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**A SHIFTING NETWORK OF EXPERTISE:
SWISS INTELLIGENCE, 1989-2017**

Master's thesis

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ABSTRACT

This thesis explores the evolution of the Swiss intelligence landscape since 1989 until present days. Using analytical tools borrowed from Critical Security Studies, especially works made on security expertise, it makes the theoretical claim that CSS-inspired approaches should be considered by scholars of intelligence. In the case study of Swiss intelligence, it draws the picture of a shifting network of expertise across the three past decades. Shifts occur at the level of popular legitimation, institutional and legal arrangements, political conduct, oversight and preferred threat images. Noteworthy developments are the increasing conduct of intelligence activities by the police and the border guards, as well as a strong embeddedness of Swiss intelligence within European security, going unnoticed against Swiss tradition of neutrality.

KEYWORDS

Intelligence Studies, Critical Security Studies, Switzerland, Intelligence, Security Expertise, Critical Theory

RANGE OF THESIS

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3. The author hereby declares that the thesis has not been used to obtain a different or the same degree.

Lutry, Switzerland, 5 January 2017

Emilie Sarah Roulet

A handwritten signature in black ink, appearing to read 'Emilie Sarah Roulet', written over a horizontal line.

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¹ *«Le renseignement politique intérieur dans les démocraties libérales : entre légitimation et contestation.»* (Political internal intelligence in liberal democracies: between legitimation and contestation) 8-9 December 2017, University of Lausanne, Switzerland. See the research project's website and more information on the colloquium at: <http://wp.unil.ch/scandaledesfiches/> (in French).

LIST OF ABBREVIATIONS

BGC	Border Guards Corps (<i>Corps des gardes-frontières, Cgfr</i>)
CEP	<i>Commission d'enquête parlementaire</i> (Parliamentary Investigation Commission)
CSS	Critical Security Studies
DeICdG	<i>Délégation des Commissions de Gestion</i> (Delegation of the Management Commissions)
DDPS	Federal Department of Defense, Protection of the Population and Sports
DFF	Federal Department of Finance
EDP	Electronic Data Processing
EEA	European Economic Area
FDFA	Federal Department of Foreign Affairs
FDJP	Federal Department of Justice and Police
fedpol	Federal Office of Police
FMD	Federal Military Department (became DDPS in 1992)
GRens	<i>Groupe Renseignement</i> (Intelligence Group)
IR	International Relations
IS	Intelligence Studies
ISS	International Security Studies
LAAM	<i>Loi sur l'Armée et l'Administration Militaire</i> (Law on Army and Military Administration)
LMSI	<i>Loi sur le Maintien de la Sécurité Intérieure</i> (Law on Internal Security Maintenance)

LFRC	<i>Loi Fédérale sur le Renseignement Civil</i> (Federal Law on Civil Intelligence)
LRens	<i>Loi sur le Renseignement</i> (Intelligence Law)
SAP	<i>Service d'Analyse et de Prévention</i> (Analysis and Prevention Service, internal intelligence, 2000-2010)
SEM	<i>Secrétariat d'Etat aux Migrations</i> (State Secretariat for Migration)
SIG	Security and Intelligence Group
SIGINT	Signal Intelligence
SIS	Schengen Information System
SRC	<i>Service de Renseignement de la Confédération</i> (Intelligence Service of the [Swiss] Confederation)
SRFA	<i>Service de Renseignement des Forces Armées</i> (Air Force Intelligence Service)
SRM	<i>Service de Renseignement Militaire</i> (Military Intelligence Service)
SRS	<i>Service de Renseignement Stratégiques</i> (Strategic Intelligence Service, external intelligence, 2000-2010)
SS	Security Studies
STS	Science and Technology Studies

TABLE OF CONTENTS

Acknowledgements	iv
List of abbreviations	v
INTRODUCTION.....	1
1. THEORETICAL BACKGROUND: FROM CSS TO IS, WITH LOVE	5
1.1. What we talk about when we talk about intelligence.....	5
1.1.1. The origins of Intelligence studies.....	6
1.1.2. A critical turn in IS?	7
1.1.3. Criticality as opportunity	9
1.2. The origins and relevance of criticality	10
1.3. The making of security expertise	12
1.4. Studying expertise as a network: analytical framing	17
1.5. Methodology.....	19
Note on languages.....	23
2. DELEGITIMATION: 1989-2000	24
2.1. Historical developments: A swiss-made house of cards.....	24
2.2. Clients.....	30
2.3. Objects	32
2.4. Subjects.....	35
2.5. Conclusion.....	36
3. DIVERSIFICATION: 2000-2010.....	39
3.1. Objects	40
3.2. Subjects.....	44
3.3. Clients.....	48
3.4. Conclusion	50
4. ONE SERVICE TO RULE THEM ALL: 2010-2017.....	52
4.1. Developments	52
4.1.1. The merge	52
4.1.2. LRens: inception, debates and success	53
4.2. Objects	55
4.3. Subjects.....	56
4.4. Clients.....	57
4.5. Conclusion.....	58
5. GENERAL CONCLUSION.....	60

5.1. Criticality	60
5.2. Analytical framework	60
5.3. Intelligence	61
5.4. The case of Switzerland	62
5.5. Intelligence Studies	64
5.6. Concluding remarks	65
6. APPENDICES	66
6.1. Table 1. Dimensions of the contrast between the sociology of expertise and the sociology of professions.....	66
6.2. Table 2. Characteristics of spaces between fields.	67
6.3. Table 3. Transformation of Swiss intelligence, 1989-2001	68
6.4. Annex I. List of affairs.....	69
7. BIBLIOGRAPHY	73

INTRODUCTION

If you ever find yourself in the Swiss Alps, you might, looming above the village of Leuk, be puzzled at the view of numerous massive white antennas, perched on the mountain flank. The site, with its dull-looking buildings and large parking lots, contrasts with the picturesque hilly surroundings of vineyards and zigzagging mountain roads. You would be looking at the most famous face of Switzerland's secret services: the Leuk site is one of the locations of ONYX, the Swiss signal intelligence system (SIGINT).

Switzerland is more often associated with the snowy peaks than with covert activities. Yet its intelligence services were the reason behind one of its most important political crises. In 1989, popular discourse goes, the so-called “card index affair” involved the surveillance and filing of 900'000² citizens by the Swiss political police – then tasked with internal intelligence. The index had a clear political bias, targeting large swathes of individuals and organizations associated with leftist movements. Following publicization of the index, Switzerland witnessed the largest popular mobilizations in its history, including violent demonstrations and the boycotting of official celebrations by numerous artists, individuals and scholars.

In September 2016, the Swiss people largely approved, by 65.5% of “yes”, a new law on the mandate, organization, powers and political conduct of the intelligence services. The LRens, as it came to be known, generated great opposition from parts of the Swiss electorate and from abroad on ground of its potential for abusive and massive surveillance of Swiss citizens. The EU Commissioner for Human Rights Niels Muižnieks even wrote

² The number of 900'000 is the total size of the archive. Among the files, about two thirds concerned foreign entities. The remaining files were roughly spread between individuals (about 50%) and organisations or events (50%) (Rayner, Thétaz, and Voutat 2016).

to Federal Councillor Maurer, responsible for the Federal Department of Defense, to criticize the law (Muižnieks 2015).

Those two events circumvent a 30 years long period throughout which Swiss intelligence, and Swiss attitude towards their intelligence services, obviously went through a noticeable process of evolution. To study this evolution of an intelligence service, I, young student of International Security Studies, naturally turned to academic works issued from the Intelligence Studies (IS) stream. Perhaps naively, I was searching for works on Swiss intelligence, with theories and methodologies which would enable me to study the massive shift between 1989 and 2016. How could the intelligence service have reinvented itself so well? As a Swiss citizen and a student of ISS, my interest in this topic seemed natural. Not only a study of Swiss intelligence would enable me with a better overview of a secretive aspect of my native country's security policy, but I could also make use of the tools and concepts acquired during my studies. My time as a MISS student was mostly marked, from an academic perspective, by the CSS approaches and the interpretivist paradigm, whose emancipatory and subversive potential intrigued me. This personal inclination partly explains my initial endeavor; I believe it does not lessen the validity of my call for more criticality in IS.

It is an understatement to say that Switzerland has not been much studied by intelligence scholars. The only Swiss-specific work addressed the question of intelligence liaison in neutral countries: its author complained of the "snubbery" of IS, which covers quasi exclusively with the US, the UK, or Russia, with a focus on either contemporary or past agencies (Wylie 2006, 272). I was facing the classic dearth of data, primary and secondary, that is said to characterize IS (Zegart 2007).

Yet when I broadened my research focus, I found a number of academic works covering Swiss security – all more or less issued from Security Studies. Davidshofer, Tawfik, and Hagmann (2016) conducted a mapping of the Swiss security field. Hagmann (2010) observed the evolution of Swiss security policy since the end of the Cold War. Möckli (2011) examined the role of Swiss neutrality in Western security governance while Mirow

(2012) discussed its strategic culture. Jacot-Descombes and Wendt (2013) examine the development of security policy from its consequences on Switzerland's federalist structure. Throughout these works, one could read a feeble, but distinct, story that concerned specifically intelligence, and I engaged in a humble and faulty attempt at adding substance to that story. Soon, it appeared to me that traditional qualitative – this approach, which I wanted to conduct this work in, would indeed face the access to data problem.

In this thesis, the evolution of Swiss intelligence services serve as the empirical exploration of a theoretical call for the inclusion of CSS approaches and methods in IS. I argue that CSS provides theories, concepts and methods which are relevant to study intelligence objects. My case study provides empirical backing to this claim: I explore the evolution of Swiss intelligence by treating it as a specific field of expertise. In return, and alongside CSS and STS research on security expertise, I draw on an analytical framework which conceptualizes expertise as a network. This network is fluid, dynamic and complex: it is analyzed here along the three dimensions proposed by authors of this approach: objects, subjects and clients of intelligence expertise (Eyal and Pok 2015).

I apply this framework along three historical periods marking defining moments of Swiss intelligence network:

1989-2000: the first covered period starts with the card index affair and roughly ends with the putting in place of the new structure, reorganized and reformed as a consequence of the affair.

2000-2010: the second decade starts with the newly established structure, and ends with its demise: 2010 indeed marks the merging of the internal and external services, as well as their unification under a single department.

2010-2017: the last period marks the early years of the unified service. It covers the process of drafting and approval of the new law organizing the intelligence structure established in 2010, the LRens, which was approved in a 2016 popular vote.

The thesis is organized as follows. A theoretical background, covering relevant aspects of intelligence studies, critical theory and security expertise, is provided and ends with a presentation of my methodology. The following three chapters cover each aforementioned period: they are structured with a historical background, and then a section dedicated to the three dimensions studied: objects, subjects and clients. Each chapter ends with a preliminary conclusion. Chapter 7 concludes the thesis as a whole, discussing the insights and limitations of my approach, as well as reflections upon both my theoretical and empirical considerations.

1. THEORETICAL BACKGROUND: FROM CSS TO IS, WITH LOVE

This work constitutes an attempt at merging critical security studies (CSS) and intelligence studies (IS), by applying and developing an analytical framework anchored on the notion of intelligence expertise as a network of objects, subjects and clients (Eyal and Pok 2015). I base this claim on the assumption that intelligence constitutes a specific branch of security activities, characterized by the secrecy of its activities. This requires attempting preliminary clarification of both streams of study and their related concepts, as well as presenting the unavoidable definitional debates which accompany any such attempts. This is what the following sections attend to: first by discussing notions of intelligence and the origins of intelligence studies, second by introducing basic concepts of CSS and third by a detailed presentation of the concept of intelligence expertise as a network, thus connecting CSS and IS through an analytical framework inspired by the former and applied to the latter's object of concern. The last section presents my methodology.

1.1. WHAT WE TALK ABOUT WHEN WE TALK ABOUT INTELLIGENCE

While intelligence can cover literally any information-gathering activity, what follows is limited to discussing intelligence as a state-led activity. As such, three defining characteristics in intelligence roughly emerge from the existing definitions: secrecy, political weight, and national utility. For Gill and Phythian (Gill and Phythian 2016, 19), intelligence is *“the mainly secret activities—targeting, collection, analysis, dissemination and action—intended to enhance security and/or maintain power relative to competitors by forewarning of threats and opportunities”* (Gill and Phythian 2016, 19). Former French foreign intelligence director Pierre Lacoste insists on the utilitarian nature of intelligence: *“[intelligence is] useful information (...) useful towards the assigned endeavor, the assigned task, the objective one wants to reach”* (Guelton 2004). Tucker somewhat grandiloquently clarifies the political weight of intelligence in the following: *“Intelligence*

is important because it is information; information is important because, like knowledge, it is power” (Tucker 2014). Definitions on the nature of intelligence – as opposed to its characteristics – have shown less fertile. If Sherman Kent’s 1949 definition provides useful distinction between *“knowledge, the type of organisation that produces that knowledge, and the activities pursued by that organisation”*, it does not prevent prominent intelligence scholar David Kahn, fifty years later, to observe that *“[n]one of the definitions [of intelligence] that I have seen work”* (Kent 1966; Kahn 2002, 79).

There is no need for a stable definition to deduce that intelligence is inextricably tied with the practice of national security: in fact, that no such definition exist testifies to the multiple forms that this relationship can take – a property which will be further reflected upon in my below discussion of the benefits of using critical theory in IS. Information produced by intelligence institutions indeed constitute an important basis on which decision-making is done at the highest level. In other words, intelligence can be traditionally defined as a *mean* to national security. Because it is instrumental, it adapts to its political conduct, geopolitical context, the behavior of its actors – that is, it can be characterized, but not essentialized. In the below section, I discuss how this characteristic of being embedded with national security has shaped the development of the academic endeavor of intelligence studies.

1.1.1. The origins of Intelligence studies

The discipline of IS first emerged as a guiding tool for the intelligence profession; only later did it develop into an academic endeavor of its own (Gill and Phythian 2016). Just as intelligence practitioners serve state interest, IS thus traditionally served intelligence practitioners. Some intelligence scholars, such as Marrin (Marrin 2016) still today conceive IS as *“an academic complement to the practice of national security intelligence”*, reflecting upon a traditionalist take with little concern for the independence of academic research. However, Gill and Pythian notably dispute this essentialization and call scholars and practitioners alike to see intelligence as a socio-political phenomenon and not simply a technical discipline (Gill and Phythian 2016, 8). They further highlight the importance of

the academic exercise to live up to a broader role and responsibilities: “*to not only be a “critical friend” to intelligence practitioners, but also to speak to a wider audience of citizens who are concerned about the effectiveness, control and oversight of this important activity*” (Gill and Pythian 2016, 15–6). Reflecting upon what seems like genuine concern towards uprooting the dimensions of serving the state out of IS, Gill and Pythian refer to a number of works and reflections that attempt to include elements of (loosely defined) criticality in intelligence studies, as reflected below.

1.1.2. A critical turn in IS?

The tension captured by the notion of “critical friend” conveys the hurdles of bringing together critical approaches and intelligence studies. For a start, there are surely more than one way whereby friends can be critical. On a more academic note, Gill and Pythian’s call appear to make do of the emancipation and subversion which characterize critical approaches (see section 1.2), to promote a “softened criticality” that would merely serve as *improving* the way IS can be of use for intelligence practitioners and decision-makers, as opposed to *questioning* this relationship.

For example Bean (Bean 2012), in a *Intelligence and National Security* piece, promotes the “use” (sic) of what he calls “*cultural/critical perspectives*” in intelligence studies (Bean 2012). Tellingly, Beans acknowledges that “*critical theory is explicitly political, and has as its ultimate goal the “emancipation” of organizational members – the development of new lines of thought and practice that may enable undistorted dialogue and resolve unjust power asymmetries*” (Bean 2012, 504). Yet the objective of his endeavor remains grounded in traditional, positivist conceptions of national security (as reflected by the choice of words such as “*undistorted*” and “*resolve*”): “*critical perspectives call for stopping to perpetuate unreasonable standards for intelligence studies*” (Bean 2012; Marrin 2016, 496). Thus, Bean perpetuates the traditional ideas that intelligence studies serve (thus should serve) as a mean to national security, and that they do (and should) produce knowledge along a problem-solving model. His take from critical studies is thus sterilized from any elements of emancipation and political subversion. Emancipation is

similarly erased from Gill and Pythian's call for criticality in IS quoted above, which portrays intelligence studies as a "*friend*" (albeit a critical one) for intelligence practitioners, while they should merely "*speak*" to "*wider audiences of citizens*" whose concerns are acknowledged but whose agency and voices are dismissed to the profit of intelligence practitioners (Gill and Pythian 2016, 15–16).

Applying the critical lens on intelligence studies thus poses specific challenges that pertain to the power-laden origins of the discipline itself, with IS scholars largely issued from the same academic tradition and at best interpreting criticality as a benchmark for more efficiency, and at best rejecting it outright. Scott and Jackson, in their extensive literature review of IS, do (briefly) mention Aldrich's warning of taking official sources as an "analogue of reality" (Scott and Jackson 2004, 145; Aldrich 2001, 6) and acknowledge the benefits of diversifying theoretical frameworks. Yet they fail to provide IS works that do make use of such alternative frameworks – referencing instead classic IR constructivist texts (Scott and Jackson 2004, 166).

Davies, on the other hand (Davies 2009, 193) for example outrightly rejects such alleged benefits to denounce to the dogmatic origins of critical/interpretative approaches: "*Perspectives associated with interpretivism, postmodernism, post-structuralism, and Hegelian Marxist critique are a 'slippery slope into metaphorical speculation, woolly reasoning and disingenuously-packaged dogma'*" (Davies 2009, 193). While Davies' criticism may not be reflecting the whole of IS scholars' take upon interpretivism, it does testify to the existence of a stream within IS that expresses remarkably strong resistance to non-traditional approaches.

Yet are several ways to challenge traditionalist takes in intelligence studies, even without incorporating critical theory concepts. Geographical diversification is one: Some agencies, and countries (mostly the UK, the US and Russia), have indeed received virtually all the scholarly attention (Gill and Pythian 2016, 10). Wylie, in his exploration of Swiss neutrality in intelligence liaison during the Cold War even labels this gap "*intelligence history snobbery: a process that has privileged the study of major powers*

and overlooked the contribution made to the secret world by the intelligence agencies of small states” (Wylie 2006, 782). Taking into account the nature of political systems producing intelligence agencies is another. Whilst merely diversifying the cases studied is not enough to answer a “critical call”, it is a necessary first step which recognizes the multifaceted nature of intelligence – and a call for intelligence studies to recognize it. Drawing upon the specific case of intelligence activity in a small liberal democracy, In the specific case of democracies, I argue that a diversification of analytical and theoretical framework, rather than constituting metaphorical speculating, constitutes rich spaces of research opportunities.

1.1.3. Criticality as opportunity

Intelligence institutions constitute “*complex (and usually secret) organizational structures, culture and practices that uniquely influence the trajectory of geopolitics (...) [they are] institutions that possess an immense ability to shape, control or extinguish human lives*” (Bean 2012, 497). Such consequential activities engaged by states are inherently political, and thus call for political/politicized study approaches. Secrecy, as a core feature of intelligence, renders any state – but most strikingly those devolved to a democratic system of governance – under a semantic tension between accountability and confidentiality. Full commitment to either one of the spectrum’s ends would imply the loss of either secrecy or democracy. The exercise of intelligence in democratic states is thus one of equilibrium: on the one hand, democratic accountability produces at least some sort of publicization of intelligence activities. On the other, the secretive nature of intelligence activities, and their national security implications, pushes states to preserve such activities off the radar of scrutiny.

This tension constitutes an opportunity for the critical student of intelligence. While secrecy obviously make students of intelligence face a number of practical challenges (Zegart 2007), to study intelligence in democratic, accountable countries with oversight mechanisms provides researchers with valuable , albeit limited public data from both officials and the general public. Such sources are valuable not in them reflecting a form

of truth, or reality, but in shedding light on the narratives, discourses and performances put forward by producers and consumers of intelligence. To situate these narratives and give them analytical worth, traditional/positivist research methods are frail. Critical approaches in security studies, on the other hand, provide both the relevant analytical material and the appropriate epistemology to embrace national security-relevant problematics. Through their embrace of flexible methodological designs (Salter and Mutlu 2013, 17), I argue that CSS offer conceptual apparatuses enabling researchers to apprehend intelligence issues in a novel and enriching way. The next section will discuss in more details the basic tenants of CSS, and further develop how its promises are relevant to enrich the scope, scale and perspectives of IS.

1.2. THE ORIGINS AND RELEVANCE OF CRITICALITY

As the discipline of security studies emerged after 1945, diverting from defence-centered strategic studies, one still finds within its classical tradition normative elements such as state- and Western-centrism, focus on the military sector, and a conception of security tied to danger, threat and urgency (Buzan and Hansen 2009, 11–12). CSS use critical inquiry to question such normative underpinnings. Ken Booth, a pioneer scholar of CSS, counters this view to see states as “*unreliable agents of security*” (Booth 1991). Seeking to further reverse the state-centrism tradition, critical security studies places at their core the notion of individual emancipation, defined as the freedom from “*physical and human constraints which stop [people as individuals and groups] carrying out what they would freely choose to do*” (Booth 1991; Wyn Jones 2005). Salter and Mutlu (Salter and Mutlu 2013) further clarify the critical project by identifying four postures of critical inquiry: recognition of the messiness of social life, polymorphic conceptualization of agency, emergent causality (rather than efficient), and the inherently political nature of research.

Critical posturing also implies broader questioning about academic research, formalism and questioning basic notions. Thus, any critical work touching upon the notion of security should contain criticism of the term. A crucial dimension of such debates touches upon the very nature of security, an “*uncontestably contested concept*”, to paraphrase Baldwin

(Baldwin 1997). If one qualificative were to merit the consensus of all, it may well be this articulated by Arnold Wolfers which deems the concept of security “*dangerously ambiguous*” (Wolfers 1952). Adequately employing such fluid notions is an unequivocal academic and intellectual challenge, but I believe a necessary one for scholars concerned with emancipation and criticality.

A last point concerns definition of academic tradition. While I am arguing that applying CSS concepts on IS subjects is a worthy enterprise for the critical student, I do not seek to circumvent either tradition not to neatly define the tenants of a new “critical intelligence studies” academic discipline. Definitional debates take place everyday in academic institutions regarding the true nature of each “discipline”, or their boundary with one another. Critical approaches suggest shifting the focus on what the very existence of these debates reveals: the political dimensions underpinning the academic enterprise of defining. What does matter is to apply critical inquiry to ever new objects of research, and to develop methods that enable researchers to study these objects, thus producing new insights on under-explored political activities.

The aim of critical research is thus to not “*take institutions and social and power relations for granted, but [call] them into question by being concerned with their origins, and how and whether they might be in the process of changing*” (Cox 1981, 129). Finally, it is useful to bear in mind the double-edged nature of criticality, which rather relates to an “*orientation towards the discipline than a precise theoretical label*”. Criticality thus exists as an applied perspective, where the object of inquiry shapes the forms criticality can take, conceptually and methodologically (Krause and Williams 1997).

In the present work, I suggest taking such new methods from the study of security expertise. This approach, specifically this of “expertise as a network” developed in the next section, provides interesting angles of approach to apprehend intelligence and takes critical posturing into account in the following ways: it integrates the recognition of the messiness/complexity of social life, as well as various sources of agency. Finally, the recognition of the inherently political nature of research – by focusing on the shifts

opposes an illusion of objectivity, whose obscuring of power relations inherent of the socio-political phenomena studied has been the plight of traditional security studies. The next section develops in more details how the notion of expertise as a network can be useful in carrying critical insights in the intelligence realm.

1.3. THE MAKING OF SECURITY EXPERTISE

Experts are figures of authority. While no definitional consensus exists, an expert can be “*someone who possesses a kind of knowledge that others do not [...] [and] at other times it means someone who has obtained a culturally legitimate consecration of his or her knowledge*” (Berling and Bueger 2015, 6). This consecration comes either by acquisition, defined as a voluntarist act of acquiring knowledge, or attribution, whereby expertise is not so much a set of skills as a relation between the expert and his/her audience (Berling and Bueger 2015, 7–8). This relational aspect of expertise is central to the present work. Indeed, by exploring the relation between the expert, the object of expertise and the audience, one can learn more about the broader field of study and reveals political dynamics underpinning it. In other words, understanding what and who accounts as sources of authority tells us much about what objects of security will be defined as priorities; at the same time, it shows us whom is included/excluded from the field over which experts claim authority – in our case, (national) security.

The concept of security as an *object of expertise* merits our attention. As the concept itself is undefined, ambiguous and underpinned by normative ideas (Wolfers 1952), the identification of security experts necessarily takes places in a highly politicized arena, where specific definitions of security will be put forward according to specific processes. While Berling and Bueger only briefly argue that expert identification follows “*social criteria*” (Berling and Bueger 2015), Eyal and Pok, highlight the political nature of attribution processes (Eyal and Pok 2015). Drawing from Eyal’s earlier works on the evolution of expertise within Israeli military intelligence (Eyal 2002, 2006), they highlight that major political shifts due to historical developments had direct consequences on the definition and recruitment of military intelligence experts as well as resources attribution

within the institution (Eyal and Pok 2015, 38). For example, after the “disaster” of the 1973 Yom Kippur War, research analysts were blamed for the important losses, which redirected resource attribution and thus redefined military intelligence expertise towards formalized models of electronic surveillance and SIGINT activities (Eyal and Pok 2015, 38).

Eyal and Pok’s innovative take on security expertise lies on the observation that tools offered by the sociology of professions are too narrow to successfully circumvent security expertise: they argue that such tools are too rigid to properly account for the ambiguity and fluidity that security entails. Instead, sociology of profession’s toolbox should be complemented by “*the analysis of expertise as a network connecting diverse actors, devices, institutions and concepts*” (Eyal and Pok 2015, 37, emphasis added). Likewise, the notion of network must be made operational through an analytical frame that does not stop at merely describing struggles of different groups over jurisdiction, but also “*attend[s] to how a network of expertise is assembled that is able to perform the task of handling “unknowns (...)*” (Eyal and Pok 2015, 37).

Handling “unknowns” is defined here as the core object of intelligence expertise: it is declined in real life across a variety of professions, whose prerogatives, jurisdictions and practices develop over time: clear distinction can develop into close cooperation, overlap or even merging of security institutions. Intelligence professions, embedded as they are in a wider network of security actors that engage episodically or recurrently in intelligence activities, cannot be described as single, clear-cut professions. Rather, they are “*complex entities bringing together multiple professions and occupations, institutional arrangements and devices.*” (Eyal and Pok 2015, 37).

The following table sums up the dimensions of contrast between the sociology of expertise and the sociology of professions:

Table 1. Dimensions of the contrast between the sociology of expertise and the sociology of professions. Emphasis added, borrowed from (Eyal and Pok 2015, 38)

	<i>Sociology of professions</i>	<i>Sociology of expertise</i>
<i>Scope</i>	Limited to professions and would-be professions	Inclusive of all who can make viable claims to expertise
<i>Spatial imagery</i>	Fields, jurisdictions	Spaces between fields
<i>Mode of analysis</i>	Expertise reducible to the experts' interests and worldviews	Experts and expertise distinguished as two different modes of analysis
<i>What is privileged?</i>	Organizational and institutional forms, credentialing, licensing, associations, etc.	What experts actually do. The capacity to perform a task better and faster than others.
<i>What is expertise?</i>	Attribution, a formal quality reducible to the actor's interests.	A network connecting together actors, devices, concepts, institutional and spatial arrangements.
<i>Abstraction</i>	The most distinctive characteristic of professions is their possession of esoteric, abstract, decontextualized knowledge	Abstraction is just shorthand for a chain of practical transcriptions. Different forms of expertise abstract differently, because their chains are different.
<i>Account of power</i>	Monopoly and autonomy	Balance between monopoly, autonomy, generosity and co-production

Expertise as a network implies refuting the traditional sociology of profession assumption that expertise is merely an *attribution*. Whilst this assumption holds for an analysis centered on experts, that is, on individuals, it prevents the focus on expertise as such, defined as “*the sheer capacity to accomplish a task better and faster*” (Eyal and Pok 2015; Stampnitzky 2008, 46). Thus, as the emphasized sections in *Table 1* attest, Eyal and Pok argue for the construction of a sociology of expertise that distinguishes between experts, conceived as individuals, from expertise, conceived as a quality – and thus to be found

under different forms and possessed in varying ways by different actors – forming a network.

Rather than dismissing concepts from sociology of professions, whose boundedness renders limited for certain objects of study, Eyal and Pok deem to complement them by offering a dynamic, network-structured analysis. Where the sociology of professions takes the delimitation of fields and jurisdiction as a given, the suggested “sociology of expertise” attends to activities that occur in undefined spaces of knowledge. Central is the idea that a specific, liminal form of expertise develops in between fields, whose boundary is then best thought of as a “*thick zone of interface and overlap*” that is at the core of sociology of expertise’s attention (Eyal and Pok 2015; Eyal 2006, 41–42).

Against (Bourdieu 1996) and (Medvetz 2012), Eyal and Pok’s conceptualization of interstitiality is not one of temporality – that is, pertaining to a “field-in-the-making” – but one that inherently defines the spaces studied. The characteristics presented in the second table borrowed from Eyal and Pok’s piece provides an array of concepts characterizing this notion of spaces between fields:

Table 2. Characteristics of spaces between fields. Emphasis added, borrowed from (Eyal and Pok 2015, 38)

<i>Characteristics</i>	<i>Description</i>
<i>Permeability</i>	Entry into this space from all other fields is relatively easy, its boundaries are blurred, and it is crisscrossed by networks that extend into other fields.
<i>Under-regulation</i>	The rule about what one can legitimately do/combine are relaxed. Example: terrorism expertise means that academics can study an object that is essentially defined by state activity, while state officials can engage in research that does not have clear policy implications.
<i>High stakes</i>	The prizes to be had in this space are relatively large and heteronomous – government money, media fame.

Weak institutionalization

Despite attempts at field building, there is no clear division of labor or hierarchy of worth. **There are multiple types of expertise, each dependant on a network that stretches in a different direction, and none is able to impose itself as dominant.**

This can be due to three different dynamics:

Stalemate: the struggle between different actors trying their hand at field building is never decided.

Frontier: a permeable and under-regulated space with high stakes is valuable to marginal actors in adjacent fields who can raid it in the hope of bettering their position in their original field. Multiple, successive raids would tend to preserve the status of this space as a lawless frontier.

Strategic ambiguity: weak institutionalization is attractive because the resultant ambiguity is itself productive, encouraging innovation and entrepreneurship in the absence of regulation.

In a characteristic way, indefiniteness defines security expertise. This is what Stampnitzky (2008, 2015) argues in the case of terrorism expertise: any attempts at crystallizing the field inevitably fails.

In this work, I argue that, state-led intelligence constitutes one such kind of undefinable expertise, and thus one such “space in-between fields”. This argument is concurred by Eyal and Pok’s own case study on Israeli military intelligence, which constitutes a span of state-led intelligence. The case of Israel has this specificity that military and civil intelligence activities are embedded perhaps more than in any other country, rendering the distinction between them difficult and analytically irrelevant. If the Swiss case is obviously fairly different, that there is an established kinship between Switzerland’s and

Israel's military culture³, where the centrality of the military institution permeates and dominates national security conceptions (Greenberg 2013) constitutes an anecdotic, but encouraging sign as to the relevance of drawing from Eyal and Pok's analytical framework as the methodological basis of the present work.

1.4. STUDYING EXPERTISE AS A NETWORK: ANALYTICAL FRAMING

To study a network of expertise requires identifying at least some of its constitutive elements. Identifying these elements comes from answering the following interrogation: what arrangements must be in place for a specific task to be accomplished? Eyal and Pok distinguish the following (Eyal and Pok 2015, 47):

- *Tools and devices* used in the performance of the task
- *Contributions* made by other experts, front-line workers, perhaps even lay people
- *Institutional and spatial arrangements* (including regulatory agencies and standards), that foreground certain problems, making them observable and actionable while obscuring others
- *Concepts* that organize the observations and interventions of the experts.

Whilst these elements constitute parts of the network, an analytical structure is necessary to identify them. In this work, I borrow Eyal and Pok's suggested analytical grid of three dimensions of networks of expertise (Eyal and Pok 2015), while drawing on Eyal's assessment that to explore the development of "*a certain form of expertise, with its domain of application, with its objects and modes of observation*", "*the proper analysis is a genealogy*" to introduce a chronological dimension (Eyal 2002, 658).

³ The Israeli compulsory draft was indeed designed after the Swiss model. See (Greenberg 2013)

The genealogy aspect, albeit admittedly here limited in scope, richness of data and talent compared to similar Foucauldian enterprises (see for ex. Foucault 1975), is reflected by the choice of exploring Swiss network of expertise in three subsequent 10-year periods⁴. For each time period, I analyze the network of expertise in Switzerland along the three dimensions proposed by Eyal and Pok (Eyal and Pok 2015): objects, subjects and clients.

Objects are the things about which networks of expertise are anchored. These networks perform certain tasks based upon distinct and explicit objects, and produce statements about them (Eyal and Pok 2015, 47). This category includes the objects on which intelligence activities are focused, that is, objects identified as threats to national security, and the manner in which intelligence collection and activity is done, that is, the mechanisms established to pursue collection and analysis. An object of intelligence expertise can thus be both terrorism, as the network produces statement about the nature of terrorism. The performance of specific tasks by the network, based on a certain understanding of a threat, is also an object of intelligence expertise: this is for example the case of the establishment of a special task force on “jihad travelers” as a reaction to threat assessment.

Subjects of intelligence expertise networks refer to both the actors, individuals and institutions enabled to speak and act authoritatively as experts, as well as the actors not authorized to do so, but still participate in putting together statements and performances. Internal mechanisms to the network determine the power relationship within the networks which enables varying actors to act or speak more or less authoritatively (Eyal and Pok 2015, 49; Latour 1987). This dimension thus focuses both on actors involved in the expertise network (who is involved) and what power relations organize the actors within the network (who is empowered). In this analysis, I will focus on subjects as state

⁴ See p.3 for a detailed justification of the chronological structure.

agencies and institutions, thus leaving aside individuals, which do act as subjects in intelligence networks, but whose addition in the analysis would require a much more thorough and longer research than the one proposed here.

Clients constitute a third dimension on intelligence expertise networks. They refer to the decision-makers - individual and institutional – and the organizations which are *consumers* of intelligence (Eyal and Pok 2015, 51). If clients of intelligence expertise are typically top military and political decision-makers within the country, they also include, as will be shown in the case study, internal elements (with subjects acting as clients) and foreign entities (as part of transnational cooperation networks).

1.5. METHODOLOGY

As now classically highlighted by Amy Zegart (Zegart 2007), a key issue to studying intelligence is limited access to data. Whilst my focus on a broad notion of networks of expertise somewhat diverts the reliance on direct sources issued from the services studied, I fully acknowledge that the pool of sources I used is heterogenous and may be rightfully criticized for its lack of thoroughness. Nonetheless, the exploratory and tentative nature of this thesis (it is to my knowledge the only would-be academic enterprise to date to specifically study the current Swiss intelligence community and provide a historical perspective on its evolution from 1989), as well as the limited timespan in which it was written, may, if not compensate, at least alleviate unrealistic standards of academic rigor.

In this work, I draw on concepts borrowed from practice analysis to perform an analysis of the field of intelligence expertise in Switzerland since 1989. Whilst practice analysis is traditionally centered on the Bourdieusian notion of field (Salter 2013, 87; Bourdieu 1977), the present work seeks to focus not so much on the field as the space between the fields, as explained above with regards to (Eyal and Pok 2015). In the case of intelligence understood as a mean to national security, the independent notion of field is set aside to focus on the particular space between fields where this specific form of intelligence activity is observed. Moreover, my use of practice analysis methods such as participant

observation and interviews is absent due to sheer limitations of time, space and data, I limit myself to a mapping of the expertise networks based on textual accounts across three subsequent time periods. Yet insights drawn from actual practices analysis such as Didier Bigo's *Police en réseaux* are central in shaping my analysis, especially regarding Davidshofer et al.'s argument that Swiss security, including intelligence agencies, are imitating developments found in European security spheres such as the loss of distinction between internal and external security – and intelligence (Davidshofer, Tawfik, and Hagmann 2016; Bigo 2001, 1996).

The discourse analysis approach proposed here focuses on language as practice, or reflecting a practice, mixes classical tools of discourse analysis to produce a rough genealogy of intelligence expertise that sheds light onto the practices, discourses, norms, institutions and relationships that dominate the network over three different decades. My sources are thus heterogenous, but largely draw from four main pools of texts:

Media articles: Swiss media, enjoying recognized and protected freedom of the press (Freedom House; Reporters Without Borders 2017), has extensively covered the multiple affairs that shook various Swiss intelligence services. With a mediatic landscape enriched by the country's multilingualism, I mostly used items from the national Radio-TV broadcast corporation, *RTS*, and the French speaking daily newspaper *Le Temps*. The RTS-run information website *swissinfo.ch* provides translation of Swiss news in English and was episodically also used as a primary source. While a linguistic, or political-leaning comparison of media sources would be interesting, the scope of this work led me to push this dimension aside. Large German-speaking outlets such as *die Neue Zürcher Zeitung* were consulted for episodic checks. Finally, the military's newspaper *die Allgemeine*

Schweizerische Militärzeitschrift was used as a source in French when translated, but mostly in its original German version⁵.

Academic material focusing solely on Switzerland's security landscape have long been scarce, but recent research projects such as this by Davidshofer, Tawfik, and Hagmann (2016, 2017; Hagmann et al. 2016a, 2016b) on mapping the field of Swiss security, as well as this by (Rayner, Thétaz, and Voutat 2016, 2017) on the card index affair are welcome contributions in this regard. Both projects' publications have been central in providing me with academic insight into the evolution of Swiss intelligence, as well as earlier contributions by Jonas Hagmann (Hagmann 2010, 2015; Hagmann and Tresch 2013).

Besides academic articles and books, I draw on *general literature* touching upon intelligence services at different points of time. historical accounts of the card index affair (Kreis 1993), the P-26/P-27 revelations (Matter 2013) general history of Switzerland (Kuntz 2013), Swiss military history (Streit 2012), and for the more recent period, one essay on the Swiss tenants of the jihadist phenomenon by a former intelligence agent (Rouillier and Ruchti 2016).

Finally, official documents constituted a rich pool of textual documents. Swiss federal archives are well organized and easily accessible on the government web platform *admin.ch*, and Parliamentary documents from the *parlament.ch* platform. I specifically used documentation from the Surveillance Commission, tasked with oversight of intelligence services since 2001. For the previous period, documents from the extraordinary Parliamentary Investigation Commissions were particularly useful.

⁵ See p.23 for a detailed note on Swiss language and my linguistic adaptations for this work.

Throughout the covered chronology, legislation and messages from the Federal Council were also rich sources of material.

At the now long-gone time of this thesis' inception, I intended to conduct an analysis of intelligence *experts*, involving a number of semi-structured interviews with various actors of intelligence services. If the civil intelligence agency SRC politely declined my requests, before I shifted my focus on an analysis of *expertise* I had secured two meetings with officials from the military intelligence branch, on condition of anonymity. Those meetings were eventually conducted in all informality, but were nonetheless anecdotal sources that may have oriented my analysis. I did my best to highlight the segments which I could identify were influenced by these conversations.

NOTE ON LANGUAGES

To study a multilingual country in yet another language can be confusing. Yet the added value of using material in several languages is obvious: my command of French (mother tongue), German and English was instrumental in this work, as I could access a larger pool of documents which in turn better reflect a core feature of my case study. Swiss official documents are usually translated in all three official languages: German, French and Italian. Whenever it was possible, I consulted the French (my mother tongue) versions for simplicity and gain of time.

Acronyms differ in all three languages, and are usually translated into English under yet another form in official documents – but not all documents are translated into English. For the sake of simplicity and to avoid confusing both readers and myself, I largely ignored this rule and used French acronyms. A list of abbreviations is available on in the beginning of this work. Similarly, I keep references in their original language. Thus, when referring to a report written by the CEP, I will refer it using the language in which I consulted the text, as follows: (Commission d'enquête parlementaire 1989).

I used historical, scholarly and mediatic material written in German, French or English. Every translation between German, French and English was done by myself, and while I can assure having demonstrated caution to respect the spirit of the texts, I obviously bear full responsibility for any translation hazards.

2. DELEGITIMATION: 1989-2000

In a country where emotions and political crises are highly unusual occurrences, the outrage of the card index affair⁶ marked a transformational moment of Switzerland's contemporary political history. Still today, it is probably the political crisis most referred to in public and official discourse. Taking place in 1989 in the volatile environment of the Cold War's ineluctable demise, the affair indisputably constitutes the most important turning point of Swiss intelligence and internal security. Reforms that emerged from the affair have shaped the services until today. Because its origins, developments and consequences have been only sparsely studied, let alone broadly discussed, it is crucial to first present the facts, and the politico-historical context within which they took place.

2.1. HISTORICAL DEVELOPMENTS: A SWISS-MADE HOUSE OF CARDS

The card index emerged out of a seemingly unrelated affair: the 1989 investigation on Federal Councilor Elisabeth Kopp's exceptional retirement. Kopp, who was then Head of the Federal Department of Justice and Police (FDJP) and a member of the Swiss Radical Party, was accused on passing confidential information to her husband about a money laundering case involving a society he was connected to. The attorney general, Kopp's hierarchical subordinate, was responsible of organized crime investigations, which money laundering cases came under. In the case at stake, the international retailing enterprise *Shakarchi Trading Inc.* was under the radar. Kopp's husband, Swiss businessman Hans Kopp, happened to be at the time *Shakarchi's* vice-president. Upon discovering her husband's possible involvement, Federal Councilor Kopp called him to ask him to resign

⁶ I use the term "card index" alongside Mangold (Mangold 2015). The German ("*Fichenaffäre*") and French ("*affaire des fiches*") terms were the most used. Similarly, I prefer the use of the term "affair" instead of the more popular, but potentially misleading "scandal". Rayner, Thétaz, and Voutat 2016) convincingly discuss the normative uses of the term "scandal" in Rayner, Thétaz, and Voutat 2016.

from his position, which Hans Kopp did within a week of the phone call. Suspicions of tip-off ensued, and upon growing public pressure, Kopp finally confessed her wrongdoings. On January 12, 1989, she resigned from the Swiss Federal Council. Elisabeth Kopp had been the first female Federal Councilor, and a large part of her supporters saw her dismissal as the fruit of an anti-female policy among Switzerland's highest circles. Due to her exceptional role in Swiss politics, the Kopp case was particularly popular and widely discussed.

A Federal Councilor's resignation constitutes a highly unusual and unsettling event in Swiss politics; leading Kopp's coalition partners to show a strong reaction (Rayner, Thétaz, and Voutat 2016, 7). These so-called "bourgeois" parties finally agreed to the creation of a fact-finding commission to investigate on Kopp's resignation demanded by the left. The *Commission d'Enquête Parlementaire* (CEP – Parliamentary Investigation Commission), headed by socialist Moritz Leuenberger was to examine not only the Kopp affair, but also the general workings of the FDJP and of the Attorney General office. It came to be known under the label of "CEP-FDJP". Only one such commission had ever been established before in the Swiss' Parliament's history, testifying to the extraordinariness of the situation.

On November 22, 1989 the CEP-FDJP published its investigation report. One chapter concerned an index managed by the Federal Police (subordinated to the Attorney General's office within the FDJP) constituted of about 900'000 cards. The cards contained information on individuals and organizations, about two thirds of which concerned foreign entities. What was remarkable, along the sheer size of the index, was its clear political bias. The report indeed mentioned that political groups of leftist orientation, such as ecologist, pacifist, feminist, antimilitary and antinuclear groups were systematically indexed. Some indexations neared the absurd, with for example a young man's listing based on his one-time attendance of a conference on Emmanuel Kant's critical thinking

(Kreis 1993, 66). Journalists, parliamentarians or member of initiative committees⁷ of similar political inclinations were equally registered.

As Rayner et al. (Rayner, Thétaz, and Voutat 2016) show, the ensuing uproar took place gradually. On December 1st, 1989, about fifty parliamentarians addressed the same question to Arnold Koller, then head of the Federal Police: is there a card for me in the index? Can I consult it? Koller finally granted (limited) access to the cards, upon registration. Mobilization kept on growing, and an unusually large demonstration in Berne on March 3, 1990 gathered about 35'000 people and was followed by riots. The number of individuals asking to consult their cards kept on growing: at the deadline defined by the authorities on March 31, 1990, 350'000 consultations requests had been submitted.

Yet political authorities eventually managed the uproar and no grand consequence emerged from the affair at the political level. But the intelligence establishment was to be drastically redefined by its shock waves. Several maneuvers contributed to this end, including a new draft law on data protection and the establishment of yet another investigation commission, this time to investigate the workings of the Federal Military Department⁸, which supervised the index, had access to it and contributed to it. But recommendations contained in the CEP's 300 pages long report, published in November 1990, were to define the evolution Swiss intelligence over the next decade.

At the Cold War's offset, Swiss intelligence was formally constituted of two branches: the *Groupe Renseignement* (GRens, Intelligence Group) attended to both military and external intelligence within the Military Federal Department. Internal intelligence was

⁷ The popular initiative is a core component of Switzerland's direct democracy system. It refers to the possibility for citizens to suggest a modification of the Constitution, which will be voted upon by the people. For a popular initiative to be valid, 100'000 signatures must be gathered within an 18-month timespan. It is thus a powerful political tool.

⁸ ancestor of today's Federal Department of Defense, Population Protection and Sports – DDPS).

formally the prerogative of a federal police's small service, under the jurisdiction of the Attorney General and the FDJP.

The findings of the second CEP (CEP-FMD) put the spotlight on what was to become another source of outrage, and which this time concerned the external intelligence services. The P-26 project was the creation, training and maintenance of a secret Swiss-based resistance network, tasked with engaging in resistance activities in case of an occupation of Switzerland's territory. Alongside it, an extraordinary intelligence service labeled P-27, was tasked with acquiring information that the ordinary intelligence service, the Security and Intelligence Group (SIG) could not obtain. As the archives concerning the P-26 and P-27 projects are sealed until 2040, and considering the high emotional implications of such "scandals", it is not possible here to assess whether the P-26 and P-27 were desirable, efficient, or sufficiently legally based, which were the core points around which public debates revolved. What is relevant for the present project, however, is the impact these revelations had on the monopoly on intelligence activities enjoyed until then by the military. Particularly shocking for public opinion was the idea that the P-26 and P-27 effectively operated outside of federal hierarchical structures, substracting them from accountability and checks-and-balances mechanisms. If insiders unsurprisingly contest this interpretation (Matter 2013), the rhetoric used to discuss the revelations such as "secret army", "a State in the State", "private militia" became commonplace (Zumstein 1991) and played an equally instrumental role than the card index affair in influencing the subsequent reforms of the intelligence services designed by the Parliament.

By 1992 political authorities had successfully managed popular uproar about both the card index and the P-26/P-27 affairs. A new Privacy Act was passed, largely based on an older draft law but which benefited from current circumstances for its approval in 1992. Following the CEP's report on the Federal Military Department, the P-26 structure was dismantled, its members dismissed and the P-27 was integrated to the ordinary military intelligence service, the GRens. It took however about a decade for the new reforms to

be put in place by political authorities (Commission de la politique de sécurité du Conseil National 2005):

- A Federal Council Delegation for Security was established. It gathered the Heads of the Department of Defense (DDPS⁹), Foreign Affairs (FDFA), and Justice and Police (FDJP).
- An operational body for the Federal Council's delegation for security was established ("*Organe de direction pour la sécurité*")
- The role of Special Coordinator for Intelligence is created. Its first incumbent was a former diplomat, M. Jacques Pitteloud.
- The GRens is divided into a civil branch, the *Service de Renseignement Stratégique* (SRS - Strategic Intelligence Service) and two military branches: the *Service de Renseignement Militaire* (SRM – Military Intelligence Service) and the *Service de Renseignement des Forces Aériennes* (SRFA – Air Force Intelligence Service). The SRS stays within the Military Department, and legally based under military law.
- The Attorney General's office, responsible for the political police and thus directly for the indexing, is reorganized. The Federal Office of Police (fedpol) is created, with judiciary prerogatives. The *Service d'Analyse et de Prévention* (SAP – Prevention and Analysis Service) is created, with internal intelligence prerogatives.
- A Parliamentary surveillance body, comprising three members of each chambers, is established: the *Délégation des Commissions de Gestion* (DelCdG, Delegation

⁹ The Department's denomination evolved over the timeframe studied. Until 1998, it was called the Military Federal Department (MFD). Since 1998, it is called the Federal Department of Defense, Protection of the Population and Sports (DDPS).

of the Management Commissions). It has extended powers of surveillance over the activities of intelligence services, and is under an secrecy oath.

Table 3. Intelligence services transformation, 1989-2000

	<i>Internal intelligence</i>	<i>External intelligence</i>
<i>Pre-1989</i>	Political federal police (Attorney General's Office, FDJP)	GRens (Army General Staff, FMD)
<i>2000¹⁰</i>	SAP (Attorney General's Office, FDJP)	SRS (Head of FMD)
	fedpol (Federal Office of Police, FDJP)	SRM (Army General Staff, FMD)
		SRFA (Army General Staff, FMD)
	COORDINATION Special Coordinator on Intelligence	
	OVERSIGHT DeICDG	
	POLITICAL CONDUCT Federal Council's Security Delegation	

The end of the Cold War had, as in other countries, a drastic impact on Switzerland's security establishment. The aftermath of World War II and the tensions of the Cold War had effectively given a monopoly on security issues to the Federal Military Department. Due to the geopolitical context and fears of its consequences on Switzerland (namely territorial invasion and clashes between the two blocs), other political stakeholders did not contest this monopoly: the military's expertise was demanded. The demise of the USSR put forward a geopolitical situation characterized by uncertainty. In Switzerland,

¹⁰ The reforms more accurately entered into force and in practice fully on January 1st, 2001.

this uncertainty was reinforced by internal politics: a national vote on a popular initiative demanding the abolition of the armed forces took place on November 26, 1989. This was two weeks after the fall of the Berlin Wall and two days after publication of the PIC report mentioning the existence of the card index. If the card index affair was still in its infancy, the initiative was refused by “only” 65% of voters. To the surprise of all, at the offset of the Cold War, 35% of Swiss citizens demanded the abolition pure and simple of the armed forces. The challenge to the defence establishment was huge (Hagmann 2010, 252).

This blurred out situation created the perfect environment for trials of expertise attribution to take place. The networks of security expertise, and intelligence expertise specifically, were drastically remodeled through processes of strategic repositioning by both the “old” experts and the would-be ones over the 1989-2000 decade (Hagmann 2010, 254). The following sections will develop how such processes occurred in terms of clients, subjects and objects of expertise. I argue that developments took place along two dimensions: on the one hand, critics pointed out how badly intelligence was “done”. On the other hand, they pointed out that intelligence practices took place outside of oversight structures and called for a redressing of the situation (Mangold 2015, 131–132). Trials of attribution were to take place along these two dimensions, with the somewhat paradoxical result that intelligence capabilities were strengthened, while oversight was still deficient.

The following section suggests an analysis of the variation of expertise over this timespan, by interpreting official documents, historical accounts and media archives along three dimensions: objects of expertise, subjects of expertise, clients of expertise.

2.2. CLIENTS

With the end of the Cold War came the end of a certain form of Swiss exceptionalism. Based upon a particularly independent security strategy and underpinned by a largely idealized idea of neutrality (Hagmann 2010, 255; Mirow 2012, 349), this exceptionalism was widespread and took sources in the Swiss experience of World War II, where the relative unscathed state of the country at the end of the war was largely attributed to this strict interpretation of neutrality, anchored on the backbone of the civilian army (Mirow

2012, 348). During the Cold War, security discussions were focused on largely technical military issues, and thus restricted to a small community of high-ranking military officers within the Federal Military Department (Hagmann 2010, 251). Internal security matters fell under the jurisdiction of the Federal police, a body subordinated to the Attorney General office, which had both judiciary and internal intelligence mandates, for example counter-espionage. Thus, tenants of a traditionalist security strategy were the traditional security actors of the Cold War era, at the FMD and within the Federal Police. With the combined impact of the card index and the P-26/P-27 affairs, these two group of actors' legitimacies was put at risk. Because the field of intelligence gathered the qualities identified by Eyal and Pok such as permeability, under-regulation and weak institutionalization (as such qualities were precisely what was being denounced in public and political discourse), the "space between the fields" constituted a space of opportunity which attracted new actors to compete for authority (Eyal and Pok 2015, 44).

Through the affair, new actors recently integrated in policymaking circles, such as members of the Social Democratic Party (in Parliament since 1975) took the opportunity to challenge the monopoly on security issues enjoyed by the FMD and the Federal police. A small group of young socialist parliamentarians (Rayner, Thétaz, and Voutat 2017, 5). The distrust between the two camps was reflected in the card index, where many Social Democratic parliamentarians and party members were indexed for their sole belonging to the party. While they did not contest the relevance of traditional security stakeholders altogether, these actors operated to revitalize their party and its place in Federal politics. It is not certain whether the socialist party members involved in strategic actions towards the card index affair genuinely wanted to challenge authority over security issues, or if such questions were merely a context-relevant opportunity to assert more general authority in national politics. What matters for the present analysis are the consequences that this competition had over authority in security matters: such consequences are visible through the legal, institutional and technological outcomes of the card index affair.

This was reflected in the strong data protection act adopted in 1992, which notably prevented intelligence services to operate telephone surveillance on Swiss territory. That

such a restrictive law was passed in that time shows that new clients of intelligence expertise had successfully managed to impose their say.

Circumstances, both at the national and international level helped empower new actors to redefine their positionality with regards to defining intelligence practices. This is not a process whereby new preference appeared, but that external circumstances were more favorable to vocalizing interests and gaining support thereupon. Indeed Rayner et al. show that leftist parliamentarians were aware of the surveillance practices, including these targeting themselves, but because the power balance was formerly unfavorable to them, they did not take action against the surveillance earlier (Rayner, Thétaz, and Voutat 2016, 14). The president of the FDJP investigative commission, socialist Moritz Leuenberger, had indeed already presided a parliamentary commission (the surveillance commission) which uncovered the existence of a number of card indexes in 1988. Yet Leuenberger, aware of unfavorable power balance within Parliament, declared it “*not politically opportune*” to pursue the investigation (Kreis 1993, 624).

While traditional clients of intelligence expertise were being shunned away by drastically new circumstances, new objects of such expertise appeared at the foreground. Yet the processes affecting clients did not reproduce in a parallel manner in terms of objects, as the following section will cover.

2.3. OBJECTS

As new clients of intelligence expertise were struggling to establish new dynamics of accountability and oversight from within political circles, the 1989-2000 decade was the stage of major redefinitions, reinterpretations and apparition of new objects of intelligence expertise. Objects are hereby defined as states, things or persons mobilized or formatted in certain ways by networks of expertise in the form of statements or performances (Eyal and Pok 2015). I will here examine three such objects: security, neutrality and efficiency. I argue that these three objects suffice to highlight the main dynamics of the covered timeframe, yet by no means should they be considered as an exhaustive list.

During the Cold War, Swiss national security was defined in very specific terms, focused on military and isolationist conceptions due to the quasi monopoly of military elites on security affairs discussions (Spillmann, Wenger, and Breitenmoser 2001, 43). Intelligence, as a mean to national security, consisted in the monitoring and surveillance of activities which could endanger the national security consensus. This consensus was anchored around the idea of neutrality, and in this view the army was the desirable tool to defend an ideologized view of neutrality. The emergence of challengers to these established positions in the 1970s was instrumental to these challengers' inclusion in the traditional "image of threat", as well as their surveillance by the Federal police. Such groups, which started to challenge the framework of autonomous military defence, included peace activists, ecologists, and members of the Social Democratic Party, which had been accepted into the grand coalition government in 1975 (Hagmann 2010, 252). New definitions of security such as articulated in the 1990 doctrine which included HIV, drug-related organized crime and natural disasters as security challenges ensued from the emergence of these actors. Those emerging conceptions of security were continually challenged by traditional actors and the population which largely stood behind the latter, as the result of two popular initiative were rejected by over 60% of the Swiss population in 1984 and 1987, one demanding the creation of a civil service alongside military service and the other the right to public referendum in matters of defence spending (Mirow 2012, 349). Yet the post-1989 combination of geopolitical change and internal uncertainty played a determining role in expanding definitions of national security beyond traditional, military-centered conceptions (Hagmann 2010, 252).

In a parallel manner, neutrality also became to be redefined during this decade. In terms of intelligence activities, neutrality mattered immensely, if only as a constraint-imposing norm for intelligence liaison. The end of the Cold War and new security doctrines had direct and drastic impacts on official understandings of Swiss neutrality first and foremost by shifting its geopolitical position from "the margins of international conflict to its centre-stage" by confronting the country with a whole new array of security challenges. Organized crime was perhaps the most influential of such challenges in the 1990s. Illegal

assets from Italian, Columbian and newly arrived Russian mafias flowed into the country, and numerous gangster arrests on Swiss territory highlighted the security interests posed by organized crime (Wylie 2006, 797). Traditional means of intelligence collection, if articulated on the ideologized idea of neutrality that prevailed during the Cold War, were simply not up to the task of apprehending new security challenges. Although the temptation for security elites to bypass limitations imposed by neutrality was constant and did exist in the shape of “extraordinary” practices such as the P-27, such obscure processes were out of the question the moment they were revealed to the public. (Wylie 2006, 802). New security challenges and new geopolitical trends forced a reconceptualization of neutrality, one that was for the first time supported by the population at the dawn of the 1990s. In terms of intelligence, new challenges called for a new form of expertise, which came to be articulated in terms of efficacy.

The outrage on the card index affair was twofold. Its first dimension was the most vocalized, and is remembered most vividly today: the undemocratic nature of the surveillance was a betrayal from the state. But a second aspect complemented it in commenting the aftermath of the revelations: not only was the surveillance undemocratic, it was also humiliatingly badly done. Historian of technology Hannes Mangold: “(...) *it seemed both inefficient to observe such a large number of citizens and unprofessional to work without any regulatory framework. Besides criticizing the lack of surveillance regulations, the mere mediality of the intelligence archive was a central feature of the criticism. The card index was a piece of office technology that the federal police had introduced in the first half of the twentieth century.* (Mangold 2015, 134). Thus, the question of expertise, most often expressed in terms of professionalism, was central to discussions of the affair. The findings of the 1989 PIC report concur: not only was it problematic that useless information was indexed, but possibilities of searching through the archive were primary. The commission itself suggested the establishment of an electronic data processing system in lieu of the old archive (Commission d’enquête parlementaire 1989, 1593; Mangold 2015). The cards were made of paper, and indexed by alphabetical order, making only unidimensional research possible: the 1989 index still

had the same structure and possibilities at when it was established by the Federal police in...1935.

Because it came to be defined in new terms, efficacy was mobilized as an object of expertise to ensure the allocation of more resources for intelligence services. Somewhat paradoxically what emerged out of a scandal born out of invasive surveillance procedures was an even more performant system of surveillance. Strikingly, such an electronic data processing system had been abandoned in the 1980s for privacy concerns. Technological backing and performance, in the post-1989 context, became the way for intelligence practitioners to remain relevant. A provisional EDP system called “ISIS” was put in place in 1994. While ISIS allowed the federal police to perform quicker searches through several relational databases and thus offered clear advantages, full deletion of data was problematic (Mangold 2015, 136–137). We will see in the next section how the quick shift to EDP came at the expense of thorough examination of the chosen system. Nonetheless, the shift to computer-based system and thus the creation of a new form of “technological” intelligence expertise constitutes a pivotal moment in the redefinition of objects of intelligence expertise in the 1989-1999 decade. If what was to be the object of intelligence expertise was openly discussed, the redefinition of who were the intelligence experts, amid a scandal where lack of professionalism was at the core, was a trickier one as the following section will describe.

2.4. SUBJECTS

Makers of intelligence expertise were little affected by the aftermath of the scandal, which focused on redefining legal bases and oversight procedures. Tellingly, almost no heads fell: only then head of the federal police, Peter Huber, was dismissed. Huber was however reinstated as director of the Office for Foreigners, within the Department of Justice and Police. Arnold Koller, head of the FDJP, remained at his position, as well as the head of the FMD.

The reforms introduced by the card index did reallocate resources and introduced new oversight procedures, (see p.20), but did not challenge who was in charge of making

intelligence. The interior service, renamed Analysis and Prevention Service (APS), was integrated into the FDJP, while the military intelligence service, relabeled Strategic Intelligence Service, was integrated into the DDPS (the former FMD).

The introduction of the EDP ISIS system did involve the recruitment of new intelligence practitioners who were technology specialists: it is difficult to obtain precise information regarding the recruitment of such experts, but their apparition in the field of Swiss security is testified by the findings of Davidshofer et al. (Davidshofer, Tawfik, and Hagmann 2016).

Nonetheless the main development observable through this frame of analysis is this of remarkable continuity, with the same actors, albeit under different institutional structures, remain in place. A parliamentary commission investigating in 1994 on the contacts between a head of the SIS and controversial elements from within the South African regime notes that the *“organisation, culture and mode of management of the GRens [former name of SIS] remain marked by their military origin and their subordination to the General Staff. The current regime gives a preponderant importance to military rank with regard to the organisation of the service and its promotions (...) from this situation results a cultural fracture between the direction, the military hierarchy, and the low-level staff”* (Délégation des Commissions de gestion 1999).

2.5. CONCLUSION

The card index affair marks by many regards a turning point in Swiss security politics: it crystallized previously weak forms of dissent into a legitimate, organized opposition anchored around the Socialist party. It shed light on illiberal practices by the security establishment, at the federal and cantonal level, as well as on the sheer lack of professionalism demonstrated by the intelligence services. It contributed to re-establish parliamentary oversight over formerly opaque services.

Yet to focus on the rupture aspects, one might overlook the many continuities that endured throughout the 1989-2000 decades. First of all, the basic structure of intelligence gathering was conserved: the federal police surveillance competencies were transferred

to the internal intelligence service SAP: federal police staff was transferred in the process. Exterior services were established out of the GRens, the military intelligence service (while the military retained a dedicated military intelligence service): the military ethos of the SIS was still assessed in 1999 by the parliamentary commission (Délégation des Commissions de gestion 1999).

Another continuity concerns the lack of professionalism displayed by the intelligence services. In 1999, an accountant for the PAS, Dino Bellasi, managed to divert about 8 million of Swiss francs by drafting fake checks for the service (Ceppi 1999). The case will provoke the early retirement of the PAS's head Colonel Peter Regli. It was later revealed that Regli himself was involved in suspicious dealings with the South African apartheid regime during his years at the head of the service (de Graffenried 2001).

As will be covered in the next chapters, this reputation of the Swiss intelligence services as affair-ridden institutions will develop with remarkable continuity despite the addition, modification and improvement of reforms and oversight procedures.

Intelligence services are an inherent and valuable part of government institutions: political elites will defend the services as long as they are still valuable to them. From the card index affair, we see that despite an unprecedented amount of public outrage, neither the practice of indexing nor the lack of professionalism displayed prevented the services from being valuable to political elites. The affair was thus re-sectorized within government institutions in a process of judicialization and modernization. The political component of the outrage was successfully suffocated in the management of the crisis, as will attest the result of the 1998 vote¹¹. This suffocation occurred partially by diverting the attention on

¹¹ The popular initiative "Against a snooping state", launched at the height of the scandal in 1990, was only voted in 1998. The population massively rejected it by 75%.

the judicialization process and the establishment of oversight procedures. That the legalization took almost ten years to be achieved, and that coordination was hazardous under the new structure was conveniently obliterated from public debate (Commission de la politique de sécurité du Conseil National 2005). Co-optation was another successful mechanism of managing dissent: an illustrative case is this of Jacques Pilet, then redactor-in-chief of the largest francophone weekly magazine *l'Hebdo*. *L'Hebdo* was among the most vocal outlets denouncing the intrusive surveillance practices: Pilet himself had a card due to his progressive editorial line. He was later included in a consultative parliamentary commission tasked with discussing the Protection of the State at the FDJP, as well as in a study commission tasked with consultation on strategic matters constituted by the FMD (Chenaux 1997, 70).

The 1989-2000 decade saw the impulse engaging the drastic reforms of Swiss intelligence in the geopolitical context of the end of the Cold War. In a way, the paradoxical nature of the card index affair shaped the paradox which structured the reformed services. On the one hand, they had lesser means of surveillance, and on the other hand, their material resources got expanded. Mangold adequately sums up the situation of the services at the end of the 1990s: *Paradoxically, at the same time the criticisms of the card index stated, on the one hand, that the intelligence information system threatened the protection of privacy and, on the other hand, that it did not threaten anything at all, particularly not the public enemies. Either way, the card index affair created an extensive consensus upon the complete failure of the intelligence information system. After 1990 it became evident that the role of Swiss intelligence had to be redefined politically, socially, and technologically*" (Mangold 2015, 134). The following decade starts with this politically, socially and technologically redefined form of Swiss intelligence.

3. DIVERSIFICATION: 2000-2010

The decade following the tumultuous geopolitical changes of the 90s could have been one of stabilization of new security concepts and, in Switzerland, one in which intelligence services gradually grew in efficiency and professionalism after the institutional reshufflings and the new legal bases drawn after the card index and Bellasi affairs. Yet two developments came rupturing this needed solidification period: the European construction, and 9/11. Switzerland endured the first from its peculiar perspective of neutrality, yet realizing the dangers of isolation and pushing for cooperation. The latter sent a shock on all intelligence agencies worldwide. Not only 9/11 most dramatically illustrated the new transnational, non-state nature of threat, but it also highlighted the concerning needs for cooperation between various actors involved in intelligence (even if not directly intelligence services themselves).

The new institutional form for Swiss intelligence services entered into force on January 1st, 2001. A year earlier, the new institutional bodies to improve coordination (as described on Table 3, p.29) had themselves started working. In 1999, a new security doctrine was adopted by the Federal Council: for the first time, military conflict is not the a priori focus underpinning the text. According to Hagmann, a new mobilization of security issues, rendered possible by their “new” transnational nature, helped stabilize two concurring debates in Switzerland: on foreign policy and on security policy (Hagmann 2010, 260). In both realms, previously dominant paradigms had been shattered at the end of the Cold War, and building a new consensus proved challenging in an era of rapid changes. Nonetheless, a combination of reconceptualization of neutrality and a recognized new nature of threat emerged to provide new security paradigms through transnationalism.

The new purpose of post-Cold War intelligence services was made obvious to the eyes of all on 9/11. Some services had already adapted their organisation, institutional form and capacities to tackle the new threats. But in Switzerland, where democratic specificities make change extremely slow, 9/11 occurred just as intelligence services

adopted their new setting and oversight procedures, an initiative which started a decade earlier.

Transnationalism is the key word to read the evolution of intelligence services during the 2000-2010 decade. It brought new clients, new objects of intelligence expertise, and, perhaps most strikingly, empowered new subjects with no prior relevance to intelligence works. The following section will cover how the notion of transnationalism helped redefine new objects of intelligence expertise.

3.1. OBJECTS: COOPERATION, COUNTERTERRORISM, AND MIGRATION MANAGEMENT

Realizations that post-Cold War threats were to be of a new nature appeared not after, but with the demise of the Soviet Union. Indeed, the spaces of lawlessness and instability allowed for the blossoming of organized crime networks just as new systems of governance were not yet functional. These changes were the push factor for the expansion of two distinct (yet aligned) security architecture mechanisms in Europe during the 90s: NATO and the EU. Yet this expansion had for first direct impact primarily a geographical relocation of threats: while risks of conventional warfare at the heart of Europe virtually disappeared, instability remained, and thrived at Europe's periphery. If such threats had transnational ramifications, their origin at the borders of those security communities - most strikingly, conflicts in the Balkans and organized crime activities in former Soviet states - made them of primary importance for the European space as a whole (Möckli 2011, 294).

If Switzerland could have considered itself protected by massive buffer zones between itself and the areas of instability, this was not the case anymore in the 90s and the 2000s. Despite an unprecedented degree of regional stability, Switzerland finds itself in an odd position with regards to evolving security architectures and threats: it faces the same transnational, asymmetrical threats but its tradition of neutrality prevents it from full alignment with its regional partners. This potentially dangerous peculiarity was anticipated by policy makers already in the 90s the Report 93' on foreign policy. Report 93 went

perhaps further than any document with regards to considering a drastic reconceptualization of Swiss neutrality – even its simple demise as a foreign policy guiding principle. It made the case for Swiss membership in the United Nations, the European Union, for security consultations with NATO, and stressed the need for Swiss participation in international peace-keeping and crisis management efforts. The spirit of Report 93' is reiterated in the Security Policy report of 2000, whose title "Security Through Cooperation" underlined that "the previous focus on autonomous defence was no longer commensurate with the evolving threat environment" (Möckli 2011, 295).

If Swiss foreign policy ended up taking a path of much more cautious alignment than suggested by the 93' and 2000' reports, security cooperation undoubtedly came to be a new, prime object of intelligence expertise after 9/11. The Federal Council, in its 2002 report following the 9/11 attacks, reiterates this point numerous times. Specifically, increased cooperation concerns not only Swiss authorities cooperation with foreign countries, but also cooperation between intelligence services in Switzerland (Conseil Fédéral 2002). Tellingly, the report states in its opening part: *"It is not necessary to proceed with a deep adaptation of the spectrum of presumed threats evoked in the 2000 Report on Security policy. What changed is the realization that our modern technology society is vulnerable, appreciation of the necessary time of preparation and the taking into account of cooperation, between international authorities and between a single country's authorities"* (Conseil Fédéral 2002, 1675). If the choice of words "taking cooperation into account" may reflect a previously somewhat naïve understanding of Switzerland's security priorities, this passage reflects the core impact of 9/11 on intelligence activities in Switzerland. On the three "changes" listed in the report – vulnerability of our technological society, understanding that preparation times for attack may vary and taking cooperation into account, it is the most operational principle for intelligence services. To aim for more cooperation is in itself a noticeable shift, all the more so in the Swiss case, and enough to make it a new object of intelligence expertise in the 9/11 decade. Yet cooperation can only be brought forward as a priority because it constitutes an answer to a tangible threat – terrorism – and which can only be rendered

practical via management of a particular issue – migration. This conceptualization of cooperation's necessity and practicality will have a drastic impact on the evolution of intelligence activities in Switzerland, and in themselves constitute new objects of intelligence expertise.

While terrorism was a topic of intelligence activities well before 9/11, it tended to be considered as a minor branch of such activities. If 9/11 shook this state of affairs, it took well over a decade for counter-terrorism to be established as a central domain of intelligence activities (Rouillier and Ruchti 2016, 191). In the immediate aftermath of 9/11, the inadaptation of intelligence structures to dedicate massive resources and training necessary for the investigation was solved via a new doctrine: counter-insurgency. This new (American) doctrine completely shook the usual practices of counter-terrorist units, as it merged analysis, investigation and operations, shortening the intelligence cycle to sometimes a few hours (Rouillier and Ruchti 2016, 191). Cooperation is crucial in this new, “gloves off” approach¹², as jihadist networks are transnational, and every bit of information can be crucial. This new approach to information sharing is best exemplified by the search for Abu Musab az-Zarqawi, a high-ranked Jordanian jihadist. The dismantling of az-Zarqawi's networks gave out an unprecedented amount of data from Iraq, which the US armed forces shared almost instantaneously with European security services through Interpol canals (Rouillier and Ruchti 2016, 24).

The search and dismantling of az-Zarqawi's networks was the first Swiss experience in dealing with post 9/11 jihadist networks, as a fighter from an elite brigade under Zarqawi's leadership was a Swiss citizen from the city of Biel. Under the *kunya* of Abu Saad al-

¹² Cf. (“Statement of Cofer Black: Joint Investigation Into September 11: September 26, 2002” 2002)

Tunsi¹³, this 20-year old man had joined jihadist networks in Iraq. He got killed in a US assault in April 2006, south of Baghdad. The involvement of Al-Tunsi was noteworthy for Switzerland not only in that it, as underlined above, was a first experience of investigating a Swiss citizen involved with jihadist networks, but more importantly: “*The intelligence and the knowledge accumulated during that investigation allow them [Swiss intelligence services] to join the closed club of counterterrorism police services in position to give out exclusive information. From then on, Switzerland is not only a demander of information, it is also able to provide it! The Al-Tunsi case enabled Switzerland to deal with its European partners on an equal footing*” (Rouillier and Ruchti 2016, 39). But expertise on individual fighters was not to be the core of counter-terrorism as a new object of intelligence expertise in Switzerland, despite a (relatively low) number of cases directly involving Swiss citizens in jihadist networks (Vidino 2013, 1). The management of the terrorist threat will give develop another object of intelligence expertise, whose emergence stayed well below the radar of the media, the population: it is this of migration/border management.

Davidshofer, Tawfik, and Hagmann (2016) shed light on the evolution of Swiss security agencies since the end of the Cold War, highlighting specific patterns defining the field of Swiss security. They argue that security agencies evolved in a fashion distinct from the “high-profile” post Cold-War foreign policy debate in Switzerland, which opposes isolationists to internationalists and grants each camp victories and defeats in a pendular manner. Security agencies evolved with more linear patterns: one such agency to (re)emerge at the beginning of the 2000s, and which continued to evolve receiving ever more prerogatives and diversifying its activities is the Border Guards Corps (BGC) (Davidshofer, Tawfik, and Hagmann 2016, 65).

¹³ A *kunya* is an Arabic nickname sometimes used as a *nom de guerre*. Al-Tunsi’s real name is not public.

The emergence of border management as a new object of intelligence expertise comes is a direct consequence of the geographical shift of threats at the end of the Cold War and the consequences this had for Switzerland. The new cross-border threats are being tackled by the emerging EU community since the end of the East-West conflict, yet Switzerland, isolated from such endeavours, fears to become an “island of insecurity at the heart of Europe”. Formal rapprochement with Europe is not an option for the Swiss – adhesion to the European Economic Area (EEA) is rejected in a landmark referendum in 1992 – but a rapprochement articulated on free movement of goods and people, as well as security reasons, will be operated around Swiss participation in the Schengen space.

If support for Schengen may seem paradoxical, considering the opposition to other European construction mechanisms, it is coherent for internal security actors such as police corps, border guards and intelligence services to jump on the Schengen wagon. Indeed, remaining out of the developments would very concretely mean be cut off from networks and information systems (SIS, TREVI) that develop to tackle the very threats which worry Swiss security agencies: organized crime and illegal migration. From 2008 onwards, border management “*presents itself as the privileged place of birth for an internal security with a strong international component*” (Davidshofer, Tawfik, and Hagmann 2016, 86).

Cooperation, counter-terrorism and border management, as new objects of intelligence expertise, called upon a diversification of the agencies/services tasked with analyzing these new objects: the 2000-2010 decade marked thus the emergence of new intelligence actors, which I will discuss in the next section.

3.2. SUBJECTS

Davidshofer, Tawfik, and Hagmann (2016), in their analysis of the field of security in Switzerland, observe a form of hypertrophy of internal security. This process is characterized by the (re) empowerment of formerly marginalized security actors, at the expense of traditional military institutions. While the army’s role in defining national threats

diminishes from the offset of the Cold War, it is solidified and strengthened during the 2000-2010 decade. As seen in the above section, the emergence of new, non-state and cross-border threats – and new to objects of intelligence expertise – call for adapted security structures to be contained. It must be stated clearly here that this relative insignificance only applies with regards to defining Swiss security policy: the army as a popular, cultural and identitary institution is still strongly supported by the Swiss to this day¹⁴.

The expansion of internal security during this decade is characterized by a diversification of agencies engaged in intelligence activities – that is, in the collection, trade or analysis of national security-relevant information. In various cases, these new actors will take up a prominent role in information gathering, only then transmitting the data to the “formal” intelligence services for the analysis phase. The integration of Switzerland with a European security area, through Schengen, EUROPOL, and FRONTEX, empowered what Davidshofer et al. (Davidshofer, Tawfik, and Hagmann 2016, 67) called the “Schengen boys¹⁵”: “*civil servants that took advantage of the Europeanization of Swiss security*” (Monnet 2017). Such “Schengen boys” include: the intelligence services (at the time still operating through two services for internal and external intelligence – SAP, within the Department of Justice and Police and SRS, within the Department of Defense), the federal police (fedpol, within the FDJP), the Border Guards Corps (an armed corps attached to the Borders’ Administration, itself part of the Department of Finance), and the State Secretariat for Migration (a unit of the Foreign Affairs Department). Each new

¹⁴ A 2013 popular initiative in favor of establishing a professional army, thus abandoning the conscription system, is strongly rejected by 73% of voters.

¹⁵ Term coined by Davidshofer et al., freely inspired from the use of the term « Chicago Boys » referring to the Chilean opponents based in Chicago, as used in Dezalay Y., Garth B., *La mondialisation des guerres de palais: la restructuration du pouvoir d’État en Amérique latine, entre notables du droit et « Chicago boys »*, Paris, Seuil, 2002.

subject of intelligence will, during the 2000-2010 decade but all the more so after Switzerland joined the Schengen Area in 2008, receive additional resources from the Federal government and see its prerogatives expanded.

Fedpol's reinforced role as an intelligence actor is a direct consequence of Switzerland's alignment with EUROPOL, which forms a cooperative international network of police and provides operational and strategic intelligence to its member states (Jacot-Descombes and Wendt 2013, 200). Fedpol is thus the direct point of contact between Switzerland and the EUROPOL network. Fedpol's connection to INTERPOL was established long before the 2000-2010 decade, but INTERPOL's reinforced relevance in preventing terrorism also contributes to further establish fedpol as a privileged unit with access to European and international police databases. Finally, fedpol is also the main point of access into the Schengen databases such as SIS and VIS. In particular, the SIS, which was originally conceived as a verification and control tool, evolved into a central investigation mechanism compiling precious data on migration patterns, providing law enforcement services with the relevant data to track individuals.

Due to Switzerland's federal structure, the federal police had originally little prerogative: it only exists as since the year 2000 and counts today 870 staff. (fedpol 2016). Yet its prerogatives – to handle threats that cannot be tackled by individual cantons – make it an increasingly relevant security and intelligence subject: it is indeed competent in cases of cross-border crime, terrorism (including its financing), infractions on war and sensitive materials. Thus fedpol became ever more of a crucial partner of cantonal polices, which have larger operational prerogatives but which depend on data that transits through the federal police unit (Monnet 2017).

The Border Guard Corps is perhaps the most underrated new intelligence actor, and this which reinvented its very purpose almost from the ground up. In a similar fashion to fedpol, the BGC is the point of contact with regional and continental border management units. In a striking manner considering Switzerland's persistent commitment to its neutral image, Swiss border guards participate in FRONTEX's patrol at the EU's external borders

since 2008 (Monnet 2017). Moreover, the BGC's prerogatives got expanded and integrated with another new subject of intelligence, the State Secretariat for Migration (part of the DFJP). Davidshofer et al. show how the alignment of Swiss security on the European security space is profound: the State Secretariat for Migration has literally adopted¹⁶ the European "four filters model of integrated border management"¹⁷ (Davidshofer, Tawfik, and Hagmann 2016, 87). This model offers a strategy of border management which mobilizes various actors in the detection of threats emanating from migration at four different stages of the migration pattern. This schema is relevant for intelligence purposes in that at these four levels, sensitive data is gathered and primarily analyzed. Non-traditional intelligence actors collect, and analyze raw data which they transmit if deemed necessary to the intelligence services:

1. Apparatus abroad: includes the deployment of fedpol's liaison officers, SEM delegates, border guards, airlines and Schengen visa procedures (operated by Swiss diplomatic representations abroad, thus involving the DFAE in identifying potential threats).
2. Schengen cooperation apparatuses, such as FRONTEX.
3. Border control apparatus, including automated control procedures and controls in agreement with Schengen legislation.
4. Internal area apparatus, meaning controls performed by border guards during "flying" patrols inside Swiss territory. In the Swiss case, this marks a noticeable

¹⁶ Switzerland, although partner to the Schengen Area, has the particularity of not being part of the European Border Union. This results in the BGC's ability in performing controls in the border area under their jurisdiction. This territorial jurisdiction is based upon individual conventions between the Federal government and the 26 Swiss cantons. In the case of Geneva, which is a quasi-enclaved canton with a 110-km long border with France, the BCG is competent on the entire Genevan territory.

¹⁷ Available on the SEM's website: https://www.sem.admin.ch/dam/data/sem/einreise/ibm/erlaeuterungen-ibm_f.pdf

expansion of the prerogatives of border guards (see footnote 11), which are competent to control individuals on a large cantonal territory.

The alignment and partnerships with various European security mechanisms, articulated around the new objects of terrorism (through transnational police cooperation), and migration (through integrated border management), empowered these new subjects as intelligence actors by giving them access to large European databases (most importantly SIS) and networks of information sharing (EUROPOL, FRONTEX). Cooperation, and integration of internal security evolved alongside two dimensions: vertically, as Switzerland became entangled in regional and international information sharing platforms, whose intelligence relevance is made ever more obvious after each terrorist attack that strikes Europe during the 2000-2010 years. The networks dismantled are transnational and increasingly mobile, thus reinforcing the necessity for European states, including Switzerland, to pursue their cooperation efforts. On a second dimension, cooperation and integration occurs at the internal level as well, with a parallel process of closer communication between the actors involved and the intelligence services. From this internal process of integration and inclusion will emerge the first draft, in 2008, of a bill calling for the integration of both SAP and SRS under the roof of a single Federal Department. This is made a reality on January 1st, 2009, as the SAP is moved from its institutional anchoring within fedpol and the FDJP to join the SRS under the jurisdiction of the DDPS. A year later, the two services will be merged to form the current service, the SRC, which will be studied in the next chapter.

3.3. CLIENTS

The two-dimensional nature of cooperation brought about new dynamics of clientship for intelligence expertise, most obviously through the requirements contained by international agreements and partnerships. These dynamics created striking new practices in the field of Swiss security: as mentioned above, an obvious case is the participation of Swiss border-guards to the FRONTEX patrols around the Mediterranean. While any Swiss military operation had consistently been the subject of fierce domestic

debate – with a national vote organized to grant such staff the right to carry weapons in self-defence – armed officers are since 2008 deployed alongside EU Border Patrols on foreign territory with no domestic contestation. That such operations are being kept under the radar of the media and the public should not be a surprise to the student of Swiss politics, who knows that a popular initiative from conservative parties could quickly end this cooperation (Davidshofer, Tawfik, and Hagmann 2017).

All in all, international participation put Switzerland under the pressure of adapting its institutional structure to international requirements. The logic of responding favorably to this pressure is natural: if Switzerland has intelligence capacities that do not enable her to provide information to its partners, it becomes more difficult for her to ask for information (Vez 2009).

International participation also affects Switzerland's federal structure, as such participation is based on state structures with a far lesser degree of decentralization than is found in Switzerland. Thus the fight against terrorism or organized crime puts a pressure on ever better effective cooperation between the federal and cantonal levels (Jacot-Descombes and Wendt 2013, 201). The Confederation (as is traditionally called the federal government, despite it not being a proper confederation since 1848), facing structural delays and cultural resistance to its pro-active role in security matters, has partially ceded to the temptation of expanding its prerogatives under the justification of State Protection: the creation of fedpol in 2000 and its ensuing expansion is an example of such a process (Jacot-Descombes and Wendt 2013, 203). The revision of federal laws is another: in the revision of the federal law on maintaining internal security (LMSI), the Federal Council explicitly notes the influence of international participation on updating its legislation: *“[the revision] does not formally execute an international engagement of Switzerland (...) [but] the harmonization of standards will likely have the effect of considerably strengthening international cooperation”* (Conseil Fédéral 2007; Jacot-Descombes and Wendt 2013, 201).

3.4. CONCLUSION

The 2000-2010 decade marks a transitional period for Swiss intelligence. The partial internationalization of foreign policy, marked by the adhesion to the UN in 2002, testifies of a definite shift away from strict, military-centered threat images. Yet the services are still affected by the card index affair. Military intelligence is not spared, as the Bellasi affair brings ridicule on the GRens and provokes a similarly destructive impact as the card index affair had on the XYZ. Yet the new civil intelligence units do not fare better, as scandals keep occurring: the CIA prisons affair and a “new” card index affair hit the SRS and SAP in respectively 2006 and 2008. The services’ reputation is as low as ever, as fears of terrorist attacks on Swiss territory are high.

The date of 9/11 as a structuring event of security policies does not apply in the Swiss case. In 2001, the new structure of the services is not even a year old, and is a direct result of events which occurred in 1989, not 2001. Yet 9/11 undoubtedly constituted a push factor for a variety of international agreements and conventions which contributed to a progressive rehabilitation of the intelligence services. The UN convention for the Repression of Financing Terrorism, for example, requires state to obtain precise and kent intelligence on presumed terrorists. This provided a solid incentive to start improving its intelligence services, the counterterrorism imperative superseding the privacy imperative of the previous decade (Jacot-Descombes and Wendt 2013, 201). In return, this imperative engaged Swiss neutrality on a slippery slope: despite engagement with the EU for economic purposes (main driver behind the Schengen participation), and “behind-the-stage” security partnerships in police cooperation and border management, neutrality keeps on defining Swiss foreign policy. It is the main rallying cry behind which the conservative camp unites to challenge the Federal government’s cooperative orientation.

Yet the necessity of a performant intelligence apparatus imposes a wide restructuration of the field of Swiss security, characterized by a progressive irrelevance of the army as a vocal definer of security policy, and a progressive blur of internal/external security

distinctions. It is in this regard interesting to note that, prior to 2008, understaffing of the BGC was oftentimes compensated by the engagement of the Swiss Army to assist border controls.

Adhesion to the Schengen Area marked the first success of the internationalist security policy, and opens the door for a restructuration of intelligence activities according to new imperatives: 1) not be ridiculed 2) contribute to international information exchanges and 3) increase cooperation at all levels to manage new threats, which are increasingly clearly defined as a conundrum involving terrorism and migration (Davidshofer, Tawfik, and Hagmann 2016, 78).

The evolution of intelligence services, marked by the 2010 fusion and the diversification of intelligence subjects, reflects this strong structuration of the field of security around the objects of terrorism and migration. This process will be continued, strengthened, and deepened in the following decade, which will be marked by the approval of a new law on intelligence – the LRens, which can be described as catching up on the hindering mechanisms put in place against intelligence activities following the card index affair... 26 years later. The next chapter, shorter due to its timeframe less covered by academic and journalistic attention, will put aside the objects/subject/clients structure, which is largely similar to this established in chapter 4, to focus on noticeable evolutions of the dynamics initiated from the 2000s, with a special focus on the fusion and the debates around the new law on intelligence.

4. ONE SERVICE TO RULE THEM ALL: 2010-2017

The last seven years mark the first period of stabilization of Swiss structures of intelligence since 1989: for the first time in the country's history, a single intelligence service covers both internal and external intelligence under the jurisdiction of a single Department - the Ministry of Defense, Protection of the Population, and Sports. Yet before three years, two new affairs had hit the new service: as early as 2010, lousy indexing procedures were criticized in the so-called "new card index affair". Two years later, a SRC employee stole terabytes of data with the intent to sell them to foreign services¹⁸. Despite the recurrence of such affairs, in 2016, the new law on intelligence (LRens), granting the SRC unprecedented new powers, was accepted in a popular vote.

4.1. DEVELOPMENTS

4.1.1. The merge

The merge of SAP and SRS, covered in this section to explain the state of affairs at the beginning of 2010, is a decision that the Federal Council took after the Surveillance Commission pressed it repeatedly to support migrating both services under one Department (Commission de gestion du Conseil des Etats 2008). The faulty coordination between SAP and SRC acquires a quasi mythical dimension during the entire lifetime of this organizational form: thus the Surveillance Commission speaks of a "*lack of willingness to cooperate in a systematic manner*" (Délégation des Commissions de gestion 2009), and of a "*rivalry that is damaging [their] efficiency*" (Commission de gestion du Conseil des Etats 2008, 3612). For example, the Ashraf case¹⁹ highlighted the lack of

¹⁸ See Annex II: "The new card index affair" and "The data theft affair", for details.

¹⁹ See Annex II: "the Ashraf affair".

communication between fedpol and the SAP (swissinfo.ch 2005). During the Tinner affair²⁰, lack of coordination and cooperation lead the Federal Council to mismanage the file and destroy sensitive material under CIA pressure (Jacolet 2009).

4.1.2. LRens: inception, debates and success

In 2008, the Federal Council accepts to migrate the SRS and the SAP under the jurisdiction of the DDPS, and adapts the legal provisions accordingly: only then is the SRS's legal basis transferred from military law to a newly voted Law on Civil Intelligence (LFRC) (Commission de gestion du Conseil des Etats 2008). In 2009, the Federal Council decides to merge both services, and tasks the DDPS with drafting a holistic law on intelligence, better known under the acronym LRens, with a deadline in 2013 (Wegmüller 2010).

The drafting and the public debates that surrounded the vote on the LRens form the second unprecedented development of the past seven years. Three main objects of recurrent contention aim to be addressed by the new law: 1) adapt the legislative framework regulating intelligence activities, 2) formalize a new conception of threat beyond the internal/external traditional distinction, and 3) ensure a better coordination between actors involved in intelligence activities, with their foreign partners and with the political leadership. Point 1 marks the outcome of a legislative process dating as far back as 2005, which, alongside with unification of services under one department, ended in the passing of a first civil law on intelligence in 2008 (LFRC). The LFRC for the first time places the SRS, a civil intelligence agency, outside of the legal basis of military law (LAAM) and into a civil legislation.

²⁰ See Annex II: "The Tinner affair".

The LRens provides a legal basis for the SRC, its collaboration with national and international partners, its political conduct, and its surveillance procedures. It gives the SRC greater surveillance capabilities, with the objective of fighting terrorism, spying and army proliferations. The new means – to be fully clear, the service did not have any of these means prior to the 2016 vote – include: monitoring private online communications, tapping phone lines and looking at postal mail. The surveillance of public events through electronic means, including drone, will also be made possible. Such “special” measures must be used “as a last resort”, and require the approval of a federal judge, as well as from the DDPS’ head, after consultation of the Foreign and Justice Ministers. (swissinfo.ch 2016).

The LRens passing process starts in February 2014, a year after the first Snowden revelations on massive state-sponsored surveillance programs were published by the British newspaper *The Guardian*, with a message from the Federal Council presenting the object to Parliament for approval. The legislative in the bicameral structure of Switzerland has two chambers, the Council of States (*Conseil des Etats*) and the National Council (*Conseil National*), which are organized roughly in the same way as the American Senate and Chamber of Representatives. A draft bill typically “navigates” between the two chambers, who can suggest modifications before sending it back to the other chamber until both approve the final product.

Yet the Parliamentary consultation procedures starts only a year later: just a month after the Charlie Hebdo and connected attacks occurred in neighboring France. Despite opposition from most National Councillors from Socialist and Green parties, the draft law is approved, and reinforced with a provision allowing the Federal Council to forbid criminal organizations, such as the Islamic State Group, without recurring to a state of emergency legislation. The bill passes with comfortable majority: 119 for, 65 against, and 5 abstentions.

Leftist parties began to speak of organizing a referendum, a direct democracy provision whereby citizens are asked to vote in case of opposition to a modification of the

Constitution suggested by the authorities, already after the National Council vote. Before the Council of States, a third surveillance provision is added before sending the object back to the lower chamber: the establishment of a third surveillance mechanism, a newly created independent surveillance authority whose leadership would be named by the Federal Council. The “navigation” process ends in September 2015 with the acceptance by both chambers of the LRens. The referendum, validated in February 2016 – this time a month after the Bataclan attacks, still in Paris – ended up in a popular vote in September 2016. The Swiss people and the cantons accepted the LRens by 65.5% of yes against 34.5% no, a relatively high plebiscite by Swiss standards (Besson 2016).

4.2. OBJECTS

The terrorism-migration continuum identified by Davidshofer, Tawfik and Hagmann stayed a central object of the intelligence network over the last seven years. The terror attacks in neighboring countries had a massive effect in the positive vote over the LRens, despite – and perhaps because of – Switzerland not being struck by any. The terrorist threat, diffuse and faceless after 9/11, was ever more closely associated with the image of migrants as the attacks on European soil unfolded – whether or not the perpetrators had indeed used the “migration cover”. This bodilyization of the terrorist threat was matched in 2014 by the creation of the Task force TETRA (TErrorist TRAveller – see section 5.3).

Surveillance, both by and of intelligence services, on the other hand, appeared as a new object in the network. Started by the global ramifications of Edward Snowden in 2013, breach of civil liberties caused by abusive surveillance was largely exploited by opponents to the LRens. This occurred in two ways: on the one hand, there were investigations on Switzerland’s contribution to the ECHELON network through the ONYX SIGINT surveillance system, operated by the army. Such inquiries stayed hypothetical (Mariani 2013), and were not instrumental in the LRens debate. Instead, LRens opponents chose to position themselves as “descendants” of the 1989 card index affair – tellingly using the 1989 popular slogan “snooping state” (*Etat fouineur – Schnüffelstaat*) as their campaign

website title (Comité contre l'Etat fouineur 2016). On the other hand of the debates, supporters of the LRens argued that the current legislation did not allow the SRC to even perform its surveillance tasks, with one former head of the SRS affirming that "*intelligence [services] have their hands and feet tied*" under the current regulations (20 Minutes 2015).

4.3. SUBJECTS

The key subject of the Swiss intelligence network in 2017 is undoubtedly the LRens-reinforced SRC. Not only did the high percentage of "yes" amount to implicit popular support to reinforcing intelligence capacities, but the agency also received additional resources. With the LRens, 20 more positions were comprised to put the law in practice and engage in the new capacities until 2019, although observers from all fronts agree on expecting the number of jobs assigned to the SRC to keep growing (Besson 2016).

Yet the debates on the LRens focused exclusively on the SRC. Meanwhile, other actors involved in intelligence activities kept acquiring resources and prerogatives: newcomer to the network is the TETRA task force, directed by fedpol and comprising representatives from the following institutions (fedpol 2017):

- SRC
- Attorney General's Office
- Center for Crisis Management, (Within the Department of Foreign Affairs)
- Border Guard Corps (BGC)
- State Secretariat for Migration (SEM, within Federal Department of Interior)
- Federal Office of Justice (within FDJP)
- Conference of cantonal polices Commandants and General Staff for Police Management, attached to the first

TETRA's organization, structure and mandate are all but loose. Its activities are presented as follows: "*continuously monitoring the situation, coordinating concrete cases, evaluating measures and processes in place and proposing new measures and recommendations of action*" (Groupe Sécurité and TETRA 2017). Nonetheless, it clearly represents a new entity in the network, as it aims to coordinate the terrorism-related activities of multiple

existing actors. TETRA very recently (on December 4th, 2017²¹) co-authored a new “national plan of combat” radicalisation and violent extremism. While I have not had time to include this report’s in this work, its mere publication testifies to TETRA’s concrete role as a subject in the network, one which communicates and communicates with other actors, as well as produces outcomes relevant to intelligence activities.

The Border Guards Corps kept on receiving additional funding and resources over the past seven years. A report by the Security Commission of the National Council shows that in 2013 already multiple parliamentarians had deposited motions to increase financial and human resources of the BGC (Commission de la politique de sécurité du Conseil National 2013). 2016 reports by the Surveillance Commission give a rough idea of the increase: on the one hand, 86 jobs have been created across the SRC, SEM, BGC, fedpol and the DFAE in counter-terrorism activities (Délégation des Commissions de gestion 2016). The Federal Council, in a report addressing some of the parliamentary motions regarding an increase of the BGC’s personnel, describes a plan dedicated to the BGC which includes 84 new jobs, including about half of them through accelerated procedures due to the “*strong migratory pressure and the Paris terrorist attacks*” (Conseil fédéral 2016, 16–17).

4.4. CLIENTS

It does not seem that clientship relations included newcomers in the past seven years, however the Federal government distinctly reinforces its role as such. In a country with one of the most decentralized federal system in the world, attribution of competences by a central government marks a noteworthy development. Tellingly, a 2010 parliamentary motion by Parliamentarian Peter Malama takes note of this development in the following

²¹ See: (Réseau national de sécurité 2017)

words: « *Although it oftentimes does not have the quality to do so, the Confederation legislates more and more in matters of internal security, chipping away little by little the competences of the cantons, despite said cantons being theoretically the first concerned by such matters. Inversely, cantons gradually abandon their prerogatives in this realm, leaning upon the Confederation to take up their own obligations*” (Malama 2010). In its 2012 answer, the Federal Council identifies what it calls “deficiencies” (“*lacunes*”) with regards to unclear repartition of competencies in the following areas (Conseil Fédéral 2012):

- Security performances of the army
- Security performances of the Border Guard Corps and the Borders
- Security tasks from the security police, the judiciary police and the criminal police
- International public law protection duty
- Air transportation
- State protection
- Delegation of tasks to private entities in security matters
- Violence acts during sport events

If again this work’s scope is not to attest of the desirability or legal basis of such deficiencies, I merely shed light on the recognition of their existence by the Federal government across virtually all national security domains. This assessment of an expanding role by the Federal level is shared by Caroline Jacot-Descombes and Karin Wendt in their 2013 study on their synthesis on competency repartition in Swiss security (Jacot-Descombes and Wendt 2013, 207).

4.5. CONCLUSION

By many aspects, the ongoing decade marks the stabilization and solidification of a previously volatile intelligence network. The SRC emerges empowered from affairs as damaging as a massive (and undetected) data theft, and received massive legitimation from the Swiss public in the LRens popular vote. Beyond institutional changes, the legal arrangement created by the LRens creates new power dynamics which provides the SRC with some prerogatives similar to this of a police force. The public debates on surveillance abuse provoked by the Snowden revelations, if they did provide new arguments for

opponents of strong intelligence services, such rhetoric turned out to be helpless against the brutal reality of repeated terror attacks on European soil.

While it is out of this work's scope to provide an exhaustive overview of the LRens, as well as arguments of its proponents and critics – even least to try to weigh in the debate. What is relevant for my analysis is twofold, and articulated around discursive references. On the one hand, the Snowden-NSA-PATRIOT Act lexical frame is a newcomer in the intelligence network. All discussions of intelligence activities, from adversaries to supporters of the services, use comparisons with the American example to defend their cause – obviously with proponents denying that the LRens is a Swiss PATRIOT Act, and opponents denouncing the exact opposite filiation. Yet a key argument for proponents of strong intelligence services feeds into the former dynamic: unlike the PATRIOT Act, the Swiss people actually requested the LRens to regulate intelligence services, providing them with a rare form of legitimation.

The new provisions it introduced do mark the beginning of a new distinct era for Swiss intelligence: in the words of a military intelligence officer, "*the LRens marks the beginning of the merger, not the opposite.*" (conversation with author, 2017).

5. GENERAL CONCLUSION

Having attempted to explore the evolution of Swiss intelligence through the angle of its expertise network over the past 30 years, I am now in a position to posit a few conclusions. While these reflections can hardly be called results, due to the interpretative, exploratory nature of this work, they nonetheless constitute a form of wrap-up of my tentative of being a “critical student of intelligence”. This conclusion will form a series of short discussions on criticality, my analytical frame, the nature of intelligence, intelligence studies, and finally on my case study.

5.1. CRITICALITY

A first and primarily important observation is that adopting a critical posture recognizing the messiness of social and political life and a multilayered conception of causality enables the researcher to discover unsuspected dynamics. By focusing simply on the evolution of the SAP/SRS and the SRC, one would have missed the diversification of intelligence subjects that started in the 2000-2010 decade. These security developments occurred outside of democratic accountability mechanisms and raise concern. In the most striking cases, such as Swiss armed border guards’ participation in FRONTEX patrols on the Greek border or in police operations in downtown Geneva. Especially in a country with such a strong demonstrated commitment to democratic principles as Switzerland, getting a glimpse of such patterns is inherently emancipatory.

5.2. ANALYTICAL FRAMEWORK

The analytical frame chosen did enable me to observe multiple actors, with no restriction in number or mandate, focusing instead in their contribution to developing intelligence expertise. The “client” dimension encompasses political conduct of intelligence activities, but is broad enough to include any supply/demand dynamic. In the case of intelligence cooperation, especially at the international level, this breadth allows the capture of clientship relations that escape the traditional onlook of IS, such as clientship relations between different intelligence services, within a country or at the international level. Whilst

the domination of large agencies over smaller ones is already on scholars' radar, the harmonization of legislations that occurs as a result of cooperation agreements, or the ratification of international treaties is one such dynamic of involuntary clientship (see passage on UN Conventions in section 5.3. for an example in the Swiss case and Jacot-Descombes and Wendt 2013, 201).

Answering Eyal and Pok's call that their suggested analytical framework is "*clearly not exhaustive and more [dimensions] could be added by others*", I suggest that a chronological "Context" dimension would add to the framework's accuracy (Eyal and Pok 2015, 47). Objects, subjects and clients evolve in a geopolitical, historical context in which events occur: these events can affect all actors (say, a terror attack in Europe) or only some of them (say, a national vote on an important security matter). That events influence individuals and policies should be reflected in the analysis, as similar events can have varying, or opposite consequences. In the Swiss case, the series of terror attacks in France, Belgium or Germany did play a major role in the popular approval of the LRens, whereas the Snowden revelations, which were expected to have a wider appeal in Switzerland due to what some call the "trauma" of the card index affair, failed to abort the LRens process. The complex interplay between events, their securitization by authoritative actors, and identity politics definitely requires an additional dimension in the framework, and a more solid theoretical anchoring that would include insights from constructivist and securitization theory.

5.3. INTELLIGENCE

This work started with a brief overview of definitional debates amongst intelligence scholars. Our exploration of intelligence in a specific case brought up some reflections regarding this discussion. If the nature of intelligence is to be instrumental and to constitute a delineated field, it does not prevent its multiple subjects to display common characteristics. One of these was to imagine a "secrecy capital" as a specific kind of social capital enjoyed by intelligence professionals. Indeed, the notion of secret, although hardly easy to define in positive terms, produces specific reactions. Covert knowledge has more

power than open knowledge, regardless of the amount of open knowledge acquired. This entails a second characteristic of intelligence networks. Because all is covert, the veracity of the knowledge matters less than the propension of others to believe it is true. In other words, intelligence activities require perhaps more to demonstrate their capacity to seem (*paraître*) than to actually be (*être*) efficient. This quality of intelligence activities is relevant as much for the general public, which believes it is safer thanks to the capacity of an intelligence service to appear powerful/efficient, as for the targets of services, who believe they are less safe thanks to the very same capacity. The instrumentalization of the capacity to appear efficient could thus well be an organizing principle of intelligence activities. This principle could also be very relevant with regards to Swiss intelligence and its recurrent concern with appearing behind its European partners, both on self-interested grounds (making it harder for its services to obtain intelligence from partners) and on reputational concerns. As I will discuss below, reputation and projected images of Switzerland are powerful drivers of its foreign policy.

5.4. THE CASE OF SWITZERLAND

After having explored about 30 years of Swiss intelligence, a holistic overview, albeit limited, permits us to gather some interesting insights on the development of Swiss intelligence and security policy. Most notably, the founding moment of post-Cold War Swiss intelligence was a disruptive one. The card index affair indeed led to a drastic reorganisation of the services which is now unanimously dubbed a “failure”, which all subsequent reforms were attempts at fixing. The security provisions introduced after the affair put severe hindrances on the services’ capacities (for example its inability to tap phones, mail or e-mail of Swiss citizens), and rendered it more dependant on foreign agencies.

This forced process of dependency is highly paradoxical for a country which keeps referring to its self-image of neutrality as a central policy-defining principle. Instead, the Swiss network of intelligence expertise embedded itself in the European internal security space, in a half-covert manner, via institutional partnerships rather than international

agreements (Möckli 2011; Jacot-Descombes and Wendt 2013). In Hagmann's words, "*patterns of insecurity supersede traditional narratives of history*" as determining drivers of voting and policies (Hagmann 2010, 195).

Another insight from our exploration is the double-edged role of direct democracy procedures with regards to intelligence affairs. Whilst it can be argued that holding popular debated and national votes on items pertaining to covert activities and of national security relevance is emancipatory and a sign of efficient popular accountability, such mechanisms have demonstrated their limits. Two examples attest to this: the 1991-launched popular initiative "For a Switzerland without political police" (*Pour une Suisse sans police politique*) explicitly forbade the surveillance of Swiss citizens based on their political activity. Yet the vote was delayed by authorities, and when it finally occurred in 1998, it was rejected at more than 75%. On the other hand, government-sponsored items such as the LRens, approved by the Parliament in 2015, were within the following year. The LRens vote, by "surfing" on a political context of high insecurity, will have the effect of granting popular legitimacy for most of the upcoming SRC's activities. This is a blessing for authorities, for other countries do not submit such sensitive items to popular vote, but the citizens are then less co-opted in government potential schemes, opening up more spaces for contestation and emancipation.

Migration has become the most efficiently securitized item in Swiss politics. With security professionals treating terrorism and migration as most concerning problems, these two issues have come to structure the security prism in its entirety: "*the figure of the migrant became the converging point of everything which, in a real or fantasized manner, represents a threat to our security*" (Monnet 2017. See also: Davidshofer, Tawfik, and Hagmann 2016). On the other hand, other types of intelligence-relevant items such as economic intelligence, the protection of critical infrastructure, spying or cyberwarfare hardly get a mention in official discourse, despite their no less important relevance in current security challenges.

Overall, our study of intelligence showed that, within the hypertrophy of internal security analyzed by Davidshofer et al., a centralization process is taking place whereby the Confederation demonstrates more assertiveness and expands its prerogatives in security issues. Such a dynamic is at complete odds with the situation initially observed here at the beginning of the 1990s. The Swiss state, in its intelligence-specific security providing function has operated since then a most remarkable comeback, magnified by the high approval rate of the LRens.

5.5. INTELLIGENCE STUDIES

This work's core theoretical interest is to offer an exploratory empirical case for the introduction of critical theory into IS. It reaches its objective, using analytical frameworks developed in the CSS academic stream, by showing a number of benefits of its approach:

First, the practice of intelligence mobilizes a multiplicity of actors. It is thus better conceived as a multifaceted, multidimensional collective enterprise: the notion of network, especially if apprehended in a dynamic way, can successfully cover this multidimensionality.

Second, CSS open up a wider array of methodological approaches, which in return enable researchers to inquire even secrecy-bound institutions. Davidshofer et al.'s 2016 analysis of the Swiss security field is a remarkable, albeit time and resource consuming, example of a fruitful juncture of qualitative and quantitative methods. Critical theory also opens up the study of actors non-traditionally classified as intelligence actors for their intelligence activities. Such an area of research could for instance focus into European border guards' use of Schengen SIS database. In Switzerland, the role of the SEM (or the FDFA, via its embassy network and visa granting procedures) in identifying threats among the asylum requests it treats, would be another such promising academic endeavor. This approach, albeit still concerned with intelligence activities, offers the benefit of researching non-traditional actors, with whom a lessened culture of secrecy may provide scholars with better access and quality of data.

From an academic standpoint, the apparent lack of connection between SS/CSS and IS appears to me as problematic. Should the inability of its scholars to define intelligence open up at least a stream of works concerned with the ambiguity and politics-laden nature of intelligence activities? What is the analytical value of distinguishing intelligence from other security activities? In this regard, a better, more thorough theorization of intelligence's specificities. In this regard, the suggestion of the existence of a "secrecy capital", as discussed above could provide an interesting starting point.

5.6. CONCLUDING REMARKS

In conclusion, this work has shown that definitional debates appear misplaced when confronted with the empirical reality of intelligence activities taking simultaneously a variety of forms, are operated by a variety of factors, and are legitimized using solely part of the threats they are designed to prevent. In this regard, much more thorough academic work is needed from intelligence scholars to adapt their approaches to what the evolution of threats, threats perceptions, and the (in)adaptation of current state intelligence structures to apprehend these threats. Rathmell (2002) opened up such a line of inquiry by calling for "postmodern" intelligence, and thus for adapting IS accordingly. "What is needed are different conceptual approaches to understanding the nature of security threats and radical changes in the way intelligence agencies collect and process knowledge on these threats" (Rathmell 2002; Scott and Jackson 2004, 148). My argument, outlined here both theoretically and empirically, is that CSS offers the tools to do just that. The reluctance of some intelligence scholars to engage, or consider such approaches only confirms Buzan and Hansen's assertion that "what falls into International Security Studies and what does not [is] a political – and politicized – question". The present work's engagement with IS shows that this remains true.

6. APPENDICES

6.1. TABLE 1. DIMENSIONS OF THE CONTRAST BETWEEN THE SOCIOLOGY OF EXPERTISE AND THE SOCIOLOGY OF PROFESSIONS.

Emphasis added, borrowed from Eyal and Pok (2015, 38).

	<i>Sociology of professions</i>	<i>Sociology of expertise</i>
<i>Scope</i>	Limited to professions and would-be professions	Inclusive of all who can make viable claims to expertise
<i>Spatial imagery</i>	Fields, jurisdictions	Spaces between fields
<i>Mode of analysis</i>	Expertise reducible to the experts' interests and worldviews	Experts and expertise distinguished as two different modes of analysis
<i>What is privileged?</i>	Organizational and institutional forms, credentialing, licensing, associations, etc.	What experts actually do. The capacity to perform a task better and faster than others.
<i>What is expertise?</i>	Attribution, a formal quality reducible to the actor's interests.	A network connecting together actors, devices, concepts, institutional and spatial arrangements.
<i>Abstraction</i>	The most distinctive characteristic of professions is their possession of esoteric, abstract, decontextualized knowledge	Abstraction is just shorthand for a chain of practical transcriptions. Different forms of expertise abstract differently, because their chains are different.
<i>Account of power</i>	Monopoly and autonomy	Balance between monopoly, autonomy, generosity and co-production

6.2. TABLE 2. CHARACTERISTICS OF SPACES BETWEEN FIELDS.

Emphasis added, borrowed from (Eyal and Pok 2015, 38)

<i>Characteristics</i>	<i>Description</i>
<i>Permeability</i>	Entry into this space from all other fields is relatively easy, its boundaries are blurred, and it is crisscrossed by networks that extend into other fields.
<i>Under-regulation</i>	The rule about what one can legitimately do/combine are relaxed. Example: terrorism expertise means that academics can study an object that is essentially defined by state activity, while state officials can engage in research that does not have clear policy implications.
<i>High stakes</i>	The prizes to be had in this space are relatively large and heteronomous – government money, media fame.
<i>Weak institutionalization</i>	<p>Despite attempts at field building, there is no clear division of labor or hierarchy of worth. There are multiple types of expertise, each dependant on a network that stretches in a different direction, and none is able to impose itself as dominant. This can be due to three different dynamics:</p> <p><i>Stalemate:</i> the struggle between different actors trying their hand at field building is never decided.</p> <p><i>Frontier:</i> a permeable and under-regulated space with high stakes is valuable to marginal actors in adjacent fields who can raid it in the hope of bettering their position in their original field. Multiple, successive raids would tend to preserve the status of this space as a lawless frontier.</p> <p><i>Strategic ambiguity:</i> weak institutionalization is attractive because the resultant ambiguity is itself productive, encouraging innovation and entrepreneurship in the absence of regulation.</p>

6.3. TABLE 3. TRANSFORMATION OF SWISS INTELLIGENCE, 1989-2001

	<i>Internal intelligence</i>	<i>External intelligence</i>
<i>Pre-1989</i>	Political federal police (Attorney General's Office, FDJP)	GRens (Army General Staff, FMD)
<i>2001</i>	SAP (Attorney General's Office, FDJP)	SRS (Head of FMD)
	fedpol (Federal Office of Police, FDJP)	SRM (Army General Staff, FMD)
		SRFA (Army General Staff, FMD)
	COORDINATION Special Coordinator on Intelligence	
	OVERSIGHT DeICDG	
	POLITICAL CONDUCT Federal Council's Security Delegation	

6.4. ANNEX I. LIST OF AFFAIRS

A non-exhaustive, but illustrative list of the most publicized affairs involving Swiss intelligence services since 1989.

1989: THE CARD INDEX AFFAIR

During an investigation on the FDJP, a card index is found in the offices of the federal police unit tasked with internal security. 900'000 cards, half of them indexing Swiss citizens, are found. The strong political bias of the index, as well as its scope and the quality of information (oftentimes inaccurate, plain wrong or pertaining to the private sphere)

1996: THE NYFFENEGER AFFAIR

A military colonel is indicted for having broken secrecy rules, by keeping a CD rom with confidential and secret information (an "aide-mémoire") unprotected at his private residence. The DCS report sheds light on a certain level of recklessness and mess into the FMD. The head of the general staff, Arthur Liener (head of the army), resigns/early retirement. In 1998, Nyffeneger is condemned to 15 months of prison. The affair is a blow to the trust in the FMD and the army in general.

1999: THE BELLASI AFFAIR

Dino Bellasi, a former accountant for the GRens (the military intelligence service) was accused of diverting as much as 9 mio Swiss francs between 1994 and 1999 by falsifying official credit requests. Bellasi used the money for luxury trips, hotel nights, and acquiring a wide array of weapons. He initially defended himself by arguing the weapons were part of a secret army project and commanded by his superior, the head of the GRens Peter Regli. Bellasi later admitted the secret army story was false. Regli was later put in early retirement following the case. Shocking by the amount diverted and the length of the scheme, the Bellasi affair can be said to be the equivalent of the card index affair for the military intelligence.

2004: THE ASHRAF AFFAIR

The Swiss federal police arrested Tunisian citizen Mohammad Ashraf, on grounds of petty theft, in August 2004 at Zurich airport. During the same month, the SAP receives several demands from Spanish intelligence concerning Ashraf, as he is suspected of terrorist involvement in Spain. Only in September does the SAP learn that Ashraf is jailed in the canton of Zurich. The SAP's head, Urs von Däniken, moreover only learns that Ashraf is in Switzerland after a phone call between the Spanish Justice Minister and the Swiss Justice Minister, Christoph Blocher. Ashraf is finally extradited to Spain in April 2005.

2006: THE COVASSI AFFAIR

Claude Covassi, an informant for the SAP, was recruited in 2004 to participate in operation "Memphis", tasked with investigating the existence of links between radical Islamism and the *Centre Islamique de Genève* (CIG - Geneva Islamic Center). In 2006, Covassi accused the SAP and the DFJP of trying to compromise the CIG's director, Hani Ramadan (brother of Tariq Ramadan). If Covassi's allegations were dismissed by an internal investigation at the DFJP, they raised concern on the SAP's recruitment procedures and its management of informants.

2007: THE TINNER AFFAIR

The Tinner family, nuclear engineers from St-Gallen who had associated with the Khan network (a Pakistani citizen involved in nuclear material trafficking, who turned out to be instrumental in Pakistan's acquisition of the nuclear bomb), were eventually recruited by the CIA to dismiss Muammar Ghaddafi's nuclear ambitions. The Tinner were arrested and finally released but multiple sensitive documents obtained from the investigation remained at the hands of the Federal government. The Federal Council decided ultimately to destroy the integrality of the file, apparently with only minimal consultation of the intelligence services.

2010: THE "NEW" CARD INDEX AFFAIR

The SRC must reduce its ISIS database from 200'000 to 54'000 indexed individuals. The parliamentary surveillance commission showed that the SAP did not properly control its

indexation for more than half of the 200'000-people registered in the ISIS system. This came about in 2005, when the database of ISIS was transferred in the new EDP system, ISIS-NT: the SAP had then assigned the staff supposed to control the data to the indexation of new data, thus increasing the number of indexations without the assigned control procedures taking place. As a result, irrelevant data were transferred to ISIS-NT. More embarrassing even were the revelations by the newspaper *Le Temps* that the SAP had invented fictive control procedures that it shared with the surveillance commission during the latter's investigation.

2012: THE DATA THEFT AFFAIR

A computer engineer for the SRC stole in 2012 several terabytes of sensitive data, exiting the SRC's premises with the data in his bag. Intending to sell the data to foreign intelligence agencies, the theft is discovered thanks to the UBS bank, which reported on unusual behavior from the engineer. No data was transmitted, but the affair could have been catastrophic. It is the first, and most damaging affair for the newly created SRC.

2014: THE GIROUD AFFAIR

An agent of the SRC, childhood friend of a wine producer from the Valais region (Dominique Giroud), is involved in a messy scheme of Giroud. The latter, upset by media revelations regarding his fiscal practices or dubious mixtures of wines, hires a private detective after the advice of his SRC-employed friend, to hack several journalists' computers. The SRC agent denies supporting Giroud, but his involvement is undeniable. He is fired from the SRC.

2017: THE "DANIEL M." AFFAIR

Daniel M., a former Swiss policeman, is arrested in Frankfurt in April 2017. He is accused of spying on the North Rhenian finance administration under a mandate of the SRC, regarding the acquisition by the German authorities of CDs regarding stolen data from Swiss banks. Particularly embarrassing for Switzerland and the SRC is the fact that Daniel M.'s arrest in Germany was partially based on confidential Swiss documents from the Swiss Attorney General's office, which had itself opened an ongoing investigation

against Daniel M., on different grounds. If spying between friendly countries is commonplace, the SRC is embarrassed by the arrest and the full disclosure defense policy that Daniel M. decided to adopt.

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