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Counter-Piracy, Communities of Practice and New Security Alignments

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Abstract: Contemporary global and regional security relations are no longer predominantly characterized by formal organizational structures, but increasingly made up of informal and often diffused problem centered alignments. Following the hypothesis that new security problems produce new forms of security alignment, I scrutinize in this paper how one problem, maritime piracy, is addressed by different forms of alignments. I outline a perspective of how to study the range of new forms of security alignments which have risen to counter piracy. Investigating the United Nations contact group, the military mechanism SHADE and two regional agreements I argue, firstly, that these new forms of security alignments are glued together by notions (or better boundary objects) of best practices, information sharing and training. Rather than formal institutions, the alignments are best understood as organized around practical activities which revolve around projects of creating a common repertoire of knowledge, a joint epistemic infrastructure and shared practices. Secondly, the cases indicate that new alignments produce new (cognitive) regions which can be observed through the spatial practices underlying them.

Keywords: Security Alignments, Maritime Piracy, Maritime Security, Security Communities, Epistemic Infrastructures

The Rise of New Security Alignments

In the past decades we have not only witnessed the continuous extension of the meaning of security, but also the rise of new forms of security alignments.¹ Prolific international security organizations, such as NATO, live through a phase of perpetuating crisis. Others such as the EU or the UN Security Council are moving in often swirling speed steps forward and backward. Yet, a significant number of new security alignments have risen. These have emerged outside those established organizations and are designed to tackle very specific issues. Have we left the age of well-ordered security structures given by alliances, multilateral treaties and hegemony? Is the global security order instead increasingly characterized by fuzzy, liquid, moving structures provided by coalitions of the willing, contact groups and networked governance? It appears that contemporary global and regional security relations are increasingly and more visibly than before characterized

1 See Wilkins 2011.

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by informal and often diffused problem-centered alignments. Security relations seem no longer characterized predominantly by formal organizational structures (if they have ever been).

What characterizes new forms of security alignments and how might we want to study them? In this short article I introduce four cases of contemporary security alignments which have arisen to deal with the problem of contemporary maritime piracy. These are cases of issue specific alignments. I use the cases to sketch an analytic perspective for understanding such forms of security alignments. New forms of security alignments can be understood as driven pivotally by concrete problems. They are attempts to cope with security challenges outside the straightjackets of formal institutions. As I demonstrate the cases indicate that contemporary security alignments are carried by new global and regional elites of experts authorized to deal with the specific security challenges at hand.² For understanding these alignments we have to consider a broader set of agents that provides this expertise. This includes state representatives and international organizations' bureaucrats, but also academics or private corporate expertise. Indeed, part of contemporary arrangements is that they often entail cooperation with private actors such as private military security companies. Many of them are hybrid assemblages of private and public security relations.³

Traditionally, security alignments have been analyzed as alliances or as security communities.⁴ The concept of alliances describes alignments through shared interests and balances of power mechanisms. Alliances are unstable, temporally limited forms of alignments. Alliances are directed towards the avoidance of war and national survival. New forms of security alignments clearly have an interest dimension. Yet, as I will show, the cases of counter-piracy alignments are less about survival and balancing behavior but rather about coping with the niche problem of piracy. Security communities, on the other hand, have been understood as groups of states that have developed a shared identity and do not consider each other as adversaries. The forms of cooperation that new security alignments entail, however, do not allow for such far reaching conclusions. While actors do cooperate they do not necessarily share a common identity. Yet, contemporary reformulations of the security community perspective provide a valuable starting point for analyzing new forms of security alignments. Emanuel Adler and Patricia Greve have suggested reading security communities as "communities of practice".⁵ The community of practice' framework as developed by Etienne Wenger (1998) stresses that practices provide coherence to a community. For Wenger (1998), a community of practice entails a set of relations in three dimensions by which practice is the source of coherence: mutual engagement, a joint enterprise and a shared repertoire. Following Adler, Greve and Wenger leads us to a perspective in which the practices of alignments become the main focus of

2 For similar diagnoses see for instance Kennedy 2001 and Bigo 2008.

3 Krahmhann 2003; Abrahamsen and Williams 2009.

4 See Adler and Greve 2009; Bueger and Stockbruegger 2012.

5 See Adler and Greve 2009, as well as Adler 2008.

analysis. It is practice which holds the alignment together. Understanding the alignment is to ask what actors do together, how they engage, and whether and how they develop a joint enterprise and shared repertoire, and hence form, or start to form a community. Such communities we might want to understand as issue-specific security communities. Then what I describe in the following can be considered as nascent ‘maritime security communities.’

Four counter-piracy alignments are introduced below. I document, *firstly*, that what glues these security alignments together are notions of best practices, information sharing and training. Rather than formal institutions, the alignments achieve coherence by being organized around practical activities. These activities crucially entail projects of creating a common repertoire of knowledge and shared practices. Indeed, the core of these alignments is centered on knowledge in various ways – it is epistemic. *Secondly*, the alignments produce new types of spaces. They create new regions by identifying spaces relevant to the problem, and drawing boundaries. They are, to use the term of Anna Tsing, “scale makers”⁶ *Thirdly*, I suggest that these alignments might have the potential to provide the seedbed for more stable types of alignments; they carry the potential for the emergence of maritime security communities.

In the next section I start in introducing the challenges of counter-piracy and proceed in discussing the four cases of security alignments. I do not, however, attempt to typify or classify these new forms of alignment, which has been done extensively elsewhere.⁷ I then discuss the shared characteristics of these cases.

Counter-Piracy Alignments

The Organizational Field of Counter-Piracy

Maritime piracy reemerged as a significant problem throughout the 1990s.⁸ While initially it was piracy in South East Asia which was the core concern, the increase in piracy emanating from the Somali coastline, shifted emphasis to the Western Indian Ocean region in the mid of the 2000s. Piracy in West Africa, notably the Gulf of Benin, has become the third major recognized trouble spot since 2011. Piracy was long considered a problem to be tackled by shipping or insurance companies and underneath the radar of international politics. The increase in numbers of incidents, fears over maritime terrorism, and the shift in the types of incidents from robbery to ransom and hostage taking, led to an increasing recognition that piracy demands major political action. Centrally Somali piracy triggered this response leading to the first UN Security Council resolution on piracy

6 Compare Tsing 2000.

7 See e.g. Wilkins 2011.

8 For an overview over these developments see Kraska 2011.

in 2008.⁹ Counter-piracy since has developed into a “complex global organizational field” in which various private and public actors, including states, international organizations, industry associations, private security companies as well as humanitarian NGOs attempt to develop an adequate response to piracy.¹⁰ Actors engaged in counter-piracy include over 30 nation states, which contribute military equipment or financial resources, the EU, the NATO, and international organizations such as the International Maritime Organization, the UN Office of Drugs and Crime or Interpol. Regional organizations, including the African Union (AU), the South African Development Community (SADC) or the East African Intergovernmental Authority for Development (IGAD) have initiated joint counter-piracy and maritime security plans.

New Alignments

The above described responses take place in the frame of existing international and regional institutions. The problem of piracy has led to a significant range of entirely novel alignments. Four of them are discussed below. This is, firstly, the *United Nations Contact Group to Counter Piracy off the Coast of Somalia* (hereafter: The Contact Group). Established in 2009 it has become the main global governance vehicle to address Somali piracy; secondly, the military coordination mechanism dubbed the *Shared Awareness and Deconfliction Mechanism* (SHADE) is an alignment used by naval forces to coordinate their activities in the Western Indian Ocean; thirdly, the *Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia* (ReCAAP) is the major alignment created to address piracy in Asia; fourthly, the *Djibouti Code of Conduct* (DCoC) is a process of developing a regional response in the Western Indian Ocean region. These four represent major attempts to align actors to fight against piracy. ReCAAP specifically deals with piracy in East Asia, while the three others are responses to Somali piracy.

The Contact Group

The Contact Group is not formally an UN body, but an informal consultation and negotiation mechanism without a standing secretariat. It has become the main governance vehicle for dealing with Somali piracy on an international level.¹¹ The group was established in January 2009 and was an outgrowth of Security Council Resolution 1851 that called upon states to coordinate their counter-piracy activities. Upon its establishment it organized itself into a plenary and four working groups. A fifth working group was added in 2011. The Contact Group was originally launched as an initiative

9 Cp. UN Res 1816.

10 The concept of organizational field points to a domain of institutional life on which different actor cooperate and compete, for a discussion of the term in relation to counter-piracy, see Bueger 2013a, an overview of the development of counter-piracy is also provided in Kraska 2011.

11 More detailed analyses of the work of the Contact Group are provided in Bueger 2011, Guilfoyle 2013, and Kraska 2011.

of 24 states. Since then membership has considerably expanded. Further states joined the group, as did international organizations, and, as observers, a growing number of industry associations. Today the group is formally comprised of 70 member states, and 19 international organizations (inter-governmental and private). In addition, also various experts and representatives from NGOs or the governments of Somaliland and Puntland participate in the meetings of the group. As James Kraska remarked, the Contact Group is “the broadest coalition of nations ever gathered to develop and coordinate practical solutions to the scourge of maritime piracy”.¹² The Contact Group’s five working groups, each headed by representatives from a major nation state, focus on different practical challenges: security, law, public-private (industry) relations, alternative counter-piracy approaches and the finances of piracy.

The Contact Group is an ad hoc, weakly institutionalized organization that neither has formalized working principles (in the form of a charter or terms of references) nor a secretariat beyond an Internet presence and website.¹³ Since its establishment, the group has primarily served as a deliberative forum for strategy development and as a place to exchange information about the activities of the participating organizations. Meetings of the working group take place regularly in different state capitals and are comprised of presentations followed by open debate. Discussions are documented in chairmen summaries. Major tangible results of the working groups include: The Contact Group has facilitated military coordination in the Western Indian Ocean. It has elaborated and clarified a legal tool kit to address piracy, and provided a forum for the preparation of several UN Security Council statements and resolutions. Moreover, it has assisted in the establishment of the IMO Djibouti Code of Conduct Trust Fund supporting the DCoC process as well as the International Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia, which is a major funding vehicle for counter-piracy projects managed by the United Nations Office for Drugs and Crime (UNODC). It has moreover contributed to the development of the Best Management Practices (BMP), which are standards for the self-protection of the industry. The Contact Group provided a forum for discussing these standards and also formally endorsed them.

Then the Contact Group is firstly to be seen as an informal medium of exchange. By creating transparency about the measures taken or planned by different actors the group contributes to building trust and confidence among participating states and international organizations. The group is a forum for planning joint actions and sharing resources and commitments. The Contact Group is, however, more than a platform; it is also a form of accountability mechanism. In its format participating actors are asked to report their activities on a frequent (bi-annual) basis. Actors have to justify in front of a larger audience what they have (and have not done) in counter-piracy.

12 Kraska 2011, 160.

13 See the website of the Contact Group at <http://www.thecgpcs.org>.

SHADE

A further major new counter-piracy alignment coordinates mainly naval activities and is on the level of military officials. In the frame of SHADE officials meet on a monthly basis to coordinate naval activities in the Western Indian Ocean. Naval operations were initially coordinated through a Maritime Security Patrol Area (MSPA). The MSPA was established as a narrow, rectangular corridor between Somalia and Yemen in August 2008 by the Combined Maritime Forces – a US led naval alignment of states originally tasked to conduct counter-terrorism operations. The patrol area was used to focus efforts and to organize patrols. Each participating vessel was given a sector for which it is responsible. This increased surveillance as well as reduced incident response time. In spring 2009 the MSPA was extended in response to the increasing geographical reach of pirate activities. In addition to the MSPA in summer 2009 an Internationally Recognized Transit Corridor (IRTC) was installed as a further planning device to deploy naval assets strategically. Initiated jointly by the CMF and EU's counter-piracy operations EU Navfor Atalanta the IRTC is a high protection area in the Gulf of Aden. It is used to coordinate engagement, to maximize maritime surveillance and to organize frequent group transits protecting merchant vessels. International group transits are coordinated by the UK's Maritime Security Center Horn of Africa (MSC-HOA) in correspondence to the needs of the shipping industry. In addition there are also group transits coordinated by navies operating under independent mandates.

Operations in the IRTC as well as in the wider Western Indian Ocean region considered as the 'high risk zone' are coordinated by SHADE. This alignment was established in December 2008 to conduct informal discussions and de-conflict the activities of nations and organisations involved in military counter-piracy operations in the region. Initially, SHADE involved only CMF, EU Navfor and NATO but it grew quickly. It now includes many navies operating under independent mandates, for instance China, India, Japan, Russia, South Korea and Ukraine. By 2012 twenty organisations and twenty seven countries were participating in the SHADE meetings comprised of more than one hundred participants. SHADE meetings are conducted on a monthly basis on the level of military officials and the chairmanship of the meeting rotates. One of the greatest successes of SHADE was the introduction of an innovative military communications system called MERCURY to which all SHADE participants have access to and which allows coordination in real time in a 'chat room-style' infrastructure. The system allows ships to request information and cooperation from other ships or assets such as surveillance planes and helicopters. As a tactical communication system its usage is largely depoliticized allowing speedy communication between military personnel beyond diplomatic channels.

ReCAAP

East Asian piracy is addressed in the frame of two types of alignments. The first is a trilateral cooperation between Indonesia, Malaysia and Singapore in the frame of the Malacca Straits Patrols (MSP).¹⁴ The second alignment, ReCAAP, is international in membership. It is set up as a new regional organization which is open to every interested state. ReCAAP is a regional government-to-government agreement to promote and enhance cooperation against piracy and armed robbery in Asia.¹⁵ It was initially proposed by Japan in 2001 in the frame of a summit of the Association of Southeast Asian Nations (ASEAN). The negotiations of the agreement were concluded in spring 2005 and ReCAAP is operational since. The institutional centrepiece of the agreement is the ReCAAP Information Sharing Centre (ReCAAP-ISC). The centre, based in Singapore, is comprised of a small Secretariat and a Governing Council. The ISC serves as an infrastructure for information exchange and coordinates a system of national focal points (Ho 2009). ReCAAP partners with organizations, including the IMO, which formally endorsed it, or the Asian Shipowners Forum (ASF). In collaboration with other actors ReCAAP-ISC has also arranged a number of conferences attended by practitioners and experts for deliberating counter-piracy strategy. The dissemination of incident reports is one of its crucial functions. ReCAAP's ISC provides incident data on its internet based knowledge exchange platform for Eastern Asia as well as offers analytical reports. Geographically the ISC mainly focuses on the Strait of Malacca and the South China Sea.

DCoC

A fourth novel alignment is the DCoC process which broadly follows the role model of ReCAAP. The DCoC was the outcome of a series of IMO sponsored meetings from 2005–2008 in Yemen, Oman and Tanzania. These meetings aimed initially at evaluating the possibilities of a joint maritime policy. It was then later focused on developing a regional counter-piracy arrangement.¹⁶ While at the meeting in Tanzania held in April 2008 a draft regional memorandum of understanding on the subject was developed, at the follow up meeting in Djibouti an agreement was reached after four years of negotiation. The Code was formally adopted on the 29th of January 2009.¹⁷ As the core outcome, three

14 More detailed reconstructions of the MSP are provided in Storey 2008 and Khalid 2009.

15 See Ho 2009 for an overview and analysis.

16 See Kraska 2011, 147.

17 See http://www.imo.org/blast/mainframe.asp?topic_id=1773&doc_id=10933, The meeting was attended by Ministers, Ambassadors, senior officials and legal experts from Comoros, Djibouti, Egypt, Ethiopia, France, Jordan, Kenya, Madagascar, Maldives, Oman, Saudi Arabia, Seychelles, Somalia, South Africa, Sudan, the United Republic of Tanzania and Yemen, as well as observers from other IMO Member States; United Nations specialized agencies and bodies; and international and regional inter-governmental and non-governmental organizations.

information sharing centres in the Eastern African region tasked to share and publish incident data were installed.¹⁸

The agreement is not open to accession by any state, and overall 21 countries ranging from Egypt to South Africa are eligible to sign the code. Included in the process are all of the African countries with borders to the Indian Ocean and to the Red Sea, the littoral states Ethiopia and Uganda, as well as the Arabian countries with waters in the Arabian Sea and the littorals United Arab Emirates, Kuwait, Jordan and the Palestinian Territories.

The code envisions a regional infrastructure to repress piracy and armed robbery against ships and to promote the sharing of relevant information through a system of national focal points and information centers. It wants to build a counter-piracy infrastructure that can assist in improving the communication between states, enhance the capabilities of states in the region to deter, arrest and prosecute pirates, improve states' maritime situational awareness; and enhance the capabilities of local coast guards.

As the central body coordinating and steering the process the documents led to the installment of a Project Implementation Unit (PIU). Based at the IMO headquarters in London it is tasked to implement the DCoC. In September 2009 a trust fund was created as the central funding device for the process. In the frame of DCOC training of coastal guards and staff has been carried out. Three Information Sharing Centres (ISCs), in Sana'a, Mombasa and Dar es Salaam were built and are operational. A system of so-called national focal points has been established in which each participating state has identified an institution (and individual) which acts as point of communication and dissemination. The idea of this system is that information concerning piracy incidents and suspicious activity, can be disseminated quickly and analysed on a national level as well as collaboratively to further strategy making for the region. Reviews in national legislation of the signatory states have also been pursued and several member states have introduced changes to their laws. Training of coastal guards and experts has been a major focus of the DCOC.

Repertoires, Problematizations and Scale

What can we learn from these cases about the shape and character of new security alignments? The four counter-piracy alignments share a number of interesting commonalities. All four are informally organized collaborations largely of specialized bureaucrats and experts. They build relations mainly through the exchange of knowledge in different forms. In so far as they can count as institutionalized, they are mainly epistemic infrastructures, that is, infrastructures created and maintained to circulate data about piracy incidents and counter-piracy activities. Part of this infrastructure is the development of a common vocabulary for speaking about piracy and counter-piracy,

18 For a more detailed analysis of DCoC this discussion draws on, see Bueger and Saran 2012.

as well as the development of practical tools by which piracy data is collected, analyzed and disseminated. Knowledge exchange in The Contact Group concerns general counter-piracy strategy, programs and activities. Expectations and interpretations of developments as well as future scenarios are aligned to each other. SHADE together with the Mercury platform is an infrastructure by which knowledge about naval strategy and the positioning and movement of vessels is circulated. It organizes the division of labor that allows patrolling a wider maritime space. Also behavior is coordinated to respond to distress calls and piracy incidents. Both ReCAAP and DCoC center on the exchange of incident data through a shared form of reporting through the ISCs. The national focal point system creates an international counter-piracy expert community. Through joint training activities maritime security professionals including coast guard and border guard staff develop a shared repertoire of practical knowledge. Phrased otherwise, the alignments discussed create, maintain and stabilize new forms of expert communities – communities of maritime counter-piracy experts. The glue of the alignments is epistemic; the relations consist of developing common repertoires through routines of communication.

Problematizing piracy

In the four alignments actors problematize piracy together in different ways, that is, they specify under which specific assumptions piracy is a problem, identify reasons what is problematic about it and how the problem can be addressed.¹⁹ A shared securitization of piracy – the claim that piracy is a threat to various objects, such freedom of navigation or international trade – underlies the alignments.²⁰ Indeed, collective securitization provides one of the core motives for forming the alignment in the first place. Yet, the alignments also translate piracy into different problems. The Contact Group identifies piracy to be various kinds of problems: a challenge of coordinating security actors, identifying the relevant legal regime, regulating the behavior of the shipping industry as well as addressing the financial side of piracy through information sharing. SHADE in turn understands piracy primarily as a challenge of military coordination, improving reaction time and maximizing surveillance capacity. For both ReCAAP and DCoC piracy is primarily a technical problem to be addressed by surveillance equipment, the sharing of information as well as the coordination of coast guards and navies.

19 For the notion of the problematization of piracy as it is used here see Bueger 2013b.

20 The securitization of piracy is further discussed in Bueger and Stockbruegger 2012.

Constructing regions and making scale

The four alignments can further be considered as what Anna Tsing has called “scale makers”²¹ and Bruno Latour identifies as “centers of calculation”²². They identify, define, create and perform the scale of the piracy problem in setting the boundaries of the regions that are relevant. Each of the alignments identifies a distinct territory that demarcates the space within which piracy is problematic and requires to be addressed. Indeed the alignments create what Adler has dubbed a “cognitive region”.²³ The Contact Group identifies Somali Piracy as a global problem, that is, as an issue of global governance that requires the global representatives of identified stakeholders to coordinate their actions. SHADE operates with a technical map that introduces new types of borders. In drawing lines in the ocean SHADE defines a patrol zone (the IRTC) and a high risk zone as spaces for which the alignment is relevant. SHADE’s map produces a space of alignment in which military actors such as those from the US and China can collaborate very closely which would not be the case outside this space. ReCAAP mainly identifies a region with which the alignment is concerned. The maps the ISC uses define which piracy incidents are relevant for the alignment and hence equally a new territory is constructed. Rather than drawing borders at sea, ReCAAP defines a loose region primarily through the tool of information gathering. DCoC’s spatial practices are maybe most fascinating, given that the alignment brings together states which have hardly collaborated so far in joint alignments (e.g. the East African and Arab States). DCoC draws a map of a region which includes countries which have not so far seen a joint regional integration framework. It includes the Gulf States as well as the North, East and South African states. Hence DCoC constructs an entirely new type of region unprecedented in recent international politics. In summary, all four alignments make scale: they define a zone of cooperation, whether identified in global (The Contact Group), maritime (SHADE) or regional terms (ReCAAP, DCoC).

Security Community Formation?

The four cases discussed are forms of security alignments that escape the traditional descriptions of international relations theory. The community of practice framework and its focus on practice as the source of coherence provides useful alternative lenses. In the discussed cases, the alignments are problem-specific and are pragmatic in the sense that they want to tackle a specific issue. Zooming in on the question what actors do together in alignments revealed that actors mutually engage in different joint projects. They focus on knowledge; they develop a joint vocabulary and infrastructures to share knowledge about piracy and how it can be addressed. The main actors in these alignments are experts of different types. They include international organization bureaucrats, state bureaucrats,

21 Tsing 2000.

22 Latour 1995.

23 For the notion of cognitive regions, see Adler 1997.

diplomats, naval specialists, or academic experts. Relying on the communities of practice framework enables the investigation of the details of how actors cooperate and what characterizes alignments. In the cases I foregrounded that the basis of cooperation are epistemic practices as well as spatial practices. There are without doubt others which require close investigation and the communities of practices framework empowers to conduct such forms of inquiry.

Seen in such light the cases are processes in which new communities become formed. Piracy is however a niche problem. It would be misleading to suggest that piracy is a threat which can become the source of the formation of larger scale security cooperation such as the development of full-fledged security communities. Yet, piracy is a problem creating considerable convergence between actors. The alignments create new transnational communities of maritime security experts through shared practices. When Karl Deutsch proposed the concept of security communities, he suggested that communication between actors and the experience of cooperation provides the seeds for forming long-lasting trustful relations which render war unthinkable. Such a process can lead to a shared identity and might trigger the “deliberate promotion of processes and sentiments of mutual identification, loyalties and ‘we’-feelings”.²⁴

It is in this sense that the four cases might spur some optimism. Counter-piracy experts engage with each other in common enterprises, they communicate intensively and they develop a shared repertoire of terms, definitions, measurements or technology. The alignments might be seedbeds in which new forms of regional (maritime) security communities may grow.

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24 Deutsch 1988, 272.

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