
THE FORMATION OF A LITHUANIAN COUNTER-TERRORISM INSTITUTION AFTER 9/11

Michael Karlsson*

Abstract

Lithuania's formation of a counter-terrorism institution following 9/11 sheds new light on three premises often associated with the study of institutional formation. First, the distinction between the creation phase and the operation phase is logical, but the appearance of extra-institutional guidance suggests that established institutions within other domains (e.g. military security) can temporarily fill an institutional vacuum (counter-terrorism). Second, the dynamic between agency and structure was easily seen, but in this case it was quite clear that agency was strongly dependent upon changes in some of the structural contexts (environmental threats, international institutions, age of the security state). Third, the role of sequencing and timing turned out to be more important than expected as there was a strong temporal order between the sequences of the formation phase and a significant spill over from two contemporary security processes (preparations for NATO-membership, reforms of the security state).

Introduction

Lithuania has hardly any experience of terrorism. The only incidents that could be classified as terrorist acts go back to 1997-98 when unknown groups attacked political and non-political targets, causing six injuries but no fatalities.¹ Moreover, the only terrorist group that has ever been active in Lithuania is the Russian National Unity, which is an extremist paramilitary organization that operates in Russia, Ukraine, and the Baltic states. Keeping this in mind, it may seem somewhat surprising that Lithuania reacted so decisively to the terrorist attacks in the United States on 11 September 2001. In slightly more

* **Michael Karlsson** is Associate Professor of Political Science at the Södertörns högskola (University College), Stockholm, Sweden. E-mail: Michael.Karlsson@sh.se. The author thanks Hans E. Andersson, Nicholas Aylott, Yonhyok Choe, Johan Eriksson, Ann-Cathrine Jungar, and Elfar Loftsson for their helpful comments.

¹ RAND-MIPT, "Terrorism Incident Database", <<http://www.tkb.org/Country.jsp?countryCd=LH>>, 5 10 2007.

than one week, it had specified the guidelines for a counter-terrorism program and clarified the roles of the central actors of the security state.² The domain of counter-terrorism was then further institutionalized when the government adopted an anti-terrorism program in January 2002, which the parliament five months later incorporated into the *National Security Strategy*.³ This means that the institution formation phase was over within less than nine months from the 9/11 attacks.

Lithuania's formation of a counter-terrorism institution offers an opportunity to study the general puzzle of institutional formation. That is, under what conditions do institutions emerge? Despite a remarkable growth in institutional studies over the last twenty years, it has been noted, "we know far more about the consequences of certain types of institutions than we do about how they originate and change".⁴ As regards the formation of institutions, the research suggests at least three premises. The first premise is that the "institutional creation phase" should be analytically separated from the "institutional operation phase".⁵ The reason for this distinction is that once institutions are in place they will develop an endogenous stabilizing dynamic, which tend to embed actors and to reduce the effects of exogenous change stimulus. The second premise is that institutional formation reflects both agency and structure.⁶ This implies that institutions should be conceived of neither as architects' intentional designs nor mechanical responses to environmental dictates. The question is rather how the two interact. The third premise emphasizes sequencing and timing, which necessitates a rather detailed analysis of the specific historical context,

² Lithuanian Government, *Report to the Counter-Terrorism Committee pursuant to paragraph 6 of Security Council resolution 1373 (2001)*, 28 December 2001, <<http://daccessdds.un.org/doc/UNDOC/GEN/N02/221/53/PDF/N0222153.pdf?OpenElement>>, 19 09 2007.

³ Lithuanian Seimas, *National Security Strategy*, 28 May 2002, <http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_c?p_id=262943&p_query=&p_tr2=/>, 28 09 2007.

⁴ Jones Luong P., "After the Break-Up: Institutional Design in Transitional States", *Comparative Political Studies* 33 (5), 2000, p. 563. See also, Pierson P., "The Limits of Design: Explaining Institutional Origins and Change", *Governance* 13 (4), 2000, p. 475; and Rhodes R. A. W., Binder S. A., and Rockman B. A., eds., *The Oxford Handbook of Political Institutions*, Oxford: Oxford UP, 2006, p. xvi.

⁵ Lindner J. and Rittberger B., "The Creation, Interpretation and Contestation of Institutions – Revisiting Historical Institutionalism", *Journal of Common Market Studies* 41 (3), 2003, p. 447-455.

⁶ Rothstein B., "Political Institutions: An Overview", in Goodin R. E. and Klingemann, H.-D., eds., *A New Handbook of Political Science*, Oxford: Oxford UP, 1996, p. 156-161.

sometimes referred to as critical junctures or formative moments, in which institutions originate.⁷

This article will approach the puzzle of institutional formation through a single case study, which proceeds from the stated premises. The case – the creation of a national counter-terrorism institution in Lithuania in 2001-02 – should be considered in heuristic terms. Certainly, premises 2-3 give us an idea about where to look for the answer to why counter-terrorism institutions arise, but it stills remains to identify the relevant variables and to discover how they work together. Therefore, the aim of this article is to explore the causal dynamics rather than to test an already existing theory. For this purpose it might also be a good strategy to select a case from Eastern Europe because, as has been noted elsewhere, the transformations in this part of the world have provided scholars with “a unique opportunity and a pressing need to study institutional origin and change”.⁸ In the following, the article proceeds in three steps. First, I will theorize the formation of a counter-terrorism institution. The aim of this is to specify the dependent variable as well as the conditions under which institutions are formed. This framework is then applied in a case study of Lithuania. Based upon documents, the case study identifies the sequences of the formation phase and the underlying causal dynamics. The last section focuses on conclusions and discusses how the findings can contribute to the general understanding of institutional formation.

1. What is a counter-terrorism institution?

Counter-terrorism is here conceived of as a governmental activity aimed at combating any non-state actor, group or individual, who consciously use, or threatens to use, random violence against innocents for political ends.⁹ The mere presence of a governmental activity, however, is not enough for qualifying as an

⁷ Stern E. K., *Crisis Decisionmaking: A Cognitive Institutional Approach*, Stockholm: University of Stockholm, 1999, p. 40. See also, Thelen K., “Historical Institutionalism in Comparative Politics”, *Annual Review of Political Science* 2, 1999, p. 387-392.

⁸ Jones Luong, (note 4) p. 563.

⁹ There is no commonly agreed definition of terrorism, and some would say it is not possible to agree on one. This article follows the definition given by Audrey Kurth Cronin, “the shorthand (and admittedly imperfect) definition of terrorism is the threat or use of seemingly random violence against innocents for

institution. For this we should also be able to identify “constitutive rules and practices prescribing appropriate behaviour for specific actors in specific situations”.¹⁰ In other words, if there is a relatively enduring collection of rules and practices that prescribe appropriate behaviour for governmental agencies combating terrorism, then we have a counter-terrorism *institution*. In connection to this, it is also common to make a distinction between more and less formalized institutions.¹¹ The former typically includes laws and regulations that are legally binding for actors within a certain domain, while the latter refers to informal rules and practices. In both cases the outcome could be described as institution-alized. That is, regardless of whether the institution is written or unwritten, it prescribes appropriate behaviour for specific actors in specific situations.

It follows from the definition that a counter-terrorism institution should embed behaviour, actors, and situations. As regards *behaviour*, institutions play a prescribing role as they not only tell what and how things should be done, but also indicate what type of behaviour that is not accepted. This aspect has been most apparent in the formation of counter-terrorism institutions as governments strive for an effective combat of terrorism while preserving the respect for human rights.¹² It is not given exactly what type of behaviour that should belong to a counter-terrorism institution. Following the debate in the United States on a program for homeland security however, one can think of behaviour that aims at, for example, detection, prevention, protection, crisis management, consequence management, and response.¹³ Second, institutions are created and designed for *specific actors*. In the case of counter-terrorism, it has been much debated whether this task should be assigned to already existing authorities or if it requires that new ones be created. Considering that the traditional institutions of the security state – military, police, and intelligence community – never were designed for meeting the challenge of transnational terrorism, much of the debate has focused on governance reforms such as clarifying roles or creat-

political ends by a nonstate actor”. Kurth Cronin A., “Behind the Curve: Globalization and International Terrorism”, *International Security* 27 (3), 2002/03, p. 33.

¹⁰ March J. G. and Olsen J. P., “Elaborating the ‘New Institutionalism’”, in Rhodes et al, (note 4), p. 3.

¹¹ Rothstein, (note 6) p. 145-146.

¹² Heymann P. B. and Kayyem J. N., *Protecting Liberty in an Age of Terror*, Cambridge, MA: MIT Press, 2005.

¹³ Carter A. B., “The Architecture of Government in the Face of Terrorism”, *International Security* 26 (3), 2001/02, p. 15-17.

ing new structures. Finally, institutions are designed for *specific situations*. The emphasis on situations has at least two implications. One is that an institution defines an area of activity (e.g. counter-terrorism) that is separate from other activities (e.g. crime-fighting). The other implication is that some situations have an inherent temporal dimension. In this particular case it is common to separate situations where there is a risk of terrorism (e.g. low or imminent risk) from the aftermath of a terrorist attack.

Having examined the individual parts of a counter-terrorism institution, we should now put the pieces together. Figure 1 represents an attempt to summarize the relationship between situations, behaviour, actors, and institutions. The figure as such is largely inspired by the work of Ashton B. Carter, but has been somewhat modified to fit the purpose of this study.¹⁴ Depending on the nature of the situation, we expect a certain behaviour by those specific actors who have been assigned the task of fighting terrorism. If, for instance, there is a credible threat of an imminent attack against a nuclear power plant (situation), then an institution will clarify what should be done (behaviour) and by whom (actors). In the former case (behaviour), we can think of rules and practices for protection (e.g. police cordon, no-fly zone) and crisis management (e.g. arresting potential perpetrators, evacuation). In the latter case (actors), we can think of rules and practices that focus on the responsibility of actors or the need for coordination between different types of actors (e.g. federal and local authorities).

Figure 1. **Framework for mapping counter-terrorism institutions**

Situation	Behaviour	Actors (e.g. federal, state, and local governments; private)	Institution (formal and informal rules and practices)
I. Low risk of a terrorist attack	1. Detection		
	2. Prevention		
II. Imminent risk of a terrorist attack	3. Protection		
	4. Crisis management		
III. Aftermath of a terrorist attack	5. Consequence management		
	6. Response		

¹⁴ Ibid. Carter’s model makes a distinction between seven functions: detection, prevention, protection, interdiction (crisis management), containment (consequence management), attribution, and analysis and invention.

In order to fully grasp the phenomenon of a counter-terrorism institution, we should also pay attention to the distinction between institution and *institutionalization*.¹⁵ The latter is generally understood as the process by which rules and practices are created and developed. From a political scientist's point of view, it has often been natural to think of this process in terms of the formal sequences of a policy process. That is, it begins with agenda setting and ends with the adoption and implementation of a new law. In the case of institutional creation it might however be difficult to apply such a straightforward view. This is because the formative moment is often associated with times of crises, which tend to change the conditions for the policy process. Considering this, it is assumed that the formative phase will include at least some element of institutionalization, even though it may not be as clear-cut as the typical policy process.

2. Conditions for institutional formation

One of the premises of this study is that institutional formation reflects the dynamics between agency and structure. In order to capture some of this dynamics, it is assumed that the choice to create a counter-terrorism institution takes place within the frame of four structural contexts. The first context stems from *environmental threats*. In the post-Cold War world, governments face a new security environment in which global terrorism constitutes a major external challenge.¹⁶ In Lithuania, as in many other states, the attacks of 9/11 made the establishment of a counter-terrorism institution an urgent matter. *International institutions* provide a second context.¹⁷ In the domain of counter-terrorism, these include international organizations (e.g. the UN Security

¹⁵ See, for example, Peters B. G., *Institutional Theory in Political Science: The 'New Institutionalism'*. 2nd edition, London: Continuum, 2005, p. 107-108; and Smith M. E., *Europe's Foreign and Security Policy: The Institutionalization of Cooperation*, Cambridge: Cambridge UP, 2004, p. 32-49.

¹⁶ Paul T. V., "The National Security State and Global Terrorism: Why the State Is Not Prepared for the New Kind of War", in Aydinli E. and Rosenau J. N., eds., *Globalization, Security, and the Nation State: Paradigms in Transition*, Albany: State University of New York Press, 2005, p. 49. See also, Paul T. V. and Ripsman N. M., "Under Pressure? Globalisation and the National Security State", *Millennium* 33 (2), 2004, p. 355-380; and Patman R. G., ed., *Globalization and Conflict: National Security in a 'New' Strategic Era*, London: Routledge, 2006.

¹⁷ Katzenstein P. J., "Coping with Terrorism: Norms and Internal Security in Germany and Japan", in Goldstein J. and Keohane R. O., eds., *Ideas and Foreign Policy: Beliefs, Institutions, and Political Change*, Ithaca: Cornell UP, 1993, p. 266.

Council) as well as international laws and agreements (e.g. the 1999 Terrorist Financing Convention). The third context concerns the *age of the security state*. Young security states, such as Lithuania¹⁸, are at early stages of state building and tend because of this to have less established institutions.¹⁹ As a consequence of this, young states' repertoire of security rules and practices should be less constraining in case new institutions are proposed. Finally, there is the *domestic* context. This context has a political or strategic side to it simply because governmental effectiveness depends on popular and parliamentary support. The fact that Lithuania up to June 2001 had eleven governments in eleven years, or on average a governmental turnover once a year, suggests the absence of a stable political majority for establishing new institutions.

A thorough understanding of institutional formation requires analysts to also pay attention to the temporal dimension, which includes at least two related but analytically distinct elements. The first element is *sequencing*, which implies establishing the course of events or the single steps when the institution was formed. To get control of the chronology is vital in institutional analysis because prior events and decisions tend to have an impact on subsequent events and decisions. As regards the beginning of the creation phase, we should keep in mind that institutions can be formed by revolution or by evolution.²⁰ That is, the formation process may be triggered off by one defining event or occur as a series of incremental steps. As regards the duration of the formation phase, it is crucial to fix the date from which the operation phase begins. It has generally been argued that an institution has been created "when an idea becomes accepted and is embodied into a structural form".²¹ This means that an institution has entered the operation phase once a practice has been established and when the rules of the game have been codified by formal documents such as constitutions and laws.

The second element is that of *timing*. This means that analysts should be sensitive to the circumstances that prevail at the particular moment when the institution is formed. The reasoning here is that contemporary processes may

¹⁸Tamulaitis G., "National Security and Defence Policy of the Lithuanian State", UNIDIR Research Papers 26, New York: United Nations, 1994.

¹⁹Ayoob M., "Security in the Age of Globalization: Separating Appearance from Reality", in Aydinli and Rosenau, (note 16) p. 21-22.

²⁰March and Olsen, (note 10) p. 12-13.

²¹Peters, (note 15) p. 76.

spill over and have an impact on the formation of a new institution. Of course, there are many conceivable processes that in one way or the other may impinge, including for instance the budgetary process, forthcoming elections and so on. To deal with this problem, and without making any claims of completely covering this aspect, I will focus on the security processes explicitly referred to in the main policy documents just prior to 9/11.²² This reveals two conclusions. First, counter-terrorism was clearly not on the security agenda. It was mentioned neither in sections on domestic law-and-order nor in parts dealing with defence and foreign policy. Certainly, threats to national security are identified, but these emanate from organized crime, destructive neighbourhood relations and so on. Second, the documents show that there were two closely interlinked security processes going on in Lithuania at the time. One process consisted of preparations for membership in NATO, while the other concerned reforms of the national security state.

3. Sequence 1 (11-18 September 2001): extra-institutional guidance

The first sequence of the creation phase lasts about one week. During this time, the Lithuanian decision-makers had no separate counter-terrorism institution to act from. Instead institutions within other domains guided them, a phenomenon that here will be referred to as extra-institutional guidance.

3.1. Imminent risk of a terrorist attack?

Considering the initial uncertainty of who was behind the 9/11 attacks, Lithuania (as did many other states) thought it necessary to act as *if* there was an imminent risk of a terrorist attack also in their own country (Figure 2). Therefore, in order to *protect* the territory and other possible targets of terrorism, all relevant authorities took precautionary measures for increased security

²²See, Adamkus V., *Annual Address to the Seimas of the Republic of Lithuania*, 19 April 2001, <<http://adamkus.president.lt/en/pmp2001.phtml>>, 27 09 2007; and Lithuanian Government, *Program of the Government of the Republic of Lithuania for 2001-2004*, 4 July 2001, <http://www.lrv.lt/engl/vyr-programos_en/en_12_programa.html>, 20 09 2007.

within their own areas of responsibility. The Police authorities stepped-up the protection of foreign Embassies, the Civil Aviation Administration implemented supplementary security measures for air transport and airports, and the State Border Guard Service enhanced the control of the borders.²³ Moreover, the armed forces were put on increased alert in order to step up (a) the security at strategic facilities and army units (including an extension of the no-fly zone over the Ignalina nuclear power plant), (b) the control of Lithuania's air space, territorial waters and economic zone, and (c) if necessary, to assist the Interior Ministry and local governments.²⁴ The protective measures were generally not taken by random, but followed a carefully designed defence regime. These routines had however not been created specifically for the case of global terrorism.

Although it never got as far as making arrests of potential perpetrators or evacuation of possible targets, a certain *crisis management* appeared when the Security Department launched an investigation to find out if there were any connections between Lithuania and the al-Qaeda network.²⁵ For this purpose, the relevant government institutions investigated a list of names of suspected terrorists for possible identification and also scrutinized criminal groups in Lithuania to establish possible links. In connection to these measures it was also decided to enhance the surveillance of persons who had connections with terrorists. As far as these investigations could tell however, there were no indications that persons linked with Usama bin Laden were in Lithuania. Taken together, the protective measures and the crisis management seem to confirm that the situation was perceived in terms of higher risk. At the same time, President Valdas Adamkus were quick to emphasize "Lithuania is not a state that should live under the conditions of the state of emergency today".²⁶ In other words, the situation motivated some precautionary measures, but it was not so acute that all the authorities of the security state needed to be mobilized.

²³ Lithuanian Government, (note 2) p. 3-4.

²⁴ Lithuanian Ministry of Defence (MoD), "Lithuanian armed forces put on increased combat alert", press release, 12 September 2001, <<http://kam.lt/index.php/en/71643/>>, 08 10 2007.

²⁵ Lithuanian Government, (note 2) p. 3-4.

²⁶ Adamkus V., *Address to the nation by President Valdas Adamkus in response to terrorist attacks in the United States*, 14 September 2001, <<http://adamkus.president.lt/en/one.phtml?id=2327>>, 27 09 2007.

Figure 2. Lithuanian counter-terrorism immediately after 9/11, protection and crisis management

Situation	Behaviour	Actors	Institution (formal and informal rules and practices)
Imminent risk of a terrorist attack?	Protection	Police authorities	Protection of foreign embassies
		Civil Aviation Administration	Supplementary security measures for air transport and airports
		State Border Guard Service	Enhanced border control
		Armed Forces	Increased security at strategic facilities and army units; control of air space, territorial waters and economic zone; assistance to the Interior Ministry and local governments
	Crisis management	State Security Department	Investigation of suspected terrorists and criminal groups; enhanced surveillance

3.2. The aftermath of a terrorist attack

The second issue that needed urgent attention was how Lithuania should react to the 9/11 attacks as such (Figure 3). In dealing with this issue, a number of concrete measures were taken. As regards *consequences management*, it should first be noted that the Foreign Ministry immediately formed an intra-ministerial working group to follow and analyze the events in the United States.²⁷ Although this was an ad hoc arrangement, it followed an informal practice of establishing working groups for sorting out the significance of international events for Lithuania. In this particular case, the analysts were mainly concerned with the political and security implications of the terrorist attacks. As regards the humanitarian aspects of the attacks there was little doubt what the consequences were, not least because much of 9/11 could be witnessed live by

²⁷ Lithuanian Ministry for Foreign Affairs (MFA), “Lithuanian Foreign Minister condemns terrorist acts against US”, press release, 11 September 2001, <<http://www.urm.lt/index.php?218128178>>, 01 10 2007.

a global TV-audience. This circumstance also helps explain why the central decision-makers already within 24 hours send letters to their American opposites in which they offered consequence management assistance.²⁸ In taking this step, they were benefited by the fact that Lithuania already had a general institution for disaster relief assistance in place, even though it had not been designed specifically for managing the consequences of terrorism. The details of the Lithuanian offer was later worked out by the Defence Ministry's Civil Protection Department and consisted of military medical teams.²⁹

Figure 3. Lithuanian counter-terrorism immediately after 9/11, consequence management and response

Situation	Behaviour	Actors	Institution (formal and informal rules and practices)
Aftermath of a terrorist attack	Consequence management	Ministry of Foreign Affairs	Intra-ministerial working group
		Civil Protection Department of the Ministry of Defence	Disaster relief assistance
	Response	President, Government, Seimas	Condolences and condemnations
		President, Government	Support for NATO's invoking of article 5
		Government	Permission for US military aircrafts to use airspace and to land in airports

Finally, the Lithuanian case suggests that the central political institutions were more directly involved in the *response* than they were in other types of behaviour. There are two main reasons for this pattern. First, there was a strong requirement for official representation attached to the responsive phase. This was not least reflected in the diplomatic response, which consisted of public statements and letters expressing condolences with the victims and condemnations of the perpetrators.³⁰ This response essentially followed the custom for what states are expected to do when another member of the international system has

²⁸ Lithuanian MFA, "Lithuania strongly condemns the terrorist attacks against New York and Washington D.C. and expresses solidarity with the US after the tragedy", press release, 12 September 2001, <<http://www.urm.lt/index.php?2132410623>>, 01 10 2007.

²⁹ Lithuanian MoD, "Lithuania to offer military medical assistance to Washington and New York", press release, 20 September 2001, <<http://www.kam.lt/index.php/en/71695/>>, 10 10 2007.

³⁰ Lithuanian MFA, (note 28).

been illegally attacked. On the other hand, considering that this custom is applied to a transnational case (i.e. when at least one actor is a non-state actor), it still makes sense to look at this as an example of extra-institutional guidance.

The second reason for the involvement of the political institutions has to do with policy. As long as 9/11 was interpreted as a formative moment in world politics, there was also a need for policy formulation. In this case, it was only a matter of days before the political institutions had defined Lithuania's policy position and identified relevant responses. In a statement on 12 September, the Seimas described the attack as "a challenge to the whole civilized and democratic world, to freedom, the world community, to principles of coexistence and humanism".³¹ The parliament also took a firm stand when it stressed that "nothing can justify terrorism" and declared that Lithuania "will join all international anti-terrorist efforts and support decisions, which are needed to punish the terrorists and neutralize their centres". Two days later, President Adamkus gave an address to the nation in which he further specified Lithuania's position:³²

Today we have to assume more responsibility for our common future. Until now we thought that only America should safeguard our common life. And when America has been calling on us to defend democracy we too often thought first only about our interests. After September 11th it has become painfully clear that we should act with America not only in Bosnia and Herzegovina or Kosovo, but also everywhere where human rights and freedoms are threatened. Therefore our state must stand ready today to defend the entire democratic world together with NATO member countries and act as an ally of America and NATO.

The alliance position was in accordance with the statement made earlier by the Seimas. In practice however it had already been communicated to NATO. This occurred at a meeting with the European-Atlantic Partnership Council on 13 September, when the Lithuanian representative made a statement on behalf of the Vilnius group in which they supported NATO's decision to invoke article 5 of the Washington Treaty.³³ Since this article establishes that an armed attack

³¹ Lithuanian Seimas, *Statement on the Acts of Terrorism Against the United States of America*, 12 September 2001, <<http://www.nato.int/pfp/lt/speeches/2001-09-12.html>>, 28 09 2007.

³² Adamkus, (note 26).

³³ Lithuanian MFA, "The Vilnius group countries' governments condemned terrorist acts in the United States", press release, 13 September 2001, <<http://www.urm.lt/index.php?522670605>>, 02 10 2007. The

against one or more of the Allies shall be considered an attack against them all, Lithuania thereby made it clear that it would act as a formal member and come to the ally's rescue. Four days later, this standpoint was also incorporated into Lithuania's new preparation program for NATO-membership.³⁴ This time however it was also emphasized that "Lithuania will have to specify the capacities it is ready to provide for fighting terrorism", a remark that once again confirms the absence of a counter-terrorism institution. As far as military response is concerned, one concrete step that was taken during the first sequence was to give US military aircrafts permission to use Lithuanian airspace and to land in its airports until the end of the antiterrorist campaign.³⁵

4. Sequence 2 (19 September – 31 December 2001): guidelines and roles

One implication of extra-institutional guidance is that actors within the state apparatus not only apply old institutions to a new problem, but also apply different institutions to the same problem. It was therefore obvious that the institutional vacuum within the counter-terrorism domain soon had to be filled. In order to do this, the State Defence Council was called to a meeting on 19 September. The Council – which consists of the President, the Prime Minister, the Speaker of the Parliament, the Minister of Defence, and the Commander of the Armed Forces – is to consider and coordinate the main issues of state defence. At the meeting, the Council made two decisions that were essential for the formation of an institution.³⁶ First, it established *guidelines* for a counter-terrorism program. This was not intended as a temporary solution, but as a first step to establish and institutionalize a new policy domain. The guidelines therefore identified problems that required a medium or long-term answer and,

Vilnius Group was formed in 2000 by ten Central- and East European states that strived for NATO-membership.

³⁴Lithuanian MFA, "National NATO integration program for 2002 presented", press release, 17 September 2001, <<http://www.urm.lt/index.php?-1619320597>>, 04 10 2007.

³⁵Lithuanian Government, (note 2) p. 4. In connection to this, it should also be mentioned that Lithuania since autumn 2002 contributed to the international military operations in Afghanistan.

³⁶See, Lithuanian Government, (note 2), p. 3-4; and Lithuanian MoD, *White Paper: Lithuanian Defence Policy*, 2002, p. 11, <<http://www.kam.lt/index.php/en/122335/>>, 11 10 2007.

in connection to this, pointed out the following directions to be taken by the relevant ministries and agencies:

- (1) Participation in the activities of the international community;
- (2) Enhancement of the general antiterrorist legal framework;
- (3) Protection of the possible targets of terrorism;
- (4) Identification of persons suspected of involvement
in terrorist activities;
- (5) Identification of possible terrorist funds or other assets;
- (6) Investigation of terrorist acts;
- (7) Overcoming the crisis situations caused by terrorist acts;
- (8) Reinforcement of the antiterrorist intelligence.

Considering that the eight directions, with some smaller modifications, were codified in the spring of 2002, I will return to the question of how well they fit into the analytical framework in the final section. The second decision that was taken by the Defence Council on 19 September concerned *roles*. Because counter-terrorism has a cross-sectional character, it was necessary to clarify issues related to leadership and responsibility. The Council therefore decided that the Security Department should be the coordinating institution for combating terrorism. The objective of this department, which was set up in May 1994 following a reorganization of the security service, is to protect Lithuania's sovereignty and system of government. Of course, many other institutions were involved in counter-terrorism. But, as was emphasized by the Council, this involvement should take place within their existing competence and functions. On the basis of this principle, the Council pointed out an additional group of nine actors that were to be involved in counter-terrorism. These included eight Ministries (Internal Affairs, Defence, Transport and Communications, Economy, Environment, Finance, Foreign Affairs, Health) and the Prosecutor General's Office. Along the same lines, it was also expected that a number of state agencies (such as the State Border Guard Service) would become involved in the implementation of the program.

The intervention of the Defence Council constituted a major step towards an institutionalization of the domain. The significance of this step became even more evident the following day, on 20 September, when the Seimas confirmed

the decisions made by the Council.³⁷ Before the counter-terrorism program could be effective however, it still remained to give it a concrete content. This became a task for the Security Department, which during the following three months prepared a draft that later was to be presented to the government for approval.

The final draft was drawn up along the lines pointed out by the Defence Council. However, as far as concrete measures are concerned, it was also affected by developments at the international level. On 28 September, the UN Security Council adopted a resolution that obliged all states to implement some twenty measures (mainly related to prevention) to combat terrorism.³⁸ To further emphasize the seriousness of the situation, the Security Council established a Counter-Terrorism Committee and called upon all states to report continuously to the Committee on their steps to implement the resolution. As a direct consequence of this intervention, the Lithuanian government decided to implement all relevant UN resolutions and to authorize all ministries and governmental agencies “to recommend organizational, technical and legal measures to the State Security Department”, which could be included into the anti-terrorism program.³⁹ Moreover, even though the department had not yet come up with any concrete measures, there were no real obstacles for taking immediate action on some of the items included in the guidelines (especially item 1 and 2). The government did therefore not hesitate to strengthen the control of borders, identity papers and travel document (prevention) as well as to intensify international cooperation with respect to exchange of information (detection) and to legal procedures (response).

The draft for a national program on counter-terrorism was finalized in December 2001. By this time, the program had developed into more than fifty concrete measures or actions for each of the eight directions mentioned earlier. Even though the directions thereby remained unchanged throughout the entire process, there is no doubt that the resolution of the UN Security Council helps explain many of the preventive measures that are listed in the program. The interconnection between the program and the global process was also seen in Lithuania’s first report to the UN Counter-Terrorism Committee on 28 De-

³⁷ Lithuanian Government, (note 2) p. 4.

³⁸ UN Security Council, *Resolution 1373*, 28 September 2001, <<http://daccessdds.un.org/doc/UNDOC/GEN/N01/557/43/PDF/N0155743.pdf?OpenElement>>, 04 10 2007.

³⁹ Lithuanian Government, *Resolution on measures for the implementation of Resolutions of the United Nations Security Council, No. 1281*, 31 October 2001, attached to Lithuanian Government, (note 2) p. 12-3.

ember. The report contains at least thirteen explicit references to the draft program and to more than forty concrete measures (mainly aiming at prevention) that are mentioned in it.

5. Sequence 3 (1 January – 28 May 2002): codification

After the Security Department had presented the draft for an anti-terrorism program, it was incorporated into policy documents. Of course, this is not a necessary condition for an institution to exist, but since it represents a new level of institutionalization it is here treated as a separate sequence. In the Lithuanian case, the codification of the counter-terrorism domain took place when the program was approved first by the government on 22 January, and then by the Seimas on 28 May.

The latter decision, which marks the end of the creation phase, was taken by integrating the program into the *National Security Strategy*. This is a policy document that intends “to provide a vision of the safe development of the State, to lay down the main tasks and objectives of a national security policy, national interests and the measures required for their implementation”.⁴⁰ The anti-terrorism program as such is included under section 6, which deals with the means for implementing the security strategy. However, in order to achieve a complete integration into the document, this change was accompanied by revisions of other sections as well. This means that the Seimas already in the beginning of the document established that Lithuania’s security agenda should be determined by – apart from the relations to NATO, EU, and the Eastern neighbourhood – a response to the challenge of international terrorism.⁴¹ From an institutional perspective, this was an important remark since it gave counter-terrorism a prominent place within the entire security policy.

The final version of the counter-terrorism institution (Figure 4) was more or less similar to the draft program. This means that neither the government nor the Seimas made any significant changes in the proposal worked out by the Security Department in December 2001 or in the guidelines laid down by the Defence Council three months earlier. So, even though the wording is not ex-

⁴⁰ Lithuanian Seimas, (note 3) item 1.1.

⁴¹ Lithuanian Seimas, (note 3) item 1.7.

actly the same, the institution was organized around the eight directions, or key strategies, that were singled out already in the beginning of the process.

Figure 4. The main directions of the Lithuanian counter-terrorism institution, codified on 28 May 2002 ⁴²

Situation	Behaviour	Institution (formal and informal rules and practices)
I. Low risk of a terrorist attack	1. Detection	<ul style="list-style-type: none"> • Developing a general anti-terrorist legal database (2) • Identifying individuals involved in ordering and executing possible terrorist acts (4) • Reinforcing anti-terrorist and counter-terrorist intelligence capability (8)
	2. Prevention	<ul style="list-style-type: none"> • Identifying and removing sources and methods of terrorist funding (5)
II. Imminent risk of a terrorist attack	3. Protection	<ul style="list-style-type: none"> • Protecting potential targets against terrorist attack (3)
	4. Crisis management	<ul style="list-style-type: none"> • Constant preparedness for eliminating crisis situations caused by acts of terrorism (7)
III. Aftermath of a terrorist attack	5. Consequence management	
	6. Response	<ul style="list-style-type: none"> • Establishing clearly defined procedures for investigating acts of terrorism (6)
I-III. General	1-6. General	<ul style="list-style-type: none"> • Participating in the fight of the international community against terrorism and activities of appropriate mechanisms of NATO and EU (1)

The eight directions cover more or less all behaviours associated with a counter-terrorism institution. That is, the institution is directed towards detection (2, 4, 8), prevention (5), protection (3), crisis management (7), and response (6). Direction 1 (internationalization) is of relevance to several behaviours. The only seemingly missing behaviour is consequence management, which is partly included under the first direction and partly handled by existing institutions for disaster relief assistance. Taken together, there seems to be a certain emphasis on

⁴²The number attached to each direction shows the order in which they are presented in the Strategy document.

situations where there is a low risk for a terrorist attack (detection, prevention), even though the other situations are covered as well.

Once the program had been codified it was implemented within a two years period. From the very beginning of this process, it was clear that coordination would be a key for its success. This was not only because of the large number of measures that were to be implemented, but also because of the cross-sectional character of counter-terrorism. To deal with this problem, the government set up an Interdepartmental Coordination Commission for the Fight against Terrorism. The commission, which was led by the Director General of the Security Department, brought together representatives from ministries and agencies that were identified by the Defence Council in September 2001. As regards the implementation as such, some measures were implemented more or less immediately, as was indicated earlier in connection to the Lithuanian report to the UN Counter-Terrorism Committee. Other measures needed more time. This was especially so when the institution required amendments to existing laws (e.g. of the Criminal Code and of the Law on the State Security Department) and accession to international conventions.

6. Explaining the formation of the counter-terrorism institution

Having described the formation of a Lithuanian counter-terrorism institution, the analysis will now turn to the question of why this step was taken. Following the framework outlined earlier, it is assumed that the formation took place within four structural contexts, each leaving a certain room for agency, and within the frame of a temporal dimension.

6.1. Agency and structure

The Lithuanian case may at first sight seem easy to explain. The terrorist attacks of 9/11 sent a shock wave across the world and made many governments take immediate precautionary steps. Of course, global terrorism as such was not a new *environmental threat*, but the scale of the attacks, and the way they were carried out, showed that there was a general and urgent need to create and

strengthen counter-terrorism institutions. In the Lithuanian case, this explanation holds for the first weeks when the precautionary steps were taken and when the basis for a counter-terrorism institution was laid out. However, as soon as it was clear that there were no imminent threats to Lithuanian interests, the initial sense of urgency decreased. Instead, there appeared an increasing room for agency, including time for producing a thorough estimation of the environmental threat. The outcome of this turn was a widely shared perception of the terrorist threat that was included in the security strategy adopted by the Parliament in May 2002.⁴³ The essence of this perception is that terrorism is placed entirely within an international context and that Lithuania may be affected by becoming either a target or a transit country. The emphasis on the international aspect also suggests a link to another structural context, namely the role of *international institutions*. The case study reveals that there was a significant impact from the UN Security Council resolution 1373, which because of its obligatory status clearly embedded the national program into an emerging international counter-terrorism institution. The international pressure, which increased from the beginning of sequence 2, meant that there was a lesser room for agency. A circumstance that became even clearer since there was a follow-up mechanism attached to the resolution.

Turning to the national level, it was assumed that *young security states* should be more receptive to proposals for new institutions. This appears also to be a facilitating circumstance in this case. However, at closer scrutiny it seems obvious that a more profound description is necessary. It is true that there was a favourable climate for creating guidelines and rules for anti-terrorism, but the final institution did not include any changes of the governmental structure. Instead, counter-terrorism was handled within the established structure and, as a consequence of this, treated as a matter of coordination between the existing governmental actors rather than as a matter of creating new departments or agencies. So, even though these actors were at relatively young age, it was still they who had to act during sequence 1, and it was also they who were identified as the main actors in the beginning of sequence 2. The formation of the new institution was therefore constrained by the governmental structure already from the beginning. This narrowed the room for organizational innovation and shifted the focus to issues of management and coordination. From this point

⁴³Lithuanian Seimas, (note 3) item 4.1.1.

of view, it was also natural to assign the responsibility for coordination to the Security Department since it was already established as the main governmental body within the intelligence area.

Finally, the quick formation of a counter-terrorism institution was facilitated by a stable *domestic context*. The government that came into power in July 2001, and that was headed by Prime Minister Algirdas Brazauskas, stayed in power for 41 months. Keeping in mind that Lithuania prior to June 2001 on average had had a governmental turnover once a year, suggests that there for nearly three and a half years (July 2001-December 2004) was a stable political majority for establishing new institutions. This also means that the implementation of the counter-terrorism program was completed well before the Brazauskas government stepped down in mid-December 2004. Interestingly, stability was also a characteristic of the presidential office where President Valdas Adamkus ruled a full term, from 26 February 1998 to 25 February 2003. Together, these circumstances made up a favourable political climate for institutional formation, not least because the reform process could go on without being “interrupted” by electoral politics.

6.2. Sequencing and timing

A thorough understanding of institutional formation requires an analysis of the temporal dimension as well. More specifically, it was assumed that the creation of new institutions is affected by the course of events as well as by contemporary security processes. The former aspect, which is referred to as *sequencing*, seems to play an important role in the Lithuanian case. It was found that the formation phase could be divided into three sequences with a strong temporal order between them. Decisions made early in the process strongly influenced the final outcome, which means that the codification of the counter-terrorism institution (sequence 3) more or less confirmed the decisions made at the beginning of sequence 2. Most interestingly, the same dynamic was also found at the very beginning of the creation phase. Certainly, there is little doubt that 9/11 represents a defining event in world politics⁴⁴, which also triggered off the

⁴⁴ Rosenau J. N., “Turbulence and Terrorism: Reframing or Readjusting the Model?”, in Aydinli and Rosenau, (note 16), p. 221-222.

process of creating a Lithuanian counter-terrorism institution. However, the steps taken during sequence 1 were not taken by random. Instead, there was a clear element of extra-institutional guidance, which means that prior decisions within other domains had a direct impact on the immediate response to 9/11. It is therefore possible to also talk of institutional formation by evolution.

As regards *timing*, it seems clear that the formation of a Lithuanian counter-terrorism institution cannot be fully understood without paying attention to at least two contemporary security processes. On the one hand, there was a strong spill over from the ongoing preparations for NATO-membership. In the summer of 2001, the process had proceeded so far that the new government expected that, if everything went well, it would within a year be invited to start accession negotiations with NATO. Considering that this was a goal of utmost importance, it was not surprising to find President Adamkus stressing that Lithuania must “act as an ally of America and NATO”.⁴⁵ In a similar vein, Foreign Minister Antanas Valionis later referred to the Lithuanian position as “no Half Allies”.⁴⁶ Statements such as these revealed two concrete spill over effects from the membership issue into the domain of counter-terrorism. One effect was temporary, seen from the support for NATO’s decision to invoke article 5 and the permission to give US military aircrafts access to airspace and airports. The other effect was more durable and meant that participation in NATO activities was incorporated as one of the eight key strategies in the new anti-terrorism program. Having established this, it should also be added that there appeared a reversed spill over effect as well. This is because 9/11, by coincidence, presented an opportunity for Lithuania to show the seriousness of its application for membership.

The other process going on in Lithuania at the time concerned the reforms of the security state. Being a young state, and with aspirations of becoming a NATO member, Lithuania was in the summer of 2001 very much preoccupied with strengthening its security institutions and with adaptation to NATO integration needs (e.g. interoperability of armed forces). This was not least clear from the program of the Brazauskas government that came into power in July

⁴⁵ Adamkus, (note 26).

⁴⁶ Valionis A., “International Response to Terrorist Threat: no Half Allies”, *Lithuanian Foreign Policy Review* 9 (1), 2002. See also, Linkevicius L., “September 11, its Impact and Meaning for Lithuania”, *Lithuanian Foreign Policy Review* 9 (1), 2002.

2001. In the immediate future, the new government was determined “to prepare the National Security Strategy, to set up a Strategic Planning Group for National Security and to set up the Strategic Research and Analysis Centre”.⁴⁷ The fact that there was already a process of security reforms going on means that there in some senses was an open window for establishing new institutions. So when the terrorist attacks occurred on 11 September, the Lithuanian government had already decided to prepare a new security strategy, which also indicates that it was more open minded about reform proposals. Therefore, this provides an important background for why counter-terrorism was so quickly incorporated into the strategy. On the other hand, considering that the final strategy did not bring about any changes of the existing governmental structure, the window for institutional formation was not entirely open.

Conclusions

Even though Lithuania has had hardly any experience of terrorism, it reacted decisively to the terrorist attacks in the United States on 11 September 2001. Within nine months it had created a national counter-terrorism institution, which was founded upon a formalized collection of rules and practices that prescribed appropriate behaviour for governmental agencies combating terrorism. The Lithuanian case is interesting because it sheds more light on the general puzzle of institutional formation. So far, many scholars appear to agree that this puzzle should be approached from at least three premises. The first premise emphasizes that the origin of new institutions should be separated from the operation of already existing institutions. This assumption proved unproblematic since it was easy to identify both the beginning and the end of the formation phase. However, the appearance of extra-institutional guidance indicates that there may be an important link between the two phases and that works across different domains. In this particular case it meant that the institutional vacuum within the counter-terrorism domain was initially filled by rules and practices from already operating institutions within other domains (e.g. military security). The effect of this spill over was eventually reduced, although it remained more durable for functions related to prevention and protection.

⁴⁷ Lithuanian Government, (note 22), p. 31.

The second premise stresses that institutional formation reflects a dynamic interaction between agency and structure. This dynamic was clearly seen in this case, but there is one important complementary conclusion to be made. It appears throughout the case as if structure comes first. In other words, the room for agency proved to be strongly dependent upon changes in the structural contexts. The presence of an environmental threat explains the behaviour during the first sequence, but once the initial sense of urgency decreased there was an increasing room for agency. International institutions played a crucial role as well, but worked in the opposite direction. That is, once the UN Security Council intervened it immediately brought new restrictions on agency. Moreover, the relatively young age of the security state made up a favourable climate for creating new institutions. At the same time however, it turned out that the existing governmental structure (despite its young age) narrowed the room for organizational innovation. Finally, because there was no variation in the domestic context, it can only be assumed that the same logic should apply to this variable as well (i.e. if the stable political majority for some reason had been dissolved, then it would not have been as easy to establish the institution).

The essence of the third premise is that sequencing and timing provides additional insights into the conditions for institutional formation. In the former case, it turned out that the creation phase could be divided into three sequences with an internal dynamic between them. Not least, it was found that the codification of the new institution confirmed the guidelines that had been worked out in the beginning of sequence 2. Moreover, by emphasizing the sequential dynamic it was also revealed that there was a mix of revolution and evolution. So, although the formation process was triggered off by one dramatic event, it did not prevent the decision-makers from taking the time needed for developing a comprehensive institution. As regards timing, the study shows that there was a significant spill over from two contemporary security processes. The ongoing preparation for NATO-membership was the cause of one spill over effect and meant that Lithuania very much acted as if it was already a member of NATO. The second spill over effect emanated from the ongoing reforms of the security state. Because the government was already determined to prepare a new security document, it was quite easy for it to accept the idea of a counter-terrorism insti-

tution. On the other hand, considering that the reforms did not aim at changing the governmental structure, the effect of this spill over was somewhat reduced.

The case study of the formation of a Lithuanian counter-terrorism institution gives strong support for the three premises. By applying them systematically, much of the causal dynamics behind institutional formation was revealed. From a theoretical point of view, it was also sound to marry together the three premises (in effect institutional theory) with the work of Ashton B. Carter. Although some modifications are needed, mostly related to the internal dynamics of the premises, the integrated framework appears promising enough to motivate more case studies in order to test its explanatory power.