discussions have been largely superficial.

The concept of threat poses a number of complications for the literature, with Monar's (2014a) interpretation of the EU's 2010 Internal Security Strategy[10] stating: "national efforts are insufficient… the region experiences a common threat". This, in accordance with the security strategy, should be dealt with at a supranational level, questioning approaches by nation-states such as those cited in this thesis. The common menace is explained by Biscop (2004) who again mentions the overall lack of cooperation between the likes of the UK and Spain, with the exception of military intervention in Iraq. As mentioned above, viewing the terrorist threat as relative to a cooperated response would require both military and policing intervention, which raises the question of "terrorism vs. insurgency" (Boyle, 2011), and shifting focus towards the actor. Crelinsten (2014) nonetheless positions the resolution of a military or even an increased policing response within the scope of state violence and criminality, suggesting that it is not necessarily the appropriate reaction to such a threat.

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[10] EU Internal Security Strategy (2010): an approach and communication set out by the Council of the European Union to strategise in favour of five key objectives: Disrupt international criminal networks; Identify and dismantle criminal networks; Protect the economy against criminal infiltration; and Confiscate criminal assets.

Moreover, the term "threat" is not exhaustive, and can involve extant concepts such as race relations and immigration (Husbands, 2014) or youth radicalisation (Bizina & Grey, 2014). To encompass such a broad range of variables that may impact on terrorism activity, counter-terrorism must remain at the top of the agenda for the European Union (EU) and its decision-making bodies – however, to counter the academic claims, just two per cent of the European populous voted terrorism as a major concern in 2012 (European Commission, 2012; 14), with results in the UK (15%) and Spain (16%) individually not much higher in 2014. Interestingly, radicalised individuals, irregular migration, and crime-terror nexuses (Navarro & Villaverde, 2014) all feature as consistent challenges for the area, with parameters measuring the threat of terrorism ranking highly against other public apprehensions, which may define counter-terror approaches.

All such points involved in the impact of terrorism can include the influence of media outlets and public perception, which in most western participants have centred nearly all focus, and subsequent government statements, on Jihadist terrorism (Matthews, 2013). Radical Islamist narratives remain dominant across the western media, with little to distinguish between terrorist actors, be they religious or secular (Gregg, 2014), or attack strategy (Atran, 2003). In essence, it can be argued that analysis conducted solely taking into account Islamic-based terrorism acts works retroactively in counter-terrorism. The literature is indicative of the Islamist focus (*as evidenced in:* Mamdani, 2002; Spalek & Lambert, 2008), while an evident gap is observed in order to homogenise both the focus on actors overall, alongside the measures to obstruct them.

Terrorism, when measured statistically, is an ever-changing creature which causes problems for prospective counter-measures, and the impact of this relates back to the debate on definition. It is not so simply evaluated, as an act of terrorism does not always conform to a single ideology: Lacquer (1999) posited the idea that we deal not with terrorism, but with terrorism(s). Difficulties in categorisation pose problems for research, particularly that involving statistical interpretation – this is to be looked at in more detail in Chapter 5. In this sense, it is the institutional obligation of the EU and its members to assess and comprehend this nature (Ferreira-Pereira & Oliveira Martins, 2012), while simultaneously allowing access to collaborative security measures.

The following sections of this literature review will convey an overall picture of academic study's relationship with counter-terrorism and security strategy, exposing the importance

of understanding the roles of the UK and Spain. Firstly, a greater perspective on the trials and tribulations affecting the security of the UK and Spain, followed by the involvement and influence of the US on EU counter-terrorism. Further literature will include the attack strategies of terrorists in said nations, influences of the EU and Schengen, and the theoretical standpoints behind counter-terrorism policing and security.

3. 2 Counter-Terrorism: Attitudes in the UK and Spain

In the UK and Spain, attempts have been made to understand approaches to terrorism (Enders & Sandler, 1991; De la Calle & Sánchez-Cuenca, 2006; Lister & Otero-Iglesias, 2012; McGrath & Gill, 2014) – this work builds on existing comparative analyses with primary research and a more focused set of criteria, i.e. police numbers, funding and prosecutions.

3.2.1 British and Spanish Counter-Terrorism Approaches: from the "National" to the "International"

This section intends to outline the literature dealing with experiences and counter-terrorism policies of the two, arguably, most experienced nations in the EU: the United Kingdom (UK) and Spain, particularly identifying aspects in the literature to support ideas postulated in Chapter 2. Thus, having combated some of the largest terrorist campaigns in history (Coolsaet, 2010: 2), both nations represent great contextual paradigms for discussion in the literature, which may also provide scope for other international efforts as a consequence (Caruso & Schneider, 2011). The literature related to a cross-national comparison analysis between the UK and Spain, but is directly informed by the thesis' research objective of identifying policy and strategic divergences, culminating in successful (or unsuccessful) counter-terrorism.

Berastegi's (2017) work on transitional justices in the UK and Spain are particularly relevant to the struggle in transition from nationalist terrorism to a modern, coherent strategy. The researcher notes that the "blurred break with the past" (2017: 547) positions the debate within the structures of critical junctures, which is an integral feature of this thesis' focus on the historically-institutionalist perspective of counter-terrorism.

Similarly, Berastegi (2017: 545) outlines that strategies and initiatives taken by both countries to combat terrorism activity, but equally postulates the problems created by the past – neither country has put in place any clear resolve as regard the grievances and mistakes undertaken previously.

However, Zimmermann (2006) emphasises the importance of both the UK and Spain's role in an EU-centric counter-terrorism focus-group (the G6), and whose membership has illustrated the strategic differences subsequently identified in the literature. Den Boer and Wiegand (2014) claim that despite the EU's Framework Decision on Combatting Terrorism (FDCT), only six nations possess clearly outlined counter-terrorism legislation – Spain and the UK being representative. Interestingly, this again reflects previous comments made regarding the UK and Spain's respective historical experiences, posing the question – do the UK and Spain find themselves in a more advantageous position as compared to the rest of the European Union?

Continuing with this notion, other literature has pointed to dissimilarities between the UK and Spain with respect to their approaches towards the victims of terrorism, both through the IRA/ETA campaigns, and more recently within the radical Islamic threat. Muro (2015) posits that, in a counter-terrorism context, the focus on building a rapport with victims in Spain has elicited a positive response with policy makers, becoming a force for change in counter-terror strategic approaches. Interestingly however, Criado claims that victims can be quite "heterogeneous" (2015: 4), and in turn the agencies being influenced by victimology in Spain are impacted more by those victims of high-ranking roles: such as officials or politicians.

Importantly, the word "strategy" in the context of the UK and Spain does not feature as heavily in the literature as the policies and legislation surrounding the issue. However, certain studies have been conducted detailing counter-terror action in both the UK and Spain (Kollias *et al.*, 2011; Heath-Kelly, 2013; Muro, 2015) that offered distinctly varied approaches to the challenge of consistent counter-terrorism security in the respective nations. For Alonso and Reinares (2005: 268), the development of a renewed counter-terrorism security strategy in the face of ETA's threat resulted in new bodies being designated to the Basque country, as opposed to the standardised use of the Spanish National Police. However this was constituted a failure, and the authors' emphasise that Spanish delegates were sent to the UK for information regarding specific antiterrorist

units and information systems. Importantly, Klausen (2009) states that the nationalised role of London's Metropolitan Police is key to the management of counter-terrorism action, with a greatly increased budget, as underlined in the article.

This sub-section has underlined many of the dissimilarities observed among strategic approaches by the UK and Spain, as outlined by the literature; this is confirmed despite the markedly similar problems experiences by both nations with separatist terrorism. Homogeneity is similarly seen as lacking in the literature, which could raise questions regarding the actions of other European nations.

3. 2. 2 Counter-Terrorism Policy and Action in the UK and Spain – Examining the work of Lister and Otero-Iglesias (2012)

Of particular importance to this section of literature is the study conducted by Lister and Otero-Iglesias (2012): *New Problems, Old Solutions? Explaining variations in British and Spanish Anti-Terrorism Policy.* The study levies a particular focus on the variance in counter-terror policy-making in the UK and Spain, with work centring on elements of the criminal justice system. As arguably the most relevant piece of literature to this thesis, it will be assessed in the next sub-section due to its importance in forming the basis for this thesis conception. In turn, this literature review will be an original contribution, stylistically, in analysing a single piece in such a way.

Lister and Otero-Iglesias (2012) point out that the UK has become almost "habituated" in their approach to legislating counter-terrorism, a penchant that is not shared by the Spanish political system – that is to say that the UK's approach is generally consistent and reactionary, working on a needs-basis. Moreover, it can be claimed that some initial framing of legislation in the UK has certain, path-dependent properties that could influence any future developments (2012: 580). The establishment of previous strategies and the implementation of previous pieces of legislation, such as the thoroughly studied Terrorism Acts, will form the basis for subsequent attempts at effective counter-terrorism in the UK.

As will be looked at in detail in Chapter 4, Lister and Otero-Iglesias point out the legislative limitations in Spanish counter-terrorism as opposed to those in the UK, despite the heavy political consequences of both the 11-M bombings in Madrid, and the 7/7

bombings in London (2012: 565). The paper looks at Spain in contrasting fashion, with praxis limited to the "grafting of terrorism crimes onto traditional laws", which in turn has left the criminal justice aspect of counter-terrorism relatively untouched (2012: 580). Here, the study identifies the strictly opposing nature of counter-terrorism practice again seen between the two case studies, with issues of historical institutionalised behaviour affecting Spanish decision-making.

Following this, a further case is made by the authors, strengthening the position taken in Chapter 2 regarding Spain's Francoist past (2012: 577). The "authoritarian" nature by which Spain has operationalised its counter-terrorism approaches is not necessarily reflected through the decision to avoid infringing upon civil liberties; in fact, the point is made that the effects of the dictatorship actually prevent the government from institutionalising the likes of control orders[11], as seen in the UK. This is most likely due to fears and concerns provoked during the country's totalitarian regime, which in turn protected said civil liberties after the transition to democracy.

Of increasing interest is the paper's conclusions on the impact of many issues identified in this literature review: most notably, the impact of supranational structures and even criticisms levied at *a priori* historical analyses (2012: 581). As such, Lister and Otero-Iglesias (2012) allude to the difficulties in applying external factors to the study of counter-terrorism approaches, and postulate the importance of maintaining a fairly national focus on such issues.

3. 3 Influence and Involvement of the USA upon European Counter-Terrorism

As a key actor in counter-terrorism, literature regarding the USA and its general impact on other international organisations, such as the EU and the UK and Spain, should be given proper consideration. The sheer wealth of literature in itself gives support to this review's initial focus on the theme, and how an outline of such may further the understanding of British and Spanish decision-making.

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[11] A *control order* is the decision taken by the UK home office to restrict the liberty of an individual for the purpose of protecting the country from the risk of terrorism (HM Government, 2011).

The USA has provided the most significant amount of research into the field of counter-terrorism since 2001, indicating the level of focus and dedication from both the political administration, and the academic community (Pape, 2005: 1-3). In this regard, the USA's reaction to the September 11th bombings has seen significant research conducted (Hoffman, 2002; Pyszczynski *et al.*, 2003; Svendsen, 2013; Hoffman, 2015); as a comparison, the little informative literature dealing directly with pan-European counter-terrorism has often categorised the continent's attempts at counter-terrorism policy as weak, or a "paper tiger" (Bures, 2013). This assertion presents notable challenges for the study of counter-terrorism among EU member states, as the USA's influence demonstrates further the cultural, economic and situational divergences between them.

Interestingly, Europe is presented as somewhat indecisive in the literature (Bures, 2013), whereby the culmination of internal conflicts and nation-state activism has resulted in a climate of internal conflict. This is further exemplified by Smith (2013), who positions the conflictive personalities of the European Parliament and the Council of Ministers at the centre of problems arising in foreign policy and other international affairs. Such a lack of multilateral cooperation has resulted in a hole for security policy, which is and has been subsequently filled by the direct policy-making capacity in the case of the USA. The United States has become an "external actor" within the European deliberations (Kaunert *et al.*, 2012a), with considerable influence being exerted upon European counter-terrorism issues. This is proposed as being due to the largely reluctant position of European nations to use military force as a response (Rees & Aldrich, 2005), and as such is consequently blamed on structural differences and a predilection of European reliance on the USA to deal with issues, i.e. nuclear proliferation.

In a thematic context, Wright (2006) claims that the classification of a "war on terror" by the United States has initiated a political dialogue with focused implications, while member states of the European Union have preferred to distance themselves from this vision of counter-terrorism. This idea has been further complimented by the law enforcement image that the EU has wished to personify, with Monar (2014a) stating how criminal justice instruments can vary considerably: the homogenisation of criminal law and judicial cooperation on terrorist offences are the main obstacles to conformity. Chapter 2 (sub-section: *2. 3*) identifies a number of pieces of US legislation that may serve as examples of how the criminal justice system is applied in the "war on terror" theme.

In reference to the "war on terror" (Poynting, 2012), the critiques of the approach surpass the semantic and extend beyond the typically US-centric focus. Poynting (2012) looks at the UK as falling within this rhetoric, and, at a difference with continental counterparts, actually uses the counter-terrorism operations it wages as proxy for missions on foreign policy and international war. While the likes of Spain has been shown to categorically reject the "war on terror" paradigm (Benjamin & Simon, 2006), the UK has generally supported and developed upon much of the USA's most notable counter-terror legislation. Due to the almost European-wide opposition to this notion, the pseudo-military rhetoric expedited by the UK/US dichotomy furthers the need to understand how it could function within the legal remits of the European Union and its possible "apathy" for the issue (Marsh & Rees, 2012). Again, this supports the need for this thesis to look at the UK and Spain within an understanding of its larger partners and institutions.

Continuing within this frame of thinking, Hillebrand (2012: 205) has examined the relationship between the USA and EU within its actual counter-terrorism practice. Interestingly, she claims that security cooperation is hindered by the USA's adherence to its own focus on state secrecy and national protectionism. The impact of this upon coordinated counter-terrorism efforts is two-fold, in that Hildebrand states the issues surrounding the EU as an institution compared to the USA's relationship with individual nations. Mah (2014) supports this, exemplifying the UK's individual cooperation with the USA in counter-intelligence terms, which while not directly impacting strategy and practice, infer divergences that go beyond traditional counter-terrorism.

It is important therefore that problems with cooperation and strategic compatibility have been ubiquitous to US-European security relations. Lebl (2005) makes the claim that there has been a failure on the part of the USA to structure proper collaboration with Europe due to the Union's non-formalised condition as an entity. This is again enforced by Bures (2013) within the claim that counter terror legislation, whether prescriptive or otherwise (Roele, 2013: 4) in Europe, fails to resonate across its numerous member states. Consolidating Europe's position as a non-federal supranational body is inhibited by its own member states, ensuring the need for individual member state case studies to provide clarity. For this reason, this thesis focuses on the divergences in the security engagement of two of Europe's most influential nations.

3. 4 EU policy and its impact on state security: The Schengen Paradigm

As proposed in Chapter 2, external factors to the counter-terrorism practice of nations can influence and impact on its implementation. Thus, it is relevant to consider the EU's border-control mechanism as a tool that has proven contentious for counter-terrorism in the literature. The Schengen Area of Free Movement[12] has resulted in a recent, large-scale, and multi-faceted interpretation as regarding what the concept means for individual states in security terms (Casella-Colombeau, 2015; Pedersen, 2015; Alkopher & Blanc, 2016). Within this research dynamic, a number of issues and problems have arisen ranging from intelligence tools and technology (such as EURODAC), to theoretical concepts (such as trust).

Balzacq and Léonard (2013) affirm that member states share intelligence and information regarding border-protection to prevent potential suspects receiving a Schengen visa. This also implies that the intelligence-sharing platform that exists between different European states is proportional to the provision of Schengen visas to prospective applicants. This platform can involve those parties who do not belong to Schengen, but may influence its decisions to award visas on counter-terrorism grounds: O'Neill (2010) observes this through the UK's requests to part-take in Schengen's acquis, including creating a role for the National Criminal Intelligence Service (NCIS). In this regard, the importance of the block stretches beyond its confines and is impacted by its very institutions. Again, if the EU's own institutions fail to cooperate effectively, hopes for homogenous approaches between nation states would be slim.

Immigration is perceived as key to Schengen's controversy, as opposed to migration between European countries. Alkopher and Blanc (2016) identify changing attitudes in belief and "trust" towards the mechanism; nations' security agencies appear to be more willing to take decisions unilaterally, with a recent rise in immigrant-based threat perceptions aiding this willingness. In further support of this mistrust, Fijnaut (2015: 326) discusses the effects of the Syrian refugee crisis on the Schengen area. Changes in attitude towards the open-border policy of Schengen have been re-evaluated since the crisis, and

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[12] The Schengen Area can be defined as: member-states in agreement to adhere to the "acquis" (rules) of the EU's internal border-mechanism that allows the free movement of all those possessing European citizenship (*Europa*)

Fijnaut finds that policing services have become overwhelmed; even considering the abolition of Schengen as a viable solution to the security threat posed.

Similarly, the lack of faith in the mechanism's ability to maintain safety in the face of lowered borders is emphasised by Pedersen (2015). He maintains that in spite of the consequent set-up of the Schengen Information System (SIS)[13], its limitations to policy intelligence has shown an ignorance of security issues. However, Pedersen does endorse some of the potential counter-terrorism tools of EURODAC[14], which is steadily becoming more investigative within the counter-terrorism environment. This is an interesting perspective, as it shows improvement upon Baldaccini's (2008) previous examination of these security mechanics: the SIS had become "a reporting and investigatory tool" (39-40), while EURODAC was considered inconsistent in its measurements, with results "to be questioned" (43).

In support of Schengen's dealings with security and terrorism, Avdan (2013) undertook a detailed, globalised analysis of transnational border mechanisms and the impact of terrorist activity. The author extrapolated data from many incidences of cross-border migration, including Schengen, and concluded that the dimensions of terrorism are a result of globalisation. In this sense, the Schengen area is not an isolated case, and national borders will experience the same level of critique regarding its counter-terror operations. Again, it is apparent in the literature that conflict arising from the institutionalisation of sovereign nations' approaches to counter-terrorism, as opposed to the problems caused by deregulated border control (Fijnaut, 2015).

To conclude, Schengen does not appear to feature very positively in the literature, with a wide raft of concerns and problems identified within the mechanism's security policies and provisions. The dynamic surrounding the Schengen area has significant implications for the countries studied in this thesis, particularly as three out of four belong to the group; the UK's position outside of the block providing a suitable comparison. As such, the area's free-movement principle entails a clear challenge to counter-terrorism in an age of migration from the Middle-East to Europe, presenting an underlying and institutionalised concern on the part of European security services.

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[13] Database to provide further information on individuals or properties within those nations in Schengen (*Europa*).
[14] European Dactyloscopy: fingerprint database specifically designed for non-European entry into the Schengen Area (*Europa*).

3. 5 Theoretical Approaches to Understanding Counter-terrorism

While the central theoretical standpoint underpinning this thesis is the historical institutionalist perspective within counter-terrorism practice, a consideration of alternative approaches taken by the literature will be evaluated here. Security as an academic concept has met with substantial discussion and subsequent theorising in its changing approaches over the last century (Bullock and Tilley, 2012); importantly, such discussions have tended to encompass cultural theory and the application of sub-cultures within the counter-terrorism sphere, portraying a largely nationalistic interpretation of security efforts. Tyler (2012) substantiates this through an evaluation of work by Jones and Libicki (2008), in which an empirical report supported the idea of local security measures, i.e. through direct policing, may benefit attempts at reducing events.

Rees and Aldrich (2005: 906-7) outline the theory of "Strategic culture" – the understanding that a nation's experience with counter-terrorism is based on its previous altercations or dealings with the issue. This works closely alongside historical institutionalism and in reference to the UK and Spain, the study clearly outlines the impacts of previous incidents upon both countries, emphasising it as a comparative with the US and the EU as an institution. Similarly, this theory draws on the idea of an internal enemy, previously discussed above by Vidino and Brandon (2012), which underlines the impact of internally-developed terrorist actors. While the historical and cultural dynamics of the UK and Spain pose interesting questions for the literature, security cooperation and mergers formed through European directives has attempted to limit the effects of national divisions in security strategy (Schmidt & Zyla, 2013).

Policy-making in counter-terrorism has been subjected to a number of theoretical challenges, with speculation often evident as to the best possible route for both detection and prevention (Jackson *et al.*, 2009). With reference to the UK and Spanish security contexts, the use of game theory has become applicable to both case studies, largely due to their significant historical campaigns and consequent sample sizes. Sandler (2003) emphasises the UK's *Deterrence vs. Pre-emption* approach in counter-terrorism, positing the probability factor in choosing whether to seek-out and eliminate targets, or choosing to make attacks more difficult. Furthermore, game theory has been used previously to reference Spanish counter-terrorism, and the impact of terrorism incidents on visiting

tourists (Enders & Sandler, 1995). Here, game theory exposes the economic ramifications of terrorism activity, providing a window into policy-making consequences outside of security and counter-terrorism strategy, and how the actions of security forces can become the cause of long-standing negative consequences for social cohesion.

The literature theorises further with regard to counter-terror security strategy, and states that the theory of "Bureaucratization" (Deflem, 2002; 2004) is able to explain how certain elements of policing function in a globalised world, despite restrictions to its national jurisdiction. Deflem (2004: 78) argues that the dual focus on the "(intra)national and the international" helps state police forces to identify terrorism in both its domestic and international forms. Consequently, this element in the literature poses a conflict with community policing approaches to reduce the terrorist threat, and produces a theoretical debate as to ascertaining a balance between international cooperation and local efforts to reduce the spread of attacks. The perception that outward threats are merely an extension of normal security functions echoes the problems with homogenisation, and consequently informs this study.

According to Criado (2015), the impact of terrorism on public voting behaviour is well documented and profoundly evident across the literature (Davis & Silver, 2004; Berrebi & Klor, 2006; Fielding & Penny, 2009; Merolla & Zechmeister, 2009). This wealth of literature has purported to offer support for any consistency in terrorism activity – in essence, they must be relevant to the general populous and have a direct impact on day-to-day living. This theory relates directly to the public-security nexus in its base form, providing opportunities of thought within the idea that the public must influence the security agenda taken for dealing with terrorism.

While considered a separate line of investigation by political sociologists, cultural theory has been seen to inform security practice in counter-terror research (Hood, 1995; Sparks, 2001; Cooper, 2002), containing particular relevance to cross-national comparisons. This entails a perspective on nationalistic and "social" approaches that focus principally on internal security issues, yielding further understanding of the difficulties faced in international cooperation. Thus, in order to inform discussion on divergent counter-terrorism strategy, it is necessary to examine why this is perceived as a "community" task (Cordner, 2014), as opposed to an internationally-orientated duty (Rogers, 2015). It has been drawn from the literature that counter-terrorism approaches must be proficient in

both local and external security matters, ranging from youth radicalisation in the Europe (Lynch, 2013) to modern, international armed groups such as the Islamic State of Iraq and the Levant (ISIL) and Al-Shabaab (Hoffman, 2015).

Finally, while this sub-section looks predominantly at counter-terrorism theory, the theory of collective action has been significantly outlined in the literature as an explanation for the continued rise and escalation of terrorism violence (Oberschall, 2004). As established by Obserschall, collective action can be classified by four dimensions: (1) discontent; (2) ideology-feeding grievances; (3) capacity to organise; and (4) political opportunity (2004: 27), which provide the fundamental strategies for prevention undertaken by police forces universally. This theoretical approach is regularly cited across political science (Sandler, 2004) and goes further in order to contend with the motivational factors behind transnational terrorism and Jihadism. As stated, problems of discontent and ideological grievance are supported by international relations research and its related theory (Alexander, 2013; Malik, 2013), and demonstrate the precursor factors to violent acts. In contrast, security focuses on the capacity to organise and the prevention of cell-clustering and structural dimensions of actors (Hoffman, 2013; Rossmo, 2014; Bailón, 2015) have distanced themselves from theoretical approaches to focus on scientific and engineering solutions to the problem.

Theoretical approaches can suffer from their inherent lack of evidence to support their conclusions; as a pragmatic mechanism, counter-terrorism and security strategy enjoys a predominantly empirical research strategy, with statistical analysis, data collection and other quantitative mechanisms often employed (Lum *et al.*, 2006; McGarrell *et al.*, 2007; Huq *et al.*, 2011). The literature has evidenced the weakness in positing theoretical perspectives in counter-terrorism, as opposed to discussing the motivations of terrorist acts (Cottee & Hayward, 2011) where it has generally prevailed in critical research. It is conducive to this thesis to understand nonetheless how such theoretical standpoints can underpin and explain the decision-making of security forces, which allow for a more in-depth approach to research strategy and methodological approaches.

As has been mentioned continuously in this study, the underlying, theoretical consideration of historical institutionalism is present, and will be developed in detail in Chapter 4. Existing literature has drawn on the above theories, but this is limited because of the largely nuanced nature of cultural theories. This study's approach addresses this by

employing historical institutionalism to use real events and institutions in order to inform counter-terrorism strategy. It will continue the discussion upon how such theory has informed much of the legislation, policy-making and counter-terror methodology undertaken in recent times.

3. 6 Conclusion

In concluding this review, the variance in approaches, strategies and contexts applied to both the British and Spanish case studies create both opportunities to identify gaps and also support the thesis' central research objectives. As such, a number of possible implications are raised by the literature which would potentially hinder or benefit further investigation into the subject. The linear approach undertaken by the USA has greatly influenced the security processes of European nations and underlined their difficulties in collaborating efforts. O'Brien (2016) presents a fairly comprehensive analysis of counter-terrorism policy and strategy across Europe, and is particularly relevant to conclude this literature review. The researcher confirms the overall consensus shown in this review, regarding the inconsistency and lack of coherence evident in European counter-terrorism. O'Brien maintains that the "messy counter-terrorism policies" of European nations (2016: 15) allow a certain reverence to be attached to those of the USA.

Similarly, the situation is greatly exacerbated by the conceptual definition applied to the likes of the UK and Spain, whom despite an investigative and policy-driven stance, appear disjointed; in the meantime, the USA's war on terror has defined the international spectrum on counter-terrorism. Overall, the literature has looked at such contrasts with the purpose of providing scope for international cooperation, and for this reason this study has also chosen the comparative approach. It is important to gain true perspective on the policy-making and strategic actions of various nations within the European context in order to identify possible issues preventing homogenisation.

The difficulties made apparent in different regions of the EU inform this study's focus on counter-terrorism in member states, and this analysis of the literature has identified a number of gaps and possibilities for research, including but not limited to: (a) limitations in theoretical underpinnings to counter-terrorism research; and (b) studies relating to measurements of counter-terrorism effectiveness. It could be asserted from the literature

that there may be a need for different measurements of success and failure, i.e. parameters such as prosecutions or funding parameters – though academic research continues to converge principally upon political mechanics and motivations behind terrorism. A clear mandate for such future investigation is made, which provides this thesis with the support and relevance to the field.

A variety of subjects, themes and issues affecting counter-terrorism have been posited, and similarly have exposed many divisions and issues in strategy; the disparity in these themes have taken precedence over the limited pan-European analysis in the literature. The intention of this thesis will be to evaluate certain strategies not developed upon by the literature, and discuss factors influencing security approaches to counter-terrorism in the UK and Spain more generally.

Such strategies would include the measurement of the counter-terror indicators alluded to in the study's research objectives (*see*: Chapter 1). By measuring and postulating rationales for any association between these indicators and terrorism activity, alongside an understanding of key institutions in this context, the study hopes to produce originality in the field.

Chapter 4: Theory and Legality – a Consideration of Historical Institutionalism and the Impact of Legislation on Counter-Terrorism in the UK and Spain

This chapter will outline the importance of theory, and then consequently how it can be used as a lens for policy – this will examine how counter-terrorism may be approached, in spite of its traditionally, strategy-orientated focus (Coolsaet, 2010; Heath-Kelly, 2013). In the first instance, the importance placed on history through Chapter 2 of this study defines the decision to look at the role of institutionalised, historically-motivated counter-terrorism positions in the UK and Spain.

Within the context of counter-terrorism, the following institutions can be considered relevant, particularly with respect to the study's research objectives:

- National police forces;
- Finance ministries and offices (respectively);
- The Criminal Justice System

Through the analysis of historical events and issues upon such institutions, the statistical analysis in this thesis will be underpinned, and a clearer image of relationships and associations would be gained. Foley underlines the importance of understanding how historical legacies may shape policy that could reduce the "likelihood of efficient outcomes" (2013: 76). This supports the structure of this study – using historical events and discussions in association with institutions and counter-terrorism indicators to determine possible rationales.

The chapter will also consider the use of legislation in both nations, looking also at how historical positions may differ and how constitutional compliance may influence each country's strategic attitudes.

4. 1 The Theory of Historical Institutionalism

Historical institutionalism works as a theory to find patterns and sequences across institutions, and across time (Immergut & Anderson, 2008). It aims to underpin research objectives through the use of traditions, institutional nuances, and even philosophical approaches to justify, in this case, political and security decision-making.

The value of historical institutionalism to political and security research is underpinned by its relationship with transition and change. Firstly, Almond (1956) emphasised the theory's origins in rejecting the linearity of time as an impacting factor on decision-making. Instead, he postulates that the decisions not taken could constitute a valuable phenomenon in discussing rational choice. It is here that historical institutionalism finds its foundations, and seeks to differentiate itself from other theories that concentrate on events that have occurred.

In this case, the theory helps to outline how historical events shown in Chapter 2 may explain how the various security agencies in the UK and Spain interact to deter and counter terrorism activity. As Thelen (1999) points out, institutions are capable of evolution and at times show tendency to adapt in situations of urgency. This again relates back to events and experiences seen in Chapter 2 – security strategies and institutions diverged significantly in the UK and Spain respectively, particularly in the face of serious, on-going campaigns from the IRA and ETA respectively (McGrath & Gill, 2014).

While the above point may appear to contradict the essence of the theory through its regular reactions and adaptations, there is evident support for the claim that institutions, particularly those involving security as in this case, are "sticky" (Wolff, 2009: 139) – by this, "sticky" is referencing the inability to properly adapt to significant events, or in a proper, effective time-frame. Wolff continues here by criticising Thelen's (1999) "critical junctures" and instead insists upon Europe's natural shortcomings in resources and cooperation in regard to counter-terrorism strategy and policy-making.

It is here that comparative analyses revive the issue of how the theory should be applied to security and counter-terrorism, with the numerous junctures observed in recent events[15]. Critical junctures are important in interpreting how national institutions respond

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[15] As of 2011, Syria has been engaged in civil war, leading to a migratory crisis directly affecting European nations (Lazaridis, 2015).

to shocks or events, and particularly whether different responses can be seen in the UK and Spain. For example, while the criminal justice system in the UK has adapted significantly to junctures such as the 9/11 attacks through the adoption of the 2001 Terrorism Act, no direct financial institution was set up to provide oversight of security finance in light of this event.

Schmidt et al. (1999) provided a framework to underpin the importance of historical institutionalism and how its origins, and development, can be interpreted in accordance with the "timing of events and the phases of political change" (1999: 2). Relevantly, this is mentioned in the EU context by Argomaniz, who emphasises the need for research surrounding this and what he also describes as the "critical junctures" in the process of institutionalisation: post-9/11, post-Madrid, post-London (2009: 26). Here, this thesis' research questions surrounding the time period for analysis (2004-14) are supported by the literature. It is interesting to consider that significant institutional change was arguably brought about mainly by the campaigns of the IRA and ETA, as opposed to other, smaller groups more recently (Sanchez-Cuenca, 2007; Argomaniz & Vidal-Diez, 2015) – speculatively this could be due to public interest, security funding issues, or other external factors.

As a whole, the importance of historical institutionalism is that it is a) structural, whereby it encourages us to look beyond the interests and perceptions of individual actors - which may help explain certain continuities; and (b) a riposte to the presentism (Lister & Jarvis, 2013) of much work on counter-terrorism which discourages us from looking at the past. This historical inflection matters in both the UK and Spanish cases, because of their longstanding engagement with violent incidents termed "terrorist". Importantly, the choice of research parameters in this thesis are again supported by historically-institutionalised nuances, whereby the decision to focus on numbers, as opposed to actors or persons, is fundamentally important.

The consideration of historical institutionalism in a counter-terrorism context will require a level of policy-making understanding to provide support for its role. The chapter will then be divided into sub-sections, firstly discussing how historical institutionalism may work in the context of counter-terrorism strategies in the UK and Spain, particularly across a number of variants (i.e. cultural history); and will then be followed by criticisms and limitations of the theory's applications. Secondly, the chapter will look at both the

legislative and constitutional impact on how changes may, or may not, be implemented in counter-terrorism strategy.

4. 1. 1 Considering Historical Institutionalism within the Context of Counter-Terrorism Strategies in the UK and Spain

Whereas much of the USA-based academic literature on counter-terrorism strategy has been framed within the context of contemporary, international terrorism (Argomaniz, 2009), Here, academics should consider looking back to the past in order to comprehend how the threat may be interpreted differently. This thesis discusses the impact and possibly institutionalised implications of the respective histories discussed in Chapter 2, and also how the respective security strategies employed by the UK and Spain may be influenced, with respect to the relevant institutions therein.

To exemplify, some of the key institutional choices/decision-making to affect the UK could include:

I. The creation of the Joint Terrorism Analysis Centre (JTAC) in 2003, under the guidance of the UK intelligence services[16].
II. The creation of the Office for Budget Responsibility[17] in 2010 in the UK.
III. Acts passed by the UK criminal justice system, including the Justice and Security Act of 2013, and the Counter-terrorism and Security Bill of 2014[18].

While further attention to the legal and policy actions taken by both nations within an institutional context will be looked at later (see: Sub-section *4. 2*), what is most notable is how few actions of institutional change has taken place in Spain. What appears most clearly when examining both the literature and history of the country, is a willingness to adapt and alter the institutions currently in play, such as the structure of the existing national police force (Navarro & Villaverde, 2014). This works directly in contrast to the

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[16] Joint Terrorism Analysis Centre, MI5. Retrieved from:
https://web.archive.org/web/20090918184334/http://www.mi5.gov.uk/output/joint-terrorism-analysis-centre.html
[17] Office for Budget Responsibility. Retrieved from: https://obr.uk/about-the-obr/what-we-do/
[18] Counter-terrorism security, JUSTICE. Retrieved from:
https://justice.org/our-work/areas-of-work/criminal-justice-system/counter-terrorism-security/

re-structuring of key institutions in the UK, which may change in order to contend with contemporary issues.

Returning to Foley (2013)[19], the key debates surrounding institutional norms and their relationships with counter-terrorism policy are explained in a similarly pertinent, cross-European comparative – looking at the UK and France. In relation to this study looking at the criminal justice system, Foley posits that generally the UK's judiciary has moved in a "broadly similar direction" to that of its French counterpart, whereby the sovereign institution of parliament is largely respected (2013: 68). This positions the UK in a markedly dissimilar comparative with Spain, where judges have made significant attempts to block or alter legislation proposed by the Spanish parliament (Bailón, 2015).

Within the forum of security, Keohane (2008: 9) identifies a clique mentality, or "inter-institutional rivalry", which is moreover contentious. In terms of possible identifiers of institutions affected by historical events, these could include major European security institutions such as Europol, or national security agencies such as the Counter-terror Command of the UK Metropolitan Police Service or Spain's *Guardia Civil* (Civil Guard); all of which constitute significant counter-terrorism policing services.

Historical institutionalism can help to identify reasons behind the possibly different approaches by security institutions in the two nations. In fact, Spain had attempted to place their domestic counter-terrorism strategies on the European agenda before the events in Madrid (Argomaniz, 2009), which indicates a desire by the country to see their own strategic approach applied on a grander scale. In the UK context, fossilised security approaches may be less clear, with adaptability seen as key to progressive, legal change, in direct contrast to that of Spain[20]. This theory is best applied in this case to the criminal justice system – its institutions and its structures through the legal frameworks that underpin it, which are to be addressed in sub-section: *4.2.* Consequently, the lack of alterable terrorism acts in Spain, as seen in the UK and noted above, constrain the institution of the criminal justice system, instead pointing the research in the direction of constitutional path dependence.

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[19] Foley, F. 2013 (See: *Chapter 2*)
[20] See: *Section 4. 2*

4. 1. 2 Criticisms and Limitations of Historical Institutionalism in the Context of Counter-Terrorism

Criticism can be levied at historically institutionalised considerations, however, and Steinmo et al. (1992) posit the idea that historical institutionalism is inappropriate in its discussion of event sequences, in that it removes from the equation the importance of causality and randomness from political and social events. Here, the criticism centres on the inability to foresee such events, which consequently impact upon the political strategy employed, altering said strategy intensely: the events of September 11th, 2001 in New York, led to great political change, such as the creation and installation of the Department of Homeland Security and the passing of the PATRIOT Act.

Immergut has written at length on the debate on historical institutionalism and its role in political discourse (1998; 2006; 2008), with valid critiques made of the approach – issues surrounding the role and importance of selected institutions can inhibit the extent and role history can play. There is some relative confusion as to how both constructivist and rationalistic elements are applied to defining how the "historical" is used, and to how previous attempts at said definition have further complicated the issue (1998). Equally, historical institutionalism is not the only theory that attempts to avoid "presentism" (Lister & Jarvis, 2013), with a number of the theories exposed in Chapter 3 also suitable to this study.

Events causing disruption to European political discourse and process can be considered more influential than institutionalism, particularly in reference to how the above-mentioned "critical junctures" (Thelen, 1999) are mapped out in accordance with such events. The likes of the September 11th terrorist attacks or the European migrant crisis illustrate how crisis events will alter the focus of institutions, and in turn their decision- and policy-making – this is prominently seen in the legislative and policy-making of the countries analysed in this thesis (See: *Appendix A*).

Returning to Immergut, his understanding of the multi-layered historical perspective is predicated on the fact that:

> …no single model of change or the impact of past events can do justice to the multiple levels of causality at work in historical explanation (1998: 254).

Here, it is demonstrated that the adaptation of institutions for strategies or political decision-making, particularly if applied to the dynamic of counter-terrorism, is limited by the extensive factors that can influence them. Such factors could include pan-institutional mechanics, such as financial establishments – the role of the European Central Bank (ECB) is tantamount to the relationship between a variety of European institutions, indicating that recent institutional creations may have as large, if not greater, impact upon strategic decision-making across all political spheres.

As mentioned previously, events can similarly affect the process of strategy; institutionalism is limited to this extent, through its lack of adaptability and flexibility (Immergut, 2006). In the case of national police forces, it can be argued that theoretical notions generally fail to appreciate that the institution's natural character is to adapt and change. Almond's original rejection of linearity can impede any real connection between historical institutionalism and the counter-terrorism research methodology to be employed in this thesis (1956), as rational choice plays a significant theoretical role in terrorism acts.

Continuing with the theme of limitations, significant literature and discussion regarding the changing face of terrorist threat provokes some contradiction in a historically-motivated counter-terrorism strategy. Prominent research (Ganor, 2002; 2011; Schultz & Vogt, 2003) has endorsed the concept of an ever-changing terrorist threat, which challenges discussions looking at the study through an institutional lens – variance in both attack strategy and group membership has been set out as a possible alternative framework for security services to adapt policy. With this in mind, this thesis is working on a limited time-scale due to the constant alterations observed in terrorist activity, which causes problems in utilising a historical institutionalist perspective.

4. 1. 3 Countering the Limitations of Historical Institutionalism

In spite of such critiques and limitations, the effects of historical junctures and events upon significant security institutions in the UK and Spain are an important framework for counter-terrorism research. Even more fundamental to this particular research, the importance of the "junctures" (Thelen, 1999) in 2004 and 2005 respectively should be considered when analysing any counter-terrorism approach in the time period chosen,

particularly in reference to institutions affecting security. Most importantly here, the identifying of historical issues of nationalist terrorism as identified in Chapter 2 help to provide the framework for counter-terrorism before the incidents in Madrid and London, which presented an international threat to public and government alike. Furthermore, due to the level of both public and governmental attention paid to both events, especially in the context of ongoing security challenges, the theoretical choice is again justified: public opinion alongside governmental policy would inform decision-making by institutions.

Considering security, finance and justice institutions within a counter-terrorism framework creates a viable link with the statistical parameters of this thesis (See: *Chapter 5*). As shown in sub-section 4.1.1, any decision to alter the respective authority of security-influenced institutions falls under the jurisdiction of national parliaments and assemblies. This is important, as the influence of changing acts of legislation, such as that seen on the UK Criminal Justice System, forms a strong basis for a historical institutionalist perspective that supports a cross-national comparative model of analysis.

While there may be some lack of adaptability in institutional relationships with political issues (Immergut, 2006), this very deficit is central to understanding case studies with experiences resembling those of the UK and Spain. As will be examined below, the rigidity, or adaptability, of legislation would work as a significant marker of this theoretical underpinning, which can in turn be used as a comparative measurement. While the presentism considered above also features in alternative theories, historical institutionalism is unique in framing legislative and legal processes within critical events, whereby the very documentation of such events aids the theory further (Immergut & Anderson 2008: 362-3), using institutions to sequence behaviour over time.

Historical institutionalism is an appropriate underpinning for a study considering such research questions, and postulating ideas of comparison based upon experiences. Its role in this study will seek to provide further understanding and rationale to both the legal understandings below, and the quantitative analysis in later chapters.

4. 2 Legality and Policy-Making: the Impact of Changes to Legislation and the Importance of the Constitution in the UK and Spain

Academic research has suggested that individual nations will alter and implement legislation on security issues, particularly those that have seen change through historical institutions (Van de Linde, 2002; Silke, 2004). Through this idea, it identifies a number of events and junctures that may potentially result in policy divergence via the security institutions considered here. Below, some of the key pieces of counter-terrorism legislation are outlined and evaluated, illustrating the cases of the UK and Spain.

4. 2. 1 Counter-Terrorism Legislation in the UK and Spain (2006-2014)

Within this thesis directly, historical institutionalism aids understanding as to the direction of counter-terrorism strategies in the UK and Spain, specifically how the multi-faceted relationships between EU institutions could impact on how it oversees antiterrorism. Returning to Argomaniz, there is some evidence for how European nations may have ignored the "weak mandate" (2009: 168) proposed by the EU's Counter-Terror Coordinator, enforced by political decisions by aforementioned national governments within the EU's institutionalisation. It is the reactions and approaches by the national governments focused upon in this thesis that assist the researcher in deciphering how counter-terrorism strategies may change. Here, the strategies to be measured will be evaluated temporally in order to view these nations in a historically institutionalised perspective.

This thesis posits that legislation is the progression of historically-motivated decision making, and in this case patterns will be identified within the time period of his thesis (2006-2014) – encompassing focus from the most significant acts of international terrorism on European soil in 2004 and 2005 respectively[21]. Considering both the above mentioned approaches and legislation, and as shown in Appendix A, the following pieces legislation are outlined below:

UK:

- Terrorism Act, 2006
- Terrorism Act, 2006/7 (Updated)
- Justice and Security Act, 2013

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[21] Madrid bombing, March 2004; and London bombings, July 2005.

- Data Retention and Investigatory Powers Act, 2014

Spain[22]:

- Law on Electronic Retention, 2007
- Organic Law (5), 2010

Above, the legislation successfully passed consists of those acts passed into law considered relevant for terrorism prevention by Europol's TE-SAT Report. Thus, there must be relative objectivity applied as to how laws are categorised under counter-terrorism – the association of, for example, data retention and its ability to counter terrorism is relative to the respective political body categorising it. In this case, the decision by Europol to position such articles and pieces of legislation as such will be considered as accurate representation of counter-terrorism definition[23].

It is evident in the first instance that only two clear incidents of relevant counter-terrorism legislation took place in Spain, and this is interesting to the thesis and its identification of divergence. While this is in accordance to Europol's measurements, we can see yet another divergence in approach between the two countries, and this is best illustrated below by looking at the use of constitutional practice in applying counter-terrorism approaches. Within a historical institutionalist perspective, it can be inferred that despite similar experiences and similar junctures, the UK used legislation as a counter-terrorism strategy to a greater extent than Spain, with the UK's greater institutional adaptability evident again.

Moreover, the changes in legal processing of counter-terrorism in the UK and Spain are indicative of differing approaches to what is categorised – that is to say that the laws outlined above, and explained in Appendix A, illustrate alternate, strategic considerations. For example, while both the Data Retention and Investigatory Powers Act, 2014 (UK) and the Law on Electronic Retention, 2007 (Spain) possess notably similar aspects in respect to governmental intervention in accessing data and electronic information, the

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[22] Again, it must be emphasised that Spain has not generally implemented individual acts of legislation, and instead adapts the current *Código Penal*.

[23] See: *Chapter 2* for further clarity on this topic.

development of Terrorism Acts in the UK alludes to more concise and clear steps in defining its counter-terror approach.

The successive Terrorism Acts in the UK, in particular reference to those passed within the 10-year period studied, are key to understanding how the country legitimises its counter-terrorism approaches. As demonstrated previously by Lister & Otero-Iglesias (2012), the fluctuations in counter-terrorism legislation in each country respectively must be considered along narrow, institutional factors. That is to say that the progressive Terrorism Acts of the UK are formed by the institutionalised nature of British politics, implying that there could be an element of British political culture aiding this decision-making, i.e. the lack of a constitutionalised approach.

4. 2. 2 Counter-Terrorism Legislation and the Role of the Constitution

The link between any historical events and experiences, and counter-terror legislation lends itself to be considered within the nation's political framework – in this case, that of the UK and Spain. The design of national constitutions tend to reflect institutionalised mechanisms, such as those seen in historical experience and critical junctures (Immergut, 2008), and this can be viewed in the decision to adhere to a codified[24] constitution. The stability provided by codification also results in a degree of limitation in how future legislation can be applied, predominantly in the case of subjects delicate to the public, such as security. This is of course not suggesting that other factors do not exist that may also influence the debate, such as political culture or cross-party consensus.

The UK presents an interesting case in this respect – by not having a codified constitution in place, the UK possesses the flexibility to adapt itself both politically and legally in accordance with such "junctures" mentioned before. Similarly, the lack of codification doesn't restrict it to any definition, with *new* constitutions mentioned in academic circles (Bogdanor, 2009). In keeping with the above-discussed implementation of Terrorism Acts in the UK as a security strategy, the constitution of the UK provides ample room to model new ideas and learn from experience. This is interesting, as all Liberal democracies

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[24] "Codified Constitution": A written document, defining the nature of the constitutional settlement.

should possess mass parties that engage with "constitutional opposition" that would consider alternative policies across all legal issues (Neal, 2008: 49).

Again, returning to the measurement of counter-terrorism through security-influenced institutions, the Spanish constitution is a reflection of the country's transition to democracy (Druliolle, 2008). As such, its implications for counter-terrorism are tantamount to the flexibility of the nation's constitution – the Spanish constitutional case shows a certain rigidity in comparison to that of the UK. This rigidity is the key element to linking both the choice of legislation adapted for counter-terrorism (or lack thereof) and the historically institutionalised nature of the nation's strategies. To enforce this further, the Spanish constitution has only been altered twice, and on neither occasion was it a matter of state security[25]. This returns the debate to the concept of path dependence, which explains that certain issues or events can have disproportionate consequences on institutions[26]. The Spanish constitution, in consequence, is affected by previous dictatorial pathways, which prevents change in its respective policing, financial and criminal justice institutions.

Lázaro (seen in: Lister & Otero-Iglesias, 2012) saw the Spanish constitution as ever-suffering from the "smell of the old regime", alluding to a serious lack of trust and support for the security services, and within this, the rights of citizens to be protected from terrorism by clear, politically-backed strategies.

> …the fact that Spain has a written constitution with legal safeguards on individual liberties is important. By contrast, Britain with its unwritten constitution and principles of Parliamentary sovereignty, where no Parliament can bind its successor, means that Parliament can, in significant part, pass any law for which it can gain a Parliamentary majority (Lister & Otero-Iglesias, 2012: 16).

All such concerns related to how the Spanish constitution's role in forming counter-terrorism legislation tend to form around historically-motivated stagnation and a stubbornness in the face of contemporary threat. In this respect, the position of the UK, both in its lack of a codified document and also through its more democratic past, is

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[25] Firstly, in order to provide universal suffrage, and secondly to raise the debt ceiling in 2011 (Reyes, 2015).

[26] Seen in: Liebowitz, S.; Margolis, S (2000). Encyclopaedia of Law and Economics. p. 981. *Journal of Law and Economics.*

arguably stronger when forming policy and legislation – the relative freedom to legislate on terrorism, removed from the problems of democratic transition can be seen as a strength.

4. 3 Conclusion

This chapter has attempted to gauge an understanding of both the derivation and fundamental tenets of historical institutionalism, and also how its position in viewing security decision-making could allude to issues in counter-terrorism and security. Within this, while underlying concepts of institutionalism may deliver some informative perspectives for counter-terrorism, there is also some critique and limitations evident in the debate of historical institutional validity.

However, the huge value that can be placed on historical events and junctures should not be understated in this work, and how changing institutions such as the police or the criminal justice system may be observed through them. Importantly, the literature's ability to reveal associations and comparatives between the UK and Spain provide the underpinning for this study's choice of research methods. The lack of directly relevant literature that measures counter-terrorism by indicator presents a potentially original gap.

It is both relevant and interesting to this thesis to continue its theoretical focus, as in turn it assures the directional validity of the data to be evaluated, and the academic value of the research objectives proposed. Similarly, both theoretical and legal considerations discussed in this chapter will be alluded to once again in Chapter 7 in order to postulate explanations for the statistical analysis to come.

Chapter 5: Methodology

This methodology chapter will explain firstly how methodologies have been constructed in counter-terrorism research; this will be followed by a justification of the methods to be employed in this study – including their limitations – and finally how the actual tests and methods were carried out and how they work in turn.

For clarification, as set out in the introduction, the research questions of this study are:

1. What were the major differences/similarities between the counter-terror approaches of the UK and Spain in the period 2004-2014?
2. Have historical events had an impact on the way in which the UK and Spain determine their counter-terrorism approaches?
3. Has attack frequency changed as a consequence of Questions 1 and 2?

Fundamentally, the choice of indicators (policing numbers, security expenditure, and prosecutions) correspond to three stages of counter-terrorism: on the ground through police action, through increasing spending, and in an *ex-post* environment through the criminal justice system.

Below, I outline some of the key features used in this study's data analysis: the use of Global Terrorism Database (GTB) data, longitudinal studies and chronological patterns of terrorism events, and previous attempts at studying counter-terrorism in a statistical concept of this thesis – police numbers, security expenditure, and prosecutions as counter-terrorism strategies. For further clarity, Appendix B offers a clear break-down of all tests used in tabulated form.

5. 1 Background of Methodological Use in Counter-Terrorism Research

This section will outline how the most prominent methodological approaches to terrorism and counter-terrorism research have been tried and tested. The evaluation of European counter-terrorism policy has taken on a largely "dimensional" approach, in particular linking to the prominence of single-case study research (Wolff, 2009; Ferreira-Pereira &

Oliveira-Martins, 2012; Kaunert, 2012b; Mackenzie *et al*., 2013), with geographical, political and even historical dynamics considered necessary for contemplating models on counter-terrorism.

The methodological approaches to terrorism research have been summarised by LaFree and Dugan (2015), who proceeded to construct a chronological break-down of the most consistent methodological approaches in the study of terrorism. Amongst the chosen positions, the "series hazard model" of research, first described by Dugan et al. (2005), develops a model befitting the policy-event impact nexus, which in turn illustrates the importance a policy can have on selected events. This was furthered more recently in research by Argomaniz and Vidal-Diez (2015), who applied ETA's case study to this approach, discovering that some counter-terror strategies were in fact detrimental and caused further attacks; this has been supported by other approaches comparing electoral participation (McGrath & Gill, 2014) while other research sources have deviated focus towards group-based analyses.

In more specific terms, some research approaches have focused upon the nexus between political action and electoral involvement among European terrorist groups, considered as a counter-terrorism method (De la Calle & Sanchez-Cuenca, 2006; Sanchez-Cuenca, 2007; LaFree *et al.*, 2009a; De la Calle & Sanchez-Cuenca, 2013; Newman, 2013; McGrath & Gill, 2014). Such studies have supposed the study of terrorism incidents in relation to a group's political allegiances. This methodology uses comparative models to correlate electoral participation and terrorism incidents quantitatively, in order to inform future policy-making.

Lum *et al.* (2006) outline a critique of the danger of data collection in selected methodologies, particularly those applied in measuring counter-terrorism. The acquisition of data related to published research topics, with a significant 18.1 per cent of peer-reviewed articles pertaining to weapons of mass destruction, and a mere 0.6 per cent discussing domestic terrorism is pertinent; continued further by a concerning lack of articles on counter-terrorism strategic effectiveness. This in turn illustrates the focus on the "extraordinary" and grandiose in terrorism research (Schmid, 2011). Thus, it can be argued that the focus of predominant literature remains to underline particular events and incidents as opposed to homogenising policy and prevention.

Following this and returning to his cross-European comparative, Nesser (2014) posits a disparity amongst the chronological distribution of attacks within the *Jihadi* context, and the heavily skewered methodological approaches attributed to the subject. Understandably, Nesser's (2014) position could be derived from the "Islamification" of the terrorism threat as set out above. The Islamic fundamentalist challenge has largely encompassed the literature's focus, and Nesser has innovatively challenged these perceptions (2014). Thus, certain methodological approaches, particularly through categorisation of events or through data collection, can be inferred as having suffered from bias – however, while attempts to quantify terrorism avoids such pitfalls due to its empirical nature, they suffer from other limitations.

5. 1. 1 Data Analysis Models and Methods

This thesis applies a quantitative approach amongst its analysis, resulting in a need to outline some of the more common methods to using statistical tools. Amongst these, methods employing Bayesian probability analysis of terrorist threats (Cornell & Guikema, 2002), and game theoretic risk analysis (Bier & Azaiez, 2009) have often been utilised in order to hypothesise on terrorism and counter-terrorism issues. Attempts at axiomatically deriving conclusions allow for the overall progress of quantitative terrorism analysis, however they can be predominantly graphical – as in, it can be understood visually through graphs, in turn facilitating comprehension – which in many cases best reflects the scope of the collected frequency data (See: Leiken & Brooke, 2006, for examples). All academic audiences can benefit from such use of data, and its expression can aid the overall picture of the research better – of course, using descriptive rather than purely inferential tests can be useful but also problematic (Silke, 2004).

However, problems exist in terms of quantifying both counter-terrorism approach and terrorism occurrence – Young and Findley (2011) identify some of the pitfalls of such investigation, which also includes the premise that counter-terror approach and terrorism occurrence are connected in the first place. They maintain that researchers must be explicit regarding the implications of the unit of analysis applied, with year-on-year datasets no longer unique in dyadic analysis methods across terrorism research, supporting the claim of a "stagnation" in research (Sageman, 2014). Similarly, Frey and Luechinger have criticised the aggregating of frequencies for terrorism research, stating

that an analysis of "cost" would better help to provide a more coherent aggregated data index; this consequently would better manage the severity of terrorism incidences (2004). This is, however, not factoring in that year-on-year temporal or longitudinal interpretations of quantitative or qualitative data is still utilised across terrorism research as the most appropriate graphical tool to indicate transition or adjustment (Caruso & Schneider, 2011; LaFree, 2012; Schmid, 2013).

Moreover, longitudinal study has shown to be an effective tool – Barros and Proença (2005) conducted an estimated logit-analysis featuring a US/EU comparative of the International Terrorism: Attributes of Terrorism Events (ITERATE) database, available over a 20 year period. This is effective through the ability to quickly and efficaciously identify trends that aid better-informed strategy. Other research sources, as indicated by Perer and Schneiderman (2008), critique the effectiveness of *grouping* terrorism incidents, with particular reference to the application of metrics and statistical visualisations of this categorisation. As explained further, working under umbrella terms such as "Global Jihad" can in fact infringe good practice in using data analysis in terrorism.

A number of quantitative comparisons conducted between ITERATE and the Global Terrorism Database (GTD) have demonstrated a significantly elevated level of attack frequency in the latter's collection, exposing the variance in collation method used with the GTD's focus on events and intelligence as compared to ITERATE's use of global media sources (Enders *et al.,* 2011). Interestingly, recent literature has vindicated the need to adapt the current taxonomy of terrorism database categorisation – Berkebile (2015) advocates a cross-national *domestic* database, as the researcher makes the claim that the GTD is unsuitable for domestic study, leaving room for comparative studies such as this.

Finally, in particular reference to the analysis of security funding in this thesis, Danzell and Zidek undertook tests of statistical significance reflecting the security spending of a number of representative Western nations (Danzell & Zidek, 2013). This study concluded that increases in spending did reduce terrorism frequency across the years 2000-2009[27]. Furthering this point, the research identifies the spending patterns of Western nations as being not only important to policy analysis, but also relevant to predictive models of events. It is pivotal that the recognition of this correlation informs both the literature and

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[27] See *Chapter 7* for further analysis of this issue.

this thesis – this illustrates a justification for research that would include the critical events of terrorism in 2004 and 2005 in the UK and Spain specifically.

Most importantly to this thesis, this outline of methods – and more specifically, data methods – provides a foundation for the rationale behind using a mixture of the historical institutionalist theoretical underpinning, legal and legislative frameworks, and finally a quantitative analysis.

5. 1. 2 Case Study Analysis and Comparative Study

The cross-national comparative nature of this thesis is fundamental to testing its underlying research questions. However, taking into account this study's use of historical events, a case study-based methodology can be carried out that exercises and outlines the numerous factors affecting attempts at counter-terrorism. By cross-national, this study intends to conduct its statistical analysis through a direct comparison of both national case studies, the UK and Spain, comparing the strategies therein.

Due to this comparative line of investigation, it is important to consider the role of case study analysis and comparative approaches to terrorism and counter-terrorism research. Thus, the nature of comparing political entities or nations has resulted in the creation of strict methodologies that permit a homogenised approach to analysis, although this is not guaranteed and may in fact imply more divergence through historically-institutionalised decision-making.

The need for rigour and consistency in case study analysis results in the decision to compare cases to become more reliable in turn. Lijphart (1971) provided one of the first critical analyses of the comparative method, underpinning the similarities, and applications therein, of both the case study and comparative methods. Importantly, Lijphart drew upon previous research to critique comparative research's reliance on the empirical generalisation of limited cases. This was followed by Geddes (1990), who importantly outlined the risk of selection bias in political analysis – hence the importance of valid sources of data (See: sub-section *4. 2. 1*). In this case, the selection of the counter-terrorism approaches of the UK and Spain is based on previous experiences of mediating significant terrorism campaigns, and hence valid sources of data that have been previously extrapolated.

There has been quite a clear focus on studying counter-terrorism based on a certain "unit" of measurement – as in, studying one aspect of counter terrorism such as events or strategies to derive more accurate conclusions. This indicates the need to ensure that the case studies conducted in this thesis are focused to a clear unit, i.e. counter terrorism strategy. In line with this, Yin (1994) proposed a consistent approach to case study analysis across multiple fields of social science. This approach features numerous strategies to conducting successful case study research, including the key factors underpinned: clear research question, theory, unit of analysis, and replicable methods.

Continuing and reinforcing work by Yin, Gerring (2004; 2006) outlines how case studies are best defined and their central purpose to research. In order to provide an empirical basis for his definition, the case study is denoted as a "unit attempting to illuminate features of a broader set of units" (2004: 343). Through the revelations drawn by studying individual units of counter-terrorism, inferences can be made on broader issues. This, subsequently, provides the researcher with a clearer understanding as to research designs using case studies, supporting Yin's categorisation of units for analysis – emphasising this study's focus on the correlational nature of assessing counter-terror strategy, as opposed to causation. For example, in this study, information derived from a counter-terrorism strategy would be informed by a country's constitutional openness/restrictiveness, or vice versa.

Yin (1994) subsequently underscored the case study strategy for research, and exposed the strengths of the case study method through its variety and validity. In particular, Yin notes that the case study should be significant and should be presented neutrally and without agenda. These arguments are fundamentally important, and this research will support the need to remain neutral in respect to how the case studies will be presented – however, the value freedom element is controversial, due to this study's theoretical focus on institutionalism and its underpinnings.

Below, the formal stages of this study's methodology will be explained and set-out, taking into account the issues raised by the sub-sections above. Questions considering the validity of comparative case studies, methodological weakness and quantitative analysis will provide the basis for a reliable process of methods.

5. 2 A Mixed-Methodological Approach

Methodologies, and the choices to use varying styles and forms of method, dictate a thesis' overall purpose, in turn directing the manner by which it will test its central research questions. To this regard, this study has chosen to undertake a mixed methodological approach, or a *triangulated* approach as it is otherwise known (Jick, 1979; Brannen & Coram, 1992; Tashakkori & Teddlie, 1998). This idea is essentially based on two varying methodological styles which support a research strategy as a device to cross-validate the basis of the study. With this in mind, the study tested two main lines of quantitative research – cross-national comparatives of counter-terrorism strategies selected, using means-testing statistical instruments; and secondly, a comparative examination assessing the impact of said strategies on attack frequency in the UK and Spain using correlational statistical tools.

5. 2. 1 Data and Variables

To measure such issues in the case of the UK and Spain, the following counter-terrorism indicators are considered:

- Police numbers;
- Security spending;
- Prosecutions (convictions) of terrorist offences.

A second stage of the data analysis involves the above indicators being correlated and examined alongside:

- Terrorist incidents in the UK and Spain from 2004 to 2014.

Principally, this thesis' decision to look at these indicators is taken from the European Commission's choice to evaluate them in its counter-terrorism trend reporting (see below). Existing literature, as seen in Chapter 3, tends to look at counter-terrorism in terms of institutionalised security indicators, such as intelligence analysis (Torres, 2014). This is limited because macro-factors, such as spending, may not match how political actors think about such concepts – as evidenced by the European Commission's Trend Reports. Following this, the researcher also considers the viability of access to counter-terrorism evaluation, and how the public could scrutinise counter-terrorism practice – in

this regard, policing, funding and the criminal justice system are arguably the most accessible forms of assessment.

The decision to measure counter-terrorism strategies through public-access security data is as indicative of the data's reliability as it is of the importance of easy accessibility. Thus, the study focussed on data that can be easily extracted and replicated in a research environment, avoiding the pitfalls of bias and any institutional issue that may be provoked by analyses of national strategies. Similarly, while prosecutions are analysed as a counter-terrorism strategy, completed prosecution cases leading to convictions are used. As mentioned above, the accessibility of this study's elected counter-terrorism strategies would allow for a multitude of cross-national analyses to be undertaken.

The data for the statistical variables implemented in the study was collected via certain governmental and academic sources, including the Global Terrorism Database (GTD)[28], Europol's Terrorism Situation and Trend Report (TE-SAT)[29], and Eurostat[30]. The use of Eurostat and TE-SAT is particularly important to the study's choice of data – national data sets, however constructed, may contain elements of bias (Jongman, 1988; Enders *et al.*, 2011; Berkebile, 2015). In order to avoid this, an EU-wide collection of data provides stronger assurances of independence as regard a comparative national analysis, while also remaining neutral as an institution within a supranational body. Also, in order to avoid bias in the selection of cases and data, the TE-SAT report provides categorised data sets under certain parameters, i.e. policing numbers involved in counter-terrorism activity.

Eurostat and the TE-SAT reports used (years from: 2004-14) chose to aggregate data for each country of the EU in the following manner:

1. Police numbers for the UK and Spain are those that are considered those officers in active service across all crime. Due to terrorism existing as a crime that is combatted from community to international policing, this Eurostat population is considered a valid dataset to analysis.

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[28] Data with regard to terrorism incidents in the UK and Spain were extracted from the GTD in the years 2004-2014

[29] Data with regard to prosecution rates in the UK and Spain were extracted from EURO TE-STAT between the years 2006-2014.

[30] Data with regard to police numbers and security funding was extracted from Eurostat between the years 2004-2010 and 2006-2012 respectively.

2. Security funding is considered as all funding dedicated to public safety and order in the European Union, according to Eurostat. This includes policing, intelligence, counter-terrorism and infrastructure, all sources that works to counter terrorism activity.

3. Prosecutions are culminated from conviction rates released by the TE-SAT reporting. The EU Council Decision on the exchange of information and cooperation concerning terrorist offences, of 20 September 2005 (2005/671/JHA), obliges Member States to collect all relevant information concerning and resulting from criminal investigations conducted by their law enforcement authorities with respect to terrorist offences (TE-SAT, 2011)

The GTD is considered to be one of the most complete, available databases for counter-terrorism incidents, and provides scope for both attempted and successful attacks (LaFree, 2012). Furthermore, the GTD possesses to tools to identify accurate datasets according to the type of study – this can be exemplified through this study choosing all attacks for measurement, regardless of success. Additionally, Eurostat and Europol's TE-SAT are the EU's principal public-access sources for both terrorism issues and statistics of both counter-terror strategy and approach across the continent – however the rate of release for each TE-SAT trend report is not complete for every parameter and this must be considered.

Similarly, in using the GTD to measure terrorism attacks in his study, all incidents are inclusive of both successful and unsuccessful attack frequency – the researcher feels that counter-terrorism can only be properly assessed when compared to all attempts of terrorism, providing they fall under an official categorisation of a terrorist act via recognised sources, such as the GTD, which relies on recognising terrorism in a particular way, i.e. not including state terrorism. While this could be seen as problematic (See below: *5. 2. 2*), the success of multi-faceted prevention (i.e. radicalisation and event-prevention) is included in the analysis.

To clarify again, Eurostat and Europol's TE-SAT reporting is used as the principal decision-maker for the validity of data, and as such (a) police numbers are aggregated as a force working at all levels of the security process, (b) security funding is aggregated according to all finance dedicated to terrorism and threats, and (c) prosecutions are

aggregated based on successful convictions using the criminal justice system in both countries.

5. 2. 2 Limitations of Data Collection and Methodology

As expressed above, there are limitations to this study – this includes the availability of datasets and regularity of year-on-year Eurostat and TE-SAT trend reports. Naturally, this similarly extends to the way attack incidents will be quantified and collected, with the GTD including both successful incidents and failed: this can influence the way that counter-terrorism strategy is measured (Frey & Luechinger, 2004). Despite the justification above, there is a risk in assessing terrorism attacks by overall attempts, instead of focusing specifically on successful events. The many possible factors that could be the cause of event failure or disrupted attempts could interfere with an accurate analysis correlating such results with counter-terror indicators, particularly in national contexts.

Evaluating this issue more in depth, nations may not have provided suitably detailed measurements for evaluation – i.e. on most occasions, the UK withheld information from the TE-SAT on the rationale for arrest or prosecution. This was seen in particular reference to the first Counter-Terror indicator for measurement: police numbers, where Scotland was not included for analysis. Therefore, the decision was taken to undertake individual analyses for cross-national comparatives (See: sub-section *5. 3. 1*), and then aggregated in the second stage of analysis (See: sub-section *5. 3. 2*). Furthermore, the difference in years studied for each counter-terror indicator is a cause of inconsistent patterns of results released by TE-SAT – this was mentioned in sub-section *5. 2. 1* and causes this methodology to look at each counter-terrorism strategy individually, and in their respective time restraints.

Following on from this, and as mentioned previously, the categorisation and definition of counter-terrorism practice is limited by the study's choice to derive data from Europol's public access sources. This means that the researcher takes for granted that all three indicators and strategies to be tested fall under this categorisation, and are considered accurate, i.e. again, that police numbers, although measured as a whole, would work would work to actively deter terrorism in all its forms. Similarly, further individuals and

agencies could be active in this preventative process: such as examples of security professionals, e.g. border control guards or private security firms. The access of these documents was achieved through admission to documents through the EU's central information portal[31].

Returning to police numbers, the choice to consider overall police numbers in this analysis is in part due to restrictions on data availability in the Spanish case, whereby the exact and accurate identification of elite unit numbers would be inconsistent. The analysis of elite units would be useful, and as shown in previous research (See: Foley, 2013: 158-9), can produce interesting results. However, it can also be argued that the nature of contemporary policing is inherently multi-faceted, resulting in all aspects of policing being involved in the counter-terror effort.

Other issues affecting research validity[32] have become evident, most particularly in terms of choosing a time-period for analysis – the UK took the decision to leave the European Union on the 23rd June, 2016. This has informed the study's decision to implement a time frame of 2004-2014 in order to maintain parity within the countries compared. The rhetoric and influence of the Brexit[33] decision has influenced policy-making and in turn counter-terror approaches – it was thus deemed necessary to treat the conditions for analysis equal. Due to the datasets for counter-terror approaches being extrapolated from the EU's Eurostat and TE-SAT reports, withdrawal from the Union will later result in data for the UK becoming unavailable in this report.

Furthermore, issues within the actual counter-terror strategies may impact upon how the data is both interpreted, and the conclusions derived. Evident variations in the economic output and populations of both nations does affect how security funding would be expressed in a time-series analysis – it would be advisable in this case to produce an analysis that considers the actual expenditure in terms of GDP value of each nation, as opposed to uniquely considering exact numbers.

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[31] Last Accessed (March 2018) via: https://www.europol.europa.eu
[32] In this study, validity refers to the accuracy of the time-period considered for analysis, and why the UK' decision to leave the European Union could create inconsistency.
[33] Brexit: term used to describe the prospective withdrawal of the UK from the EU.

5. 3 Methods and Process of Data Analysis

The study employed a two-part, quantitative analysis of counter-terrorism strategies in the UK and Spain. Due to the need for statistical software to be used in order to carry out these tests, SPSS[34] was chosen to produce all non-graphical statistical analyses. Following this, Microsoft Excel will be utilised to produce the most visually-helpful graphics for longitudinal study. Below, the process of examining the data extrapolated will be outlined through the statistical techniques and graphics necessary to consider implications for counter-terrorism in the UK and Spain.

5. 3. 1 Methodology: Cross-National Comparative of Police Numbers, Security Expenditure and Counter-Terrorism Prosecution Rates in the UK and Spain

I. Tests of Distribution

The first stage of analysis employed both statistical tests and graphs to examine counter-terrorism strategy data, and inform comparisons between the UK and Spain. The analysis is divided into two subsections: firstly examining the UK case study, and secondly Spain. The data was initially examined in terms of its validity for distribution and variance – this was conducted through two analyses of distribution: Friedman's Two-Way Analysis of Variance and the Wilcoxon Signed Rank Test, which was undertaken for each counter-terror indicator in turn.

Both tests above are selected to test the reliability of distribution in repeated measurements of a single sample[35] – in this case, the sample data for each individual counter-terrorism strategy analysed. When testing for distribution, SPSS takes the decision to select the most appropriate tool, i.e. Wilcoxon Signed Rank Test. Similarly, SPSS is able to ascertain statistical significance through its ability to rank the data and discover if its p-value is below 0.5 automatically. There are of course limitations to this type of testing if data is not ordinal (Derrick & White, 2017), however that is not an issue in this case.

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[34] Statistical Package for the Social Sciences.
[35] Randomly selected piece of data from a larger population.

The tests are used predominantly to measure and compare matches samples, assuring the normal distribution for further inferential[36] analysis (Perer & Schneiderman, 2008). Moreover, such tests of variance ensure statistical significance for the data used, and the sample taken.

II.   Tests of Mean Value

Following this, a one sample t-test was undertaken for each counter-terrorism strategy in turn, independently examining the data for each nation. The t-test identifies viable comparisons of both mean values and standard deviations in the samples analysed, which informs how differences in both case studies are exposed in counter-terrorism.

The one-sample t-test provides further development on how the sample data for each nation may be extrapolated from its population. That is to say that the main objective of the analysis is to test the validity and reliability of its mean value. In order to achieve this, the formula set out in Figure. 1 is used.

   Fig. 1:

$$t = \frac{\bar{X} - \mu}{s / \sqrt{n}}$$

The above algorithm is calculated dividing certain values, where x is the sample mean, s is the sample standard deviation of the sample and n is the sample size. Importantly, the mean value (x) exposes the main aim of this part of the analysis, with both sample mean and t-statistic[37] looking for statistical significance in variation within the time period studied.

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[36] Inferential statistics use a form of deduction to infer facts or issues about a specific population of data, i.e. correlation or regression.

[37] The t-value measures the size of the difference relative to the variation in the sample data.

The directly comparable values exposed by t-tests provides clarity towards evaluating the study's research objective; this inferential test also examines how the data is distributed temporally (Leiken & Brooke, 2006), again informing the study's focus. A one sample t-test was conducted for all counter-terrorism strategies in both national case studies, the UK and Spain.

III.   Tests of Longitude and Time-Series

Finally, the cross-national comparison section of this study's data analysis focuses upon the distribution of counter-terror strategies over a selected time period (See: sub-section *4. 2. 1*). Each counter-terrorism indicator is measured in turn, whereby time-series graphs are utilised to show both the distributions of police numbers, security expenditure, and prosecution rates in the UK and Spain. In both national case studies, the time-series is expressed through bar graphs (either a vertical or stacked bar graph) which demonstrate change over the years examined. Firstly, police numbers in the UK and Spain are presented using a stacked bar graph across the years 2004-2010: due to the breakdown of UK policing data (See: sub-section *4. 2. 2*), a stacked bar graph best shows variations over time.

Secondly, two time-series graphs were produced for an analysis of counter-terror expenditure – again, the choice for two graphs is influenced by the need to assure that the general assumptions for the data are met (See: sub-section *4. 2. 2*). The first graphic depicts actual expenditure values (in millions of Pounds Sterling and Euros, respectively) over the years 2006-2012, which presents the case for variations between the funding of counter-terrorism in both nations. The second graphic alters general assumptions for the difference in GDP between the two nations, and identifies patterns across the aforementioned years according to expenditure by its proportion of national GDP – this helps to better identify comparisons between national spending patterns.

Thirdly, due to the large disparities initially evident in the data between the two nations compared, a vertical bar graph was constructed to better visualise the two case studies to be compared. Furthermore, the design better suits the larger dataset: this variable measures temporally across the years 2006-2014. Again, there has been discussion on the clarity and visualisation of graphical evaluations of data, and how it is best utilised in

cases of year-on-year, longitudinal studies (Perer & Schneiderman, 2008). Graphics were decided upon as the main methods of measurement in this study's time-series analyses.

Importantly, this visualisation seeks to not only illustrate change over time, but to identify any significantly unexpected or inconsistent variations – these junctures or events will be identified in Chapters 6 and 7 and will allude to any explanations for such variations such as historically-institutionalised behaviour or decision-making.

5. 3. 2 Methodology: Comparative Analysis of Counter-Terror Indicators with Terrorist Attack Frequency

I.   Tests of Mean Value

The first stage of the terrorist incidence comparative analysis employs a one sample t-test in order to both confirm the validity and expose any variation in mean values between the rates of attacks. This test contains data from attack frequency in Great Britain, Northern Ireland, Spain and also an EU average to provide further context. Subsequently, interpretations of variance and means are illustrated in order to clarify initial differences before further inferential analysis. This test followed the same pattern as those conducted for the cross-national comparatives, set out above in sub-section *5. 3. 1*.

II.   Tests of Correlation and Association

The second stage of analysis attempts to identify associations between attack frequency and each counter-terror indicator in turn, with separate analyses to be conducted for each nation respectively. Pearson's Product Moment test of Correlation was applied to all counter-terror strategies, presented through a table matrix to demonstrate how each strategy and attack frequency could show association. This test expected to reveal some correlation in the data, including the distribution over the years studied (Perer & Schneiderman, 2008) – this works to support this study's third research objective.

Tests of correlation are generally used to identify possible associations between different sets of sample data or variables. Pearson's test is measured through the *r* coefficient,

which produces a positive or negative number between 1 and 0 – this is set out using this study's samples below. The following formula calculates the Pearson *r* correlation.

Fig. 2:

$$r = \frac{N \sum xy - \sum (x)(y)}{\sqrt{N \sum x^2 - \sum (x^2)][N \sum y^2 - \sum (y^2)]}}$$

Figure. 2 shows how the ratio is calculated and how a correlation matrix can be formed, with (N) being the overall number of observations or sample data to be analysed. The sum of the (x) and (y) scores reveal linearity and allows for an accurate analysis of any association.

Each indicator reveals a value in association with attack frequency, as well as with each other in turn. As mentioned above, the matrix measures values between an absolute 1 and 0, with 1 being a positive correlation exposed, and 0 a negative correlation. The test shows values found between the two numbers – this could signify a relatively stronger association depending on how close the result is to the absolute negative or positive value.

In the case of the UK, data from both attack frequency and counter-terror strategies are aggregated from Great Britain and Northern Ireland to form a single dataset for the United Kingdom. In order to meet general assumptions for the test, an aggregated data set is nonetheless required (Frey & Luechinger, 2004) – sub-section *5. 2. 1* provides scope on this issue both as regard how aggregation may affect the validity of the data, and the process of evaluating the data.

III.   Tests of Longitude and Time-Series

Time-series and longitudinal graphs were applied using the same methodology outlined in sub-section *5. 3. 1*, and follow the same methods for comparing the two parameters. In the following case, each counter-terror indicator are measured against terrorism incidents in turn, with both nations being measured separately. Following inferential analyses of

correlation, the time-series helps to break the statistics down to more accessible visuals – the comparative axis will relay both counter-terror strategies and incidences over the time period studied. Again, data in regards the UK were aggregated to ensure that the UK could be used as an individual case study to form comparisons.

The time-series works with two axes as mentioned above – the values for counter-terror strategies will be shown through a bar chart, whereas the attack frequency will be exposed via a line graph. Both axes feature in the same graph, and also include the actual data values below, featured through a table to provide more exact measurements.

5. 4 Conclusion

In conclusion, the above sections serve as the central methodological basis for this study, including the possible limitations of the process. Due to the principally quantitative nature of this part of the analysis, the statistical techniques employed were described and outlined as appropriate.

Returning to the study's research objectives, the tools and methods outlined above work to determine differences in the counter-terrorism indicators/strategies stated in the UK and Spain. Following this, the addition of correlating these strategies with attempted terrorist attacks increases the study's research contribution, and allows for an original perspective on the issue. The next chapter will outline the results of this quantitative study.

Chapter 6: Results and Findings

The intention of this chapter is to detail and explain the results achieved from the use of the methodological tools outlined in Chapter 4. Here, the exposition of charts, graphs and data will help the thesis to show how the counter-terrorism strategies focused on – police numbers overall, security expenditure, and prosecutions – were used by the UK and Spain over the time period 2005-2014. As mentioned previously, the choice of the EU's Eurostat data collection to aggregate policing numbers as a counter-terror force, and its decision to decide how security funding is quantified, is used in this thesis due to the supranational institution's objectivity in the face of any institutionalised biases.

6. 1. Cross-National Comparative of Counter-Terrorism Indicators in the UK and Spain.

This sub-section shows the breakdown and comparative of three different counter-terrorism indicators: police numbers, security expenditure, and prosecutions in the criminal justice system of the UK and Spain, respectively. Each indicator is analysed in turn, with tests of validity, mean distribution and a final time-series analysis is undertaken.

Analysis of Police Numbers

6. 1. 1 Distribution and Validity of Police Numbers in England[38], Northern Ireland (NI) and Spain according to Friedman's Two-way Analysis of Variance.

In first case, and following an initial non-parametric[39] examination of the data pertaining to police numbers in England, Northern Ireland and Spain, it was found that the

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[38] Data for Scotland was not provided to EU T-Stat, and not applied for this counter-terrorism indicator: thus, separate analyses were undertaken for England and Northern Ireland to provide clarity.
[39] Non-parametric tests are used when the researcher cannot assume that the data follows a specific distribution.

distributions, or frequency of occurrence, of the measured variables were equivalent. This was found at the p = 0.5 significance level (.001) using Friedman's two-way analysis of variance, and confirms the use of this data for further inferential analysis by rejecting the null hypothesis.

6. 1. 2 One-Sample t-tests for the distribution of Police Numbers in England, Northern Ireland, and Spain.

The table below illustrates the results for a one-sample t-test conducted against the police number data for England, NI and Spain. All selected samples are judged to be significant statistically, while also presenting mean values and standard deviations (SD) over the 7-year period analysed. In this case, the key elements of the table are both the mean values and the standard deviations, as both show variations across the national case studies. The SDs for each sample display reasonably consistent results within their populations, and follow similar patterns to their respective means.

Table 1: One-sample t-test of Police Number data

	N (Years)	Mean	SD	T-Stat	df	Sig.
England	7	140976.8	1070.0	348.5	6	.00**
Northern Ireland	7	7893.0	706.2	29.5	6	.00**
Spain	7	216547.5	1965.4	29.1	6	.00**

Data found to be significant at the p = 0.05 level

** Data found to be significant at the p = 0.01 level

While the mean results differ markedly between each nation analysed, the significance (< .001) remains consistent – the t-statistic shows closer values between Northern Ireland and Spain, as opposed to England and Spain. This variation in t-value is shown most prominently through the large difference shown in the English data (348.5) and Spanish data (29.1), where mean averages are shown approximately between 140,000 in the UK and 210,000 in Spain – conclusions will be able to be drawn in Chapter 7 as to why this may be so. In this case, the years taken for analysis were 2004-2010.

6. 1. 3 Time-Series Analysis of Police Numbers in UK: England, UK: Northern Ireland, and Spain.

The fluctuations in policing numbers are subsequently mapped from 2004 to 2010 below, with colour-coding employed to aid comprehension and visibility. In blue, the variations in policing numbers for England are categorised under UK, as is the data in green for Northern Ireland; the Spanish policing data is represented in red in the stacked bar graph.

Graph 1: Time-series of Police Numbers in Great Britain, Northern Ireland and Spain
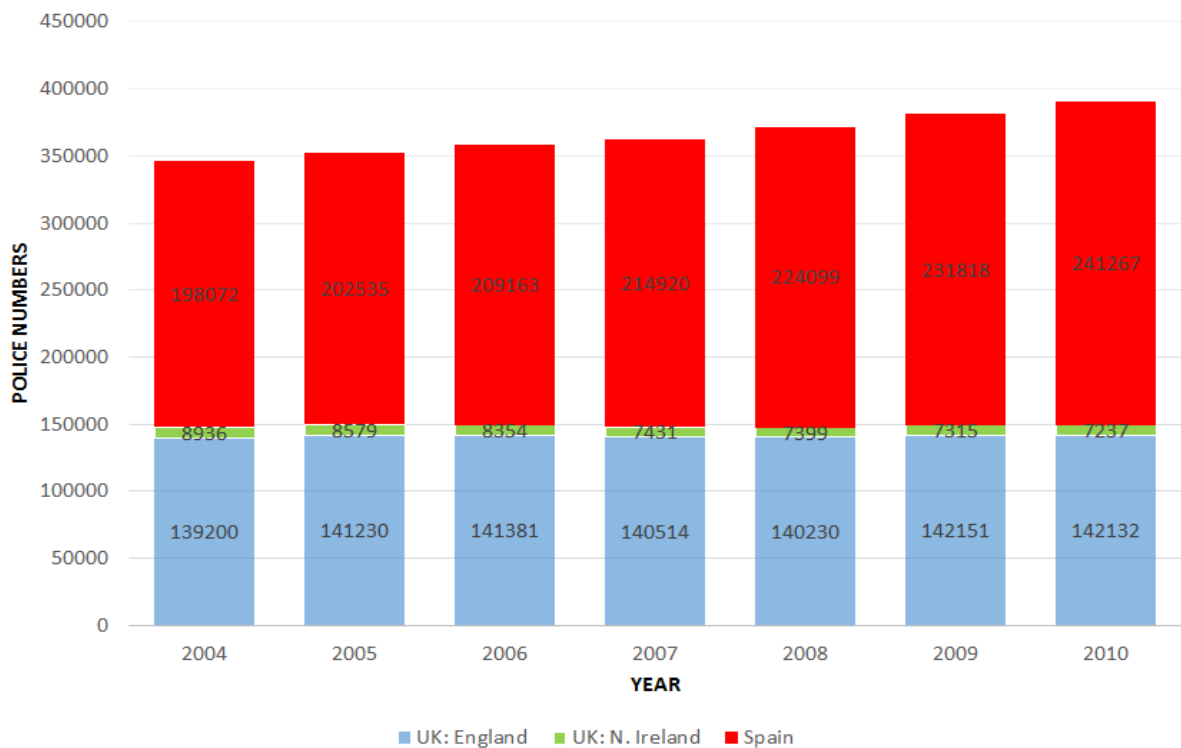
The chart shows a clear increment in police numbers in Spain, increasing year-on-year from 2004. While this clarity is evident in the Spanish data, no such visual increase is noted in policing numbers from England or NI. This being the case, while the UK case study is separated into English and NI police numbers, the lack of real alteration or fluctuation becomes more evident – England demonstrating both small falls (2007) and small increases (2010); Northern Ireland, contrastingly, sees a steady decrease in numbers.

Analysis of Security Spending and Public Safety Expense

6. 1. 4 Distribution and Validity of Security Expense in the UK and Spain according to the Wilcoxon Signed Rank Test

In the second case, the initial non-parametric examination of security expenditure revealed that distributions were again equivalent, resulting in viability for further analysis. This was found at the p = .05 level (.018) using the Wilcoxon Signed Rank Test – this allowed the researcher to reject the null hypothesis[40] and conduct further analysis using parametric statistical examinations in subsequent testing.

6. 1. 5 One-Sample t-tests for the Distribution of Security Expenditure in the UK and Spain

Below, a tabulated interpretation of analysed mean-values are shown through respective t-tests of security spending in the UK and Spain. Security spending is calculated based on all dedicated finances provided by the country in the effort to combat terrorism activity, according to Eurostat. The table shows both the mean values for both datasets, and also the validity of their respective distributions. The mean values reveal a considerable difference in spending, albeit within the understanding that Spain has a smaller overall population – the UK has 65.6 million inhabitants at the time of writing, and Spain 46.5 million inhabitants. Thus, sub-section *6.1* also includes an examination of expenditure against overall GDP. In this case, the years taken for analysis were 2006-2012

Table 2: One-sample t-test of Security Expenditure

	N (Years)	Mean	SD	T-Stat	*df*	Sig.
UK	7	47220	2810.5	44.4	6	.00**
Spain	7	21654	1965.4	29.1	6	.00**

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[40] The "null hypothesis" assumes that there is no statistically significant difference between the two analysed population samples.

* Data found to be significant at the p = 0.05 level

** Data found to be significant at the p = 0.01 level

Further to this, the ratios of standard deviation (SD) shown are more variant to the mean value, with the SD of the UK differing greatly. This indicates inconsistency in the spending patterns, but not necessarily in any specific direction. The t-stat indicates the variance from mean security spending in the UK and Spain – however, the data shows reasonable consistency with the mean to confirm a normal distribution of variance.

6. 1. 6 Time-Series Analyses of Security Spending (Numeric) and per GDP in the UK and Spain

A time-series analysis was levied with the purpose of illustrating change and comparisons over time – data retrieved both from the UK and Spain in respect to security spending. Graph 2 indicates the fluctuations evident in both the UK and Spain's spending patterns across the years 2006-2012, showing visually apparent shifts in both nations. The UK saw a significant increase in funding in 2007, and then experienced relative falls in consequent years; comparatively, Spain oversaw a relatively consistent increase in funding until the year 2012, which saw a significant reduction in funding.

Graph 2: Time-series of Security Expenditure in the UK and Spain (by Frequency)
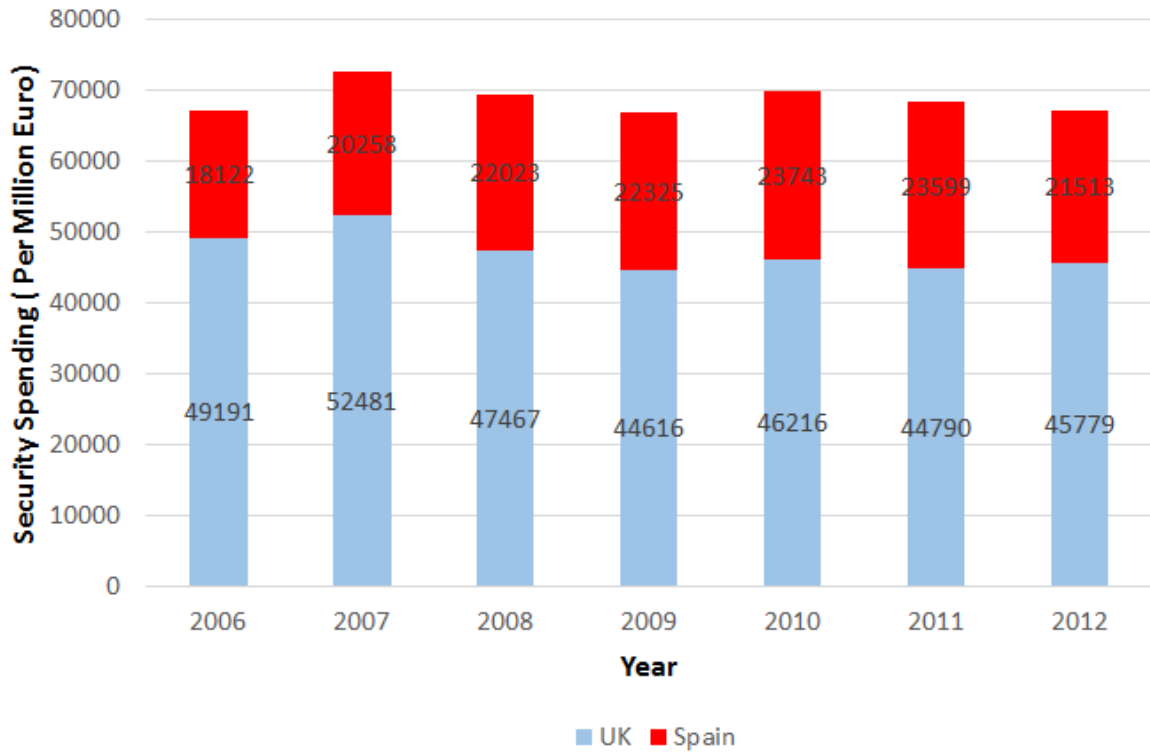
Due to issues related to population differences, as considered above in sub-section *6.1.5*, there may be significant and evident differences between the amounts spent on security – the UK appears to spend almost double on security year-on-year as compared to Spain. This fails to properly take into account the economic and GDP-based factors that could affect the choice by national agencies to distribute security funding. Thus, Graph 3 will allude to the distribution of spending in economic terms.

Graph 3: Time-series of Security Expenditure in the UK and Spain (by GDP)
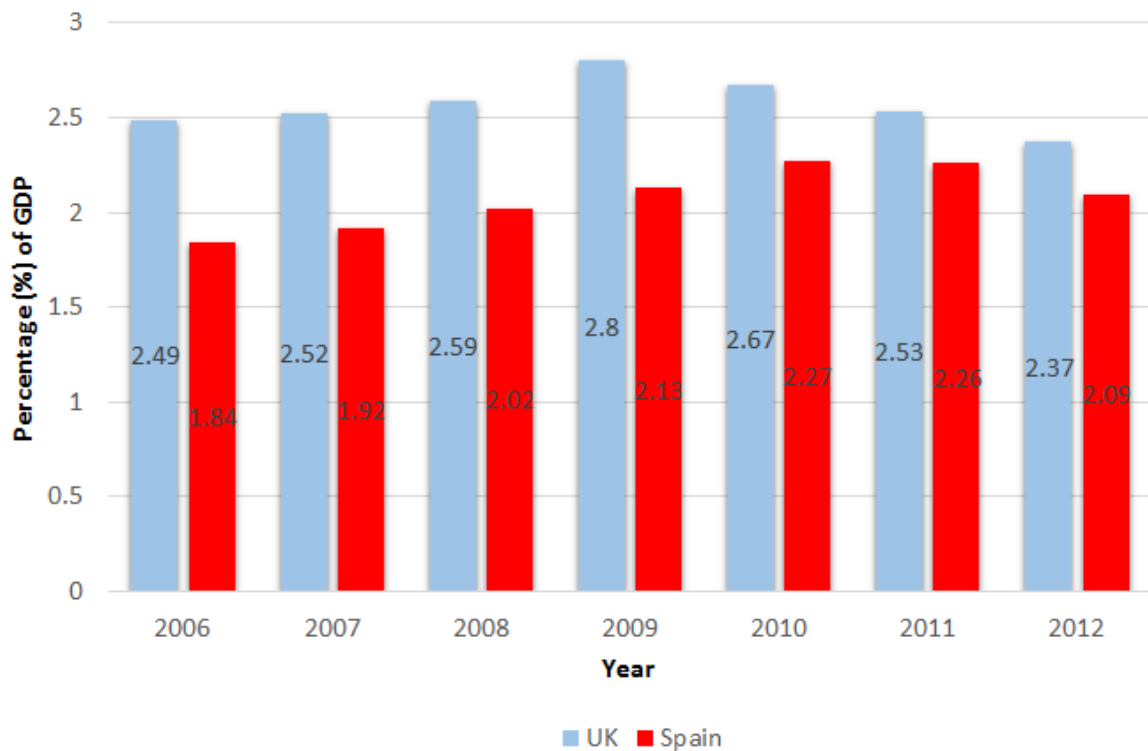
Graph 3 above proceeds to show a difference in distribution and fluctuation over time in real-economic terms, as opposed to the data reflected in Graph 2. The distribution according to year-on-year GDP per capita provides a clearer example of data measurements that take into account possible rationales, returning to this study's discussion on observing counter-terrorism through institutions, such as the UK's Office for Budget Responsibility and Exchequer. However, the corrected data alludes to a different pattern: the UK demonstrating a relative increase in security spending until 2009, which subsequently sees a consistent fall until 2012. In comparison, Spain increases spending from 2006 until 2010 – following this, spending begins to fall.

Graph 3 provides an entirely different picture to Graph 2 in terms of the spending distributions in the UK and Spain between 2006 and 2012. The importance of the economically-corrected data is shown through the variance in distributions in both case studies, in both graphs – this could suggest different research implications.

Analysis of Counter-Terrorism Prosecutions (Convictions) in the UK and Spain

6. 1. 7 Distribution and Validity of Prosecution (Conviction) Data according to the Wilcoxon Signed Rank Test.

Thirdly, the initial non-parametric examination of Counter-Terror prosecutions showed that distributions were equivalent, resulting in viability for further analysis. The data follows a similar temporal pattern to the previous indicators, measured above, and was shown to be a reliable sample. This was found at the p = .05 significance level (.011) using the Wilcoxon Signed Rank Test – this allowed the researcher to reject the null hypothesis and conduct further analysis.

6. 1. 8 One-sample t-tests for the Distribution of Counter-Terrorism Prosecutions (Convictions) in the UK and Spain

Table 3 below measures the mean values, and distribution of such, amongst the data provided by counter-terrorism convictions. The mean values immediately suggest a great variance in conviction rates in Spain, as compared to the UK: the data suggest a mean value almost four times greater in Spain as opposed to the substantially smaller conviction rate in the UK. In this case, the years taken for analysis were 2006-2014.

Table 3: One-sample t-test of Prosecutions (Convictions)

	N (Years)	Mean	SD	T-Stat	df	Sig.
UK	9	36.2	33.6	3.2	8	.012*
Spain	9	136.7	35.7	11.4	8	.00**

Data found to be significant at the p = 0.05 level

**Data found to be significant at the p = 0.01 level*

The standard deviation (SD) indicates a similar pattern of variation, distributed across the years of analysis for both case studies. As opposed to the disparate mean values, the SD in both cases are similar and show almost the same level of independent variance. This would appear to indicate that the significant difference in year-on-year values are consistent from 2006 to 2014 – Graph 4 illustrates this distribution of data more clearly.

6. 1. 9 Time-Series Analysis of Prosecutions (Convictions) in the UK and Spain

A time-series graphic was undertaken to show a clearer image of the distribution of values in prosecution rates in the UK and Spain. To this end, the same style and characteristics of graphic were reproduced as seen above with the previous counter-terrorism indicators. Below, Graph 4 demonstrates with clarity the assertions made about both the mean values and SD of the UK and Spain (as seen in sub-section *5. 3. 2*) – with the exception of an outlier in 2014, the data alludes to a significantly higher conviction rate in Spain.

Graph 4: Time-series of Prosecutions (Convictions) in the UK and Spain
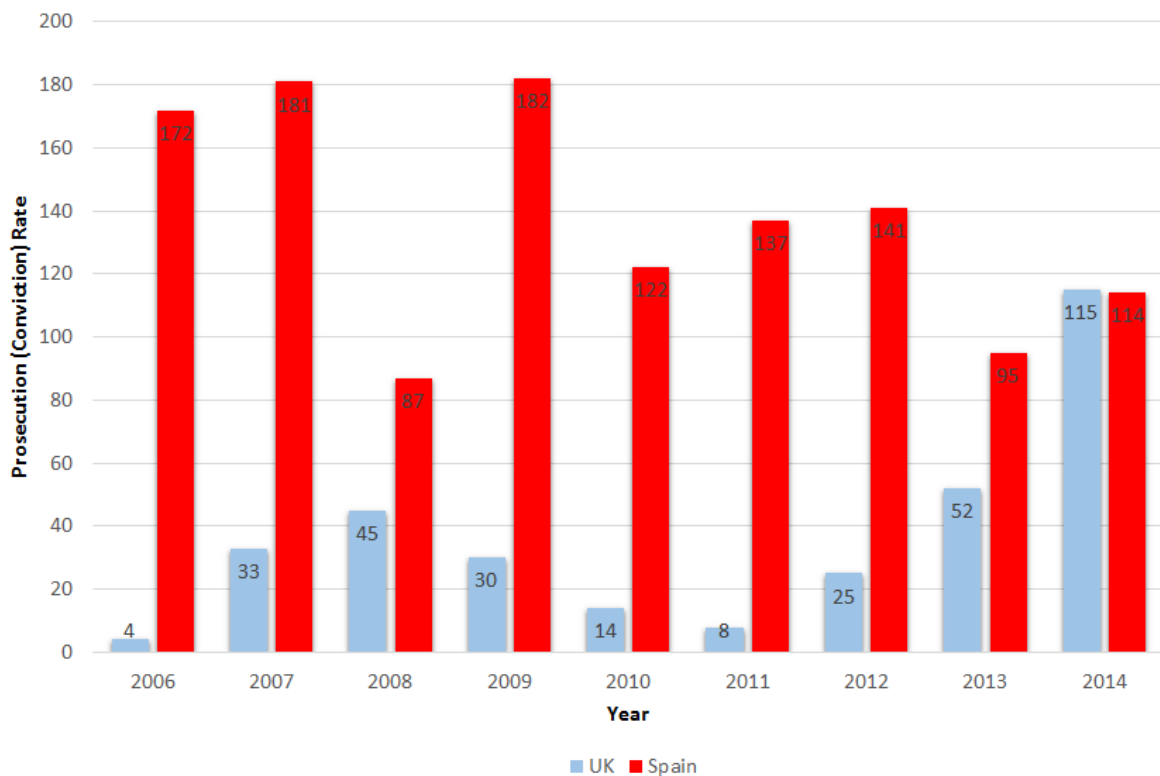
The graph similarly illustrates a fairly uneven pattern of prosecution in both case studies. This is inconsistent with previous indicators that revealed increasing or decreasing values in either case study. In the case of the UK, there are some indications of directional change from 2011 – significant increases year-on-year show almost two-fold change. In contrast, Spanish data for convictions is notably erratic, albeit maintaining a high, overall rate.

6. 2 Analysis and Correlations of Counter-Terrorism Indicators against Terrorism Attack Frequency in the United Kingdom and Spain.

This sub-section illustrates the above analysed counter-terrorism indicators in the context of terrorist attack frequency in the UK and Spain. It attempts to show correlation between the distributions of counter-terrorism strategies and the fluctuations of attacks in the country. Following a test of validity, parametric correlation tests are undertaken to provide clarity – this is followed by subsequent time-series graphics to break down the correlational results further. Data for the UK is interpreted in first instance, followed by data retrieved for Spain.

6. 2. 1 One-sample t-tests for the Distribution of Terrorist Attack Frequency in the UK

In order to ensure the validity and distribution of the attack frequency data, a one-sample t-test was conducted. In the case of Table 4, distribution values are shown in all nations observed: Great Britain, Northern Ireland, and Spain – an EU average is included to provide a supranational perspective. In this case *N* equals the number of years in the period 2004-2014, which was measured in this analysis.

Table 4: One-sample t-test of Attack Frequency in Great Britain, Northern Ireland, Spain and the EU

	N (Years)	Mean	SD	T-Stat	*df*	Sig.
Great Britain (GB)[41]	10	6.0	5.4	3.4	9	.007**
Northern Ireland	10	34.4	34.2	3.1	9	.011**
Spain	10	15.5	13.2	3.71	9	.005**
EU (Average)	10	130.4	58.7	7.0	9	.000**

* Data found to be significant at the p = 0.05 level

** Data found to be significant at the p = 0.01 level

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[41] Data for England, Wales and Scotland provided for Attack Frequency Analysis.

The results show the mean values of Great Britain and Northern Ireland to be greatly different, positing possible implications for aggregation[42] in later tests. The mean values of the Spanish data revealed it to sit significantly below an aggregated UK dataset, but above attacks taken place in Great Britain. The t-test additionally reveals that for the years analysed, Northern Ireland makes up over 10% of all attacks in the EU as a whole.

6. 2. 2 Analysis of UK Correlational Data

In order to effectively reveal correlations and patterns between the two sets of data, only yearly cases where both datasets possessed values were used, i.e. the years 2006-12 in the case of security funding were measured against the same years for attack frequency in the UK. Similarly, Great British and Northern Irish data was aggregated on this occasion across all variables to form a United Kingdom value. As a consequence of aggregation, general statistical assumptions for the test had been taken into account and adjusted respectively, prior to its undertaking.

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[42] Aggregation is the addition or combination of datasets to facilitate variable analysis, i.e. the aggregation of English and Northern Irish data to form a UK variable.

Table 5: Pearson's Product Moment Correlation Analysis of Counter-terrorism Indicators in the UK

	1	2	3	4
1. **Attack Frequency (UK)**	-			
2. **Police Numbers (UK)**	-.006	-		
3. **Security Funding (UK)**	-.553	-.332	-	
4. **Prosecutions/ Convictions (UK)**	-.896**	-.477	-.181	-

*** Data found to be significant at the p = 0.01 level*

The results demonstrate a varied pattern of values, with statistical significance only being found with the Prosecution variable – with a value close to 1, the correlation with attack frequency is considered extremely likely. However, the variables of security funding and police numbers do not possess the same amount of alignment – police numbers in particular appear to illustrate almost no indication of possible correlation with a value very close to absolute 0. In order to see how these variables relate more visually, graphs below present terrorist attack frequency measured against each indicator in turn.

Graph 5: Time-Series of Attack Frequency and Police Numbers in the UK

	2004	2005	2006	2007	2008	2009	2010
Police Numbers (UK)	148136	149809	149735	147945	147629	149466	149369
Attack Frequency (UK)	5	25	6	21	39	22	57
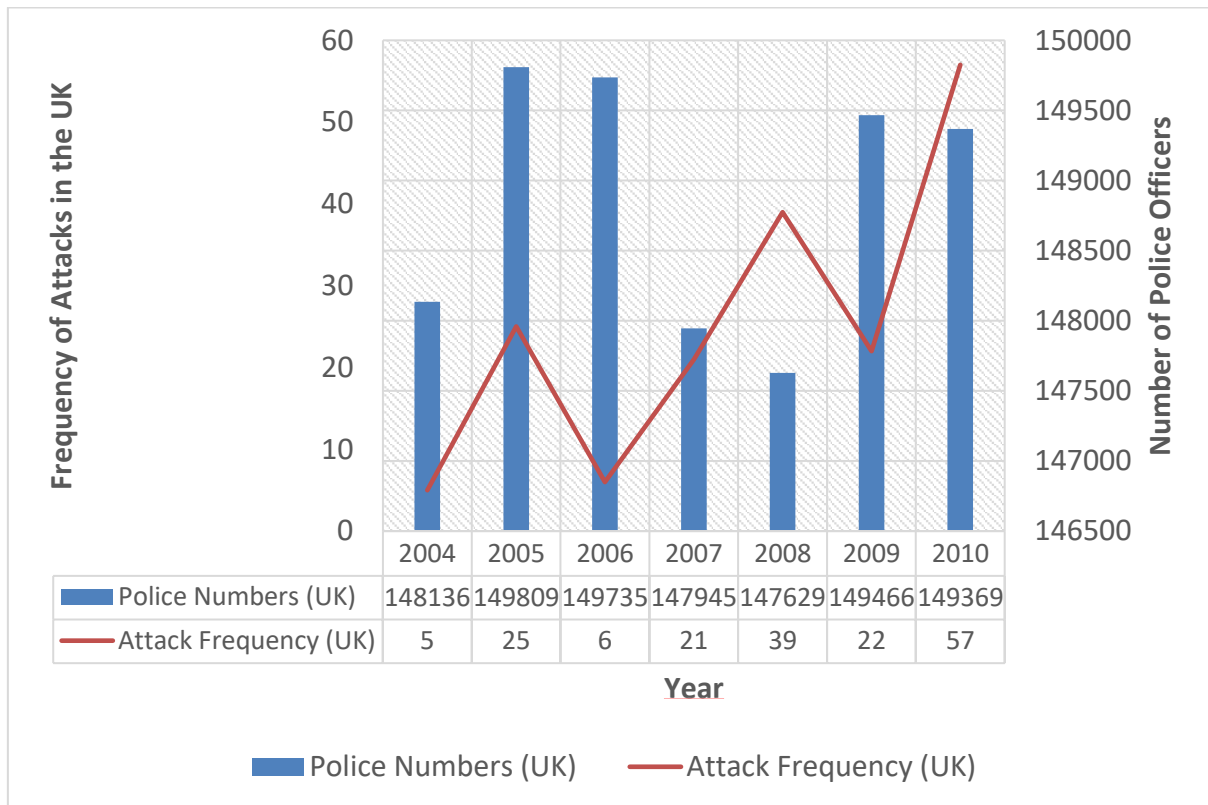
Above, Graph 5 indicates the particularly inconsistent pattern of fluctuations in both attack frequency and policing numbers in the UK. The large fall in police numbers, seen in 2007, does correlate with a rise in attacks in the same year; however this is contrasted by a significant increase in both attacks and policing numbers in 2010. It should be mentioned that this could be affected by aggregation bias in both variables' cases[43].

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[43] See *Limitations* in Chapter 4.

Graph 6: Time-series of Attack Frequency and Security Expenditure in the UK

Year	2006	2007	2008	2009	2010	2011	2012
Security Spending (UK)	49191	52481	47467	44616	46216	44790	45779
Attack Frequency (UK)	6	21	39	22	57	46	49
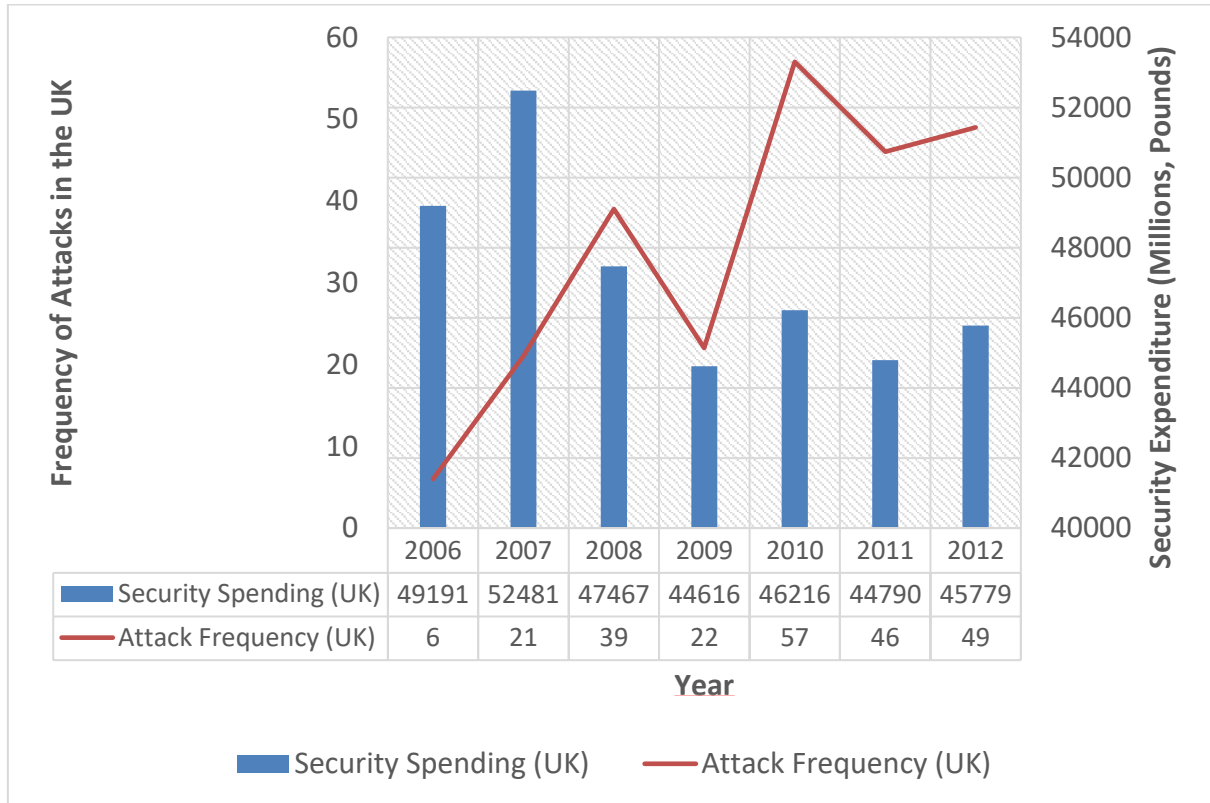
Again, as seen in Graph 5, Graph 6 does not immediately show any visual correlation between the variables. However, the lack of correlation may suggest an indirect pattern of some consequence – from 2009, attacks increased substantially across years that saw a great reduction in security funding. This is contrasted again as attacks are seen rising from 2006-07, with funding also increasing in turn, indicating a similar association between the variables in the UK.

Graph 7: Time-series of Attack Frequency and Prosecutions (Convictions) in the UK

Year	2006	2007	2008	2009	2010	2011	2012	2013	2014
Prosecutions (UK)	4	33	45	30	14	8	25	52	115
Attack Frequency (UK)	6	21	39	22	57	46	49	134	217
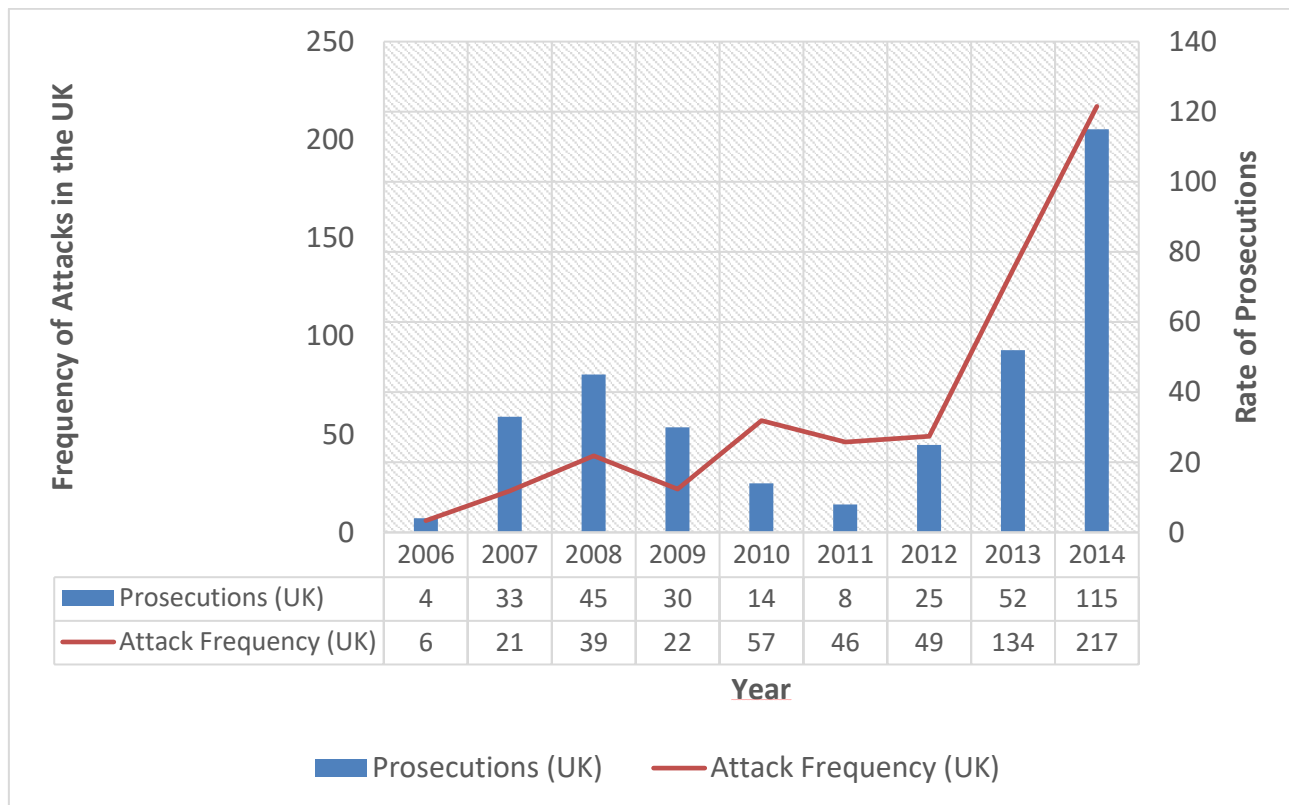
Prosecutions, measured as successful convictions in this case, resulted as the only value deemed statistically significant in the analysis. This can also be observed in the time-series above, as fluctuations and movements of both prosecution rate and attack frequency are largely similar.

Graph 7 alludes to a more consistently distributed correlation between both prosecutions and terrorist attack frequency in the UK. As mentioned above, this works in support of Table 5, which showed this to also be statistically significant – the potential relationships between prosecutions, convictions and attack frequency will be outlined and explained in Chapter 6.

The UK data demonstrates a largely inconsistent relationship between police numbers, security spending and terrorist attack frequency, for the most part. Measuring prosecution data as an indicator for counter-terrorism strategy revealed a very clear correlation with

attacks in the UK: the importance of what divergence or association in the above analyses suggests is a subject for this work's discussion.

6. 2. 3 Analysis of Spanish Correlational Data

Following the same method employed with the data from counter-terrorism indicators and terrorist attack frequency in the UK, a Pearson's Product-Moment correlational analysis is undertaken – this is followed by a time-series, again projected through coded graphs.

Table 6: Pearson's Product Moment Correlation Analysis of Counter-terrorism Indicators in Spain

	1	2	3	4
1. **Attack Frequency (Spain)**	-			
2. **Police Numbers (Spain)**	-.496	-		
3. **Security Funding (Spain)**	-.384	-.662	-	
4. **Prosecutions/ Convictions (Spain)**	-.014	-.313	-.497	-

Table 6 demonstrates a similar pattern of associations between counter-terror strategies and attack frequency in Spain. In regard to police numbers and security funding, the level of association observed appears closer to the 0.5 ratio – this indicates that there is neither a positive or negative correlation found, suggesting no observable connection between

attacks and these indicators. The value observed between prosecutions and terrorist attack frequency is shown to be almost 0, which indicates a negative association – importantly for his study, this association has implications for its research questions relating to cross-national comparisons between the UK and Spain. This will be further discussed in the next chapter, as this data in Spain works directly in contrast to the same data found in the UK.

Below, the results are shown graphically, with identifying patterns observed between the variables compared in Spain. Possible implications and issues within the data can be better observed through this method, identifying fluctuations not seen when tabulated.

Graph 8: Time-series of Attack Frequency and Police Numbers in Spain

	2004	2005	2006	2007	2008	2009	2010
Police Numbers (Spain)	198072	202535	209163	214920	224099	231818	241267
Attack Frequency (Spain)	30	24	23	11	37	21	3
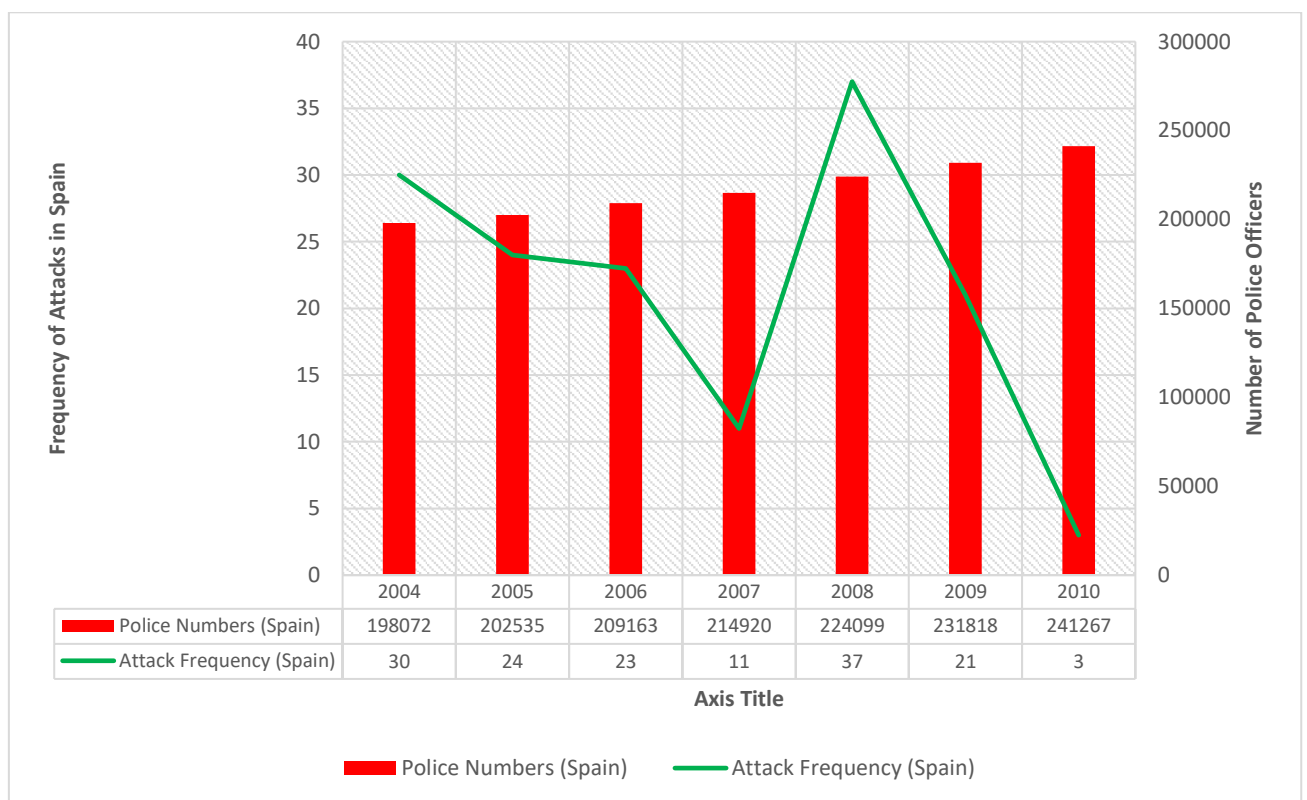
Graph 8 better illustrates how the association of police numbers and attack frequency is limited: there is no discernible pattern in any year measured, with policing numbers gradually increasing year-on-year and attacks fluctuating without consistency. Overall, there is a very limited picture presented in either statistical or graphical terms from this

section of analysis – while this is the case, the lack of a clear correlation or association does not mean that there are no possible applications of this counter-terrorism strategy, simply that none are observable statistically in this case.

Graph 9: Time-series of Attack Frequency and Security Expenditure in Spain

	2006	2007	2008	2009	2010	2011	2012
Security Spending (Spain)	18122	20258	22023	22325	23743	23599	21513
Attack Frequency (Spain)	23	11	37	21	3	0	1

Axis Title

■ Security Spending (Spain) ── Attack Frequency (Spain)
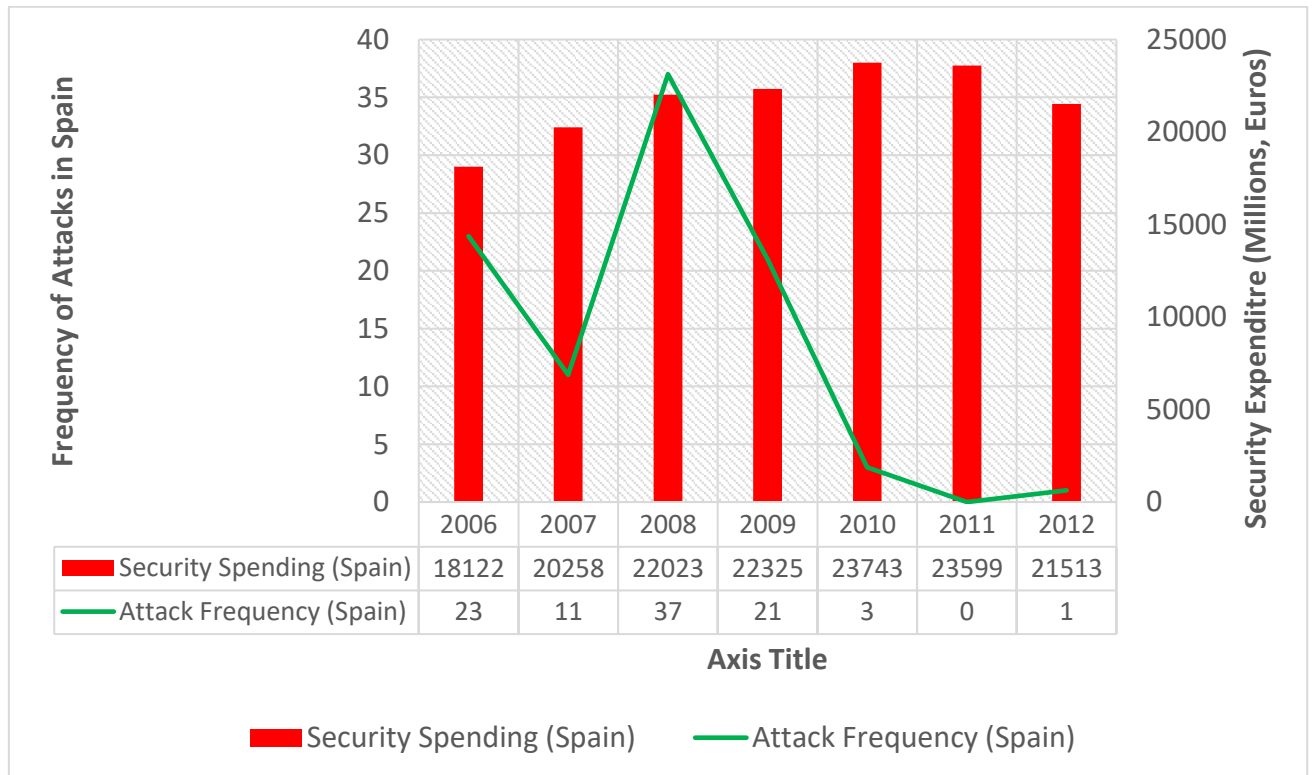
Similarly, Graph 9 presents a fairly consistent increase in security funding over the period 2006-2012 without a clear pattern of association observed between terrorist attacks and this spending growth. The year 2010 sees a drop to almost zero in terms of attacks year-on-year – however this can't necessarily be associated with increased spending, based on this evidence.

Graph 10: Time-series of Attack Frequency and Prosecutions (Convictions) in Spain

	2006	2007	2008	2009	2010	2011	2012	2013	2014
Prosecutions (Spain	172	181	87	182	122	137	141	95	114
Attack Frequency (Spain)	23	11	37	21	3	0	1	9	5
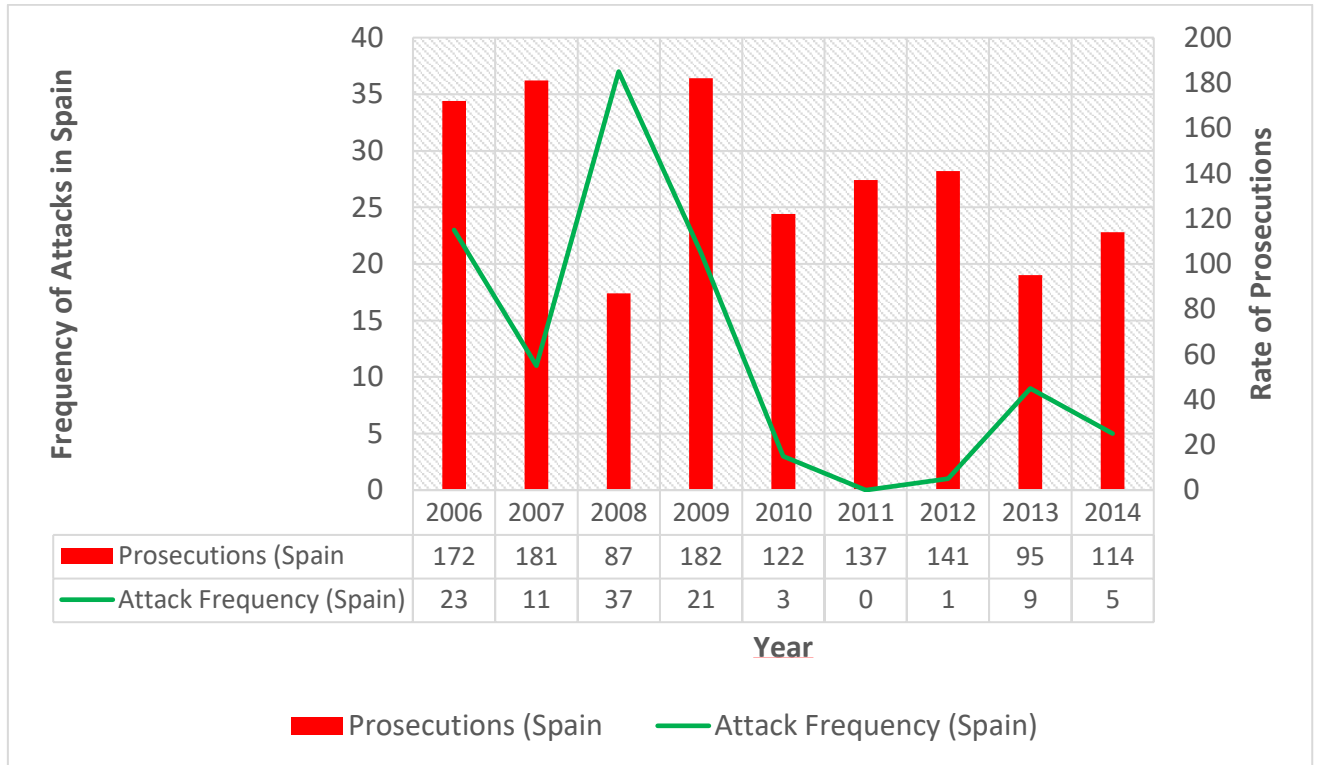
Initial observation reveals a negative association between the two variables, confirming visually the statistical inference made in Table 6 – 2008 shows a large increase in attacks, while prosecutions actually fell by half. Overall, Graph 10 shows a substantial discrepancy between the numbers of people convicted for terrorism offences in Spain, against the quantity of attempted or successful attacks in the country.

Unlike the statistically significant values noted in Table 5 with regard to prosecutions and attack frequency in the UK, the sheer contrast in situation observed in Spain indicates a number of underlying factors to be studied.

6. 3 Conclusion

The results of this study posit a number of possible implications for inference and further study, and will be evaluated in Chapter 6. The cross-national comparison of counter-terror indicators reveals some indications of similarity and divergence – while patterns of policing numbers and funding are reasonably similar between both nations, prosecutions are notably different, with huge divergences observed across nearly all years measured. Moreover, the results have had implications for the cross-national comparison element of this study's focus, with divergences being notable across all three counter-terrorism strategies.

Analyses using terrorist attack frequency show a similar inconsistency when compared to each indicator in turn – police numbers and funding evidence certain associations in respect to certain years of attacks. However, again, the most notable correlations are validated in respect to prosecution rates: in terms of the study's research questions, contrasts observed between the two nations are both statistically and visually clear, and could even be used to give quantitative evidence of many of the historical elements alluded to previously.

Overall, the results have shown:

- A limited statistical or graphical picture in regard to policing numbers, both in terms of their changes in both case studies, and when associated with attacks.
- A mixed statistical and graphical picture in regard to security expenditure, whereby little change of note was seen in case study comparisons, and some association found when correlated with attacks.
- A stark difference statistically and graphically was found between the way prosecutions were used in the UK and Spain, and this was only confirmed further when correlated with attacks. A significant pattern of convictions and attacks were seen in the UK, while the Spanish case study saw inflated conviction numbers irrespective of attack frequency.

Chapter 7 will underline any implications of the results observed above, using literature and historically-institutionalised theory that can be applied to the evidence. The discussion will attempt to find connections and test assumptions made in this study's research questions.

Chapter 7: Discussion

7. 1 Introduction

This study has set its focus on comparing and analysing the different counter-terrorism strategies and employment methods used by two European countries: the UK and Spain. It covers an analysis of the legislative and political architectures used to circumvent the threat of terrorism within a historical institutionalist perspective[44] - this culminates in a quantitative interpretation of actual counter-terror strategies to inform comparatives between both national approaches, and their impact (or lack thereof) on terrorist attacks. Naturally, while terrorism is the central focus of this work, such architectures affect a multitude of other security issues and criminal offences. Results observed in Chapter 6 require evaluation based on both evidence of previous research and also the author's interpretation of counter-terrorism strategic interactions between the two nations studied.

The literature to be included in this discussion aims to offer support to the research conducted; similarly, the limitations of relevant research lead the researcher to consider a number of further hypothetical considerations for the results. Thus, it is important to re-visit the work's purpose – the research questions outlined in Chapter 1 were the following:

1. What were the major differences/similarities between the counter-terror approaches of the UK and Spain in the period 2004-2014?
2. Have historical events had an impact on the way in which the UK and Spain determine their counter-terrorism strategies?
3. Has attack frequency changed as a consequence?

This chapter uses these questions as the basis for the measurement of the results observed in Chapter 5, and the theoretical and legal issues derived from Chapter 4. The discussion is separated into two sub-sections, which deals with each research question in turn – the initial cross-national comparative will be looked at in sub-section *7. 2*, and each indicator as compared to terrorist attack incidents in the UK and Spain is evaluated in sub-section *7. 3*.

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[44] See Chapter 4.

7. 2 Comparison of Counter-Terror Indicators in the UK and Spain

This study's quantitative assessment of counter-terror strategies and indicators in the UK and Spain employed a number of parametric, statistical tests of mean variance and distribution, which were followed by time-series graphs. The results of each counter-terrorism strategy (indicator) will be studied in turn.

7. 2. 1 Discussion of Police Numbers in the UK and Spain

In the first case, the analysis of police numbers has revealed some variance in the countries' police numbers: the division of Great British numbers and Northern Irish numbers assisted to confirm that the UK is valid as a consistent case study. Hence, as revealed in the time-series, both the Great British and Northern Irish police numbers did not reveal any clear discrepancy between the two territories. When compared to the steady increase in policing numbers in Spain, the UK territories show clear stability – both Great Britain and Northern Ireland contrast markedly to the visual increment in Spain, as seen in Graph 1. Again, due to the choice to look at police numbers universally, particularly as most police officers in some manner of speaking work to prevent terrorism from its initial stages, any divergence could be the cause of numerous external factors.

Glomseth and Gottschalk (2009) present an argument of multi-faceted cultures in counter-terrorism policing, relating directly to the results on police numbers and also institutionalism in its counter-terrorism strategy. The cultural dynamics behind counter-terrorism policing can differ in European nations – as shown by Glomseth and Gottschalk (2009: 4), occupational culture can be both a force for change in British counter-terror policing, and also a cause for maintaining the current strategy. This could also be indicative of actual numbers, which showed that over the period 2004-2010, police numbers in the UK did not increase in any substantial way. In contrast, Spanish police numbers revealed a continuous increase over the period studied, which could infer a cultural, and even a historically-institutional, difference in approach to dealing with not just counter-terrorism, but security as a whole.

Issues of cultural, institutional and strategic difference have been studied within the context of European nations (Behr, 2007; Argomaniz, 2009; Busuioc *et al.*, 2011) – consistencies or divergences in policing recruitment may have a number of theoretical foundations in the counter-terrorism context. As evidenced in Graph 1 in Section 5.1.3, police numbers in Northern Ireland proceeded to decrease (albeit gradually) over the years analysed, which is of particular interest to the region's historical experience with counter-terrorism. It is also possible to position the study's institutional considerations within the study of police numbers, as the creation of JTAC (See: *Chapter 4*) may influence the need for extra officers/security officials, or the displacement of them. Difficulty in breaking down security officer numbers would make this analysis difficult (See discussion in Chapter 5: *Limitations*), but should be considered nonetheless.

A reduction in numbers could be indicative of economic factors (Caruso & Schneider, 2011) that exist outside of the control of typical counter-terror architectures, however the lack of movement in Great Britain points to differing approaches to the importance of policing in both territories. The multi-faceted nature of policing and its changes could be due to the influences of privatisation or domestic agendas – however, as mentioned in Chapter 5, the choice by the EU's security architecture to look at police numbers universally was replicated here in order to corroborate both the actual data sources and the validity of how the EU is collecting said data.

7. 2. 2 Discussion of Security Expenditure in the UK and Spain

Secondly, the analysis conducted using data from counter-terrorism security expenditure suggested a mixed picture: while there is a visual consistency viewed in Graph 2 between the investment in security by the UK and Spain, the actual values do not follow any distinct patterns. Similarly, the mean values and overall distributions are not indicative of clear, directional change – in contrast, according to the EU's paper for security budgeting (*Europa*, 2015), the Union's commission increased the funding of its central counter-terrorism force, Europol, from 53 million (Euros) to 68 million (Euros) in the years, 2002-2009. Eurostat's consideration of what constitutes security expenditure was aggregated across the overall budget, from intelligence to armed enforcement, and any operation that can be attributed to public order and safety funding, including counter-terrorism.

Questions regarding the creation of comparative parameters in counter-terror indicators face the issue of variances in national populations (as seen in the case of police numbers) and Gross Domestic Product (GDP). The latter is an issue which was mediated in the statistical analysis of counter-terror security spending, whereby a secondary time-series was produced in Graph 3 – this is particularly important considering the numerous categories included in the EU's aggregation of this data. When conditions were met to consider spending in accordance with GDP, consistent increases in funding were observed until 2009, whereby both nations saw steady falls. Incidentally, this returns the argument to the same issue raised in sub-section *6.2.1* – economic factors have shown to be a factor in the discussion of both terrorist activity and counter-terrorism more generally (Barros *et al.*, 2006).

Considering data analysis with the theory derived in Chapter 4, GDP conditions would suggest historically-institutionalised consistencies within the case studies, particularly in terms of how security expenditure forms part of each nation's overall spending. The study has shown that economic factors, referring to the crisis of 2008, may have impacted upon counter-terrorism spending which, after successive increases previously, are indicative of market-led influence. This is supported by the critical juncture theory, which can be applied to issues beyond either terrorism incidents – economic events are equally as critical in causing change to strategy or approach. Institutions, thus, may reflect the changing nature of security expenditure, most particularly in the UK where institutional architectures can be more clearly seen than in Spain.

Here, institutions such as British and Spanish security services may well be financed in accordance with junctures outside of purely terror-related events, which implies a need for a multi-faceted study of rationales for this. Additionally, what has been discussed with regard to institutions related to the financial nature of UK and Spanish counter-terrorism is related: as mentioned previously in Chapter 4, the UK's creation of the Office for Budget Responsibility fits appropriately in the time frame of this study. Importantly, it also provides further support for the contrast between the UK's approach to using its institutions, and the static approach administered by Spain in terms of its financial distribution for security purposes.

Continuing with this idea, the data raises possibilities of further, non-security-based considerations of how expenditure may fluctuate over time. Alongside this, whereas the

Office for Budget Responsibility can provide analysis on UK security financing and any incremental change therein, the Spanish finance ministry does not release information on its decision-making or its advisory bodies. In particular, economic and financial rationales are most clearly raised by Graph 3[45], which allude to the possibility of national budgetary conditions playing a significant role in the decision to increase finance for counter-terrorism in both nations. This could also include political or electoral dynamics, or the outsourcing or such functions to private actors. All such issues illustrate possible institutional divergence in national terms within the counter-terror context.

Contrarily, this works against the idea that terrorist attacks induce a kneejerk reaction to increase funding due to public fear (NATO Review, 2008) – there is a clear absence in consensus of motivation for increasing or decreasing security funding. This has been supported through claims that counter-terrorism exists as a form of political and security theatre (Dixon, 2014), which endorses funding increases and justifies the institutional focus of the study through the influence of security services viewing historical events as backing for increased budgets.

7. 2. 3 Discussion of Prosecutions (Convictions) of Terrorism in the UK and Spain

In the third case, the study focussed on counter-terror prosecution rates in the UK and Spain, and how variations in both the process and use of the criminal justice system in the respective nations may be utilised to a greater or lesser degree. The values extrapolated from the raw data revealed a substantial difference in the use of prosecutions as a counter-terrorism strategy: the huge divergence found in mean values – with an average of almost 100 more cases found in Spain – suggests a significantly alternative approach to using the criminal justice system in Spain to the approach utilised in the UK. The time-series analysis revealed that this difference was just as stark visually, with nearly every year seeing at least two-times higher values in Spain than the UK.

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[45] Graph 3 revealed 2009 to be the key year in terms of reducing counter-terror and security financing – this same year is largely considered to be the first, complete year of Economic-induced crisis in Europe (Lane, 2012).

There is very limited research explaining this divergence – cross-national comparatives within European counter-terrorism frameworks are rare generally. Regarding the question of using prosecutions as a counter-terrorism indicator, Van de Linde et al. (2002) emphasise the strong relationship between the USA and the UK in terms of the investigation and prosecution of counter-terror offences. Similarly, the specific legislation designed for terrorism offence in the UK (see: *Appendix A*) may point to the lower conviction rates, although this should be considered within the different judicial systems employed and varying burdens of proof. The role of EU institutions in combatting a historically-motivated approach to using the criminal justice system could be evermore important in this debate (Monar, 2014b)

Spanish prosecution cases illustrate a starkly different picture – the hugely disparate rates of convictions could be endemic of a number of factors. While the UK possesses individual pieces of legislation in relation to terrorism, Spain merely expands and enhances constitutional acts already in place (Van de Linde, 2002: 97). This is politically vague, and could lead to a variety of crimes being prosecuted under ambiguous terrorism legislation, in both case studies: Spain's ETA-centric counter-terrorism focus (Barros, 2003; Argomaniz & Vidal-Diez, 2009; Alonso, 2013) is as much a political mechanism as a security issue. Specifically, this study has revealed through this particular statistical examination that the state of criminal convictions differs greatly between the two nations, possibly indicating as to a deliberate attempt to increase conviction rates more generally.

Furthermore, returning to the notion of historically institutionalised issues playing a role in interpreting the counter-terrorism strategies of the UK and Spain, the notable divergence may support the study's previous suggestions of contrasting political attitudes, such as the issue of the national constitution (see: Chapter 4), and approaches to security in the 20th Century. This is opposed to the critical juncture paradigm discussed by the likes of Thelen (1999) and Wolff (2009), which would have grouped the terrorism events of 2004 and 2005 in Spain and the UK respectively, together.

While these junctures must be considered important in the counter-terrorism dynamic, sufficient data exists here to show that the criminal justice system was applied markedly differently despite both nations experiencing a similar attack, by the same perpetrator[46] in the space of a year. Moreover, it exposes the criminal justice system as a complex

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[46] Al-Qaeda claimed responsibility for both attacks.

institution that is used for the benefit of a number of non-security focussed paradigms, including partisan political gain.

Unlike the inconsistent patterns and comparative mechanism observed between the UK and Spain's policing numbers and security funding, prosecution rates present further implications for investigation and discussion, comparatively.

7. 3 Counter-Terror Indicators as compared against Attack Frequency in the UK and Spain

The results evidenced in Chapter 5 alluded to a range of inconsistent patterns and variables in the comparison of counter-terrorism indicators in the UK and Spain. The second objective of this research was to consider these indicators and strategies in the context of terrorism incidents in both nations.

7. 3. 1 Discussion of Attack Frequency vs. Counter-Terrorism Strategies in the UK

The results relating to the cross-analysis between terrorist incidents and counter-terror strategy in the UK yielded a number of points for investigation, through both the study's correlational and time-series graphical analyses.

Police numbers, when associated with attack incidence in the UK, alluded to a very limited relationship in statistical significance. However, Graph 5 shows an increase in attacks when police numbers fall across most of the years studied; similarly showing the reverse to be true also. The pattern of attacks are largely inconsistent however, and could be implicit of other motivations, rather than the result of this counter-terrorism strategy. Most importantly, the researcher learns that while increased policing may have profound effects on deterrence across many tenets of terrorism activity, direct association with reducing attacks was not shown.

Interestingly, attacks were shown to increase significantly from the year 2009 in the UK – sub-section *6.2.2* revealed that when analysed against GDP values, counter-terror funding decreased in the UK in that same period. This clear divergence was not confirmed

statistically (with no clear, significant correlation observed), which contrasts with the claims of Danzell and Zidek (2013) whom identify a negative correlation between the reduction of attacks and increased funding. Their study focussed upon funding for the Metropolitan Police service – that is to say, the increase in funding did result in an overall reduction of attacks. This thesis took the decision to go further and included not only a cross-national comparative but showed an aggregation of all funding attributed to national counter-terrorism.

The rate of prosecutions, when compared to terrorist attacks in the UK, demonstrated a far clearer association – results revealed that attacks and prosecutions were consistent across nearly every year, indicating that the criminal justice system was possibly utilised as a response to attacks, as opposed to a preventative mechanism. In being statistically significant (Table 5), the positive relationship between both variables supports the hypothesis that the UK uses legislation as a direct response to terror, again supported by Van de Linde et al. (2002)'s post-9/11 work on initial counter-terrorism strategies. However, this study again develops this analysis further – Van de Linde et al.'s work did not postulate any theoretical rationale for this, whereas this thesis has suggested the constitutional and historically-institutionalised effects of national politics and critical junctures to be significant in supporting the statistical inferences found.

7. 3. 2 Discussion of Attack Frequency vs. Counter-Terrorism Strategies in Spain

Turning the study's focus to the Spanish case-study, police numbers were compared to the quantity of terrorism incidents in the nation. Both the analysis of correlation and the time-series graph failed to illustrate a tangible relationship between the two variables, which implies that the gradual increase of police numbers through the years 2004-2010 were not found to be related to the incidence of terrorism in Spain. While the lack of association between terrorist incidents and increasing police numbers is confirmed, there are research implications suggested by the continuous appreciation in police numbers in spite of incident changeability. Notably, the decision taken to analyse based on terrorism events is not able to take into account other probable results from increasing or decreasing

police numbers, particularly those issues for which data is difficult to retrieve, i.e. prevention of terrorist radicalisation.

In relation to the issue of security spending in Spain, as incidents decreased significantly, funding also decreased over the same period. Returning to Danzell and Zidek (2013)'s work, which states that a negative correlation is found between attack frequency and counter-terrorism spending in case studies, including Spain, this works in support of this study's findings – across the years 2008-2012, attacks fell as funding increased. However, in the two years previous to this, there was no association observed, which could imply that the years chosen for study in the above paper may not identify the outlying inconsistencies – more complete publication of data by EURO-STAT may provide further data to confirm this[47].

The Spanish case of counter-terror prosecutions has already demonstrated significant room for interpretation. When compared to terrorism incidents over the years 2006-2014, prosecutions observed little relationship with attack frequency – convictions remains elevated despite attacks reducing to 0 in the year 2011. The implications for this variation could be substantial: the lack of incidents raises the question of how crimes are being designated and defined under the Spanish criminal justice system. Returning to Appendix A, there is no legislative change between 2006 and 2014 that informs the rationale for such an over-zealous approach to counter-terror prosecution, pointing to alternative uses of the Spanish Criminal Code (*Código Penal*). Further research into the application of legal and criminal mechanics in Spain would reveal how Articles 571-580 of the Criminal Code are applied.

7. 4 Conclusion

In conclusion, the results of this study have provided perspective on both the comparative nature of cross-national analysis in the context of counter-terrorism strategies, and also the association of said strategies upon terrorism incidence. The decision by Spain to continue increasing police numbers in spite of falling terrorism incidence works contrary to the UK's inconsistent recruitment policy. Oscillating security expenditure is shown in both nations, but also derives from the idea that expenditure is influenced by the quantity

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[47] See: *Chapter 5.2.2 Limitations.*

of attacks – thus it is altered reactively, rather than pre-emptively. Finally, the huge variation noted in prosecution rates is indicative of how the criminal justice system may be applied to terrorism cases in Spain, as opposed to the UK: this opens up the case for further research into Spain's application of its legal system in security cases.

The measurement and comparison of counter-terrorism strategy is most generally undertaken with the purpose of examining success – in counter-terrorism terms, success can only be considered by the reduction or elimination of terrorism incidents. Lum (2006) makes the claim that the absence of proper evaluation on counter-terrorism strategy, across an international spectrum, is endemic. Returning to the study's theoretical underpinning, the importance of observing such strategies through institutions and their behaviours is important, as the experiences of individual nations may be too variant for international comparison.

Furthermore, Lum et al. (2006) found that of the relatively little research that had taken place, counter-terrorism strategies were almost always unable to demonstrate effectiveness – possibly even resulting counter-productive. Again, a historical institutionalist perspective sheds some light on this, as effectiveness can also be relative to how institutions view success and failure; similarly, historical nuances may allow countries such as the UK and Spain to perceive the success of a strategy such as increasing police numbers in different ways.

Furthermore, while the results of this study indicate a number of possible quantitative implications for the impact of counter-terrorist strategy in the UK and Spain, evaluation by comparing incidences of terrorism reflect the difficulty of making assumptions as to the success of counter-terrorism's employment. Spencer (2006; 2007) criticises the largely rationalist approaches to measuring the above indicators of counter-terrorism, and posits possible alternative methods to those commonly used, i.e. quantitative analysis of incidences or cost-benefit calculations. Such critiques identify issues with this investigative approach, but lack the validity of identifying associations between both intra-national models, and relationships among different strategies.

This study has presented arguments for the validity of testing counter-terror strategies across historically-similar nations, both considering preliminary theory and legal remits. It has served to illustrate trends and patterns within the issue of counter-terrorism, personified by the range of results produced within legal frameworks and historically-

institutionalised rationales. These results have derived conclusions on how each indicator could be used – implicit issues with the decision to change or vary each strategy in turn will be brought up in Chapter 7 through considerations of possible future research.

Chapter 8: Conclusion

This study has attempted to show both the historically-similar experiences of the UK and Spain in their respective fights with terrorism, alongside how counter-terror indicators can be measured and strategies analysed within a theoretical/legal context. This has in turn considered that prevention and prosecution can allude to different challenges for security forces, which cannot necessarily be achieved under any one blanket strategy.

Moreover, the decision to elect the likes of policing numbers, spending and prosecutions as counter-terror indicators was taken by the researcher to provide an original perspective on the above difficulty: as noted before in this study, there is no clear definition available as to what constitutes counter-terrorism strategy, and this issue can inform further study in itself. The evaluation of counter-terrorism strategies helps to derive conclusions on both prevention and prosecution; the use of public-access indicators of counter-terrorism facilitates a more rounded understanding of how the public can view the security process. This links back to the study's discussion on the role of key institutions such as the Criminal Justice System, whereby its importance in assessing counter-terror architectures cannot be understated.

Overall, the study has revealed a range of similarities and contradictions in approaches between the UK and Spain, detailing in part how two nations with such similar historical experiences in nationalist terrorism can react to contemporary threats, such as the critical junctures in 2004 and 2005 respectively. The study's research questions propose that divergences in counter-terrorism approaches may be found in the two case studies, and while this was not universally true, the results demonstrated how institutionalised policy-making may have inhibited the way the criminal justice system was used as a counter-terrorism strategy.

8. 1 Key Findings

The principal aim of this thesis was to measure and evaluate the counter-terrorism approaches chosen for measurement, and subsequently employed in the UK and Spain. These indicators were looked at within the time scale of approximately 10 years, from

2004 to 2014. Importantly, legislative and theoretical considerations were also looked at, alluding to a degree of historical inconsistency on the parts of both nations, despite their comparability, best seen in light of revelations in policing, and financial and justice-based institutions.

Through a measurement and comparison of legislation and legal reforms, counter-terrorism strategy was adapted differently in both nations. The UK showed a far clearer picture in regards to how pieces of security legislation could be used to inform counter-terrorism strategy – particularly noted was the increased focus on data retention and improved use of the criminal justice system. Spain's limited use of ad hoc legislation to inform its approaches was found to be indicative of certain, historically-institutionalised issues that were similarly demonstrated in the quantitative element of this study's analysis. The relationship between relevant UK institutions and the counter-terror indicators analysed demonstrated how such a focus was difficult in the Spanish case, and a constitutionally-centred framework was required to evaluate quantitative results.

Referring back to this quantitative analysis, key findings included the statistically significant results indicated in both the parameters for security spending and prosecution rates in the UK and Spain. It was discovered that while spending showed significant association with the prevalence of attacks in the UK, this same correlation was not seen in Spain. Again, a similar contrast was seen through the use of prosecutions: the UK saw both prosecutions and attacks fall in tandem, however Spanish prosecutions continued to rise unabated despite a fall in attacks. Hence, this thesis' contribution to knowledge comes principally from the main divergences found in data from strong correlations in security funding within the UK, and unexplained patterns in data in the Spanish use of the criminal justice system.

Returning to the study's research aims and contribution, the study has found that the three key indicators (police numbers, security funding, and prosecution rates) produced contrasting results in terms of comparing both case studies, and in any association with attacks. The literature has, by and large, confirmed this mixed picture (Van de Linde et al. 2002; Lister & Otero-Iglesias, 2012), with Foley (2013) positioning the debate firmly within the theoretical discussion of "inherited ideas". This last point links well to this thesis' considering historical intuitionalism as its framework for evaluating counter-terror

indicators, with British institutions comparatively adaptable when viewed alongside constitutionally-rigid Spanish institutionalism.

8. 2 Further Research

This work has provided some room for further research through its focus on counter-terrorism indicators that are not traditionally examined. Further development could thus be undertaken looking at each strategy in turn.

- Police Numbers

While this study looked at counter-terrorism policing numbers on a purely quantitative level, other options could include interviews or discourse analysis to produce a more qualitative approach to understanding the decision-making behind the use of this particular counter-terrorism strategy. While looking at police numbers involved in counter-terrorism can be useful on its own, further evaluations of individual strategies (such as official rank) employed by different forces of the police could also serve to show both effectiveness and possible homogeneity. As mentioned previously (See: sub-section *5. 2. 2*), the decision to group policing numbers could be adapted in further research, were the data on the breakdown of Spanish policing into elite units to become available.

- Security Expenditure

Similarly to the case above, the largely quantitative nature of studying how counter-terrorism expenditure fluctuated in both the UK and Spain could be expanded to include factors such as economic and policy-driven issues. As alluded to previously in the literature, connections between investment in security and economic variations can influence how counter-terrorism can be undertaken (Caruso & Schneider, 2011) – particularly in reference to how financial crises could have impacted the architectures within which counter-terrorism operates.

- Prosecutions

Prosecutions provided arguably the most valuable results in this study as to deriving clear strategic differences between the UK and Spain – however there is space to consider further research into possible reforms and revisions into how the criminal justice system

operationalises its own counter-terrorism strategy. This could be achieved through an in-depth cross-national comparison study of counter-terrorism justice, looking at any nuances between both nations and judging their effectiveness, beyond just prosecution rate. Similarly, breaking down the institutionalisation of the Criminal Justice System would aid research into which features are most malleable in a counter-terror context.

Further to the actual indicators investigated in this thesis, the case studies could be expanded to include other European countries and their experiences. Recent coverage of incidents in France, Germany and Belgium could provide scope for a pan-European institutional approach to counter-terrorism, with work conducted by the likes of Foley (2013) providing the basis for this through UK-Franco comparatives. Similarly, the future role of the UK[48] within the dynamics of European security will also need to be examined. Furthermore, and returning to the historical institutionalist approach considered, a pan-European study would involve looking at whether the institution of the European Union can deal with the vastness of experience accrued by up to 27 nations, particularly in respect to the historical disagreements between them.

Sufficient literature already exists detailing the practice, strategies and legislative processes undertaken by the USA, and thus although further comparative research would have some benefits for academic understanding, inter-European modelling and comparisons have greater value in both determining cultural nuances in security policy – also, institutionalised processes, such as policy-making, have shown to be markedly different in some European cases and warrant further study.

8. 3 Implications for the Debate on Counter-Terrorism

Holistically, the results of this thesis suggest direct contributions to the academic debate on counter-terrorism, particularly in relation to satisfying need for more cross-national comparatives and identifying possible counter-terror indicators. The paradigms exhibited by both nations in their respective approaches result in significant theoretical and empirical implications.

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[48] See: *Chapter 4*, *sub-section 4.2.2*

These important divergences found in the results help to inform the idea that historically motivated rationales, such as those seen in perceptions of "critical junctures", i.e. the 11-M bombings in Madrid and the 7/7 bombings in London respectively; or the application of constitutional law, may influence the way that contemporary counter-terrorism strategy is used and implemented. Viewing events through the perspective of institutions allows counter-terrorism strategies to be analysed in their context of their undertakers, alongside their designers – that is to say, viewing process as well as policy.

Similarly the aforementioned concern of "sticky" (Wolff, 2009) institutions were most present in Spain, with this rigidity strengthened by constitutional inflexibility. Security institutions in the UK, such as JTAC, presented the opposite picture. While counter-terror operations in Spain remain with larger bodies such as the national police and the *Guardia Civil*, the UK has shown to be open to operationalising smaller institutions in its efforts to combat the threat.

The thesis' most significant contribution to this debate was both the temporal and statistical evidence shown by conviction rates, revealing significant differences found between the UK and Spain and in terms of each nation's use of the criminal justice system to prevent, and in response to, attacks.

8. 4 Conclusion

As a rule, the study of counter-terrorism is generally fraught with difficulties as to what is considered an effective strategy, and what can be defined as counter-terrorism in the first place (Hoffman, 2002). The problems raised by this are present in this research, and should not be trivialised in their importance to academic study. Evaluating the prominence or occurrence of terrorism is a comparably easier task as much study works reactively as opposed to pre-emptively.

The naturally delicate nature of counter-terrorism makes research a somewhat difficult task in light of the increase in international terrorist activity in Europe. While this does result in a real need for research and analysis, particularly in prevention, counter-terrorism practice remains the dominion of government and security agencies, which may diminish the role of academia. This is not suggesting that academia is irrelevant to counter-terrorism decision-making; instead collaboration and information-sharing should be

increased (Sageman, 2014), perhaps alluding to a future nexus between security practitioners and academics.

As a whole, the picture displayed by this research has a relatively political dimension, and has observed the importance of understanding changes in legislation and policy. Counter-terrorism strategy is not independent of political interference, and anything from policing to funding is affected by legislative action. In the cases studied here, the UK and Spain have illustrated this point well, alluding to contrasting political attitudes to countering terrorism – fundamentally different approaches to defeating terrorism, while working within the same supranational institution, may not produce similar, effective results.

List of Abbreviations

EC	European Commission
EU	European Union
ETA	Euskadi Ta Askatasuna
FDCT	Framework Decision on Combatting Terrorism
GBTA	Group-Based Trajectory Analysis
GDP	Gross-Domestic Product
GTD	Global Terrorism Database
(P)IRA	(Provisional) Irish Republican Army
ISIL	Islamic State of Iraq and the Levant
ITERATE	International Terrorism: Attributes of Terrorism Events
JTAC	Joint-Terrorism Analysis Centre
NCIS	National Criminal Intelligence Service
PNR	Passenger Name Record
SD	Standard Deviation
TE-SAT EU	Terrorism Situation and Trend Report
TFTP	Terrorist Financial Tracking Programme
UK	United Kingdom
USA	United States of America

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Appendices

Appendix (A): Legislation and Counter-Terrorism Policy Initiatives

TE-SAT EUROPOL Significant legislative amendments.	UK	SPAIN	FRANCE	BELGIUM
2014	*Data Retention and Investigatory Powers Act 2014* – renewal of previous act on data retention, obliging companies to keep data for minimum of 12 months.	_____	*Criminal Code, Code of Criminal Procedure and Administrative provisions* – Introduction of new law to penalise creation and planning of attacks; faster exchange of info between forces.	_____
2013	*Justice and Security Act 2013* The Act provides for strengthened oversight of intelligence and security by expanding the statutory remit of the Intelligence and Security Committee to include (i) a role in overseeing the wider government intelligence community and (ii) retrospective oversight of the operational activities of the agencies on matters of significant national interest.	_____	_____	*Amendments to Article 137* – Persecution of recruitment for terrorism; spreading of "hate"; providing instruction or training for terrorism; receipt of training.
2012	_____	_____	_____	_____
2011	_____	_____	_____	*DNA Law of 2011* – Terrorism has been inserted in relation to adding the profile of convicted persons to the

				database of convicted persons.
2010	_____ _____	*Organic Law 5 of 2010 –* Significant law that ignores "statute of limitations" if incident has fatalities; Comprehensive definition of membership to a terror organisation; Now punishable: financing, promotion, participation; Recruitment and training more clearly defined.	_____ _____	_____ _____
2009				
2008			*Article 421-422 of Penal Code re-enshrined.*	
2007	Update of: *Terrorism Act 2006/2007* An extension of pre-charge detention for terrorist suspects beyond the current limit of 28 days; a requirement for convicted terrorists to provide the police with personal information on their release from prison and to notify any	*Law on Electronic Retention, 2007 –* Regulation of tele-Com services and their obligations to security services for the retention of key information.		*Royal Decree, 2007 –* Assets involved in the pursuit of terrorism to be frozen.

	changes to this information; introduction of a foreign travel order that will enable convicted terrorists to be banned from travelling overseas; changes to enable post-charge questioning of terrorist suspects and the drawing of adverse inferences from a refusal to say something that is later relied on in court; enhanced sentences for those convicted of terrorist related offences; putting the police counter terrorist DNA database on a sound statutory footing and making other changes to enable the full use of DNA			
2006	*Terrorism Act of 2006* preparatory acts, training, encouragement to terrorism and dissemination of terrorist publications	_____ _____	Update of: *Counterterrorism Act, 1986/2006* Terrorism or conspiracy now punishable by 30 year jail sentence.	*Law of December 2005 –* Defining the role and remit of new investigative powers

Appendix (B): Tabulated Break-down of Statistical Tests and Graphs Utilised in Data Analysis

I.   Comparison of Counter-terrorism Strategies in the UK and Spain: Police Numbers, Security Expenditure, Prosecutions/Convictions.

Test   Purpose of Test   Result

Test	Purpose of Test	Result
Friedman's Two-Way Analysis of Variance/ Wilcoxon Signed Rank Test	Tests of Distribution.	To see if the data from the UK and Spain is normally distributed.

One-Sample *t*-Test	Test of Mean Value and Variance.	To validate the data's Mean Value.
Longitudinal Bar Graph	Illustration of change over time.	To illustrate visually the change in counter-terrorism strategy over time.

II.   Comparison of Counter-terrorism strategies with Terrorism Attack Frequency in Each Case Study (The UK and Spain)

Test	Purpose of Test	Result
One-Sample *t*-Test	Test of Mean Value and Variance.	To validate the data's mean value.
Pearson's Product Moment Test of Correlation	Test of Association and Correlation.	To identify any Association or possible Connections in the data of counter-terrorism strategy and attack frequency.