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SUMMARIES

JIHAD, FROM LOCALISM TO GLOBALISM.

Olga Mattera

The Middle East is a region where, historically, the majority Arab population oscillates between resurgence and decline -- a process complicated by the existence of substantial ethnic, religious and sectarian minorities and the involvement of outside forces. It is not clear how long this particular trend might continue, but for the time being and under this point of view the occupation of Iraq, aside from the long-term strategic goals of the military operations, seems to provide a much-needed raison d'être for the jihadist movement -- and offers the potential for it to expand and long time survival as a global threat.

The aim of this paper is that of drafting an analysis of the Jihad movement, from its original meaning to its present evolution, and then deriving strategic implications from its links and expansion with al-Qaeda, with a look at the London Attacks.

STATE FRAGMENTATION AND POLITICAL INTEGRATION IN THE BALKANS.

Some considerations on the final stage of Yugoslavia dissolution

Paolo Quercia

The article's point of view is that one of the main regional macro-dynamic is the historical fluctuation between integration and fragmentation, and that the fragmentation process is losing its momentum and it is approaching the very final stages. Therefore it is time for the international community to get involved effectively with a clear political will for solving, in the short term, the pending status issues and at the same time for reversing the political stream from fragmentation to integration. In other words it is time to create, for that part of South Eastern Europe that won't join the EU in the next wave, a binding knot between regional integration and European enlargement. The international community should make it clear to the Balkan countries that future EU integration can be reached only by reintegration with the non EU Balkan neighbours and to elaborate forms of strict conditionality between these two processes.

THE GUERRILLA WARFARE IN CHECHNYA AND IRAQ: A PRELIMINARY COMPARISON.

Andrea Grazioso

Although guerrilla tactics are similar, with the widespread use of improvised explosive devices, suicide bombers and snapshot attacks on helicopters, the wars in Chechnya and Iraq are not directly comparable.

In the Caucasus, Russia seems unable to promote a political process able to reconcile the opponents, is probably exacerbating the antagonism among regional players and appears utterly against any internationalisation of the crisis.

While the Iraqi insurgency is probably fighting within a window-of-opportunity that is slowly closing down, in Chechnya the perpetuation of the fighting plays in favour of the insurgents, and makes the normalisation a remote conclusion.

SOME THOUGHTS ON THE U.S. INTELLIGENCE.

Lucio martino

The debate on United States Intelligence sparked by the attacks of 11 September 2001 is far from being over. At the beginning some accuse Intelligence with failing to do its job, some others defend the performance of the Intelligence Community. In retrospect, it looks like that both sides are right. Actually, a broad consensus seems indicating that roots of Intelligence failure can not be addressed in isolation. To be blamed is lately the entire American Intelligence process, ranging from public perception, agencies performance, and policy makers use of Intelligence products. However, many critical improvement have already been suggested, but so far little was done.

Bureaucratic resistance has been opposing greater inter agency cohesion. Although the new DNI will control the overall budget, and mediate among the parochial inter agency interests, he is supposed neither to interfere with the competencies of individual agencies, nor with the principle of competitive Intelligence, which will continue to be at the base of Intelligence analysis.

PAKISTAN THE THREAT OF ISLAMIC RADICALISM

Fausto Biloslavo

Pakistan's ethnically and religiously complex society, geographically wedged between the Hindu-majority Indian political culture and the contrasted Islamic cultures of tribal Afghanistan and Shia Iran, has posed an enormous challenge to governance since the country's creation in 1947. Struggles over its own political identity marked by alternative periods of democratic and military rule, a 57-year grievance over India's hold on two thirds of the state of Jammu and Kashmir, and a continuous effort to balance the demands posed by the country's membership of a succession of western alliances in an effort to enhance its regional security – at the constant risk of alienating sections of domestic religious opinion – have all contributed to a continuing deep sense of insecurity and instability.

The essay will be divided into two parts the first of which will be published in the current issue of the Quarterly. The first is about the roots of Islamic extremism, the Madrasa phenomenon and Pervez Musharraf, the coup leader and reformer.

SOUTHERN COOPERATION FOR INTERNATIONAL SECURITY.

Latin American participation in the Stabilization Mission in Haiti

Riccardo Geffer Wondrich

The end of the Cold War and the new challenges issued by international terrorism have profoundly changed the security patterns in Latin America as well as in the rest of the world. The new scenario is now urging Latin American countries to modify their long term tradition of non-intervention and reluctance to participate in peace enforcement missions under Chapter VII of the United Nations Charter. Institutions like the Organization of American States have proved insufficient to assure domestic and international stability in the region. The stabilization mission that is currently under way in Haiti represents the most difficult test for the new role that some Latin American countries are called to play in the Western hemisphere.

BACK TO NICE?**SECURITY IMPLICATIONS OF THE EUROPEAN CONSTITUTIONAL FAILURE**

Giovanni Gasparini and Federica Di Camillo

The article assess the consequence of the suspension of the ratification of the new European Constitutional Treaty on the evolution of the security dimension of the EU, in the aftermath of the negative results of the French and Dutch referenda.

The Constitutional Treaty provides some new institutional arrangements and the introduction of regulated flexibility in the defence area.

While the Treaty of Nice remains in force, there will be incentives to operate outside its institutional framework, since it is unfit to answer the most pressing European security problems, given its shortcomings in the decision making process (unanimity always required) and the prohibition to adopt enhanced cooperation in the defence area.

In fact, there have been already anticipations of some disposals of the Constitution, either through Council decisions taken by unanimity or by cooperations outside the Treaty, established by a restricted number of “willing and able” member states.

The prevalence of a trend towards a security evolution lead by different groupings of “willing and able” countries could represent a viable solution in the short term, but would undermine the European project in the long run.

THE F-35 JSF IN EUROPE: THE CONSEQUENCES OF PRAGMATISM

Corinne Asti

Between 2001 and 2002, five European countries (United Kingdom, Italy, the Netherlands, Norway and Denmark) decided to join an American cooperation programme to jointly develop a next generation combat aircraft, the F-35 JSF. This can be considered a pragmatic choice based on financial and industrial considerations, essentially due to the paucity of European funds destined to defence Research and Technology Development. However, this choice is not only jeopardizing intra-European cooperation, such as the European Technology Acquisition Program’s future European air combat system (SCAFE) or the Eurofighter programme, but it is also menacing the European military aviation sector and, to a larger extent, the European defence Technological and Industrial Base as well as Europe’s autonomy. Fortunately for Europe, the JSF programme has been experiencing many financial and technical difficulties, which will be examined in this paper. The United States has also been moving towards increased protectionism concerning transfers of technology to its allies, while its industrial and export strategies have become more aggressive. This evolution has stimulated some European countries to look for new and more efficient ways to cooperate on air combat systems, starting from unmanned platforms.

Olga Mattera

Jihad, from Localism to Globalism

As an Israeli Analyst has underlined with regard to the London Attacks “So far it appears that Al-Qaeda has a number of North African cells in Europe, which operate much like sub-contractors affiliated with the strategy of global Jihad in Iraq. We can assume that such sub-contracting groups are composed of “not so sleeping” cells on European soil, and not of ‘imported’ groups of Saudi and Egyptian individuals, as in the case of the September 11 attacks.”¹ The Analyst also cites an article appeared on a Global Jihad Website which illustrates the present target of the Global strategy of al-Qaeda as: “...to widen the gap between the United States and its European allies, with the aim of isolating the U.S. administration against the war”².

If we assume that the al-Qaeda network works by delegating to groups, sleeping or not-so-sleeping cells, local clusters, all of them associated in some way to the wide and diverse world of the Islamic Jihad, we are then urged to look further and deeper.

The Quarterly intends to analyse the intensity, the roots, the evolution throughout the decades, of what was meant essentially as an individual moral commitment, has then grown into locals revolutionary movements and has finally developed into the hummus, the ideological basements and the source of inspiration for the major global threat (and possible the major global ideological trend) of the post communism era.

Since the region's rise to significance, Middle Eastern history can be divided into cycles characterized by the alternation of Arab sovereignty and loss of sovereignty over the region. The first cycle ran from the early 600s to the middle 13th century, when the region was under Arab control. This was followed by a second cycle from the late 1250s until the end of World War I, when the region fell to domination by non-Arab forces. We are now in a third cycle, when Arab nation-states continue to struggle with regional non-Arab entities and Western forces to consolidate their power over the region.

¹ Global Research in International Affairs (GLORIA) Center, Reuven Paz, ‘From Madrid to London: Al-Qaeda Exports the War in Iraq to Europe’ Prism Occasional Paper, Volume 3 , Number 3 July 2005

²<http://www.tajdeed.org.uk/forums/showthread.php?s=b41a32c832558708abd304453a06ae15&threadid=36745>

A parallel trend is the appropriation of Islam (in ideological terms) as a unifying force in the various quests for control over the Middle East. It was with the establishment of Islam in 622, that the region assumed geopolitical significance. During this 1.383-year period, there has been a pattern in which the nature of conflict in the region oscillates between Arab versus non-Arab and Arab versus Arab.

With Islam came the cultural-religious identity of the Muslim/Islamic Ummah and emerging as a geopolitical force, it defeated the two major powers of its time, the Roman (Eastern Byzantine) and Persian (Sassanid) empires. The Islamic polity expanded westward through the Levant into North Africa and south-western Europe, and north-eastward into the Persian realms and southwest Asia, with Arabs in charge. We see this dynamic in action in various dynastical caliphates and emirates, but also in the rise of the Saudi-Wahhabi phenomenon in the Arabian Peninsula beginning in the mid-18th century, Islamism in the early 20th century and its more militant brand of jihadism in the late 20th century. A corollary of this behaviour also can be seen in non-Arab forces seeking to dominate the region, e.g., Mongols, Kurds, Turks and Persians. The establishment of the Islamic republic in Iran in 1979 and its subsequent emergence as a major player seeking to dominate the Middle East is a more recent example of a non-Arab force asserting its control over the region through the use of the Islamic religion.

More recently, jihadism has appropriated the notion of jihad ("righteous struggle") in calling for the use of force, against either military or civilian targets, by non-state actors whose ultimate objective is to establish an Islamic state. While the post-colonial autocratic Arab states have been arrestors for the rise of the Arabs, the current U.S.-led push for democratization is likely to enhance the current wave of the Arabs' bid to regain regional control, led by moderate Islamist and non-Islamist forces. Unlike in the past, when most of the region came under the control of a few political forces, the nation-state remains a permanent feature for the foreseeable future. That said, radical and militant Islamists seek to do away with the nation-states and replace them with a supranational entity -- a goal that does not appear achievable any time soon.

In the last few years, Jihad and jihadism have become a global phenomena that ask for the eradication of Western influence from the Arab areas. Though the movement is read by public opinions in the person of Osama bin Laden, it is important to understand that the phenomenon is not restricted to a particular group or brand of groups, but rather is a broad ideological movement to which many dissimilar groups -- separated by geography, singular motivations and short term political goals -- may belong.

Jihadism today has a very different mean from what it had in the past and it is defined as an ideology espoused by a fringe minority of various extremist Muslim groups, all operating on the periphery of the Islamist political spectrum. In fact, the movement has taken the notion of jihad ("righteous struggle") in calling for the use of force -- against either military or civilian targets -- by non-state actors whose ultimate objective is to

establish an Islamic state. The phenomenon, which has been propelled by a number of events during the course of the past half-century, today is being driven forward chiefly by two factors: U.S. occupation of Iraq and the continued decentralization of al-Qaeda as, the London attacks prove.

Sources and origins of Jihadism

Jihadism is a component of the overall Islamist movement -- a larger, much more moderate movement which holds that Islam should form the political foundation for a state. According to this ideology, secular political institutions and regimes should be ousted in favour of state institutions that are governed by the prescriptions of the Koran. In theory, Islamism would include both violent and non-violent actors; jihadism is the "active" offshoot, which developed during the latter half of the 20th century and which, in many cases, extends itself into violence. Ideologically, the movement can be traced back to the first Arab-Israeli war, in 1948. During the 1970s, however, it gained impetus, with the emergence in Egypt of the *Gamaah al-Islamiyah* and *Tandheem al Jihad*³ - to be followed years later by many other groups throughout the Muslim world. According to many analysts, Egypt's defeat in the 1967 Arab-Israeli war, together with Egyptian President Gamal Abdel Nasser's attacks against the moderate Muslim Brotherhood have been the catalyst that pushed some already radical Muslims toward violent jihad. These events, together with the success of the Islamic revolution in Iran and the Mujahideen successes in Afghanistan, laid the foundation for the modern jihadist movement. Palestinian scholar Abdallah Azzam, who played a leading role in recruiting Muslim volunteers in Afghanistan during the 1980s, is seen as the godfather of the present jihadist ideology. Azzam, who worked as a professor of Islamic jurisprudence in Saudi Arabia, initially was a member of the Muslim Brotherhood in Jordan and Egypt. His most famous written work is "Join the Caravan," published in the late 1980s, which has been an inspiration for many young Muslims. Several other influential jihadists also hail from Egyptian groups: Sheikh Omar Abdel-Rehman, a blind activist-scholar, was the founder of Gamaah, and al-Maida lieutenant Ayman al-Zawahiri came out from the Tandheem al Jihad (Jihad Organization), which was involved in the 1981 assassination of Egyptian President Sadat. Among al-Zawahiri's works there is an attack on the moderate philosophy of the Muslim Brotherhood, titled *Al Hasad al-Murr: al-Ikhwan al-Muslimoun fi Sittin Aman* (*The Bitter Harvest: The Muslim Brotherhood in Sixty Years*), which has been a source of inspiration for at least two generations. The movement has also been influenced by the thinking of Egyptian author Abdel-Salam al Faraj, whose

³ J.M. Davis, *Between Jihad and Salaam, Profiles in Islam*, St. Martin's Griffin, New York, 1999

most famous jihadist text is *Faridah al Ghaibah (The Neglected Duty)*⁴.

All of these men emerged from the Brotherhood and grew intellectually closer to Wahhabism, a very strict interpretation of Islam. Eventually, in the mid-1990s, Wahhabis seized control of the jihadist movement, which crystallized in the form of al-Qaeda.

Prior to al-Qaeda's emergence, the jihadist movement lacked a standard-bearer. It was a grouping of religious scholars and activists, rallying to various interpretations of the Koran and Sunnah and concentrated mainly on local struggles. To some extent, that reality continues today -- though the movement as a whole is heavily influenced by al-Maida's Wahhabi extremism and has acquired a global aim. However, al-Qaeda does not represent the sum total of jihadism. Bin Laden views himself and his organization as a vanguard for the wider movement.

Ultimately, the jihadists are set apart from other Muslims by their use of jihad as a vehicle to establish an Islamic polity -- a departure from the classic conception of jihad as an affair to be conducted by Islamic authorities, such as the caliphates and various local or regional emirates. *The philosophy that non-state actors can appropriate jihad as a means to establishing an Islamic polity is an unprecedented intellectual development in the history of Islam.*

The appropriation of the notion of Jihadism by Bin Laden

One interesting occurrence related to Al-Maida and the development of global Jihad since the September 11th attacks is the emergence of a *group of interpreters* of Osama bin Laden, the *Tanzim Qa'idat al-Jihad*, who have dealt with the nature of the war between radical Islam and the West⁵. These interpreters, essentially Saudi, Yemeni, and Egyptian scholars, have published throughout the past year, dozens of articles in Islamist web sites and on-line magazines and their articles are widely distributed and circulated on Islamist Internet forums. The numerous responses to them prove their popularity⁶. These scholars are part of a bigger group of well-known clerics, primarily Saudis from the Saudi Islamist opposition known in Arabic as '*Ulama' al-sahwah* (Clerics of the resurgence), who serve as the backbone of the support for the ideology and doctrines of the culture of global

⁴ Ibid

⁵ Global Jihad and the United States: Interpretation of the New World Order of Usama bin Ladin, Reuven Paz, PRISM Series of Global Jihad, No. 1, 2002

⁶ Some of them opened their own web sites. Among them the more famous of these scholars are Abu Ayman al-Hilali, Abu Sa'ad al-'Ameli, Lewis Atiyyat Allah, and Abu 'Ubayd al-Qurashi. Qira'ah li-mustaqbal al-ma'rakah bayna farouq al-'asr Usamah bin Laden wa-Amrika (Reading the future war between bin Laden and the United States), 17 August 2004. See: <http://www.jehad.net>

Jihad and al-Qaeda. *Nevertheless, if the contribution of the clerics lies in supporting and developing these doctrines, the importance of the “interpreters” lies in spreading the political messages of the global Jihad in the Arab and Muslim world, and in promoting the expectations of the radical Muslim youth for further struggle and more anti-Western and anti-Jewish sentiments.* Part of their articles could be viewed in the West as disinformation or psychological warfare; nevertheless they constitute a good example of the importance of the radical Jihadi Salafist doctrines in the development of Jihadism from a local to a global magnitude. Another example for such “interpretations” are the many unsigned articles published in the past year by the Centre for Islamic Study and Research (*Markaz al-Dirasat wal-Buhuth al-Islamiyyah*). The centre is regarded by many observers as one of the official means of propaganda for al-Qaeda, which accurately reflects the Jihadi-Salafist doctrines of the culture of global Jihad. The fact that many of them are unsigned wants to reflect the image of the authentic views of al-Qaeda, and not just individual views⁷.

This trend is interesting and serves the group and its supporters and adherents very well. A good example for such interpretations that might have practical implications, was an article published by the centre in August 2002, about future scenarios of the conflict between al-Qaeda and the United States⁸. The article talks about: “A series of events in various sensitive places over the world, either planned by Al-Qaeda or not, prior to the attack against the United States.” One might be tempted to conclude that the series of terrorist attacks in October-November 2002 – Bali, Kuwait, Yemen, Mombasa, and the theatre in Moscow, in addition to arrests of suspects in Europe are according to this scenario, an introduction to another major attack on American soil. One of the more popular interpreters of al-Qaeda is Lewis Atiyyat Allah, who is well known in the circles of the supporters of global Jihad in the Arab and Muslim world. During the past year his articles and views were sometimes controversial; since his attacks on the Saudi government and the Saudi Islamic establishment are very severe. A good example of such an attack was an article he published in November 4th 2002, under the title “Allah will curse those people, and the cursors will curse them too.”⁹. This was an extraordinary attack on the Saudi Mufti and the Saudi Islamic establishment for their support for the ruling royal family, whom he called “A group of hypocrites, drunks, and effeminate... that wish to turn Saudi Arabia into feudal land with slaves they own... and who are loyal

⁷ United States: Interpretation of the New World Order of Usama bin Ladin, Reuven Paz, PRISM Series of Global Jihad, No. 1, 2002

⁸ Qira’ah li-mustaqbal al-ma`rakah bayna farouq al-`asr Usamah bin Laden wa-Amrika (Reading the future war between bin Laden and the United States), 17 August 2002. <http://www.jehad.net/jehadnews/article.ID?php=234>

⁹ Ha’ulaa yala`anahum Allah, wayal`anahum al-la`inun. <http://www.yalewis.com/>

to the Jewish and Christian enemies of Allah.” In November 30th 2002, Atiyyat Allah published an article titled: “The New World Order as written by Osama bin Laden.”¹⁰. This is an attempt to review the development of al-Qaeda and the culture of global Jihad and mainly their future, as if bin Laden himself was sketching his lines of thinking. The article that was written in the first person, is unusual in its attempt to enter bin Laden’s mind in such a direct manner. Yet, it might really reflect the future plans and policies of Al-Qaeda and its front groups.

“Bin Laden describes in the first part of the article how the idea of global Jihad developed in his mind. The development of the ideas in bin Laden’s mind is presented in a very well organized and rational manner. Yet, there is the guidance of Allah, almost in the same manner he did with the Prophet. The author drafts an image that could easily turn bin Laden in young Muslim minds into a kind of a “new Muhammad.” The admiration for Bin Laden by Muslim youth, which is constantly growing, becomes here a personification of the best of the Prophet and the stages he experienced during the divine revelation to him. Bin Laden’s immigration—*Hijrah*—is to Afghanistan, and his worst period of ignorance—*Jahiliyyah*—is the American “invasion” of Arabia in 1990-91: “the most sinful crime in the history of Arabia.... And the biggest high treason in Islamic history.... which was blessed by an unanimous categorical Islamic Fatwah that said that these forces came for the defence of the purity of Islam, and whoever fights them is a fighter against Allah.”

But then, after the Gulf war, there was a split over the issue of the Islamic priorities:

Some of our Mujahidin brothers decided that there was the time to spread the Jihadi messages in order to defeat the Western made regimes, what led to clashes with the Egyptian and Algerian government. During our study of those efforts, we noticed that the international planning centre for burying every Jihadi liberating project in the Islamic nation is found in the United States, the centre of evil... The ultimate conclusion was therefore, that no project for the liberation of the Islamic nation from Western dominancy could succeed as long as the United States was there.... Then we concluded that the equator of the Islamic world is composed from two sections:

- a. There is no chance in changing the situation of the Islamic world unless the role of the United States is singled out.*
- b. The United States could not be defeated by an army or by any traditional military confrontation¹¹.*

¹⁰ Al-nizam al-duwali al-jadid – written by Usama bin Laden. <http://www.yalewis.com/>

¹¹ United States: Interpretation of the New World Order of Usama bin Ladin, Reuven Paz, PRISM Series of Global Jihad, No. 1, 2002

From here originated the globalization of the war against the United States, “*starting in Somalia, where we killed over 200 American soldiers.... And started studying from close the nature of the American soldier, the lines of the American military doctrine, and the nature of the American retaliation.*”

Then, al-Qaeda decided to provoke the United States by operations that “*imposed on them the distribution of our Jihadi doctrines on the international level, and pushed Clinton to declare us the first enemy of the United States. The flames were the two operations in Nairobi and Dar as-Salam:*

*It was in fact what the Americans wanted according to their studies. They were looking for a while for an enemy that would grant them a justification to live. One of their scholars stated that there was no meaning to the United States if there is no Soviet Union to hate. We granted them what they wished for and turned into that enemy. But, unfortunately for them we were not the traditional enemy they expected, and hence we managed to turn their life into hell*¹².

Then came the September 11th attacks on American soil, and according to “bin Laden” they managed to embark, in Afghanistan, on another kind of a war, a traditional guerrilla warfare in an area which was better known to the Islamists than to the Americans.

But, the more important outcome of the September 11th attacks was according to this analysis, the American attempt to impose upon the Arab government a coalition against the Islamists. The Arab response uncovered the high treason of these governments to their publics and the fact that their first mission was actually the protection of the West. It enabled al-Qaeda to act against the United States from within societies that hate their own governments as well as the Americans.

Another important consequence was in “bin Laden’s” eyes, the success of the Islamists to acknowledge the globalization of Islam and their ability to stand above the nationalist dimension. It enabled them to be released from all the limits of the regional perceptions that paralyzed many of the other Islamic groups.

Stages and implications of the Islamist Global strategy

The present conflict between the Islamist radicals and the West is only one part of a global strategy. Another, second phase and, maybe, the first priority of the global Jihad

¹² Ibid

for the near future is to defeat the Arab governments. A third stage may be called the “stage of isolation,” in which the Islamists would seek to isolate the American administration from its own citizens on one hand, and from its allies, on the other. “At first, we did not know how we could arrive at this stage due to the war against us. But, the American political stupidity of the Bush administration gave us the answer, when it started recruiting the world towards the war against Iraq.”

Bin Laden tapes give special importance to this aspect. His messages are often meant to target two audiences:

- a. To give the Muslim peoples the confidence that the Mujahidin are the only element capable of destructing the Western hegemony;
- b. To remind the Western people that the revenge against them would be tremendous, and the destruction of the Bush administration and its allied governments would bring up on them. They could never uproot the new Islamic powers and therefore, they should press upon their governments to start isolating themselves from the United States. Otherwise, they would be hit like the Americans would.

The “tapes-issue” reflect the way of thinking of al-Maida’s leadership. The *Modus Operandi* of sending audiotapes through the al-Jazirah TV station became in the past year a kind of a ritual by bin Laden, like the few articles and books that his deputy Dr. Ayman al-Zawahiri has published through the Saudi London-based newspaper Al-Sharq al-Awsat. It seems that bin Laden and his aides are closely following the effect of their tapes or announcements in the West, and deliberately sending them every few months and not more often. This is probably part of the attempt to keep their whereabouts vague and secure and leave a fog of mystery surrounding them. The same as bin Laden or his spokesman Sulaiman Abu Ghayth can record voice messages, so too they can probably send their messages by video as well. Yet, the mystery of their whereabouts seems to be a deliberate act. The atmosphere of the forthcoming attack against Iraq, perceived by Islamist radicals as part of the war against Islam, increases the expectations of the supporters of al-Qaeda and a great part of the Anti-American Muslim world, for a major retaliation by al-Qaeda. Moreover, on the background of this event there is a growing atmosphere in an historical sense that arouses apocalyptic visions among Muslim, as occurred in 1991. Wishful thinking of the forthcoming appearance of the Mahdi and the Black Flags¹³ (*Al-rayat al-sud*) started to be popular recently. We can find signs of that sense in Islamist forums, as well as in the web site of the Centre for Islamic Study and Research. The third stage is linked to the forth: the final direct confrontation with the

¹³ The Black Flags, the Mahdi, as well as the false Messiah (al-Masih al-Dajjal), are part of Islamic theories on the end of the world. They are partly based upon sayings of the Prophet in the accepted Hadith, and partly on popular beliefs and sayings in the weak and controversial parts of the Hadith. These theories were very popular in the first Gulf War in 1991, as well the distribution of literature about al-Masih al-Dajjal.

United States in order to “pure the world from the American power. By destroying the United States and defeating it on its soil. Defeating the United States means the defeat of the West, what would lead to the shift of the international centre of gravity back to the Islamic world.”

Conclusions, with a look at the London Attacks

Judging from the most recent declarations attributed to bin Laden or al-Zawahiri or other less important acolytes (Abdel Aziz al-Muqrin and Abu Musab al-Zarqawi) it seems that al-Qaeda is transforming itself from a strictly militant group into a wide ranging political web, and simultaneously making concerted efforts to disseminate its message at the ground level. The political evolution is clear in the most recent tapes of bin Laden, as well as in a publication he released in the aftermath of the Madrid Bombing, announcing a truce with the European states. This transformation signals a practical approach to the group's survival, given the global magnet that has been under way since the Sept. 11 attacks.

The evolution in al-Qaeda's communications is more subtle, but can be detected in a careful examination of the rhetoric used by senior leaders. For instance, in the last statement attributed to him, al-Zawahiri called on all Muslims to increase their support for the jihadist movement. He encouraged all to take a lesson from the mujahideen in Afghanistan and Chechnya, and to apply those lessons to their own lands and lives. He also criticized those who restricted their support and activities to the Israeli-Palestinian conflict, which has long been a rhetorical pillar of the jihadist movement.

Also significant has been the emergence of more regional and quasi-independent jihadist groups that act with little or no encouragement from al-Qaeda "prime" -- groups such as Jemaah Islamiyah in Southeast Asia, the al-Qaeda cell active in Saudi Arabia, and even al-Zarqawi's virtually independent Jamaat al Tawheed wa al Jihad (Monotheism and Fighting Group) in Iraq, which has renamed itself "Tandheem al-Qaeda fi Bilad al Rafidain" ("Al-Qaeda Organization in the Land of the Two Rivers"). All of these are Islamist militant groups with some sort of ties to the al-Qaeda hierarchy -- and though the level of communication maintained is debatable, the evidence that they are carrying on with operations regardless is without question.

There is an important explanation for this self-motivation and autonomy. al-Qaeda has always been a relatively small organization in comparison with the size of the movement it sought to inspire. Many of the training camps al-Qaeda ran in Afghanistan following the Soviet war served, importantly, as a kind of ideological exchange program -- a way of exporting the jihadist. Whether the military training that supporters from various countries received ever was translated into militant action was insignificant; groups like

al-Qaeda rely on rhetorical and ideological support in much the same way that they rely on financial and logistical support. Any small-scale regional activity that can be linked back to al-Qaeda only bolsters the image it seeks to create as a global entity representing the entire Muslim world. In Iraq, al-Zarqawi is emerging as a perfect example of this trend. Though he was virtually unknown within the jihadist community before the Iraq war, al-Zarqawi now has nearly as much name recognition as bin Laden himself. His path from anonymity to media star is one to watch, particularly if it should be repeated in another theatre of operations. Al-Zarqawi, who trained at al-Qaeda camps in Afghanistan, may or may not have had contact with bin Laden before being essentially cut loose by the organization years ago. He was involved in a variety of jihadist activities in Europe and in the Arab World before establishing himself as a potential rallying point for the global jihadist movement. Part of the explanation for his "success" is the universal applicability of the jihadist message. Rhetorical calls to resist Western involvement and influence in Muslim lands and overthrow "corrupt" Muslim regimes are resounding throughout the Islamist world, perhaps more now than ever.

The U.S. invasion of Iraq has given new currency to jihadist calls for action. Despite widespread rhetoric condemning the plight of the Palestinians - and even throughout the successful war in Afghanistan -- the response of most Muslims to cries for jihad was one of inertia. Since the Sept. 11 attacks and U.S.-led and -inspired action against suspected terrorists in many parts of the globe, however, the perception that the West is at war with Islam itself has grown. Now, the presence of a military force in a Muslim country, Iraq, is rousing the masses in ways that previous conflicts did not.

Prior to the U.S. invasion and occupation of Iraq, the rhetorical motivation for engaging in jihad was rather temporary. Much of the justification stemmed from U.S. support to Israel.

The presence of U.S. military forces in Saudi Arabia also was cited as a justification - and unquestionably was a primary motivator for bin Laden personally - but this was perceived by most Muslims as important. In their minds, it was more of a call to a primarily offensive operation against a potential future opponent, a sort of a pre-emptive doctrine of jihad. This doctrine is unappealing to many, who believe that only the state can righteously conduct offensive jihad. Defensive jihad, by contrast, is the duty of every Muslim -- and this is the view adopted of resisting U.S. forces in Iraq, similar to the struggles in Afghanistan, Chechnya and Bosnia. Jihadist leaders also have pointed to the United States' enforcement of the U.N. embargo of Iraq and America's "cultural aggression" against Muslim lands, but these justifications pale in comparison with the invasion of Iraq, which incensed even many "moderate" Muslims. As a result, many now view the insurgents fighting Iraqi and coalition forces as legitimate religious fighters.

The U.S. military action apparently has also pushed many sympathizers of al-Qaeda into taking action of their own. This seems to be the case in the random

violence against Westerners in places like Saudi Arabia, where activists unaffiliated with al-Qaeda (mostly youths) carry out targeted assassinations. Ultimately, the Iraq conflict could serve as the next safe heaven in which future jihadists are moulded -- much as Afghanistan, Chechnya and the Balkans before. That said, it is important to distinguish between Muslims support for anti-occupation struggles and al-Qaeda-style terrorism. The former is a task-specific support -- fighting what is perceived as a foreign occupation, as opposed to destabilizing legitimate governments in Muslim states. The majority of Muslims do not support this goal -- and even in the context of Iraq, al-Zarqawi and other militants who engage in car-bombings targeting non-combatants, kidnappings and executions are frowned upon. Meanwhile, many of the legal reforms and social changes, such as amendments to the curricula of the madrassas and promotion of more moderate forms of Islam, pushed forward by regimes in countries like Pakistan and Saudi Arabia (traditional bases of operations for al-Qaeda) are being attributed directly to U.S. influence. In this way, jihadists are gaining some traction even from domestic, intra-Muslim issues in parts of the world where the United States has applied political or military pressure. The United States' playing the role of the outside force also keeps with the region's experiences of foreign intervention. In this regard, the jihadist groups in Iraq view themselves as waging a struggle against the Shia as well as the Americans. Sunni forces in Iraq and their supporters in the region's Arab states also view the "other" as an alignment of Iraqi Shia, Iran and the United States. The London Attacks fit perfectly in this frame. They are the last operations of a long lists of attacks carried put by Global Jihadic forces.

As some analysts have noted¹⁴, there is a recognizable pattern in the choice of timing and sequencing of the attacks:

- **August 7, 1998:** U.S. embassies in Nairobi, Kenya, and Dar es-Salaam, Tanzania, are bombed, (250 victims)
- **October 12, 2000:** Suicide bombers in Yemen attack the USS Cole, (17 victims)
- **Sept. 11, 2001:** Four hijacked planes crash into New York City's Twin Towers and the Pentagon (nearly 3000 victims)
- **March 11, 2004:** Multiple bombs detonate in Madrid's rail system (nearly 200 victims, almost 2000 injured)

Not taking into consideration the attacks in Iraq, Analysts have noted a distance of approximately 15 months to two years between major al Qaeda operations, though the

¹⁴ See Stratfor.com

group may sponsor or condone smaller one-off strikes during interim periods¹⁵. This echoes in some way the need for careful planning and for locating distributed resources. It might also be a kind of mechanism for maximizing "alert fatigue" and complacency¹⁶. Even in settings and circumstances with known and measurable threats such as the London case, it is nearly impossible to fully protect all possible targets, and no one can remain "on point" forever. In recent days, as clues have accumulated, it appears to us that the strikes actually were the work of a hybrid cell -- an external, highly trained al Qaeda operative working with a group of local sympathizers. There are several arguments to support this case. First, for all that al Qaeda has been evolving since 9-11, the London strikes fit a well-established pattern combining timing, tempo and sequencing, the elements which form part of the al-Qaeda "signature". The bombings were clearly timed to coincide with the G-8 meeting. The media were concentrated on the Summit and bombers exploited that to their own advantage. The tempo of the operation, coming about 18 months after Madrid, also is in keeping with al Qaeda's pattern: the spans of 15-24 months. Yet it is in the sequencing of the attacks -- a series of simultaneous or carefully coordinated explosions -- that underline the strength of al-Qaeda and which undoubtedly will have big echoes into the Muslim world.

Since the first World Trade Center strike in 1993, the tactics of al-Qaeda have evolved. One of the most interesting aspect is the recruitment: as Stratfor notes, "al-Qaeda has set precedents for mixing its resources within a single operation: While they have used suicide bombers in the past, as in the attack on the USS Cole, it was the local recruits who were in line to be the martyrs, not the al-Qaeda journeymen -- and the modus operandi in Yemen required a suicide attack. The London bombings could be yet another example of this strategy"¹⁷. The logic for this evolution seems to be that of protecting itself. Safety and secrecy required al-Qaeda to be a small, resource-scarce organization. The network would be prudent to use its remaining operatives quite carefully -- not requiring them to martyr themselves unless the operation itself or the safety of other cells and future plans is at risk.

In conclusion, some manifest aspects, also enhanced by the London attacks, are emerging:

1. *the approval and the recurrence to Jihad as the moral pillar of al-Qaeda;*

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid.

2. *Jihadism as the fundamentals of the overall al-Qaeda strategy constitute an indivisible structure which is somehow difficult to face, from a Western as well as for a Muslim point of view;*
3. *the strong criticism of any localism: here lies the real transformation realised by al-Qaeda; the enemy is no longer the Israelis in Palestine or the Americans in the Gulf, or the single Mubarak in Egypt: the Enemy is the Western world and its influences and it must be fought also (eventually especially) on its own soil; only at a tactical level things can change;*
4. *al-Qaeda has produced an important alteration on the Jihad itself: while in the past “the state” was the sole source of the dissemination of the Jihadistic message, now the global-non-state actor has engaged this ownership and its spreads a global message.*

The need “to widen the gap between the United States and its European allies, with the aim of isolating the U.S. administration against the war”, as cited at the beginning, through attacks in Europe, is a tactic in the overall strategy of al-Qaeda. A strategy motivated by the duty of the Jihad (the war of the Good against the Evil) which has been translated into the ideological background of any operation and into the unique recruitment basin.

Paolo Quercia

State fragmentation and political integration in the Balkans.

Some considerations on the final stage of Yugoslavia dissolution.

Introduction: integrating or fragmenting before enlarging ?

The next 20 months will be a crucial time period for the future of the Balkan Peninsula after fifteen years of destabilisation and political disintegration; some deliberate political calculations and some unintentional circumstances will produce a synchronization of several important political deadlines in the Balkans and the stage for the final setting of the numerous pending issues of the region will be set. What has changed in the last years is not the positions on the ground or the political will of the main actors but the perception of the importance of the “time” factor. The acceleration of the international politics that we are experiencing in the last years is the main responsible of this attempt to coordinate a final solution for the regional problems. And, as it is clear, the main problem of the Balkans is still the issue of political fragmentation, a process that started with clear evidence more than fifteen years ago and that is strictly connected to the fall and the failure of the communist ideology and political authoritarian rule. Even if it is probably meaningless to find a common definition of “fragmentation” for those former communist countries that experienced similar processes of political dissolution of the state unity, in the case of the former Yugoslavia we can try to provide an interpretation of this still unfinished process.

This article will firstly try to describe and to divide into phases the main events occurred in the former Yugoslavia from 1990 to 2005 and to discuss some of the driving forces behind the events; secondly it will analyse the present state of the art of the region illustrating the importance of the next two years for the region’s future. The article stresses its attention on the regional macro-dynamic of the historical fluctuation between integration and fragmentation, and that the fragmentation process is now losing its momentum and it is approaching the very final stage. Therefore it is time for the international community to get involved effectively with a clear political will for solving, in the short term, the pending status issues and at the same time for reversing the political stream from fragmentation to integration. In other words it is time to create, for that part of South Eastern Europe that won’t join the EU in the next wave, a binding knot

between regional integration and European enlargement. To reach this end it is first necessary to interrupt the progressive tendency of geopolitical fragmentation in South Eastern Europe. The way the international community will approach, in the next twenty months, and solve (in the next five years) the final status issues in the Balkans could be the first step for putting an end to the historical process of political fragmentation of the strategic region of south Eastern Europe.

The last fifteen years: the fragmentation of a failed federation.

It is always subjective to divide historical periods into significant time units. Still it is crucial to analyse the effective results of the most important events happened in the former Yugoslavia and to characterise each period on the basis of the consequence produced for the stability of the region. In this way we will divide the fifteen years long period that is stretching from the beginning of the fall of Yugoslavia to nowadays, in four stages. Even if it is the conviction of the writer that the real causes of the bloody collapse of the former Yugoslavia should be found in the communist regime and in its deep nature, in this article we will analyse only the chain of events that has happened since the beginning of the nineties as consequence of the crises of the Yugoslavian federation. We will generally make reference to the period before 1990 – that embraces the history of Yugoslavia after the Second World war to the fall of the one party system – as the stage of crisis incubator, that is the transformation of the crisis elements of the Yugoslavian society into a fatal explosive geopolitical conflict.

First stage: 1990 – 1991, shaping the battlefield.

The first stage is a short but dense period when it was still possible to avoid the military confrontation but, in the reality, all the main actors were preparing themselves and their people for the conflict so that their actions were mostly directed towards shaping the future battlefield in the most favourable way for them more than to negotiate an exit strategy from the crisis. This was clear especially for the two main actors of the Yugoslavian crisis, Tudjman and Milosevic, who during the period 1990 – 1991 acted as Croatia and Serbia were two countries on a collision course that would result in war unless one of them backed down¹. The events that occurred in this period, until the declaration of independence of Slovenia and Croatia, were characterised by a first

¹ Misha Glenny, *The Fall of Yugoslavia*, Penguin Books, London, 1996, p. 38

important element: the responsibility of the escalation toward the war is mostly an internal responsibility of the communist ruling élite, that is the Yugoslavian League of Communists and the several national communist Leagues. This is true also after the ending of the Communist one party system in 1990 and its replacement by multi party competition². Until the country politicians decided to make a militant abuse of the state media, the people of Yugoslavia, the *narod*, was not directly involved in the mounting nationalism that took control of the political agendas. Before the media brainwashing of the people of Yugoslavia – realised by recurring to false myths, half truths, and communist style political propaganda – the national question was not the central question of Yugoslavian politics. Serbs from Croatia, for example, were not particularly close to the issue and the problems of the Serbs of Kosovo, but the polarization on ethnic and national lines of the socio- economic problems of the crumbling federation was the result of a specific political strategy. Since this strategy was mostly mastered in Belgrade by Milosevic, who played the most nationalistic tunes of the Serbian ethnical character, it produced the result of shaping different strategic alliances among the non Serb minorities against the Serbs, the relative majority of the population of the Federation. The process of fragmentation of Yugoslavia could have assumed different shapes, (for example an anti centralisation movement or an anti communist and liberal reaction to the economic failures of the socialist federation), but none of this, alone, would have had, probably, enough strength to lead to a civil war. These outcomes were not possible due to authoritarian rule of the one party system that characterised the former Yugoslavia. The only possible political dialectic was inside the League of Communists and, inside it, among the national communist Leagues. Therefore the only possible (or maybe the easiest) way to give a political answer to the economic and social failure of the Yugoslavian state was by playing the national communist card by the Serbs and the national post communist card by the other nationalities. This created the basis for a nationalities conflict masterminded by the Yugoslavian political communist leadership. Only the characterisation of the conflict on national and ethnical lines was able to produce the (wanted?) psychological effect of an ancestral civilisation war, mobilising the phantoms of the past and especially those related to dramatic Balkan second world war. The shaping of a “great Serbian versus anti Serbian” paradigm in the biennium 1990 – 1991 was the point of no return in the Yugoslavian crisis. This Serbian element of the conflict produced in Bosnia a very atypical alliance on-the-ground between bosnian Croats and bosniaks against the Serbs of Bosnia.

The declarations of independence of Slovenia, Croatia and than Bosnia Herzegovina mark the start of the most tragic phase of the fragmentation process of the federation that,

² john B. Allock, *Explaining Yugoslavia*, Hurst and company, London, 2000, p. 275

from 1991 to 1995 took the shape of a cruel civil war. The situation was relatively easily resolved for Slovenia with the withdraw of the Federal army. Croatia experienced a more troubled process of secession that was finally resolved with the defeat of the Kraijna Serbs, also due to the diplomatic and military help from Croatia's several western allies. The situation in Bosnia Herzegovina assumed the shape of a tragedy with a bloody full scale civil war that ended only after NATO took its active part in the conflict by forcing the Serbian troops to remove the siege from Sarajevo. Even if the Dayton agreement brought peace to Bosnia Herzegovina it is hard to say that it also ended the fragmentation process of the country. The future of Bosnia Herzegovina, and of the two state entities that are composing the federation is still uncertain and it is clear that the, although an important equilibrium has been reached among the three nationalities, a final stable settlement is still far away.

The Kosovo factor, 1999.

NATO intervention in Kosovo represented a major turning point in the history of the conflict in former Yugoslavia. This is true only in the way that it contributed to initiate the end of the Milosevic regime by demonstrating to the Serbian population that he was a leader incapable of defending the interests (both legitimate and illegitimate) of the Serbian population. But from the point of view of the territorial settlement of the former Federation it is clear that the Kosovo war contributed to complicate even more the Balkan geopolitical quagmire. NATO intervention succeed in defeating militarily and politically the Serbian leadership and protected the civilian population of Kosovo from excessive and often brutal use of the force by the Serbian police, but – by giving to the Albanian population the realistic hope that under UN umbrella self determination could be reached together with territorial independence - it created a *fait accompli* that went far beyond NATO intentions. After the retreat of the JNA from Kosovo and the entry of the NATO forces into the province under the legal framework of UN resolution 1244, the problem of what to do with this new unstable international protectorate soon come into the mind of the new Kosovo administrators. It was clear that a return to the situation prior to 1999 was impossible, but nobody wanted to take a direct responsibility of driving Kosovo to full independence since the capacity of self rule of the Kosovo Albanian social structures was doubtable, the records of protecting human rights of minorities shameful and the risk of an internal collapse of the “state” structures, as it happened in Albania in 1997, was considered high. The only possible policy, once the international community was on the ground, was that of keeping the issue of the status frozen as much as it was possible and – at the same time – starting a process of transfer of responsibilities and capacity to the

local institutions. It was the so called policy of standards before status, that was the unwritten – but too often quoted – official strategy of the international community from 1999 to 2004. This policy has been progressively eroded by several concomitant causes. First of all the new security world priorities that were the result of the war in Afghanistan and in Iraq and the global stretching of the security responsibilities of the US and the allied countries. Secondly the unbearable balance between the value of the resources that have been poured into Kosovo³ (in terms of personnel, wages, equipment, funding, donations, loans) and the expected outcomes cannot be sustained anymore. In times of scarce resources and larger demand for security, the Kosovo model can't be maintained anymore. Thirdly, the anti Serb riots of march 2004 demonstrated that the province, after 5 years of international rule, is still an explosive powder-magazine. What was worse was that some minor clashes between the two communities could escalate without finding any concrete resistance from the military and the police and that the province experienced three days of complete anarchy, demonstrating a scarce capacity of KFOR and UNMIK police to enforce law and order when confronting low level of street fighting and urban rioting. All these factors contributed in promoting in the international community a new need for abandoning the old standard before status policy (aimed at delaying the solution of the real issue of Kosovo, the status issue) for a new but still undisclosed strategy. This new strategy for Kosovo will probably be drafted in the second half of 2005 but this time with a UE and not a UN masterminded strategy. This could lead to a new mixture of risks and opportunities, especially if the European Union could manage to synchronize the enlargement process with the future status issue. The big challenge, anyway, remains in conciliating the still unconceivable expectations of Belgrade and Pristina.

The importance of the Kosovo factor in the global economy of the collapse of Yugoslavia is important not only for the future of the Kosovo population but also because it contributed in producing other side effects in the neighbouring countries and, above all, in Montenegro and Macedonia.

As far as Montenegro, it is evident that the same process of developing an independence scenario for Podgorica became concrete during the confrontation between NATO and Serbia. The strategic need of weakening Milosevic on the wake of NATO intervention was realised by favouring the opening of an internal front by strengthening the supporters of Montenegro independence against Belgrade. This strategy was realised mostly by US action and it substantially terminated after the goal of changing the political leadership in Belgrade was reached. The consequences of this mostly abandoned strategy are still present in Montenegro and Podgorica is nowadays phasing the dilemma if it is better to

³ See, among others, Fabio Mini, *La guerra dopo la guerra*, Einaudi, Torino, 2003, p. 239.

complete the secessionist scenario and to bring the independence process to the very end or if it is better to realise that the political situation in Belgrade has changed and to reorganise on new basis the common Union with Belgrade. For the time being the present leadership of Montenegro seems to have no other plan for the future of the country rather than independence.

Another important consequence of the Kosovo factor was the progressive spill over effect of the military guerrilla to the neighbouring Macedonia. Throughout the nineties, Macedonia enjoyed a difficult interethnic peace that was a unique case in the former Yugoslavia. Unfortunately the rests of the KLA that didn't want to return back to civil life after the Kosovo war was over, exported their criminal and paramilitary activities in Macedonia, provoking a severe interethnic crisis that endangered, until the Ohrid peace agreement was reached, the security situation in the whole region.

The region after Kosovo, 2000 – 2005.

If Kosovo war and NATO military activities marked a turning point in the military history of the wars in former Yugoslavia, it doesn't represent a turning point in stopping the political fragmentation trend of the region. In a way the international intervention in Kosovo, by encouraging the secessionist aspirations of the Albanian population, contributed relevantly to the process of political fragmentation of the region, not only in Kosovo but – as it was previously discussed – also in Montenegro and Macedonia. After the fall of Milosevic from power and its transfer to the Hague, a concrete possibility of democratising Serbia appeared to be possible and consequently the process of encouraging the complete dissolution of the federation into minimal units start losing supporters. In the last five years we can say that the unwritten policy of the international community for the region was very conservative, in the way that no further steps towards fragmentation should be encouraged (but refusing at the same time any possibility of restoring the pre wars situation). This policy of "conserving the instability" was probably the result of a real strategy (more than a lack of strategy) and this appeared clearly when the European Union forced Serbia and Montenegro to reach the Belgrade agreement for keeping at any cost an unfunctional, unstable and baroque Union between the two states.

The policy of plastering the broken parts of the Yugoslav Federation (after having contributed by inactions and actions to the dissolutions of the country) emerged as the real mission of the international community in the region from Kosovo war to 2005. Still nowadays this policy seems to be out of fashion and new solutions are being experimented, mostly aimed at reducing the huge amount of resources that an important

but not vital region of the world is dragging from national states and international community. One of the key actor in this new phase of the history of the fall of Yugoslavia could be the European Union, especially in the light of its enlargement policy and its commitment for including the region inside its future borders.

Searching for final solutions, 2005 – 2006.

In the middle of 2005 the Balkans are experiencing a new phase in the process of fragmentation of the former federation. What can be perceived at different level is a stronger than ever commitment to find a way out and an exit strategy from and for the problems of the region. This political will, at least at the international level, has never been so multilateral and so intense. What is left of 2005 and the whole 2006 will be dedicated to find, negotiate and implement a final solution not only to solve the most urgent security needs, but also for solving the issue of the undefined status (the real structural problem behind many security problems). It is not yet clear which solutions will be adopted in the medium term, but what is clear is what are the most urgent issues at stake. The most urgent of all – but also the most difficult – is the Kosovo problem. It is likely that this will be the longest and toughest problem and therefore it will be the first one to be addressed. The Kosovo talks will also dictate the agendas for two other important issues that will be also approached in the near future: the option for a referendum in Montenegro for the independence and the necessity of a further political stabilisation and democratisation of Serbia (especially through the “instrument” of the cooperation with the Hague tribunal and the extradition of indicted war criminals).

While this important issues will be addressed the enlargement process will continue its course and new member states (Bulgaria, Romania and maybe Croatia) will be very likely included in the Union. Probably, this second wave of enlargement will take place in the next few years and, after it, there are some possibilities that a political stop to the enlargement will occur. *In this eventuality it is important that the solution of the issues of the final status will be worked out independently from the possible membership of the Union, that could also become an unrealistic prospective. Therefore, in the next two years, it will be a crucial strategy to link with a strong conditionality the issues of the final status to the issue of a new regional Balkan re-integration other-than-EU. The new Balkan policy that will be adopted in the near future should convey the important message that future EU integration can be reached only by reintegration with the non EU Balkan neighbours. This basic principle (that could be summarised with a 3 steps path*

towards EU integration, status – reintegration – membership) should inspire the new Balkan agenda of the European Union and – if necessary – it should be implemented with firm conditionality.

Andrea Grazioso

The Guerrilla Warfare in Chechnya and Iraq: a preliminary comparison

The killing of Aslan Maskhadov, former President of the “Republic of Ichkeria”, during a well-targeted operation in the village of Tolstoy-Yurt of Grozny rayon last 8th of March, could be a turning point in the now six-years old confrontation between Chechen nationalists and Russian forces¹.

The relevance of Maskhadov, the only political leader to succeed in maintaining a significant level of unity in the heterogeneous reality of Chechen nationalism was well enhanced by his military competence, that assured him an unscathed respect also from the Islamic extremists and foreign fighters.

To some extent, his elimination could indirectly increase the importance of guerrilla-leaders whose final goal is to achieve the establishment of an “Islamic Caliphate”, thus well beyond the Maskhadov’s stated objective of an independent Chechnya, outside the control of Moscow.

Such evolution would reinforce the thesis of Russia, who defines Chechen guerrilla as the local component of the wider terrorist network fighting against the modern civilisation, and the Russian military response as a fundamental contribution to the global war on terror.

A more accurate evaluation of the circumstances of Maskhadov’s death could, on the other side, offer a different perspective.

The long chase of Ichkeria’s President

With the assassination of Akhmat-Khadzi Kadyrov, President of Chechnya, at the Groznyy’s Stadium, last 9th of May 2004, the existent rivalry among the different power centres in the complex social structure of the small republic was further exacerbated.

¹ C W Blandy, “*The End of Ichkeria?*”, Caucasus Series 05/17, Conflict Studies Research Centre, April 2005.

The son of Akhmat-Khadzi, Ramzan Kadyrov, soon raised as a prominent figure in the fight against all the enemies of pro-Russian Chechen government. His dedication was obviously prompted also by the desire of revenge for the assassination of his father, and Moscow didn't hesitate to exploit this opportunity for an "active counter-terrorism action by proxy".

In December 2004, 8 relatives of Maskhadov were abducted, probably by Kadyrov's own "special services". Quickly the former President tried to establish some sort of talks, aimed at a compromise solution for the liberation of his relatives.

Maskhadov offered also a temporary cease-fire, to last until 22 February, but Russian and local troops launched successive and well co-ordinated operations, culminating in the large-scale action of 24-25 February, led by Kadyrov himself and involving two militia regiments of special troops of the Chechen interior troops, an oil complex guard-duty regiment and attached sub units of Federal forces².

In the following days, between 50 and 100 rebels were trapped in a mountain areas, close to Daghestani border. Most of them succeeded in escaping, but the capture of three fighters, two belonging to the Shamil Basayev's forces, one from the Maskhadov's, provided enough information for the pre-emptive raid of the following 8th of March, officially aimed at the disruption of a bombing attack against Tolstoy-Yurt administration buildings³.

The raid, involving *spetsnaz* unit of federal forces, lead to the killing of Maskhadov and the capture of three close associates. Kadyrov officially didn't take part to the final action, but this version seems motivated by the desire to avoid bloody revenges from Maskhadov's family.

Nonetheless, the antagonism among different clans and warlords remains a crucial part of the ongoing violence in Chechnya, and the temporary ability of Moscow to exploit this dire reality in its favour could be easily reversed in the short term.

Chechnya geographical and social complexity

Chechnya is a landlocked region, measuring only 80 by 100 kilometres, bordering Daghestan to the east and north, Stavropol kray and North Ossetia to the north west, Ingushetia to the west and the Republic of Georgia to the south.

Its surface is complicated and diverse. Almost 80% of the region is below the 1,200 meters of height, 12% is between 1,200 and 2,400 meters and 8% is above 2,400

² Kommersant, n. 34/P, 28 February 2005

³ Kommersant, n. 40, 9 March 2005

meters. It is noteworthy that about half of the land of Chechnya is a lowland plain, not higher than 300 meters. Also, most of the population lives in the northern and central part of the republic, in the most economically viable plains and in the urban centres. This makes any hypothesis of territorial division, leaving only the southern part of the region to the secessionists, rather impossible⁴.

The total land area of Chechnya is 19,300 square kilometres, about one twenty-fifth the size of Iraq.

The population reached 1.05 million before the beginning of the second war, in 1999. Since then, almost 50,000 have been killed, a similar number is living as internal displaced, several thousands are refugees in the bordering regions and a vast number have permanently resettled elsewhere. Today, less than 700,000 people live in the region, about one thirty-fifth the number of the present Iraq.

The social structure of the population is even more complicated than its geography. The Chechen nation was formed in the 16th and 17th Centuries from a political-military union of nine *tukkhummy* (societies), in each of which blood-related *teipy* (clans) were developed. The *tukkhummy* were military economic unions of a defined group of *teipy*, which had no blood-relation ties, but were combined into a much higher association for joint decision-making or the solution of general tasks concerning defence from enemy attacks, trade and economic barter⁵.

A *tukkhum*, unlike a tribe or a clan, did not have an official head, nor did it have a military commander. Hence, it is not properly an organ of government, but perhaps a social organisation, which was an important phase in the development of the concept of government. In other words, the *tukkhummy* should be considered a step in the formative process of a nation.

Today, *tukkhummy* don't play any practical role in the society, while the *teipy* are still an important cell of social organisation. A *teip* is a group of families which has developed on the basis of primitive, simple practical reasons, in which its member making use of identical personal rights are bound together by kinship blood ties through the line of paternal descent⁶.

During the history, small Chechen *teipy* were surrounded by larger and stronger neighbours, Georgians, Kabardins, Kulmyks and others. This, together with the absence of any form of statehood in Chechnya, had a strong influence on *teipy* cohesion.

⁴ For a description of the natural and humane geography in the southern part of Chechnya, see "*Pankisskoye Gorge: residents, refugees and fighters*", P37 CSRC, March 2002.

⁵ A. Aydayev, "*Chechentsy istoriya sovrennost*", quoted in "*Chechnya, normalisation*", P40 CSRC, June 2003.

⁶ A Aydayev, op cit.

In terms of relations among various *teipy*, those able to control mountains path, thus extracting tolls from the passages of people or goods, easily became rulers over the weaker clans. Unransomed prisoners or hostages became slaves, who might after marriage remain in the tribe with the rights of junior members.

This sort of archaic organisation became, during the centuries, less and less consistent with the evolution of the socio-property reality. With the tsarist policy of land allotment to male persons, the introduction of private ownership made the juridical framework of tribal/clan corporations no longer related to the property structure of the society.

In other words, the traditional organisation of Chechen society, with the pivotal role of clans and tribes, is following a continuous decline since the 18th Century. Nonetheless, it still plays a crucial role in the self-organisation of the society during conflicts or external threats. The modality of warfare adopted by the Chechens is a clear example of this direct connection between the traditional organisation of the society and the modern behaviour of guerrilla fighters.

Guerrilla warfare: the Chechen model

Today the Chechen guerrillas number only 1,500 – 2,000 fighters, but they are able to hold out against 90,000 Russian troops and police. They do so because they succeed in turning tactical advantages in strategic achievements⁷.

The fighters overcame initial losses of the first two years of war, and since then are continuing to inflict enough damages and casualties to erode Russian morale, creating also the appearance of an unwinnable war.

After the initial phase, when they tried to resist Russian advance, fighting large scale battles in the hope to replicate military successes of the first war, the Chechen fighters mostly reverted to guerrilla tactics. The targets of their actions include Russian troops and administrative personnel, especially when moving in convoys or small groups; individual soldiers or prominent figures both of Russian military forces or local troops; high-value assets, like aircraft and helicopters; officials and buildings of the pro-Russian Chechen administration.

The rebels also use to attack targets outside Chechnya, particularly transport systems, government buildings and civilian soft targets, like crowds in main cities.

For the attacks against troops and facilities, Chechens rely mostly on ambushes, landmines, improvised explosive devices and suicide bombers.

⁷ Mark Kramer, *“Guerrilla Warfare, Counterinsurgency and Terrorism in the North Caucasus: The Military Dimension of the Russian – Chechen Conflict”*, Europe – Asia Studies, March 2005.

The scarcity of infrastructures, especially of a proper network of roads and railways, greatly facilitate the execution of ambushes.

For the guerrillas seems relatively easy to force the troops to follow predetermined routes, just disabling the few bridges or other key infrastructure. Also, they succeed in receiving prior information about troops movements, either by the informative support of local population or the leaks from corrupted officials.

Usually, they attack Russian or pro-Russian convoys with a huge concentration of firepower; rocket-propelled grenades for the disabling of the first and last vehicles, mortar rounds for the suppression of dismounted infantry, plus a massive use of machine gun fire over a short period. After few minutes, they usually pull-out from the engagement, unless they succeed in killing almost all of the ambushed convoy. In such a case, they also tend to collect documents and weapons from their victims, plus prisoners if needed.

The use of landmines and other explosive devices is extremely extensive, causing up to 40% of the total losses among Russian and pro-Russian troops.

Chechen fighters use booby-trap mines made from unexploded aerial bombs, artillery shells, mortar rounds obtained by Russian minefields or ammunition stockpiles. They are also starting to use more effective plastic explosive, probably the remnants of the stock largely employed by Russian *spetsnaz* units during the first Chechen War.

The quality of detonators is also improving, with the Chechens apparently able to circumvent Russian countermeasures as the use of magnetic detectors or jamming devices able to defeat radio-controlled bombs.

Russian authorities have alleged that the Chechen competency in the use of advanced mines and explosive devices has been obtained by foreign Islamic terrorists.

According to unofficial reports⁸, a US intelligence unit, the Terrorist Explosive Device Analytical Centre which has been scrutinising bomb fragments from all around the world, concluded that Islamic extremist groups in many region, including Chechnya, may have shared techniques and materials for the manufacture of improvised explosive devices.

The work of engineer teams, especially those involved in the minesweeping, is often hampered by Chechen snipers, who use elaborated tactics both for the disruption of Russian military activities and for creating havoc in the Russian chain of command. Although the total number of casualties inflicted by sniping fire is relatively low, snipers succeed in keeping Russian soldiers permanently on alert, or in stalemating a disproportionate amount of military assets.

⁸ The New York Times, February 22nd 2004, pag 1.

The attacks against aerial targets, mostly helicopters, are so widespread and worrisome for Russians that they could be classified as a real anti-air warfare.

Chechens rely mainly on shoulder fired missiles, obtained immediately after the collapse of the Soviet Union from the stocks belonging to the Motorised Divisions based in North Caucasus. More recently, several new systems, including advanced SA-16 and SA-18, have been captured in ambushes and attacks to military warehouses, like in Ingushetia in 2004.

It is noteworthy that Chechen fighters succeeded in disabling the built-in “identification friend-or-foe” device, an advanced black-box conceived for the protection of Russian aircraft from Russian-own anti-air systems⁹.

Apart from shoulder fired missiles, Chechens rely on heavy machine guns, rocket propelled grenades and even volleys of rifles fire for their attacks against low flying aircraft.

Their successes are a combined effect of competent tactics and poor training and equipment on the Russian side.

Most of Russian helicopters used in Chechnya – as the rest of the combat fleet today available in Russia – were produced in the Eighties, and lack several modern systems like GPS-aided navigation suites, data links for real-time information, advanced radar or FLIRS for night time and adverse weather flying.

Even more worrisome, the average flight training activity of Russian pilots was dramatically reduced during the last decade, reaching the lowest level of 14 hours per year during the 2001.

Even if today the training has been improved, it remains far below the prescribed level for combat readiness. Also, most of the seasoned pilots that flew combat sorties during the Afghan war are now retired, and the lack of training is now evident among the instructors.

All together, these elements force Russian helicopters to fly during daytime, following predictable routes, under the constant threat of mechanical breakdowns that further contribute to the general toll of crashed aircraft.

Suicide bombings became part of Chechen guerrilla warfare since the early stages of the war. Initially aimed at the killing of individuals or small groups of Russian soldiers manning checkpoints, the attacks quickly escalated, targeting barracks and civilian official buildings, with the purpose of killing dozens of Russians and pro-Russians, as well as deterring other Chechens from co-operating with Moscow.

The pattern of bombings and suicide bombings outside Chechnya, including Moscow, has obviously obscured the enduring strategy of terrorist attacks inside

⁹ Steven Zaloga, *“Soviet Air Defence Missiles: designs, development and tactics”*, Jane’s Information Group, 1989

Chechnya. Nonetheless, the death toll remains terribly high and the de-moralising effect of suicide bombers on Russian forces, together with the deterrence against locals, is a major factor preventing the normalisation in the region.

Russian counter guerrilla organisation

The lack of coordination among Russian forces was one of the most important element in their bleak performance during the first Chechen war of 1994 – 1996. For the renewed effort launched in 1999, Russians created a specific body, the Unified Grouping of Federal Forces (OGV), exercising jurisdiction over both military and security forces¹⁰.

In September 2003, the Deputy Commander of Russian Internal Troops (MVD), Colonel-General Valerii Baranov, was appointed Commander of OGV, but he was severely wounded in the same attack that killed Kadyrov in May 2004. Today, a Deputy Minister of Internal Affairs, Lieutenant – General Vyacheslav Dadonov, holds that position.

Above the OGV, supervising all the anti-terrorist operations in North Caucasus, the Ministry of Defence ceded the responsibility to the FSB in January 2001, with the aim of moving from a warfare-style operation to a more targeted counter-terror campaign.

In July 2003, the MVD took over from FSB, signing the further evolution of the campaign in an internal confrontation against illegal formations.

Nonetheless, the military operations carried out in the southernmost region, where geographical conditions make any movement difficult and dangerous and have been the site of the most intense fighting since 2000, are still performed mainly by Army units, probably under the direct control of the Deputy Commander of North Caucasus Military District¹¹.

Also, perhaps one-third of the officers serving in the MVD Regional Operational Staff is from the Defence Ministry.

Although the establishment of the OGV have improved the coordination among Ministries and forces on the ground, the plethora of units fighting in Chechnya would still be a worrisome issue for any Commander.

MVD Internal Troops deploy the 46th Special Forces Brigade, sometimes joined by detachments of OMON anti-riot Police. The FSB runs sensitive operations through their own special forces (*spetsnaz*), while the FSB-subordinated Federal Border

¹⁰ C W Blandy, “*Chechnya: Two Federal Interventions. An Interim Comparison and Assessment*”, P20, CSRC, January 2000.

¹¹ Interview with Army General Vladimir Boldyrev by Sergei Konovalov, Kommersant, 19 February 2004, quoted in Mark Kramer: “*Guerrilla Warfare...*”, op. cit.

Service carries-out patrols and mans check-points. The Army deploys both paratroopers from Airborne Forces and armoured and infantry units from the 42nd Motorised Rifle Division plus combat and logistic units from missile and artillery branches and helicopters from Army Aviation¹².

Both the SVR and GRU deploy their own special forces, for reconnaissance and direct actions, while the FSB-subordinated FAPSI contributes with communication specialists¹³.

The involvement of so many Ministries and Agencies in a complex operation like the counter guerrilla campaign in Chechnya inevitably lead to duplications and waste of resources, but also in rivalries and even reciprocal distrust¹⁴.

But the most important single factor hindering Russian military capabilities is probably the quality of troops, their equipment and morale.

Conscripts are suffering heavily from the constant danger in which they are forced to live. Not only the threat of ambushes, landmines, snipers or suicide bombers is taking a huge psychological toll, but also the physical and psychological effects of bullying (*dedovshchina*), that in Chechnya like in the rest of the Army is accounting for half of the total casualties¹⁵.

Volunteer soldiers (*kontraktniki*) are equally hindered by lack of training and obsolete equipment and the officers, while professionals, are nonetheless deeply dissatisfied with the general course of the war.

Such a dispirited mood detracts from Russian fighting capabilities, but also contributes to several sleazy phenomena like the narcotics trafficking, prostitution, illegal arms dealing and kidnappings for ransom¹⁶.

The whole situation is a major factor pushing the general reform of Russian armed forces. Today, the 76th Airborne Division is considered an all-volunteer unit, as well as the Chechnya-based 42nd Motor Rifle Division. The wider reliance on volunteers, while probably reducing the popular dissatisfaction for the huge

¹² The recent transfer of Army's helicopters to the Air Force, while cost-effective in the long term, is a further element of complexity in the chain-of-command in operational area.

¹³ FSB is the Internal (Federal) Security Service, recently boosted with the inclusion of formerly independent Border Service and Communication and Information Agency (FAPSI). The SVR is the Foreign Intelligence Service; the GRU is the Armed Forces' own Intelligence Service.

¹⁴ Comments of committee chairman Viktor Ilyukhin and committee member Gennadii Gudkov, in *Nezavisimoe voennoe obozrenie*, 2 July 2004, quoted in Mark Kramer, op. cit.

¹⁵ "The wrongs of passage: inhuman and degrading treatment of new recruits in the Russian armed forces", The Human Rights Watch, October 2004.

¹⁶ Thomas Goltz, "Chechnya diary: a war correspondent's story of surviving the war in Chechnya", St Martin's Press, 2003.

number of casualties among conscripts, nevertheless cannot solve the problems of outdated equipment or widespread frauds¹⁷.

Chechnya and Iraq; a preliminary comparison

The wars in Chechnya and Iraq are not directly comparable.

The geographical extension of Chechnya, as well as the population remaining in this little territory, is just a fraction of those of Iraq. The guerrilla fighters in Iraq number probably more than ten thousands and the combined number of Coalition and Iraqi forces outnumbers the Russians and pro-Russians in Chechnya by a factor of three.

In terms of morale and equipment, the United States deploy probably the best-equipped military in the world, with excellent leadership at all levels and strong esprit de corps among units. Discipline is sometimes a problem also among American troops, as in every battle-hardened group involved in routinely and risky tasks, but it doesn't pose a major problem for the execution of venture some operations.

The guerrilla tactics are similar, with the widespread use of improvised explosive devices, suicide bombers and snapshot attacks on helicopters.

However, Chechens succeed in inflicting a much higher rate of attrition to Russian troops, especially when they attack and destroy whole convoys or large barracks. On the contrary, the US troops usually defeat the attackers suffering few casualties and have been able to trap and either capture or kill a huge number of insurgents during large-scale operations in urban centres, like in Falluja.

Though, there are also similarities between the two wars. Both the Russians and the Americans are having problems in recruiting the proper number of soldiers for these multi-year war efforts. Obviously there are differences between the socio-economic conditions in the respective societies, and even more so between the two military systems. Nonetheless it seems a common feature the reluctance of well-informed youngsters living in rather educated societies to be involved in what seems an endless war against insurgents.

In other terms, while the insurgents' strategy of a prolonged war of attrition seems unable to thwart the resolution of Russian and US "war machines", it seems effective in disrupting the consensus for the war in the civil societies.

Both Americans and Russians have a sceptical disposition when they work with their local allies. Suspicion or even distrust hampers the effective co-operation with

¹⁷ Jane's Defence Weekly, 8th June 2005.

those local forces that should ideally sustain the major burden in the pacification effort.

However, the United States are investing a massive amount of resources in the recruiting, training and mentoring of Iraqi defence and security forces. Also, coalition allies and regional players seem genuinely involved in this effort.

On the contrary, Russians seem to favour the exploitation of traditional rivalries among Chechen factions, or the antagonism between Chechens and the other population of northern Caucasus. While both Iraqi and Chechen borders are porous to the movement of insurgents, there are no evidences of insurgents' activities outside Iraq's territory, while the Chechens raids in Daghestan, North Ossetia and Ingushetia are essential components of the broader insurgency strategy.

Though, the single most important factor of differentiation between Iraq and Chechnya is the slow maturation of a national unity around common institutions and laws that is taking place in Iraq. While the resistance against this evolution is still powerful, the chances for a positive outcome are increasing.

In the Caucasus, Russia seems unable to promote a political process able to reconcile the opponents, it is probably exacerbating the antagonism among regional players and appears utterly against any internationalisation of the crisis.

While the Iraqi insurgency is probably fighting within a window-of-opportunity that is slowly closing down, in Chechnya the perpetuation of the fighting plays in favour of the insurgents, and makes the normalisation a remote conclusion.

Lucio Martino

Some Thoughts on U.S. Intelligence

The Nineties were an interesting time for American Intelligence. Global politics were undergoing dramatic change, and United States Intelligence agencies were once again on the defensive, trying to explain the Iran-Contra debacle and the failure to forecast the sudden end of the Cold War. Intelligence leaders were also nervous about whether and how American Intelligence would continue to exist in the wake of the fading of the principal threat to the United States. But the elation over the end of the Cold War soon gave way to the understanding that the world had become more, not less, complex. In addition, the United States Intelligence was soon at the front position of a new national security agenda consisting of rogue states, failed states, ethnic cleansing, international terrorism, transnational crimes, environmental degradation, and a swarm of other issues.

The decade witnessed Intelligence debacles in South Africa, Somalia, Bosnia, Kosovo, over the Indian nuclear tests and the various terrorist attacks on American interests in Africa and the Middle East. In short, the Nineties provided plenty of American Intelligence failures. However, it was only after the events of September 11, 2001, that great public outcries rise against the American Intelligence Community, accompanied by official and nonofficial investigations. The public outcry against Intelligence grow even louder after the lack of success in finding in Iraq the weapons of mass destruction clearly indicated by the Intelligence Community, one of the George W. Bush Administration public explanation of the Third Gulf War.¹

The debate on Intelligence sparked by the attacks of 9/11 is far from being over, almost certainly will continue for quite a long time, and may not be positively resolved. Like other Intelligence failures, 9/11 will go down in history as an event for which the United States Intelligence should have been prepared but was not.²

When it comes to Intelligence, the first and most significant question is whether the United States Intelligence agencies had anything to do with that lack of

¹ See James Bradford, *A Pretext for War: 9/11, Iraq, and the Abuse of America's Intelligence Agencies*, (New York, N.Y.: Random House, 2004).

² Gerald Poster, *Why America Slept: The Failure to Prevent 9/11*, (New York, N.Y.: Random House, 2003) pp. 151-157.

preparation.³ Those who say that the terrorist attacks were an Intelligence failure base their argument on the simple ground that the American Intelligence agencies failed to inform about them and as a result failed to defuse them.⁴

Those who discard the allegation, are use to say that the role of United States Intelligence is to give strategic not tactical warnings. In other words, the Intelligence Community is supposed to warn about changes in the character of the threats well ahead of a specific event, not to foretell the specific event itself. Former Director of Central Intelligence George Tenet, long quarreled that under his direction, the Intelligence had a good record of strategic warning, increasing the awareness against the terrorist threat for rather a long time.⁵

The difference between strategic warning (warning of changes in the nature of the threat), and tactical warning (warning of incoming specific incident), is in effect critical to an understanding of Intelligence itself, and it is central in assessing extent of failure. Moreover, this distinction is of key importance in the defense effort against the charges of failure launched by the United States Intelligence Community soon after September 2001.⁶

Those who accuse United States Intelligence with failing to do its job of recognizing unambiguous threats and thwarting attacks, correlate the events of September 2001 with the Japanese surprise attack in December 1941, an Intelligence failure of huge dimensions.

Those who defend the performance of the United States Intelligence Community reject any similarity with the Japanese attack on Pearl Harbor, and regard the need tactical warning standard as hopelessly high, setting up American Intelligence for constant failure.⁷

In retrospect, it looks like that both sides are right. Actually, in the United States an ever enlarging consensus seems indicating that the causes of Intelligence failures do not revolve around the issue of whether Intelligence was, and is, getting its job right. Rather, to be blamed are all aspects of the American Intelligence process, not only Intelligence, ranging from how the public perceives Intelligence to how

³ Michael A. Turner, *Why Secret Intelligence Fails*, (Dulles, Va.: Potomac Books, Inc. 2005) pp. 41-56.

⁴ Amy B. Zegart, "September 11 and the Adaptation Failure of U.S. Intelligence Agencies" *International Security*, Spring 2005.

⁵ Richard K. Betts, "Fixing Intelligence" *Foreign Affairs*, January/February 2002; Bob Woodward, *Bush at War*, (New York, N.Y.: Simon & Schuster, pp. 4-5.

⁶ William E. Odom, *Fixing Intelligence for a More Secure America*, (New Haven, Conn.: Yale University Press, 2005) pp.1-7.

⁷ Turner, *Why Secret Intelligence Fails*, pp. 145-147; National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report*, (Washington, DC: U.S Congress Press Service, 2005), pp. 339-344.

Intelligence agencies perform their specialized tasks, going all the way to how the policy makers use Intelligence information.

In the American culture Intelligence is too many different things. Some look at it as a source of entertainment. It is from a world of fantasy that most people get all their information about Intelligence. Others look at Intelligence as a source of evil, useful only for immoral acts on the like of overthrowing governments and political assassinations. American Intelligence professionals seem to have yet another view. To them, Intelligence is a process aimed at the production of a particular kind of information needed by the policy world. To political leaders, Intelligence may also be a political benefit or a political burden, depending on whether Intelligence information assists or hinders the achievement of their political objectives.⁸

However perceived, Intelligence, stirs up strong passions in proponents and opponent alike. These passions arise in large part because, at least in the United States, Intelligence is mostly believed as the expression of controversial features of a given administration foreign policy. As a governmental activity, Intelligence is supposed to enlighten and sustain foreign policy objectives of whichever administration is in office; as a result it logically comes to be associated with one or another administration. Given popular beliefs on Intelligence, political opponents of a foreign policy usually see the involvement of Intelligence as politically exploitable at their advantage.

Anyhow, implementing foreign policy has little to do with Intelligence. The only part of secret Intelligence designed to execute specific aspects of foreign policy is Covert Action. Instead, the bulk of Intelligence activities have to do with quite dull activities: collecting, processing, analyzing, disseminating Intelligence information to decision makers.⁹

Intelligence is supposed to effectively account on distant developments, forecasting significant events, and warning about forthcoming threats. In theory when Intelligence agencies carry out these tasks in a successful way, the uncertainties of decision makers about the adversaries and their worries about their country vulnerabilities lessen. However, the hard times experienced by American Intelligence are fueled by the lack of an official definition.¹⁰

Lately, American scholars and former Intelligence officials are explaining Intelligence as policy relevant information, collected through open and clandestine

⁸ See Stanfield Turner, *Secrecy and Democracy: The CIA in Transition*, (Boston, Ma: Houghton Mifflin Company, 1985); Robert M. Gates, *From the Shadows: The Ultimate Insider's Story of Five Presidents and How they Won the Cold War*, (New York, NY: Simon & Schuster, 1996).

⁹ See Jeffrey T. Richelson, *The U.S. Intelligence Community*, (Boulder, Colo.: Westview Press, 1999).

¹⁰ Turner, *Why Secret Intelligence Fails*, pp. 16-40.

means subjected to analysis, for the purposes of helping decision makers in formulating and implementing national security and foreign policy.¹¹

American Intelligence production is a process involving not only Intelligence officials. The Community is supposed to identify needs, to collect information based on those needs, to subject the information to analysis, to produce finished Intelligence based on such analysis, and to disseminate the Intelligence to political leaders, who may then identify additional needs and start the process all over again.¹² Implementing foreign and national security policy is often seen as a quite different job. It is the realm of Covert Action, which occupies an odd place in United States Intelligence establishment. In the United States, Covert Action is not really Intelligence, although employing Intelligence resources to give to the Executive power a special capability.¹³

In the United States, the principal mission of Intelligence is collecting information, and each agency goes about it in a very different way. The main problem about collecting Intelligence information is that collecting on capabilities is easier than collecting information on intentions, but also much less useful. The capabilities of a given nation may include military forces and their equipment, economic potential, industrial output, and the like. These are areas that can be subjected to numerical counting and measurement, and so constitute the main targets for most collection efforts.¹⁴

Intentions, on the other hand, concern the will and plans of political leaders to carry out specific actions. Since this kind of information involves intellectual processes and private deliberation among government leaders, it is often subject to quick change, disguise, and manipulation. Collecting information about intentions entails remarkable Intelligence capabilities, less relying on quantification and measurement, and more on contacts, perception, speed, and the aptitude to understand deception and other types of artifice.¹⁵

Reducing uncertainty is complicated by the fact that too often the gaps in knowledge about adversaries belong to the so called category of “unknown unknowns”. For example, the United States is definitely certain that North Korea is on the edge of developing nuclear weapons capability, gathering information on equipment purchases, production schedules, and industrial activity. But, the United States is absolutely uncertain about the intentions of North Korean leaders regarding their forthcoming nuclear weapons. The North Korean leadership has

¹¹ H. Bradford Westerfield ed., *Inside CIA's Private World: Declassified Articles from the Agency Internal Journal*, (New Haven, Conn.: Yale University Press, 1995) pp. 207-217.

¹² See Mark M. Lowenthal, *Intelligence: From Secret to Policy*, (Washington, D.C.: Congressional Quarterly, 2000).

¹³ Roy Godson, *Dirty Tricks or Trump Cards: U.S. Covert and Action & Counterintelligence*, (New Brunswick, N.J.: 2001), pp. 58-66.

¹⁴ Odom, *Fixing Intelligence for a More Secure America*, pp.185-193.

¹⁵ Gates, *From the Shadows*, pp. 553-75.

always been a hard target on which to collect reliable information.¹⁶ The United States is therefore left with the alternative of having to speculate about the intentions of North Korean leaders. But speculation falls short as a reliable forecaster of what the North Koreans will really do in the future. For the United States, to be without a strong indication about the intentions of a given adversary is very treacherous, because a lack of such knowledge may lead one day to strategic surprise. At a strategic planning level, such lack of clue opens the door to pre-emptive strategies build on capabilities instead on intentions.

Another related and interesting aspect of the American debate is the suggestion that expanding Intelligence success reducing uncertainties can be a misuse of resources. Intelligence success should reduce uncertainty only to the extent that viable options and opportunities are identified, and made available to policy leaders.¹⁷

Reducing uncertainty is also a very expensive business. The United States reportedly spends more than forty-five billion dollars exclusively on Intelligence. This figure excludes the funds and efforts spent by a large part of the federal community in activities unrelated to Intelligence but having significant Intelligence value.¹⁸ For example, the United States Department of Commerce collects information on trade and global commerce, information that without a doubt is useful in Intelligence analyses. However, the spending of the Department of Commerce in these areas is not included into the United States Intelligence budget. It would not be an exaggeration to say that the United States government spends at least double its official Intelligence budget on Intelligence and related activities.¹⁹

In the United States, Counter Intelligence is a critical but in a way additional activity, quite secondary in the Intelligence Process. Covert Action is nothing more than an operational instrument for implementing specific foreign policy. As such, while Counter Intelligence is too often not influential in the Intelligence Process, Cover Action is very often believed having on it a damaging effect.²⁰

The United States Intelligence Community was organized, and works today, in a way that encourages inter agency competition over information, funds, and access to consumers. Redundancy was of big importance during the early Cold War. Each of the Intelligence agencies has its own dedicated Intelligence capability, either operational or analytical, or both. Each of the Intelligence agencies

¹⁶ Matthew M. Aid and Cees Wiebes eds., *Secrets of Signal Intelligence during the Cold War and Beyond*, (Portland, Or.: Frank Cass, 2001) pp. 5-7.

¹⁷ Turner, *Why Secret Intelligence Fail*, pp. 80-83.

¹⁸ Turner, *Why Secret Intelligence Fail*, p. 8-10.

¹⁹ Odom, *Fixing Intelligence for a More Secure America*, pp. 53-88.

²⁰ Godson, *Dirty Tricks or Trump Cards*, pp. 102-117.

produces Secret Intelligence that each agency asserts to be unique and relevant.²¹

Since the Fifties, dedicated collection was the instrument of choice to weaken each other Intelligence agency. In the process of trying to increase their power or defend themselves, American Intelligence agencies ended up often not communicating by any means. Such non cooperation is a leading cause of Intelligence failure, and was indicated by various investigative panels as very helping in producing the 9/11 Intelligence failure.²²

Bureaucratic dynamics internal to the Intelligence agencies are as well damaging to Intelligence success. Certainly, poor Intelligence guidance and poor analyst training are more than significant causes in crafting of bad Intelligence, but too many layers of management and heavy internal procedures, clearly intended to reduce risk, are not less influential in delaying the Intelligence process leading this way to tactical failure.²³

Moreover, the interaction between Intelligence priorities and tasking of requirements is a delicate one, because it concerns the politically sensitive issue of the relationship between the Intelligence consumers and Intelligence producers, between political leaders and Intelligence officials. Inability to shape priorities, focusing on the wrong ones and misreading policymaker intentions, all help in the American Intelligence process in producing Intelligence failures.²⁴

As a consequence, both cognitive dysfunctions as well as organizational impediments are powerful forces in the by far most complex sources of failures in the Intelligence process, the analytic stage in which Intelligence analysts convert bits and pieces of collected raw information into National Intelligence Estimates, and other analytic products intended to help policy makers.²⁵ Finally, another quite common opportunity for Intelligence failures recognized by the recent investigative panels, resides entirely in the dissemination of Intelligence to the wrong consumers.²⁶

The *al Qaeda* attacks on the United States prompted a series of measures that culminated in the creation of a new Intelligence position, the Director of National Intelligence (DNI). However, the investigative evidence shows that the root causes of Intelligence failures are not so easy to solve because embedded throughout the

²¹ See William R. Corson, *The Armies of Ignorance: The Rising of the American Intelligence Empire*, (New York, N.Y.: The Dial Press, 1977).

²² See National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report*; Odom, *Fixing Intelligence for a More Secure America*, pp. 168-169.

²³ Alexander George ed., *Avoiding War: Problems of Crisis Management*, (Boulder, Colo.: Westview Press, 1991), pp. 400-403.

²⁴ Gates, *From the Shadows*, pp. 553-575; Lowenthal, *Intelligence*, pp. 1-2.

²⁵ Turner, *Why Secret Intelligence Fail*, pp. 102-117.

²⁶ National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report*, pp. 399-406.

entire American Intelligence process, involving both Intelligence producers and Intelligence consumers. It is the way in which consumers understand Intelligence that sets the tone for what is produced at the end of the process, and for how policy makers use Intelligence products. Given so, little is the chance of a successful overhaul of the American Intelligence.

Lately, some proposals have called for doing away with the current structure of Intelligence and creating a new one. Senator Daniel Patrick Moynihan (D-N.Y.) was one such advocate, holding firm to his belief that the only way to reform the Central Intelligence Agency (CIA) was to tear it down completely and build a new organization in its place. This view implies that structure alone creates the circumstances leading Intelligence to fail, and that the only way to address them would be to uproot or change these structures. But the majority vision is that scrapping the Intelligence Community and starting all over would not be enough if it would not dismiss the entire American Intelligence process.²⁷

However, many critical steps have been suggested to improve American Intelligence by many investigative panels. One is the need of a public and policy makers education about what Intelligence can and cannot do, reshaping expectations toward a more pragmatic view. So far United States Intelligence agencies avoided any such outreach toward their publics, out of fear that public relations efforts might be perceived as spreading propaganda and manipulating public opinion. Now, it looks like this is going to dramatically change in the future.²⁸

A major part of the public unrealistic expectations on Intelligence is directly connected to the terminology used to describe Intelligence activities. Evaluation of public and policy maker attitudes reveals that in an overwhelming majority of cases, Intelligence is expected to predict developments and events.

Prediction implies a degree of certainty that is seldom, if ever, present in Intelligence reporting and analysis. Intelligence is based upon defective information and is full of complexity and vagueness, worsened by deception by adversaries. So long as complexities and vagueness exist, Intelligence is incapable of meeting the high standards associated with prediction. As long as public and policy maker look forward to Intelligence to predict events, they will influence the Intelligence process in a very damaging way and the rate of Intelligence failure is believed stay high.²⁹

Realistic expectations are not the only proposed change in the American

²⁷ Odom, *Fixing Intelligence for a More Secure America*, pp. 187-190. Turner, *Why Secret Intelligence Fail*, pp. 41-55.

²⁸ National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report*, pp. 423-428.

²⁹ Turner, *Why Secret Intelligence Fail*, pp. 8-13.

Intelligence. The most visible change is structural, and it was conceived to instill unity to the Intelligence Community. By giving more authority to a strong leader other than the DCI, the goal was bringing the Intelligence agencies finally together.

The Joint Intelligence Inquiry and the Independent Commission Investigating the 9/11 Attacks advanced and sustained the proposal, seeking to concentrate United States Intelligence activities in the hands of a strong Director of National Intelligence (DNI). The cabinet level DNI would not only be the principal Intelligence adviser of the President, but unlike the DCI would also have the full range of management, budgetary, and personnel responsibilities needed to make the entire United States Intelligence community operate as a coherent whole. American Intelligence agencies opposed the proposal to create a strong Intelligence chief even though they recognize the change would tackle one of the major complaints of DCIs in the past. While the DCIs had always had responsibility for the entire Intelligence Community, he lacked the budgetary power controlled by the Secretary of Defense. The DNI is supposed to solve this inconsistency by gaining overall budgetary authority.³⁰

The DCI, meanwhile, would be responsible for only the CIA, freeing him to devote his energies to what the CIA does best in HUMINT, coordinated Intelligence analysis, and covert operations. Some reformers have also suggested that the DCI be given operational and tasking authority over such important agency like the National Security Agency (NSA) and National Reconnaissance Office (NRO), but such a proposal was much controversial as seen as further fragmenting the Intelligence community. The creation of an undifferentiated and undisputed leader in charge was seen as instrumental in providing United States Intelligence a range of other benefits. The DNI is supposed to bring high-quality, coordinated analysis and make resource decisions that reflect national priorities, not choices driven largely by those who oversee the technical collection programs or who are concerned with military programs alone. As such, it would focus the management and organizational structure of the Intelligence community around substantive national security missions, rather than the narrow and particular collection mission of each agency. In addition, the DNI is called to compel standardization in the personnel management system, therefore allowing the Intelligence Community to move personnel and reorganize structures much more effectively and quickly than ever before.³¹

The notion of a DNI is not new. The new position, endorsed by the Bush Administration, is the latest iteration in a long series of similar proposals that date back to the late Forties. In 1992, proposed legislation in the Senate already called

³⁰ Odom, *Fixing Intelligence for a More Secure America*, pp. 187-190.

³¹ National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report*, pp. 411-415.

for a kind of “DNI” with programming authority over the entire Intelligence community, including the ability to temporarily transfer personnel among the Intelligence agencies. In 1996, the House Permanent Select Committee on Intelligence produced a study that called for more cooperative spirit across the Intelligence Community and strengthen central management by suggesting the DCI additional administrative and resource authorities.³²

So far little was done to put into practice any of these proposals. Bureaucratic resistance has been the cause behind resistance to greater cohesion. Today, the position of the DNI is supposed neither interfere with the competencies of the individual Intelligence agencies, nor be inconsistent with the principle of competitive Intelligence, which would continue to be at the base of Intelligence analysis. The DNI is supposed to set up new, valuable inter agency structures that would respond to Intelligence problems, that would mediate among the parochial inter agency interests, and would resolve disputes in ways that reproduce national priorities, not the interests of a specific agency.³³

Another singularity of the American Intelligence, all too evident after September 2001, is the surviving artificial divide between “domestic” Intelligence and “foreign” Intelligence. To date, this division has been, protected in the equally artificial exclusion of the Federal Bureau of Investigation (FBI) from foreign Intelligence, and of the CIA from domestic Intelligence.³⁴ Recognizing a new environment, the independent commission investigating the September 2001 attacks and Senator Richard C. Shelby (D-Ala.) proposed creating a new domestic Intelligence agency along the lines of the British MI-5, but civil libertarians have strongly resisted the notion on grounds that it would be an invitation to violating freedoms enjoyed by Americans.³⁵

Other proposals to set up a domestic Intelligence agency have been offered. One vision would simply take the Counter Terrorism (CT) and Counter Intelligence (CI) portfolios out of the FBI and put them in a stand alone organization that would be accountable for Intelligence collection and analysis, but would have no law enforcement powers. Another vision would move CT and CI responsibilities to the office of the Undersecretary for Information and Analysis and Infrastructure Protection, in the new Department of Homeland Security, which is well placed to bridge the span between domestic and foreign Intelligence,

³² Ernest R. May, “Intelligence: Backing Into the Future” *Foreign Affairs*, Summer 1992; Turner, *Why Secret Intelligence Fail*, pp. 147-150.

³³ Richard K. Betts, “The New Politics of Intelligence: Will Reforms Work This Time?” *Foreign Affairs*, May/June 2004.

³⁴ See Stanfield Turner, *Secrecy and Democracy: the CIA in Transition*, (Boston, Mass.: Houghton Mifflin Company, 1985).

³⁵ See Mark Riebling, *Wedge: From Pearl Harbor to 9/11 how the Secret War between the FBI and CIA has Endangered National Security*, (New York, N.Y.: Simon & Schuster, 2002).

assuming that the CIA cooperates with the shift. Still another alternative vision would use the existing methodology of cooperation among agencies establishing a shared mechanism that would have both operational and analytic capabilities in CT and CI fields. Several task forces within the CIA and the Defense Department are already doing precisely that. The Defense Intelligence Agency (DIA) has set up an organization, the Joint Intelligence Task Force. Counterterrorism (JITF-CT), which was established after the USS Cole attack and was improved by new assignments of personnel and resources after the September 2001 attacks. JITF-CT aspires to provide its analysts with a data access sufficient to allow for real all source analysis. The attorney general also established his own Foreign Terrorist Tracking Task Force (FTTTF), in order to help developing a real data access. FTTTF is collocated with the Pentagon's Joint Counter Intelligence Assessment Group, which provides technical support. However, at the present, it is difficult to assess if the quite indiscriminately proliferating new task forces together will increase instead of decrease the real danger of defeating the very idea of Intelligence integration.³⁶

By now, American anti-terrorism efforts focus more on law enforcement than on integrated Counter Terrorism Intelligence. The FBI has acquired some new authorities under the Patriot Act to engage in domestic Intelligence, and the CIA has assigned some personnel to the FBI. Nevertheless, a long-term efficient solution is very much down the road.

³⁶ National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report*, pp. 411-428.

Fausto Biloslavo

Pakistan: the Threat of Islamic Radicalism

Introduction

Pakistan's ethnically and religiously complex society, geographically wedged between the Hindu-majority Indian political culture and the contrasted Islamic cultures of tribal Afghanistan and Shia Iran, has posed an enormous challenge to governance since the country's creation in 1947. Struggles over its own political identity marked by alternative periods of democratic and military rule, a 57-year grievance over India's hold on two thirds of the state of Jammu and Kashmir, and a continuous effort to balance the demands posed by the country's membership of a succession of western alliances in an effort to enhance its regional security – at the constant risk of alienating sections of domestic religious opinion – have all contributed to a continuing deep sense of insecurity and instability¹.

In this essay, I will analyse the danger of Pakistani Islamic extremism. Along with the Taleban experience in Afghanistan, the conflict in Kashmir and the influence of Al Qaeda, this has often represented a danger which is not simply internal but regional and international and begins with the bloody feud between Shias and Sunnis.

Pakistan's General-President, Pervez Musharraf, is attempting with increasing conviction to oppose Islamic extremism in his country. He aims to block the sectarian and terrorist groups and to keep the religious parties that often protect him in check. The danger should not be underestimated because it represents one of the most serious threats to Pakistan's stability and integrity. As Philip Cohen has justly written "Pakistan has not fulfilled either its potential or the expectations of its founders, but it is too big and potentially too dangerous for the international community to allow it simply to fail"².

Islamic radicalism

The Islamic parties and movements in Pakistan are themselves very diverse. They range from radical groups that use terrorism and seek to forment a global Islamic revolution to other factions that would be content to introduce more "Muslim" or Islamic elements into Pakistan itself. The former would wage a jihad in India to "liberate" its 140 million

¹ *Jane's Sentinel* - volume 13, 2004

² Cohen Stephen Philip, *The Nation and the state of Pakistan*, The Washington Quarterly, summer 2002.

Muslims. These groups have also been active in Afghanistan, and some had close ties to the Taliban and Al Qaeda. They would use the state of Pakistan as Trotsky wanted to use the Soviet Union: a base camp for global revolution. They are bitterly angry at the military and other members of the Pakistani establishment who are reluctant to sign up for the crusade.

They are also strongly anti-American, not only because of Washington's support for Israel but also because of its support for successive moderate Pakistani governments over the years.

Finally, most of these groups are fervent Sunnis and anti-Shi'a. Although small in number, these radical Islamic groups have been willing to employ deadly force within Pakistan against liberals, secularists, Shi'as, and now Americans. Although these groups represent a threat to public order and are capable of assassination and murder on a wide scale, they do not have broad political support³.

The religious parties, some of whom have more "moderate" visions than those groups linked to terrorism, form the other side of Islamic radicalism. The six rival major religious parties have united in the Muttahida Majlis and Amal (MMA). This alliance includes factions such as the powerful Jamiat-i Ulama Islam run by Fazlur Rahman (JUI-F), who favoured the birth of the Taleban movement, and the Jamaat i Islami (JI), "the vanguard of modernist political Islam and the most organised as politically active religious party"⁴.

The roots of extremism: between the *ulama* and the generals

The creation of Pakistan was initially opposed by the conservative religious Deobandi movement, which was founded in 1867 in the madrassa of the same name near Delhi. This movement preserves a vision of Islam which is a response to colonial dominion. Many *ulama* refused the proposal to create a state that was separated from the Muslim-majority provinces in British India. The secular nationalist proposal to form the state had been advanced by Muhammad Ali Jinnah, the founder of Pakistan. The more conservative *ulama* refused in the name of Islam to recognise the national borders as they were unwilling to give up the Muslim dominated territories in India. This stance is still put forward today, with a broader sweep, by the Islamic radicals, who using guerilla warfare and terrorism, fight against the American and allied forces from Iraq to Afghanistan and are intent on "liberating" not nations but Muslim peoples.

In addition, "the fact that Jinnah had, like many of the nationalist leaders of his time, a western style education, caused the religious leaders to oppose"⁵. Following the birth of India and Pakistan, the Deobandi movement split into two factions "the Juh, which was opposed to Partition and remained in India, where it pursued its ends through mainly political means, and the Jamiat e ulama e Islam (the Association of the *ulama* belonging to the Islamic JUI), which was founded in 1948 to preserve Orthodox Islam within the

³ Ibidem.

⁴ *The State of Sectarianism in Pakistan* - Crisis Group Asia Report N°95, 18 April 2005

⁵ Abenante Diego, *Il Pakistan dopo l'11 settembre: Tra dittatura militare e frammentazione politica - Scenari internazionali dopo l'11 settembre*, Edizioni Università di Trieste, Trieste, 2003

new state from the modernising influence of the political leaders⁶. On the other side was a group of liberal Muslim politicians from Northern India or Bengal "who believed in liberal democracy and did not want to create a state that dictated individual religious practices"⁷. In addition to the JUI, other religious parties to emerge included the Jami'at-ul-'ulama-i-Pakistan (inspired by Bareilwi, the second largest Indo-Pakistani Islamic theological school) and the Jamaat-i-Islami, founded by Maulana Mawdudi, which was the leading Islamic political party in South Asia.

The religious movements found space above all in the Pashtun-majority tribal areas near the border with Afghanistan. The early Pakistani governments, although far removed from the idea of Islamicisation, believed that the Islamic fervour could block the separatist urges and work as a bulwark should there be a conflict with India over Kashmir. "The last reason was the deep perception of weakness that characterised the Pakistani government in its first ten years which led it to make ever more frequent recourse to Islam as a factor of political and cultural unity. In addition this became a relevant reason for the creation and support of a "Jihad culture" in the tribal areas, places where many of today's radical Islamic movements in Southern Asia were destined to develop"⁸.

The military forcefully entered Pakistani politics in 1958 and remain heavily involved today. General Ayub Khan took power through a coup that followed tensions and disorder created also by the desire of the religious parties to have the country adopt an Islamic constitution. The coup did not take place "to realise an Islamic political agenda. On the contrary it took place in order to oppose the influence of the *ulama* in public life and to guarantee the secular nature of Pakistani nationalism."⁹. On the other hand, in the fifties and following colonial tradition, officer recruitment came largely from the modern elite of Pakistani society.

Ayub Khan lost power following the 1969 protests and General Yahya Khan took his place promising free elections. But the results, which favoured the Awami league in eastern Pakistan, were not accepted by the military. As a result a bloody war of secession took place leading to the creation of Bangladesh. "As one military leader followed another, the army's vision of Pakistan began to define the state. Most officers believed in the Jinnah model of the Pakistani state but believe that Pakistani politicians are unable to achieved it"¹⁰.

The fall of the second military government paved the way for Zulfikar Ali Bhutto's civilian experiment. Bhutto, an Oxford-educated landowner from Sindh and a former minister in Ayub Khan's administration, emerged as the majority party leader in Punjab and Sindh. He had founded the Pakistan People's Party (PPP) in 1967 after being dismissed by Ayub Khan, and promised socialist reforms for the underprivileged. "He rose to power because his PPP held the majority of seats in West Pakistan and the generals wanted him to lead a dispirited nation. He initiated Pakistan's nuclear programme and built closer relations with the Muslim world. Most of all, in 1973, he led

⁶ Giunchi Elisa, *Il Pakistan tra ulama e generali*. Franco Angeli 2002, p. 25

⁷ Cohen Stephen Philip, as above

⁸ Ibidem.

⁹ Ibidem.

¹⁰ Ibidem.

the efforts to introduce a fully fledged parliamentary-style Constitution for the country”¹¹. This constitution provided, in article 2, for Islam to be the state religion and mandated the Council of Islamic Ideology to propose measures to islamise Pakistan. This was a success for the religious parties which had been provoked by the prime-minister himself despite his socialist tendencies. “Bhutto took over a humiliated army and a truncated Pakistan in search of a new identity. Attempting to create a national ethos on anti-Indian and pan-Islamic slogans, he highlighted Pakistan’s Islamic and supposed Middle Eastern identity, deploying a populist rhetoric mixing socialism, nationalism and populism”¹².

The contentious 1977 elections and the mass protests that followed them brought about Bhutto’s downfall. He was deposed by General Zia ul Haq. Two years later, the former Prime Minister was hanged in prison in Rawalpindi, but on the anniversary of the State coup Zia promised: “Pakistan, which was created in the name of Allah, will continue to survive only if it adheres to Islam”. In this way the reinvention of the country’s origins carried out in the previous decades by Jamaat-i-Islami were adopted. Islam was linked to Pakistani nationalism and to the country’s destiny. Zia added another element to the equation: the army as guarantor of the survival of Islam and of the nation.”¹³

It is no accident that the armed forces began, in the sixties, to recruit officers from the middle-classes, from the small and medium sized towns and the rural parts which were more sensitive to Jamaat-i-Islami’s propaganda. “Zia’s regime put into effect an attempt to Islamicise the society “from above” through the introduction by law of the Koranic code, especially with regard to criminal law rather than through a reislamisation “from below”. This was a strategy inspired by Jamaat-i-Islami who even managed to win a seat in government.”¹⁴ Zia’s Islamicisation also influenced the Madrassas which play a vital part in fundamentalism in Pakistan. This will be discussed later.

The holy war against the Soviets in Afghanistan.

The internal influence of Jamaat was not alone in accentuating the role of Islam in Pakistan. The international situation, which had deteriorated following the Soviet invasion of Afghanistan in 1979, also came into play. Pakistan had always been an ally of the United States in the region thus balancing India’s veering towards Moscow. With the Red Army bearing down, fears of the “Great Game” of the previous century, of Moscow’s expansion to the warm seas, were reignited. Pakistan found itself in the front line in this last phase of the Cold War. The United States and Saudi Arabia generously financed the Mujaheddin, the Afghani Islamic partisans who used Peshawar and the Pakistan tribal areas as back-up zones. The United States gave 30 million dollars to the Afghan resistance movement in 1981 and this had increased to almost 200 in 1984.¹⁵ This mass of money was used to buy arms to stop the Soviets. In 1987, the American Congress agreed to finance the Afghan rebels to the tune of a record 630 million dollars. The Stinger shoulder-launched surface-to-air missiles greatly reduced Soviet Air supremacy and convinced Moscow that victory was impossible.

¹¹ Dr Iftikhar H. Malik, *Minority rights group international* - 2002

¹² *Pakistan: Madrassa, Extremism and the Military* - ICG Asia Report N°36 - 29 July 2002

¹³ Giunchi Elisa, as above, p. 57

¹⁴ Abenante Diego, as above.

¹⁵ Coll Steve, *La guerra segreta della Cia*. Rizzoli, Milano, 2004. p. 90

The CIA did not, except in a few cases, organise the delivery of these arms or instruct the Afghans as to their use. The main contacts with Mujaheddin and above all the discretionality over the provision of arms to different resistance groups was the territory of the ISI (Inter services intelligence agency), Islamabad's secret military intelligence agency. Many of ISI's generals and many Pakistani mediators got rich through the endless flood of American dollars that defeated the Red Army in Afghanistan. Peshawar, the main city of the Northwestern frontier province on the Afghan border became the new Casablanca which spies, from all sides, journalists who were seeking to enter Afghanistan secretly with the Mujaheddin and Holy War volunteers from various Arab countries took part in the new and bloody battle of the Cold War.¹⁶

ISI was led by fervent Islamic supporters who, among the ranks of the resistance, always favoured the Pashtun, starting with their favourite leader, Gulbuddin Hekmatyar. Tajik Commanders, like Ahmad Shah Massud, were only occasionally supplied with arms and munitions, usually at the insistence of the Americans.

Despite its alliance with the USA, Islamabad pursued an independent strategic plan which aimed at creating a Pakistani-influenced Afghanistan. What's more, neither the CIA nor the ISI, nor the Saudi secret services tried to limit the phenomenon of the so-called Arab-Afghans, the young Muslims from all over the world, who, in the eighties, came to fight the Soviets in Afghanistan, transforming themselves into Holy War veterans, thanks to CIA money. Among these was a young Saudi sheikh, Osama bin Laden. The secret services of his country were well aware that he was enlisting Arab Mujaheddin for Afghanistan. According to Ahmed Rashid, the well known Pakistani author, William Casey, head of the CIA in the eighties, convinced "the agency to support an ISI initiative to enlist Muslims from throughout the world to come to Pakistan to fight with the Afghani Mujaheddin".

The head of the Saudi secret services until September 11, Prince Turki bin Faisal, preferred to have Bin Laden and his followers fighting in Afghanistan rather than have them creating problems at home. A dangerous move, this, that in the end, transformed the Great Game during the Cold War into an enormous boomerang for all the supposed winners: Pakistan, Saudi Arabia and the United States. The result for Afghanistan was even more devastating and it caused the country to be plunged into Taliban obscuratism¹⁷.

The Politicians return and the Taliban are born

Zia was killed in a mysterious assassination in 1988 when the Soviets were already in great difficulty and ready to withdraw. The Jihad launched in Afghanistan was about to achieve victory but at this very moment an important change within the radical Islamic movements in Pakistan took place. "During the latter stages of Zia's government and following his murder in 1988 the influence of the Jamiat-i Islami waned while that of the neo-fundamentalists, such as Jamiat-i Ulema Islam, began to rise. While certainly influenced by Jamaat-i Islami's political radicalism, above all with regard to the

¹⁶ Biloslavo Fausto, *La crisi afghana. Un cammino verso la democrazia?* Graduation thesis. Università di Trieste, November 2004.

¹⁷ Ibidem.

revolutionary vocabulary and the importance of the political dimension, these *Ulama* parties stand out for the formation of the leadership and for their political agendas. Where the Jamaat-i Islami emphasised the formal acceptance of the *shari'a* as a vital moment in the creation of the Islamic State, the Jamiat-i Ulama Islam attached greater importance to an effective reislamisation of society, and, therefore, to strict observance of the *shari'a*"¹⁸.

The term "neofundamentalist" was coined by Olivier Roy, the great French expert on Afghanistan and Pakistan, who thus identified traditional Sunnite extremism as lived by the *Ulama* rather than that of the Islamic intellectuals from the old Jamaat i islami civil society. The Sunnite neo-fundamentalism of the *Ulama* had been represented by the two main currents of Jamiat ul Ulema and Islam, led by Maulana Fazlur Rahman and Sami-ul-Haq. Of Deobandi stock, these factions have been spread throughout the tribal areas of the North West Frontier province since the second half of the nineteenth century. The Taleban movement, which, from 1994, held almost all of Afghanistan until September 11,, 2001, emerged from the network of neo-fundamentalist Madrassas.

The Talebans were the fruit of a Pakistani plan to commercially penetrate the former Soviet republics of Central Asia and to gain strategic control of Afghanistan which, in the early nineties, was slipping into a bloody civil war. Absurdly, the neo-fundamentalist plan was made possible by the rise to power of Benazir Bhutto, daughter of the founder of the Pakistan People's Party who was hanged by Zia. Following the death of the General, Benazir became Prime Minister but immediately sought to gain some "Islamic" credibility among Pakistan's public who were seeing civilians returning to power. For this reason Bhutto decided to collaborate with the Jamiat -i- Ulema Islam led by Maulana Fazlur Rahman, who was co-opted into the institutions and became President of the Parliamentary foreign affairs commission. At the same time, General Babar, a Pashun, took up the position of Minister for Defence. Babar, along with Rahman and the ISI¹⁹ later drew up the idea of a Taleban militia in 1993"²⁰.

The instrument that made this possible was the Fazlur Rahman's Jamiat i Ulema Islam Madrass network which was part of a new generation of religious parties that still today propose a dangerous and militant Islamic project. Not only Afghanistan but Kashmir too (which will be discussed in a later chapter) has become an objective of the Pakistani Islamic Jihad. The radical groups, especially the Sunnis, who have been involved in a bloody feud with the Shias for over two decades, have found in Afghanistan and Kashmir the ideal territory on which to train their supporters and expand the Jihad. Later we will look at their composition and how they evolved but first we will close this chapter with a brief look at the role of Nawaz Sharif, the Pakistan premier who succeeded Benazir Bhutto. "Unlike Bhutto, the Pakistan Muslim League (PML) of Nawaz Sharif was aligned with the military, sharing its perceptions and policies toward Afghanistan and Kashmir"²¹. Not surprisingly, in 1999, a war was about to break out with India over the Pakistani occupation of the highlands of Kargil, in Kashmir, which had been carried out also thanks to Jihad groups helped by the ISI. However, the Sharif administration

¹⁸ Abenante Diego, *La "questione afghana". Tra Islam, ideologia ed etnicità*, Università di Trieste, 2004.

¹⁹ 20% of the Pakistani armed forces were Pashun, among them the former head of the armed forces, General Abdur Waheed and the head of the ISI, Abdul Kuli Khan.

²⁰ Abenante Diego, as above

²¹ *Pakistan: Madrassa, Extremism and the Military*, as above.

took some action, mostly against the anti-Shia Sunni sectarian groups. With strong support in the Punjab, Sharif took some tough action against religious extremists in his home province. In January 1999, Sharif narrowly survived an assassination attempt, reportedly carried out by the Lashkar e Jhangvi, an extremist Sunni group²². Sharif was also willing to side with the U.S. against the militants. After his Washington tour in July 1999, Sharif's anti-militancy policy became even more pronounced and effective, but in October he was deposed by the head of the armed forces, General Pervez Musharraf.

The return of the civilians to powers after the third military parenthesis under General Zia did however favour the rise to power of the Talebans who later allowed Al Qaeda and almost all the Pakistan terrorist groups to stay and train in their territories. These groups represented the most serious regional and international threat, a threat which became all too real with the anti-American September 11., attacks.

The Madrassa phenomenon

The Madrassa are Koranic schools that provide free religious education, boarding and lodging and are essentially schools for the poor. About a third of all children who are in education in Pakistan attend Madrassa. Most of the students are between 5 and 18. "The objective of the Madrassa is to introduce Muslim children to basic Koranic teachings, promote an Islamic ethos in society and groom students for religious duties"²³. Enemy number one is secular education and the religious who control the Madrassa have always successfully opposed the government's various attempts to reform them.

From the late seventies on, these Koranic schools, which have multiplied in the tribal areas bordering with Afghanistan, have produced a large reserve of young Jihad volunteers. Firstly against the Soviet invaders in the eighties and then as part of the Talebans in the nineties. After September 11., they have come under the glare of international attention for the collusion in terrorism. The Pakistan authorities speculate that only 10 to 15 per cent of Madrassa might have links with sectarian militancy or international terrorism. In any case the phenomenon of the Madrassa is one of the determining factors behind Islamic radicalism in Pakistan.

There were only 137 Madrassa at the time of the foundation of the state in 1947 but by 1994 in the Punjab province alone – Pakistan's most populous – more than 2,500 Madrassa were counted²⁴. The current number of Koranic school is not known exactly but in 2002 "Pakistan's minister for religious affairs, Dr. Mahmood Ahmed Ghazi, puts the figure at 10,000, though he acknowledges the problem of definition and suspects it could be higher, with as many as one million to 1.7 million students attending classes at least for short periods"²⁵.

The Madrassa were "imported" from British India or better the founders of the Pakistani Koranic schools came mostly from the cities of Deoband and Bareili in the Uttar

²² This group splintered from Sipah e Sahaba Pakistan, the anti-Shia sectarian party, to avenge the murder of Haq Nawaz Jhangvi by Shia terrorists. The more radical of the two Sunni groups, Lashkar-e-Jhangvi was led by Riaz Basra, Pakistan's most wanted Sunni terrorist who was killed by police in a staged 'encounter' in May 2002, five months after his arrest. The group is likely to become dysfunctional after his death.

²³ Pakistan: *Madrassa, Extremism and the Military*, as above

²⁴ Qasim Zaman Muhammed, *Religious Education and the Rhetoric of Reform: The Madrassa in British India and Pakistan*, Brown University Comparative Studies in Society and History, vol.41, no.2, April 1999.

²⁵ Pakistan: *Madrassa, Extremism and the Military*, as above

Pradesh, from where two rival Sunni movements arose in the late nineteenth century after the advent of the British Raj. The seeds of factional, political, religious, and cultural conflict are to be found in the establishment of the traditional Madrassa. Based on sectarian identities, Madrassa are, by their very nature, mutually exclusive, driven by a mission to outnumber and dominate rival sects. Students are educated and trained to counter arguments of opposing sects on matters of theology, jurisprudence and doctrines. Promoting a particular sect inevitably implies rejection of the others.

“There are five distinct types of Madrassa in Pakistan, divided along sectarian and political lines. The two main branches of Sunni Islam in South Asia — Deobandi and Bareili — dominate this sector (over 90 per cent of Madrassa belong to these two sects). Ahle Hadith/Salafi Muslims (a puritanical minority sect in Pakistan that is close to the Saudi brand of Wahhabi Islam) have their own schools, as do the Shias, while the predominantly Sunni Jamaat-e-Islami maintain Madrassa distinct from the sectarian ones. The religious, doctrinal differences of these schools are irreconcilable”²⁶.

The Islamicisation that was pursued by General Zia ul Haq between 1977 and 1988 helped cause the Madrassa boom. “Zia’s Islamicisation required the support of the religious seminaries for credibility. The military government, therefore, wooed Madrassa through a package of enticements. The 1979 education policy envisaged 5,000 mosque schools and established a National Committee for Dini Madaris (Koranic schools) to transform the Madrassa “into an integral part of our educational system”²⁷. In reality this “reform” failed to bring the Madrassa system under government control but on the other hand Zia’s Islamicisation did accentuate the sectarian character of the Madrassa. In the eighties the feud between Shias and Sunnis worsened and became more militant and bloody. The Sunnis, including the most extreme fringes, were financed and provoked by Saudi Arabia in the light of the coming Jihad against the Red Army in Afghanistan. The Shias, on the other hand, increased the number of Madrassa inspired by the Khomeini’s revolution in 1979. In this way Pakistan became the site of the clash between Shias and Sunnis. This clash was a reflection of the dangerous dispute between Iran and the Arab World with the Riyadh Monarchy in the front line.

“Two types of Madrassa took an active part in the anti-Soviet jihad in Afghanistan. The first included those created specifically to produce jihadi literature, mobilise public opinion, and recruit and train jihadi forces, such as the Jamaat-e-Islami’s Rabita Madrassa. The second consisted of independent chains of Madrassa, including those of the Jamiat-e-Ulema Islami (JUI), which opposed Zia politically but were a partner in the Afghan jihad”²⁸.

Developed in the so-called “Psthun belt” of the North west frontier and the Baluchistan province, these principally Deoband inspired training schools for the Afghan Jihad expanded thanks to the presence of an ever greater number of Afghani refugees. “These Madrassa did not necessarily conduct military training or provide arms to students but encouraged them to join the Mujahideen inside Afghanistan. Madrassa affiliated with the Haqqaniya chain and the JUI faction led by Fazlur Rahman also established jihad networks in Pakistan’s major urban centres. Jihadi seminaries with Afghan and Arab volunteers spread to Karachi and later to the Punjab. Central Asian, North African and

²⁶ Ibidem.

²⁷ Ibidem.

²⁸ Ibidem.

Caucasian Muslims also arrived to participate in the Afghan war”²⁹.

The Madrassa also served to recruit volunteers for the war in Kashmir, and thus were supported by the Pakistanis because of their anti-Indian function. Following the Soviet withdrawal from Afghanistan, some Majaheddin commanders, disgusted by the civil war being fought over Kabul, united in the emerging Taleban phenomenon or joined the new Kashmir Jihad, lock, stock and barrel. “In fact, the Taleban movement was founded in the seminaries of Samiul Haq and Fazlur Rahman, which graduated most of its commanders and leaders. Even after the downfall of the Taleban, these jihadi Madrassa continue to encourage recruits to join new jihads against targets as diverse as the U.S., Russia, China and India”³⁰.

A year before the September 11, attack, S.V.R Nasr of the University of San Diego drew up a list of Islamic radical groups, which ranged from the terrorist network of Ramzi Ahmad Yusuf, the first twin-tower attacker in 1993, to Sipah-i-Sahabah Pakistan (SSP, Pakistan’s Army of the companions of the prophet), to Harakatul Ansar, involved in the guerrilla war in Kashmir. He claimed that they “have all begun in and around militant Madrassa, and recruit from among their students and graduates”³¹.

Madrassa and Mosques, as well as being containers of militants, are also great collectors of financial offers that exceed the “70 billion rupees (around \$1.1 billion US dollars) from resident Pakistanis”³². Not only: the funds coming from abroad are a sort of status symbol. The Pakistani Madrassa collect financial aid from Pakistani emigrants in the Gulf countries, Britain and North America through a network of humanitarian and charity organisations which often collude with Islamic terrorism. In addition, it is no secret that Saudi Arabia, Iran, Iraq, Libya, and Kuwait financed the Pakistani Madrassa. “In 1996 of the 2643 registered Madrassa 1700 were receiving financial support from outside Pakistan”³³.

Following September 11, the International Community’s eyes were finally opened to the role of the Madrassa. The Musharraf government has pledged, as many previous Pakistani governments have done, to change the status of the Madrassa and integrate them into the formal education sector. It has also pledged to reform the Madrassa system as part of its anti-terrorism actions in fulfilment of UN Security Council Resolution 1373. The supposed 2002 reform, called the *Dini Madaris* - Voluntary Registration and Regulation – did not have a real effect on the Madrassa system. The alliance of religious parties (MMA) has, with a public campaign, categorically rejected government reforms of Madrassa and any proposed laws to regulate their functioning, including curricula and finances. Although the government tends to underestimate the link between the Koranic schools and the Jihad “many Madrassa in Pakistan continue to provide foot soldiers for jihads in Afghanistan and Kashmir. Within Pakistan, the jihadi Madrassa also continues to play a central role in promoting sectarian hatred”³⁴.

²⁹ Ibidem.

³⁰ Ibidem.

³¹ Nasr S.V.R. *The rise of Sunni militancy in Pakistan: The changing role of Islamism and the Ulama in the society and politics*, Modern Asia Studies, 34 (1), 2000

³² *Pakistan: Madrassa, Extremism and the Military* as above

³³ Nasr S.V.R, as above

³⁴ *Unfulfilled Promises: Pakistan’s Failure to Tackle Extremism* ICG Asia Report N°73, 16 January 2004

Pervez Musharraf, the “reformer-coup leader”

In the history of State coups, Musharraf is surely the only general who managed to take power while in flight, while returning to his country. Having departed for Sri Lanka as head of the armed forces, deposed by premier Nawaz Sharif who would have preferred to feed him to the sharks, he landed in Karachi, as the new Lord and Master of Pakistan. It was October 12, 1999 when General Pervez Musharraf took power in Pakistan and he continues to occupy it today³⁵.

Born in 1943 in Delhi, he is a mohajir - originally from what is Indian territory today - Pakistan's enemy number one since independence from the British. Because of his father's diplomatic career he grew up in Turkey which he continues to see as a model, citing its founder Mustafa Kemal Atatürk. He entered the academy in 1961, just in time to take part as a young artillery officer in the war against India which took place four years later. Again in 1971 he was in the front line against India. He is proud of his military service at the head of the Special Services Group, a large commando unit used in hotspots. These Pakistani special units were also seen in Afghanistan, fighting alongside the Taleban in the decisive battles against the armed opposition of the Northern Alliance. Ironically the future Pakistan president emerged from the anonymity of a military career in the eighties thanks to General Zia ul Haq. However he made his big move under Prime minister Nawaz Sharif, whom he would later depose. In 1998, Sharif nominated him as head of the armed forces believing him to be a faithful follower who was capable of controlling the increasingly dissatisfied armed forces. After an initial American reprisal bombing against Osama Bin Laden in Afghanistan, following the attacks on the American embassies in Kenya and Tanzania, many Jihad volunteers, who had been trained in the Osama's camps, moved to Kashmir. In 1999, regular Pakistani units, followed by these ISI supported radical groups, invaded the Indian part of Kargil causing a bitter high-altitude battle which at a certain point risked degenerating into nuclear war. From the Kargil incident on, the split between Sharif and his General was ever more evident and concluded with the 1999 coup.

Observers initially split into two camps with regard to Musharraf. The first believed he was a liberal forced to put up with radical Islamic elements who had infiltrated the armed forces. Others felt he was deeply hostile to the West and very close to the religious parties that supported the Talebans. Although a subtle and probably innate ambiguity remains, Musharraf has shown himself to be a “reformer coup leader” or perhaps he has been forced to be by the geopolitical changes brought about by the attack on the United States on September 11,...

“In his first address to the nation given on October 17, 1999, Musharraf presented a vision of Islam similar to that of Ayub Khan (the first General to take power in a coup), in which religion was seen as a progressive and liberal force”³⁶. The General-President's support base is in the urban upper-middle class and, until 2000, he tried to introduce reforms to counter rampant corruption, to bring the Madrassa under control and to

³⁵ *Il Giornale* 26 December 2003.

³⁶ Giunchi Elisa, as above, p. 79.

Extract from Musharraf's speech: “Islam teaches tolerance, not hate; universal brotherhood, not anger; peace, not violence. I have great respect for the ulama and I hope that they will come forward and present Islam in a proper light. I invite them to eliminate those elements that are exploiting religion for vested interests and who are giving our faith a bad name”.

promote female emancipation. As I have already written, the reforms were, for the most part, vanified from the outset by the resistance of the religious parties and ample sections of the armed forces, beginning with the ISI. Despite his internal enemies, Musharraf removed several officers accused of having fundamentalist sympathies and over the years has managed to place his own men in key positions in the armed forces, above all in the upper ranks of ISI.

Up until September 11,, Pakistan's foreign policy remained ambiguous or perhaps even in line with what Musharraf inherited from the alliance with the Taleban regime in Afghanistan. While condemning the Taleban excesses, Pakistan continued to be home to the first and most important Taleban embassy. Musharraf himself tried to convince several countries to recognise the Kabul government. He did little to stop the flow of Al Qaeda terrorists and militant Pakistani radicals into Afghanistan and he continued to support, also with arms, the Taleban offensive against the remaining anti-fundamentalist resistance movement in the north east of the country. The deep-seated ambiguity was produced by two factors: "The inability of the central government to control the tribal areas and the activities of the Dini Madaris on the border (with Afghanistan nda), which recruited volunteers, and the clash between those in the ISI and in the army continued to support the theory of strategic depth and who did not wish to give up the Afghan training camps that were home to the Kashmir fighters and those who realised that the friendship with the Talebans would have dreadful consequences for the country"³⁷.

The change forced by September 11,

On the eve of September 11,, Pakistan found itself in a difficult situation. It was isolated internationally and had several internal problems ranging from the aggressiveness of the radical groups to the economic crisis. Islamabad's decision to carry out a nuclear test in 1998, the attack on Kargil the following year and Musharraf's state coup had provoked a strong reaction from abroad, especially from the United States. The September 11, attack changed everything and Musharraf was obliged to take sides. Pakistan became once again a "frontline state" in the new war on terrorism. In order to bomb Afghanistan, destroy Al Qaeda's camps and bring about the collapse of the Taleban regime, the Americans needed to use Pakistani airspace and to form an at least tacit alliance with Islamabad which had, until the previous day, being the godfather of the fundamentalist regime in Kabul. The General immediately understood which way the wind was blowing and took sides in the war against terror. "Musharraf's decision to help the United States, apart from the public declarations, had little to do with his enthusiasm for the American cause and came more from the fact that his regime had its back to the wall. Pakistan's foreign debt at the time of the crisis was blocked at 38 billion dollars (...). In addition, although he had assumed civilian power having declared himself President in July 2001, Musharraf had been unable to reinforce his regime's internal and external legitimacy. We are not, therefore, dealing with an act of moral courage or of altruism: putting his destiny into the hands of the United States and the rest of the civilised world was a necessary good"³⁸.

On September 23, the Bush administration lifted the sanctions that had been imposed in

³⁷ Giunchi Elisa, as above, p. 80

³⁸ Ganguly Sumit, *Storia dell'India e del Pakistan*. Bruno Mondadori 2004, p. 167.

1998 followed Pakistan's nuclear experiments but the attack on the Twin Towers forced Musharraf to tackle Pakistan's deepest dilemma since the time of Jinnah. Obviously the religious parties and the *ulama*, who had created the Talebans, were totally opposed to siding with the USA. Fazlur Rahman and the other religious leaders were briefly placed under house arrest. "In invoking a pro-Afghanistan foreign policy the *ulama* not only demonstrated a predictable anti-Americanism but above all they reminded Musharraf's government of the duty of all good Muslim governors to respect the unity of the *umma*, an ideal of unity which comes before politics and transcends State territories. Despite this, Musharraf's government chose to adopt a view that put national interest first (...) Musharraf, in a moment of extreme difficulty in which the country's adhesion to the Islamic ideology was seriously placed in doubt, chose to counterattack with the only powerful symbol he had available, that of the nation. The President put himself forward as the only authentic custodian of the founding ideology of the Pakistani nation, a role which the country's armed forces have always aspired to".³⁹

Musharraf's "national" choice was outlined in a famous speech given on September 19, 2001. He called on Pakistanis to remember the slogans from the fight for independence and he hit all the right chords in his people's sensibilities. Pakistan Zindabad" (Long life to Pakistan), "Faith, Unity and Discipline" are slogans that brought to mind the speeches made by the founder of the Pakistan nation, Ali Jinnah, in the nineteen forties.

Despite the inevitable defeat of the Talebans and of Al Qaeda, Islamic terrorism in favour of the independence of Kashmir, hit back in December 13, 2001 with a terrible attack on the Indian parliament. Musharraf, partly forced and partly happy to limit the power of the Jihad groups, dissolved the Jaish e Muhammed and the Lashkar e Taiba, two extremist groups that had been supported by the ISI and were responsible for a number of terrorist actions in Indian Kashmir. "In a speech made on January 12, 2002 and considered by international observers as a defining moment, Musharraf took up again the theme of a tolerant and progressive Islam, announced the repression of extremist groups, and expressed the hope that the Kashmir question could be resolved through negotiations".⁴⁰ Other radical formations such as the Sipah-i Sahaba Pakistan, Tehrik i Jafria Pakistan, Tehrik i Nifaz Shariat Mohammadi, were banned, but as we shall see in the second part of this work, the main and most dangerous Sunni factions reemerged with new names and continue to be a threat.

The political clash and the risk of an assassination attempt on Musharraf

In 2000, the Pakistan Muslim League, one of the country's historical parties, led by former premier Sharif, now in exile, was dissolved following a series of internal rows which Musharraf has exploited in order to form his own "party of the King", the Pakistan Muslim League (Quaid e Azam group), which, following the 2002 elections in which it won 77 seats, is currently the party with a relative majority in the National Assembly.

In May of the same year, despite the opposition of the major parties, Musharraf easily won a referendum which prolonged his mandate for a further five years with a huge 98%

³⁹ Abenante Diego, *La "questione afghana". Tra Islam, ideologia ed etnicità*, as above

⁴⁰ Elisa Giunchi, *op.cit.*, p. 82.

percent victory⁴¹.

“Strong dissent against Musharraf’s pro-American stance has, however, spread throughout the north western provinces of Pakistan (on the border with Afghanistan nda)”

⁴². This is caused primarily by the Afghan Pasthun refugees living in the area who are, however beginning to return to Afghanistan. Secondly it is caused by the use of this area by what remains of Al Qaeda and the defeated Talebans who see it as a safe refuge. “This dissent brought about the unprecedented success of the alliance of the Muttahida Majlis-e Amal Islamic parties (MMA)”⁴³ in Pakistan’s October 10, 2002 general elections. Winning 60 seats, the alliance of religious parties is now the third largest party in the Pakistan National Assembly. The alliance governs the North west frontier province and is part of a coalition in Beluchistan. “In Pakistan’s chequered history, the mullahs have never been as powerful as now, controlling two of four provincial governments and also influencing national politics through their presence in the National Assembly”⁴⁴.

At the end of 2003, despite the attempts to secularise the country, Musharraf decided to make a deal with the religious parties (MMA) in order to obtain a relative majority in parliament which allowed him to amend the constitution and thus consolidate his own power and the role of the military. The MMA accepted this in return for Musharraf’s formal promise to leave the army and resign as head of the armed forces, a position he had never allowed anyone else to assume. A year later the President went back on his word and refused to stand down as head of the army. He justified his decision by claiming that “96% of the population want me to remain in uniform”⁴⁵. In reality he is afraid to cede control of the army for fear that he will lose control of the country. The remaining Al Qaeda supporters have allied with those Pakistani terrorist groups that twice have tried to kill Musharraf and the feud between Shia and Sunnis, which will be discussed in the second part of this essay, continues to worsen.

The decision to continue to hold both arms of power caused an angry reaction among the religious parties who have for some time been strongly opposing the President and have accused him of being under the thumb of the Americans. Musharraf had embarked on a “stick and carrot” policy with the MMA but this tactic now seems to have failed and the President, “under pressure from the West and especially the United States intends to forge a deal with the moderate opposition forces, such as Bhutto’s Pakistan Popular Party in order to isolate the religious formations who have declared “war” on him”⁴⁶. Contacts have also been made with Nawaz Sharif’s followers but the immediate obstacle that needs to be surmounted is the bringing home of at least Bhutto from exile. Not only: sources close to the Pakistani government confirm that Musharraf is seriously considering running for President in 2007.

The risk of terrorism and the still unquenched threat of the radical groups lurk hidden behind the political clashes. This will be studied in detail in the second part of this essay. In just 12 days between December 2004 and January 2005 Musharraf escaped two assassination attempts carried out by kamikaze terrorists. Last September, Ayman al

⁴¹ The opposition parties and several independent associations spoke of fraud and large scale irregularities in the vote.

⁴² Abenante Diego, *Il Pakistan dopo l’11 settembre: Tra dittatura militare e frammentazione politica - Scenari internazionali dopo l’11 settembre*, as above

⁴³ Ibidem

⁴⁴ *The State of Sectarianism in Pakista*, as above.

⁴⁵ *Osservatorio strategico*, CeMiss, October 2004

⁴⁶ *Osservatorio strategico*, CeMiss, April 2005

Zawahiri, number two in Al Qaeda, broadcast an audio message inciting the military to overthrow the President.

Despite the arrest of 700 Al Qaeda activists since 2001, it is still highly likely that the terrorists will continue to attempt to assassinate Musharraf. Some observers compare him to Anwar Sadat, the Egyptian head of state killed by integralists hidden within the armed forces in 1981 after he had signed the peace treaty with Israel. The image of the Pakistani General President is no longer “suspended between that of a military dictator who holds on to power through his able and unscrupulous use of the armed forces and the secret services and that of a reforming Muslim leader happy to make the most of the international context to redefine the internal and external politics of his country”⁴⁷. Musharraf genuinely seems to be a “coup leader reformer” who strenuously combats Islamic and sectarian radicalism and is determined to hunt down the remaining supporters of Al Qaeda and close the open wound of Kashmir which stirs Islamic extremism. Not only: at present given the delicate equilibrium that holds in Pakistan, always caught between the nation and Islam, given the mediocre stature of its political leaders, both for the good of his country and the stability of the region, the General-President is irreplaceable.

I – continues

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⁴⁷ Abenante Diego, *Il Pakistan dopo l'11 settembre: Tra dittatura militare e frammentazione politica - Scenari internazionali dopo l'11 settembre*, as above

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Southern Cooperation for International Security

*Latin American participation in the Stabilization
Mission in Haiti*

New scenarios in the Western hemisphere?

The end of the Cold War first, and the new challenges issued by international terrorism later, have profoundly changed the security patterns in Latin America as well as in the rest of the world. The new scenario is now urging Latin American countries to modify their long term tradition of non-intervention and reluctance to participate in peace enforcement missions under Chapter VII of the United Nation Charter. Institutions like the Organization of American States (OAS) and mutual help mechanisms like the Inter-American Treaty of Reciprocal Assistance¹ have proved insufficient to assure domestic and international stability in the region. The stabilization mission that is currently under way in Haiti represents the most difficult test for the new role that some Latin American countries are called to play in the Western hemisphere.

Most of the crises that have recently broken out in Latin America originate from a lack of economic growth and an inequitable distribution of resources, rather than a strong political and ideological confrontation. Young democratic institutions reveal their difficulties in articulating different social and economic interests into political reforms. In such a situation, economic dissatisfaction often erupts into violent crises that threaten political stability.

In recent years Argentina, Ecuador, Bolivia and Venezuela have succeeded, with some difficulty, in solving their domestic crises without any external intervention.

In other cases, like in Nicaragua's current political crisis, the government has called for an intervention of the Organization of American States in order to widen and strengthen the room for dialogue between domestic parties and political movements.

¹ <http://www.oas.org/juridico/english/Treaties/b-29.html>

On the contrary, in Haiti a strong external intervention proved to be dramatically necessary in early 2004 to defuse profound social tensions, which could have led to a civil war. For the first time since their independence, Latin American countries were called together to join and assume the responsibility of leading a complex peace keeping operation (PKO).

The worldwide terrorist menace has changed United States' international security and foreign policy priorities. While narcotraffic remains one of the top priorities -as it is considered part of a wider transnational terrorism- other problems like illegal immigration and local guerrilla warfares do not longer bear sufficient weight to divert the US from the more troublesome areas of the Middle East and Central Asia². When national security is not at stake, the US are quick in organizing and leading stabilization missions in the initial military stage, but are eager to give way to the United Nations in a second phase, maintaining external support for the PKO.

This article will take into exam some of the premises and early consequences of the UN Stabilization Mission in Hatiti (MINUSTAH) on the Latin American countries involved in the mission, with special attention to Brazil, Chile and Argentina³.

Peace keeping operations in Haiti⁴

During the last twelve years the United Nations have played a major role in Haiti.

After the coup that overthrew President Jean-Bertrand Aristide in 1991, the UN and the OAS imposed economic sanctions upon General Raul Cedras' illegal government. In July 1993, Mr. Cedras and Mr. Aristide reached an agreement paving the way for the return of Mr. Aristide and constitutional and military reforms. The US government was very concerned for the humanitarian situation that could generate massive emigration towards the US coasts. For this reason, the US government decided to join a UN peace mission designed to gain control of the Caribbean country and provide sufficient protection for the return of Mr. Aristide. In October 1993, paramilitary groups blocked off the landing of the mission. As a consequence, the UN Security Council authorized the total embargo on the country, and the deployment of a 20,000-strong multinational

² G.G. Tapia, "Haití: ¿complemento o vacío hegemónico en América Latina?", in *Foreign Affairs en Español*, January – March 2005.

³ On 9 May 2005, Brazil contingent in Haiti compiles 1212 military staff officer and troops, Chile accounts for 539 and Argentina for 555.

⁴ Information on the origins and development of the UN Stabilization Mission in Haiti are available on the UN website: <http://www.un.org/Depts/dpko/missions/minustah>

force led by the US to facilitate the prompt return of the legitimate Haitians authorities. Other UN missions followed between 1994 and 2001. The lack of domestic stability prevented the realization of sound political reforms. In 2000 President Aristide and his party Fanmi Lavalas won the presidential and parliamentary elections, but the opposition refused to accept the victory and accused Mr. Aristide of having manipulated the results. Gradually, the space for dialogue between the government and the opposition was reduced. In 2003 the opposition began to call for the resignation of Mr. Aristide. The so called “Group of Six” -composed of the Caribbean Community (CARICOM), EU, Canada, the United States, France and the OAS- tried to mediate between the two parts, to no success.

In February 2004 armed conflicts broke out in the town of Gonaïves, north of Haiti. Illegal armed groups quickly took control of the northern part of the country. Armed opposition groups threatened to march towards the capital Port-au-Prince, in case the president Jean-Bertrand Aristide would not accept to give up. Mr. Aristide finally agreed to leave the country on 29 February. The president of the Supreme Court, Boniface Alexandre, took up the interim presidency and immediately urged the international community to send an international interposition force to Haiti. Following a rapid approval by the UN Security Council, a Multinational Interim Force (MIF) was deployed into the island. The prompt presence of the US, Canadian, French and Chilean militaries prevented the situation from degenerating into a civil war with perilious humanitarian consequences.

Taking into consideration the deep economic and social problems that Haiti faces⁵ and the threat to international security that a humanitarian crisis would imply, the UN recommended the setting up of a multidimensional stabilization operation. Hence, with resolution 1542 of 30 April 2004 the Security Council created the Stabilization Mission in Haiti (MINUSTAH), which substituted the MIF on 1 June 2004. The political leadership of Juan Gabriel Valdes from Chile⁶ and the Force Command under Brazilian guidance give evidence to the prominence of Latin American countries in the

⁵ Today, Haitian per capita income hardly reaches 15% of the Latin American and Caribbean average; less than one person out of 50 holds a stable job; less than 40% of the population has access to drinkable water. Illiteracy rate is at 52,9% of the population; life expectancy fell down to 49,1 in 2003. UNDP classifies Haiti as the 146th country in the HDI classification. The GDP fell down 5,2% between 1985 and 1995, granting Haiti the classification of “country in quick economic regression” in the 2001 UNCTAD classification.

⁶ According with the SC resolution 1542, Mr. Valdes is the Special Representative of the UN Secretary General and has “overall authority on the ground for the coordination and conduct of all the activities of the United Nation agencies, funds and programmes in Haiti”.

operation. The United States decided not to join MINUSTAH directly, while maintaining a presence in the country⁷.

MINUSTAH's framework

To better understand the characteristics and repercussions of the involvement of Latin American countries in the stabilization mission in Haiti, it is important to start from resolution 1542 that frames the whole operation. The central purposes of the mission are:

- to support the constitutional and political process under way in Haiti, while maintaining a stable and safe environment;
- to assist the Transitional Government in its efforts to organize, monitor and reform the Haitian National Police (HNP), consistent with democratic policing standards;
- to assist the Transitional Government and the Haitian Police with the development of a consistent and stable Disarmament, Demobilization and Reintegration program (DDR) of all armed groups operating in the country⁸;

to assist the Transitional Government in its efforts to organize, monitor and carry out free and fair municipal, parliamentary and presidential elections at the earliest possible date;

to promote and protect human rights⁹.

Resolution 1542 allocates these objectives into three sections: I) Secure and stable environment, II) Political process, and III) Human rights. Section I activities will be developed under Chapter VII of the United Nations Charter.

⁷ Among other activities, the US took charge of technical and tactical training of some members of the Haitian National Police and the recruitment of former HNP veterans.

⁸ As far as the process of DDR is concerned, it is natural to compare the actual situation of Haiti with the peace process developed in El Salvador in the '80s. The greater difference between the two cases is that in El Salvador the DDR process followed a formal cease-fire with the armed groups. In Haiti, on the contrary, there is no room for any cease-fire because there is not a political conflict on the ground. The 25,000 individuals that are estimated to join illegal armed group (MINUSTAH report S/2004/698) are much less politically organized than the Central American armed movement during the '80s. Moreover, Haitians are normally unwilling to hand over something for nothing, and in the case of the disarmament, the authorities of the Transitional Government cannot ensure to everybody an adequate compensation for the armies, like a job in the public administration.

⁹ United Nation Security Council, resolution n. 1542 of 30 April 2004.

<http://www.un.org/Depts/dpko/missions/minustah/res.html>

The resolution also settles that MINUSTAH will comprise a civilian component of a maximum of 1,622 Civilian Police and a military component of up to 6,700 troops of all ranks¹⁰.

With this framework, the stabilization mission in Haiti induced many Latin American countries to evaluate benefits and costs of participation to such a complex international PKO.

Increasing international prestige: the choice of Brazil

The Brazilian decision to take part in MINUSTAH clearly responded to a top-down logic. On 4 March 2004, French President Jacques Chirac expressed his wish to Brazilian President Inácio Lula da Silva that the mission's Force Command -to be created within the following three months- would fall under Brazilian leadership. President da Silva responded that 1,100 Brazilian troops could be deployed to Haiti, signifying that the issue had been previously discussed with the Defense Ministry and the Armed Forces. In fact, three days earlier the Brazilian Government had stated its interest in participating to a PKO in Haiti, without mentioning the possibility of leading it.

President da Silva's Administration clearly framed the pro-active involvement in a Stabilization Mission within a national strategy aimed at increasing international autonomy and prestige. From the beginning, MINUSTAH leadership has been considered as a crucial test for Brazilian claims to a permanent seat in the UN Security Council¹¹.

Brazil has few economic interests in Haiti. In 2000 Brazilian exports to Haiti reached 17,2 million dollars, while its imports amounted to 46 million. With an estimated cost for the Brazilian Mission between 50 and 70 million dollars, and the obligation to pay UN-parified salaries to the personell involved, it appears obvious that Brazil could not expect direct economic gains.

¹⁰ These ceilings will be later increased with resolution 1608 of 22 June 2005, which esteems crucial to raise UN troops up to 7,500 and civilian police officers up to nearly 1,900. Resolution 1608 extends the mandate of MINUSTAH until 15 February 2006, when a new democratic government is supposed to be in power.

¹¹ While diplomatic authorities did not want to directly associate the two matters, members of the Defence Ministry and Armed Forces were less reluctant to openly connect the two operations. E. Diniz, "O Brasil e a MINUSTAH", in *Security and Defence Studies Review*, volume 5 no. 1 Spring 2005, p. 91

The Brazilian decision should be seen in light of its long term foreign policy tradition, as it has been redefined since the '90s. In the last 15 years, Brazil has intensified its participation in Multilateral Organizations, which are no longer considered means of “perpetuation of the political rule of the great powers”, but rather useful instruments to strengthen the Brazilian sphere of action. One of the most relevant examples of this change of approach is the Brazilian return to a seat in the UN Security Council in January 1988, after a 20-year absence¹².

This intensification of interest for the UN and other Multilateral Organizations is coherent with some Brazilian diplomacy rules: the respect for the non-intervention principle and the equivalence of significance between economic development and peace and security related issues¹³. In other words, Brazil always preferred to deal with and take part in PKO under chapter VI of the UN Charter rather than in peace enforcement operations under chapter VII. For this reason, Brazil did not participate in many PKO during the '90s because most of them were aimed at enforcing peace with the possible use of strength¹⁴, and, for the same reason, Brazil did not want to get involved in the Multinational Interim Force in Haiti, established by resolution n. 1529 of 29 February 2004, where the military and peace enforcement component was clearly predominant. In addition, it is evident that Brazil prefers direct participation in areas considered as strategic for its foreign policy, such as Latin America and other Portuguese-speaking countries. This is especially true starting from the early '90s, with the launch of the economic integration process in the Western hemisphere. In fact, it is during the last 15 years that Brazil has been playing a rather pro-active role in Latin American politics, in parallel with the creation and development of the MERCOSUR.

Assuming the leadership of MINUSTAH, Brazil claims to represent the whole South America. It is a two-pronged tactic: from the political point of view, Brazil wants to demonstrate it deserves a permanent seat in the UN Security Council. From the point of view of economy and trade, this approach would reaffirm Brazil's leadership of the South American commercial block in global and multilateral negotiations. From this perspective, MINUSTAH economic and political costs (especially in case of casualties) appear clearly compensated by the increase of international prestige. To put it with Eugenio Diniz, Brazilian diplomatic behaviour seems to follow an “immediate

¹² After 1988, Brazil returned to hold a two-year seat in the SC in 1993-1994, 1998-1999, 2004-2005.

¹³ E. Diniz, *ibid.* p. 95.

¹⁴ Brazil decided to join a multilateral mission deployed under Chapter VII solely for the Timor East mission, in 1999.

political pragmatism and an indirect commercial pragmatism”, and may mark a point of inflexion in its long term diplomatic tradition¹⁵.

Exporting the model of Chilean political stability

Chile’s decision to take part from the beginning to both the Multinational Interim Force in Haiti and MINUSTAH is coherent with the international role that it has adopted since the return of democracy in 1988. As President Ricardo Lagos pointed out: “If we do not help multilateral organizations to fix the rules of globalization process, how can such a little country like Chile compete in the international scenario? In order to establish roles that could benefit Chile, we have to support multilateralism and fortify the United Nations”¹⁶.

Chile has a long tradition of worldwide participation in PKOs (with the exception of Gen. Pinochet dictatorship). Nevertheless, its participation in MIF and MINUSTAH represents a relevant growth of its international role. As the Defense Minister Michelle Bachelet stated, the Chilean participation in PKO reaffirms and increases “the influence level we would like to have on the international scene to promote the principles and values that inspire us and to defend our interests”¹⁷.

On different occasions, Chilean government affirmed that the solution to regional instabilities cannot and should not be just a prerogative of the US, Canada and the European countries. As one of the more stable Latin American nations from the economic, social and political standpoint, Chile decided to be the first regional country to join the Haitian mission, sending a clear message to its South American neighbours.

As in the Brazilian case, Chile’s assumption of international responsibility hid a second important objective: the reinforcement of its claim for the General Secretariat of the OAS. Taking an active role in Haiti was directly related to gaining the Caribbean countries votes in the OAS election, which took place last May in Washington DC. Indeed, the final election of Chilean José Miguel Insulza as OAS Secretary General demonstrated the judiciousness of the bet.

¹⁵ E. Diniz, *ibid.* p. 102..

¹⁶ “Un país pequeño como nosotros, si no apostamos a que lo multilateral fije las reglas de la globalización, entonces, ¿cómo competimos en un mundo si las reglas no están fijadas? Apostar a lo multilateral, fortalecer Naciones Unidas, es la posibilidad que tiene Chile que existan reglas, y que estas reglas nos beneficien”. *El Mercurio*, 15 March 2004.

¹⁷ Intervention of the Defence Minister, Ms. Bachelet, at the opening ceremony of the academic year of the Armed Forces academies, 18 March 2004.

Another element to be taken into account is the positive effect of Chilean PKO's participation on personnel training and the positive impact it had on both Chilean military culture and civil-military relationship. Chile still bears the weight of its military past, and has a long way ahead to improve diplomatic relations with some neighbouring countries, such as Bolivia and Peru.

Thus, while playing a more active international role in PKO, President Lagos is seeking to reach three different goals: to extensively increase Chilean commitment to the Latin American region; to professionalize its Armed Forces and heighten the importance of their role in peace missions; to help reduce the persistent lack of confidence of Chilean civil society in the Armed Forces¹⁸.

As in the case of Brazil, taking a leading role in an important PKO (and providing a military contingent on short notice) greatly enhanced the prestige of Chile.

Argentina: the obligation of participating

As for the Argentinean case, the decision of participating to MINUSTAH has been more difficult. The need to pass through a parliamentary debate and approval -and the fact that benefits and costs of participation were not immediately clear to the Argentinian government- implied a delay in the decision about the deployment of a military contingent. Even for Argentina, the drivers that finally determined the participation were: PKO capabilities acquired during the last missions, a "prestige policy" and the commitment to the UN mandate. Comparing with Chilean and Brazilian decision-making process, Argentina's domestic political factors have proved to be more relevant than the international ones.

During the '90s, Argentina took part in several UN missions; however, this contribution did not result in a national political consensus on PKO participation¹⁹. Surely, the quick commitment on the part of Chile and Brazil imposed a degree of regional cooperation that ultimately contributed to the participation of other countries to MINUSTAH. Non attendance in the mission would represent a clear loss of international prestige.

¹⁸ P. Tripodi, "La misión de Haití desde la mantención hacia la imposición de la paz. Nuevos desafíos para los cascos azules chilenos", in *Revista Fuerzas Armadas y Sociedad*, Año 18, n. 1-2, p. 135.

¹⁹ L. Micha, "Una visión integrada de la participación Argentina en MINUSTAH", in *Security and Defence Studies Review*, volume 5 no. 1 Spring 2005, p. 116.

Conclusions

The strong Brazilian, Chilean, Argentinian and Uruguayan²⁰ military presence in Haiti establishes an important element of change in Western hemisphere PKOs. For the first time, a UN peace enforcement mission has been deployed in the Americas without the participation of any great power. As argued in the previous paragraphs, internal political factors matched with a sense of hemispheric solidarity and international obligation to participate in peacekeeping operations authorized and directed by the United Nations.

All these motivations do not hold relevant for the US, nor for other key Latin American countries, such as Mexico.

For the United States, a failure of MIF and MINUSTAH would imply a loss of prestige, while a success would not increase its international reputation and relevance by much. Moreover, as John Fishel and Andrés Saenz of the Center for Hemispheric Defence Studies point out, “for a number of countries the Haiti PKO provided an opportunity to support the US on an issue of some importance, while remaining true to their own strongly expressed preference for multinational operations within a United Nations context”. Such implication has been particularly effective for the reduction of the rift that the Iraq war has created between the US and several Latin American countries²¹.

In the case of Mexico, the motivation for not participating in the Stabilization Mission in Haiti reflects its military and diplomatic tradition of non-intervention in other countries’ domestic affairs. In fact, Mexican long-term diplomatic doctrine left the PKO initiative to MERCOSUR countries, under an accepted Brazilian leadership.

There is little doubt about the enhancement of peacekeeping capacity building that MINUSTAH has triggered on the countries involved. Nevertheless, its effectiveness on the ground has yet to be proved.

The political and security situation in Haiti remains very polarized and it is difficult to foresee positive improvements in the next months. The political project of Mr. Aristide

²⁰ Uruguay too has a long term tradition of participating in PKO, and on 16 May 2005 had deployed in Haiti 776 military staff officers and troops.

²¹ J.T. Fishel & A. Saenz, “Lesson of Peacekeeping Capacity Building: What We Have Learned from the Case of Haiti”, in *Security and Defence Studies Review*, volume 5 no. 1 Spring 2005, p. 199.

totally failed: today there are no domestic resources that can drive a process of economic recovery. Citizens have lost every bit of confidence in the institutions of the State. It is very complicated for Multilateral Banks and International Organizations to launch an economic aid plan in Haiti, due to the instability of the situation. There are no affordable institutions capable of managing any credit line, and the UN prefers to wait for the next government to take office next 16 February. Apart from the ever increasing military and police international deployment under the umbrella of MINUSTAH, a major portion of the planned economic resources has not yet been sent to the island.

The general elections to be held on 9 October and 13 November represent the crucial test for the whole mission. Should a new democratic government pacifically take charge in February 2006, restoring the rule of law, positive conclusions could be drawn about the first PKO under South American leadership.

Giovanni Gasparini and Federica Di Camillo¹

Back to Nice? Security Implications of the European Constitutional failure

Introduction

The negative results of the French and Dutch referenda on the new European Constitutional Treaty (CT) has blocked the process of ratification for an unknown period and has triggered a deep political crisis in the European Union.

According to some politicians and analysts, the wound to the credibility of the Treaty is to be considered fatal, given the political and historical importance of the two member states that are not anymore in the position to ratify, while 25 ratification are necessary for the Treaty to enter into force.

The prospective of a re-run of a referendum in these countries are very low; it remains possible that a change in the political leadership in France in particular, expected to happen within two years, could open new opportunities; however, we should expect the ratification process to remain on hold for at least some years, possibly forever.

In theory, despite of the ratification problems incurred by the two founding members of the EU, the juridical possibility of a positive outcome still remains. As foreseen in the Declaration no.30 on the ratification of the Treaty establishing a Constitution for Europe annexed: “The Conference notes that if, two years after the signature of the Treaty establishing a Constitution for Europe [i.e. by October 2006], four fifths of the Member States have ratified it and one or more Member States have encountered difficulties in proceeding with ratification, the matter will be referred to the European Council.”² Moreover, according to some scholar “... the European Council can meet even if this quota is not reached, however the meeting must take place if it is. (...) It does however oblige member states to meet and work together loyally and in good faith towards a positive outcome”.³

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² A Constitution for Europe http://europa.eu.int/constitution/en/ptoc164_en.htm#a638

³ E.Greco and G.L.Tosato, “The European Constitution: how to proceed if France or the Netherlands votes ‘no’”, Documenti IAI 2005, Istituto Affari Internazionali, Roma, <http://www.iai.it/pdf/DocIAI/iai0503e.pdf>, p.1.

However, the problem is clearly of a political nature, more than a juridical one. It is highly likely that the institutional approach followed by the Constitution will not be considered anymore the main procedural path to achieve political integration, at least for a while. We will probably experience the prominence of a pragmatic approach, focused on bottom-up problem solving, which anyway will happen in a regulated framework and according to the present rules and institutions.

This article assess the consequence of this probable long term suspension of the adoption of the Constitution on the evolution of the security dimension of the EU.

The Treaty of Nice: decision making and defence provisions

The multiple rejection of the new Treaty does not mean that the European Union will lack any legitimacy from now on.

The Treaty of Nice remains in force⁴, with its well known shortcomings that the abovementioned Constitution was meant to overcome. Concerning CFSP (Common Foreign Security Policy) and ESDP (European Security Defence Policy), the functional limits are those arisen in the consultation process of the institutional reform of the Treaties (European Convention and Intergovernmental Conference).

In particular, the mandate of the VIII Group on Defence (chaired by Mr. Barnier) dealt with some relevant questions such as:

- the possibility to build up a collective defence
- the establishment of specific forms of enhanced cooperation among some Member States in crisis management (Petersberg missions)
- the credibility of the European military capabilities
- the enhancement of the cooperation in the armaments field
- the rapidity and effectiveness of the decision-making process
- the clear identification of a chain of command for the military operations
- the coherence between civil and military elements in planning.⁵

⁴ Treaty of Nice, amending the Treaty on European Union, the Treaties establishing the European Communities and certain related acts, http://europa.eu.int/eur-lex/lex/en/treaties/dat/12001C/pdf/12001C_EN.pdf (signed in December 2000 and entered into force in February 2003).

⁵ G. Gasparini and F. Di Camillo, 'The European Treaty Establishing a Constitution for Europe: its implications on Defence Policy', 'CeMiSS Quarterly', summer 2004, CeMiSS, Rome, (pp.65-76), p.66; The European Convention, Mandate of the Working Group on Defence, 10 September 2002, CONV 246/02, <http://european-convention.eu.int/>

The possibility of a collective defence and the establishment of specific forms of enhanced cooperation among some Member States in crisis management are made particularly difficult by the present Treaty, since enhanced cooperations⁶, introduced by the Treaty of Nice also in the field of CFSP⁷, “shall not related to matters having military or defence implications” (Article 27b).

While a second critical issue, the rapidity and effectiveness of the decision-making process, is related to the adjustment of the decision-making system within the Council, in view of a European Union (EU) currently including 25 Member States and open to further enlargement in next years.

Two different but complementary issues arises: the Qualified Majority Voting (QMV) system and its applicability to certain matters. QMV was meant to overcome the inadequateness of the weighting of votes disciplined by the Nice⁸. “Instead of the three criteria required until now for a qualified majority (threshold of weighted votes, majority of Member States and 62% of the population of the Union), just two criteria will apply: a majority of the Member States and of the population of the Union. The Constitutional Treaty therefore breaks with the weighting of votes in the Council and replaces it with a simple, effective and flexible system.⁹ (...) The Constitution establishes the date for this

⁶ “The EU has been no stranger to flexibility and multispeed integration. However, it was only in the 1997 Amsterdam Treaty that such ‘enhanced cooperation’ was formalised opening the door to systematic use of differentiation as a tool for furthering integration in multiple areas. The idea – highly controversial since inception – is that willing member states can choose, under certain conditions, to cooperate further between themselves on matters covered by the treaties, using Union institutions and procedures.” EU Crisis Response Capability Revisited - Crisis Group Europe Report N°160, 17 January 2005, p.9.

⁷ Disciplined by Articles 27a-27e EUT and Articles 43-45 EUT.

⁸ TN attributes to each member state a number of votes predetermined implicitly in according to their demographic, economic and political weight as foreseen in Article 205 TCE. Trattato che adotta una Costituzione per l'Europa - Senato della Repubblica – Servizio Affari internazionali, Ufficio dei rapporti con le istituzioni dell'Unione europea, p.XXXIV.

⁹ Article I-25 Definition of qualified majority within the European Council and the Council

1. A qualified majority shall be defined as at least 55 % of the members of the Council, comprising at least fifteen of them and representing Member States comprising at least 65 % of the population of the Union. A blocking minority must include at least four Council members, failing which the qualified majority shall be deemed attained.
2. By way of derogation from paragraph 1, when the Council does not act on a proposal from the Commission or from the Union Minister for Foreign Affairs, the qualified majority shall be defined as at least 72 % of the members of the Council, representing Member States comprising at least 65 % of the population of the Union.
3. Paragraphs 1 and 2 shall apply to the European Council when it is acting by a qualified majority.
4. Within the European Council, its President and the President of the Commission shall not take part in the vote.

(see also Declaration on Article I-25, http://europa.eu.int/constitution/en/ptoc139_en.htm#a612).

new system to take effect - 1 November 2009, when the new Commission will be inaugurated following the 2009 European elections. Between 2004 and 2009, the current system provided for in the Nice Treaty will be applied. (...)”¹⁰

Concerning the extension of QMV, with respect to the Nice disposals, the Constitution seeks to enlarge its field of application to up to 20 cases¹¹, while it almost does not modify the unanimity system provided for such sensitive policies as CFSP and ESDP¹².

As far as ESDP is concerned, the unmodified Article 23(2) of the Treaty on European Union (TEU) expressly excludes the QMV for “decision having military or defence implications”.

Foreseen Advancements: CFSP and ESDP implications of the Constitutional Treaty

In order to understand the implications of the non-ratification, we should analyse a number of innovations that are to be introduced by the new Treaty.

The new Constitution includes two main institutional innovations in the field of CFSP: the creation of two complementary organs: the European Foreign Minister (EFM) and the European External Action Service (EEAS).

¹⁰ A Constitution for Europe – The Union’s decision-making procedures - the new system of qualified majority voting http://europa.eu.int/scadplus/constitution/doublemajority_en.htm

¹¹ On the one hand “specific clauses have been introduced to allow a Member State to refer a matter to the European Council (known as ‘emergency brake’ clauses). This mechanism has allowed the application of qualified majority voting to these Articles” on the other hand “a new bridging clause will allow a matter to be passed, after a final vote by unanimity in the European Council, to a qualified majority vote under Title III (Internal policies and actions) of Part III of the Constitutional Treaty.” A Constitution for Europe – The Union’s decision-making procedures – extension of qualified majority voting, http://europa.eu.int/scadplus/constitution/majority_en.htm; “according to Article III-422 of the Constitution, in the context of enhanced cooperation, participating Member States may decide to act by qualified majority, even if, in principle, unanimity is required. However, this provision does not apply to decisions with military implications or to those in the area of defence. This could nevertheless lead to the creation of a “hard core” of countries in relation to the CFSP”, A Constitution for Europe – EU policies – Common foreign and security policy (CFSP), http://europa.eu.int/scadplus/constitution/foreignpolicy_en.htm

¹² “Nevertheless, certain Articles will remain subject to unanimity in whole or in part, as they are particularly important for the Union and its Member States. The Constitutional Treaty also creates certain new legal bases which, because of their importance, are subject to unanimity. The following fields, amongst others, will remain subject to unanimity: (...) the common foreign and security policy, with the exception of certain clearly defined cases; the common security and defence policy, with the exception of the establishment of permanent structured cooperation; (...)” A Constitution for Europe – The Union’s decision-making procedures – extension of qualified majority voting, http://europa.eu.int/scadplus/constitution/majority_en.htm

Article I-28 CT13 provides the unification of the functions currently belonging to the EU Commissioner for External Relations and to the SG/HR for CFSP under the same person¹⁴, becoming responsible for “conducting” the common foreign and security policy, even if “member states will still have final say in decision”.¹⁵

The second organ, which serves the EFM acting under its authority, is disciplined by the paragraph 3 of the Article III-296¹⁶. The EEAS is a service staffed by officials from

¹³ Article I-28 The Union Minister for Foreign Affairs

1. The European Council, acting by a qualified majority, with the agreement of the President of the Commission, shall appoint the Union Minister for Foreign Affairs. The European Council may end his or her term of office by the same procedure.
2. The Union Minister for Foreign Affairs shall conduct the Union's common foreign and security policy. He or she shall contribute by his or her proposals to the development of that policy, which he or she shall carry out as mandated by the Council. The same shall apply to the common security and defence policy.
3. The Union Minister for Foreign Affairs shall preside over the Foreign Affairs Council.
4. The Union Minister for Foreign Affairs shall be one of the Vice-Presidents of the Commission. He or she shall ensure the consistency of the Union's external action. He or she shall be responsible within the Commission for responsibilities incumbent on it in external relations and for coordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, the Union Minister for Foreign Affairs shall be bound by Commission procedures to the extent that this is consistent with paragraphs 2 and 3.

¹⁴ “The relative lack of detail in the design of the new post is due as much to necessity as to expediency, given the persisting divergences among the member states on the relative importance of the Commission and the Council in running CFSP. Preserving a certain measure of fuzziness, however, allowed a consensus to be built while leaving the door open for unforeseeable future developments. As in the case of the High Representative, much will depend on the individual chosen to become the first incumbent [Javier Solana]: background, style and personality play a major role in such circumstances.” A.Missiroli, “Mind the steps: the Constitutional Treaty and beyond”, in *EU Security and Defence Policy – The first five years (1999-2004)*, ISS-EU, Paris, 2005, (p.145-154), p.147.

¹⁵ EU Crisis Response Capability Revisited - Crisis Group Europe Report N°160, 17 January 2005, p.8. “All relevant EU external policy aspects shall be concentrated in one new institution headed by a foreign minister.” A.Maurer and S.Reichel, “A Three-Phase Plan for the European External Action Service”, in *The International Spectator* 1/2005, (p.77-89), p.1.

¹⁶ Article III-296

1. The Union Minister for Foreign Affairs, who shall chair the Foreign Affairs Council, shall contribute through his or her proposals towards the preparation of the common foreign and security policy and shall ensure implementation of the European decisions adopted by the European Council and the Council.
2. The Minister for Foreign Affairs shall represent the Union for matters relating to the common foreign and security policy. He or she shall conduct political dialogue with third parties on the Union's behalf and shall express the Union's position in international organisations and at international conferences.
3. In fulfilling his or her mandate, the Union Minister for Foreign Affairs shall be assisted by a European External Action Service. This service shall work in cooperation with the diplomatic services of the Member States and shall comprise officials from relevant

General Secretariat of the Council, the Commission and from national diplomatic services. From EEAS comes also the Union's delegations operating in third countries and within international organisations.¹⁷

As far as ESDP is concerned, the most significant innovations should be considered the updating of the Petersberg missions, the creation of a European Agency in the field of military capabilities, and the establishment of a permanent structured cooperation in the field of defence.

The Petersberg tasks - originally outlined in 1992 in the Western European Union framework and institutionalised in Article 17(2) TEU as reference for the CFSP by the Treaty of Amsterdam - include "(...) humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking." Their updating is foreseen by Article III-309(1) which adds "(...) joint disarmament operations (...) military advice and assistance tasks, conflict prevention (...) and post-conflict stabilisation. All these tasks may contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territories."¹⁸

The establishment of the Agency is disciplined by Articles I-41(3) and III-311¹⁹. It is a

departments of the General Secretariat of the Council and of the Commission as well as staff seconded from national diplomatic services of the Member States. The organisation and functioning of the European External Action Service shall be established by a European decision of the Council. The Council shall act on a proposal from the Union Minister for Foreign Affairs after consulting the European Parliament and after obtaining the consent of the Commission.

¹⁷ A Constitution for Europe – The Institutions of the Union – The Minister of Foreign Affairs, http://europa.eu.int/scadplus/constitution/minister_en.htm;

¹⁸ G.Gasparini and F.Di Camillo, 'The European Treaty Establishing a Constitution for Europe: its implications on Defence Policy', 'CeMiSS Quarterly', summer 2004, CeMiSS, Rome, (pp.65-76), p.70

¹⁹ Article I-41 Specific provisions relating to the common security and defence policy

(...) 3. Member States shall make civilian and military capabilities available to the Union for the implementation of the common security and defence policy, to contribute to the objectives defined by the Council. Those Member States which together establish multinational forces may also make them available to the common security and defence policy.

Member States shall undertake progressively to improve their military capabilities. An Agency in the field of defence capabilities development, research, acquisition and armaments (European Defence Agency) shall be established to identify operational requirements, to promote measures to satisfy those requirements, to contribute to identifying and, where appropriate, implementing any measure needed to strengthen the industrial and technological base of the defence sector, to participate in defining a European capabilities and armaments policy, and to assist the Council in evaluating the improvement of military capabilities.

Article III-311

“European Agency in the field of defence capabilities development, research, acquisition and armaments” which, already by its extended name provides an idea of its extended mandate.

The permanent structured cooperation (Articles I-41(6) and III-312) could be established, within the EU framework, among “Those Member States whose military capabilities fulfil higher criteria and which have made more binding commitments in this area with a view to the most demanding missions (...)”. These criteria and commitments are specified by a Protocol annexed to the Constitution, that includes detailed disposals concerning “Achievement of high military operational readiness through national and/or multinational force packages, and through pooling and/or specialising of means and capabilities; participation in the development of ‘major joint or European equipment programmes’ and in the activities of the Defence Agency; and increased cooperation with a view to meeting agreed objective concerning ‘the level of investment expenditure of defence equipment’”. The first criteria has subsequently been linked to the so-called ‘battle groups’ concept (...)”²⁰ The institutional and juridical relevance of permanent structured cooperation must be stressed, as it overcomes the expressed prohibition of enhanced cooperations in ESDP matters.

It is meaningful to note that, independently from the ratification process under way and

1. The Agency in the field of defence capabilities development, research, acquisition and armaments (European Defence Agency), established by Article I-41(3) and subject to the authority of the Council, shall have as its task to:

- (a) contribute to identifying the Member States' military capability objectives and evaluating observance of the capability commitments given by the Member States;
- (b) promote harmonisation of operational needs and adoption of effective, compatible procurement methods;
- (c) propose multilateral projects to fulfil the objectives in terms of military capabilities, ensure coordination of the programmes implemented by the Member States and management of specific cooperation programmes;
- (d) support defence technology research, and coordinate and plan joint research activities and the study of technical solutions meeting future operational needs;
- (e) contribute to identifying and, if necessary, implementing any useful measure for strengthening the industrial and technological base of the defence sector and for improving the effectiveness of military expenditure.

2. The European Defence Agency shall be open to all Member States wishing to be part of it. The Council, acting by a qualified majority, shall adopt a European decision defining the Agency's statute, seat and operational rules. That decision should take account of the level of effective participation in the Agency's activities. Specific groups shall be set up within the Agency bringing together Member States engaged in joint projects. The Agency shall carry out its tasks in liaison with the Commission where necessary.

²⁰ A.Missiroli, “Mind the steps: the Constitutional Treaty and beyond”, in EU Security and Defence Policy – The first five years (1999-2004), ISS-EU, Paris, 2005, (p.145-154), p.151

its outcome, there have been anticipations of some disposals of the Constitution, either through Council decisions taken by unanimity or by cooperations outside the Treaty framework established by a restricted number of “willing and able” member states.

Looking forward: Anticipations through Council decisions

There have already been anticipations of the three above-mentioned ESDP innovations introduced by the CT.

The Petersberg tasks have been integrated and updated by decisions of the Council and, generally, by the European Security Strategy (ESS)²¹ approved by the European Council in December 2003.

The strategic document highlights a series of threats and responses which take into account the most recent geopolitical evolutions²², going well beyond the Petersberg missions framework. This is particularly evident with reference to the international terrorism and the proliferation of WMD.

Moreover, following the terrorist attacks in Madrid, the European Council of 25 and 26 March 2004 adopted - through a Declaration on Combating Terrorism - a solidarity clause foreseen by the Constitution (Articles I-43 and III-329): “The Union and its Member States shall act jointly in a spirit of solidarity if a Member State is the victim of terrorist attack or natural or man-made disaster. The Union shall mobilise all the instruments at its disposal, including the military resources made available by the Member States (...)”.

Sometime the anticipations have been less ‘remarkable’, but anyway important, as in the case of the financial disposals for CFSP/ESDP, for which the Article III-313²³ CT

²¹ “A secure Europe in a better world”, <http://ue.eu.int/uedocs/cmsUpload/78367.pdf>

²² “A strategy document is always a tentative exercise by nature”, J.Y. Haine, “An historical perspective” in EU Security and Defence Policy – The first five years (1999-2004), ISS-EU, Paris, 2005, (p.35-53), p.50.

²³ Article III-313

1. Administrative expenditure which the implementation of this Chapter entails for the institutions shall be charged to the Union budget.

2. Operating expenditure to which the implementation of this Chapter gives rise shall also be charged to the Union budget, except for such expenditure arising from operations having military or defence implications and cases where the Council decides otherwise.

In cases where expenditure is not charged to the Union budget it shall be charged to the Member States in accordance with the gross national product scale, unless the Council decides otherwise. As for expenditure arising from operations having military or defence implications, Member States whose representatives in the Council have made a formal declaration under Article III-300(1), second subparagraph, shall not be obliged to contribute to the financing thereof.

presents two innovations in addition to those of Article 28 TEU, that remains essentially unmodified.²⁴ The first one has been adopted by a Council Decision in February 2004²⁵ and guarantees rapid access to the Union funds destined to the urgent financing to prepare Petersberg missions. The second provision establishes an initial fund – determined by the contributions from Member States and managed by the Council - when the preparations are not yet charged to the Union budget.

The area of capability improvement remains largely the one most affected by anticipations of provisions foreseen by the new Treaty.

The European Defence Agency (EDA) case stands out. The Agency was formally established by a Common Action of the Council in 2004²⁶, thus anticipating the content of the CT concerning a similar structure. The mandate of the intergovernmental Agency focuses on the “close link between capability development, as part of ESDP, and armaments”.²⁷

3. The Council shall adopt a European decision establishing the specific procedures for guaranteeing rapid access to appropriations in the Union budget for urgent financing of initiatives in the framework of the common foreign and security policy, and in particular for preparatory activities for the tasks referred to in Article I-41(1) and Article III-309. It shall act after consulting the European Parliament.

Preparatory activities for the tasks referred to in Article I-41(1) and Article III-309 which are not charged to the Union budget shall be financed by a start-up fund made up of Member States' contributions.

The Council shall adopt by a qualified majority, on a proposal from the Union Minister for Foreign Affairs, European decisions establishing:

- (a) the procedures for setting up and financing the start-up fund, in particular the amounts allocated to the fund;
- (b) the procedures for administering the start-up fund;
- (c) the financial control procedures.

When the task planned in accordance with Article I-41(1) and Article III-309 cannot be charged to the Union budget, the Council shall authorise the Union Minister for Foreign Affairs to use the fund. The Union Minister for Foreign Affairs shall report to the Council on the implementation of this remit.

²⁴ By and large divided between common costs (essentially administrative and potentially expansible) and operational costs (costs lie where they fall).

²⁵ See Council Decision 2004/197/CFSP establishing a mechanism to administer the financing of the common costs of the European Union operations having military or defence implications (ATHENA, mechanism to administer the financing of the common costs of European Union operations having military or defence implications, aimed at a more permanent basis for the financing of operations and will reduce the time necessary for the EU to start financing the common costs of an operation) of 23 February 2004, and modifications made by the Council Decision of the 22 December 2004 (2004/925/EC).

²⁶ Council Joint Action 2004/551/CFSP of 12 July 2004 on the establishment of the European Defence Agency (OJ L 245 of 17.07.2004, p.17)

²⁷ B.Schmitt, “European capabilities - how many divisions?”, in EU Security and Defence Policy – The first five years (1999-2004), ISS-EU, Paris, 2005, (p.89-110), p.100

In the field of capabilities, some states are committed to provide Battlegroups, foreseen in the Protocol related to the permanent structured cooperation. During the General Affairs and External Relations Council of November 2004²⁸ three units have been made available individually by France, Italy and United Kingdom from 2005, while other 10 multinational Battlegroups will be available from 2007.²⁹ This implies compliance with some of the conditions to participate to the permanent structured cooperation.

Another initiatives is worth mentioning: the recent creation of a planning cells to support the EU missions.

A small EU permanent cell has been established in 2004 at Supreme Headquarters Allied Powers in Europe (SHAPE), involved in the operations using NATO assets in accordance with the “Berlin Plus” arrangements, as established by the European Council decision of December 2003.³⁰ Moreover, in the same occasion the Council established a non permanent cell with civil/military components within the EU Military Staff, to be activated for planning and conducting of autonomous operations of the Union and flanking the national commands (initial operational capability reached in April 2005: the cell will have the capacity to generate an operations centre, available in June 2006 at the latest;³¹ full operational capability foreseen for 1 January 2006).

As seen in many cases, the necessity creates the structure, even outside the Treaty; the political will of the member states can be more important then the institutional framework. This is particularly true for the CFSP/ESDP issues which already experience many developments mainly collocated at the “intergovernmental or informal level. Sometimes the developments are “beyond Treaties”, as showed by the case of the European Commission Green Paper on Defence Procurement³² which, aimed at changing the Article 296 TEC³³ (which currently excludes the defence market from the

²⁸ General affairs and external relation Council 22 and 23 November 2004, http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/gena/82773.pdf

²⁹ Italy participates in two multinational Battlegroups: one with Hungary and Slovenia, and one with Spain, Greece and Portugal. Military Capability Commitment Conference, Brussels 22 November 2004, http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/misc/82761.pdf

³⁰ Brussels European Council, 12 and 13 December 2003, Presidency Conclusions, http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/ec/78364.pdf

³¹ Brussels European Council, 16 and 17 June 2005, Presidency Conclusions, http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/ec/85349.pdf

³² Brussels, 23.09.2004, COM(2004)608 final, Green Paper Defence procurement http://europa.eu.int/comm/internal_market/publicprocurement/docs/defence/green-paper/com04-608_en.pdf

³³ Article 296

1. The provisions of this Treaty shall not preclude the application of the following rules:

(a) no Member State shall be obliged to supply information the disclosure of which it considers contrary to the essential interests of its security;

(b) any Member State may take such measures as it considers necessary for the protection of the

rules of the EU common market), an initiative not explicitly backed even by the new Treaty.

This relevant number of anticipations in the ESDP area represents a significant incentive to adopt this way of proceeding (unanimous decisions of the Council), even in the absence of a new institutional arrangements.

A possible way ahead: “willing and able” security cooperation outside the Treaty framework

We have already experienced advancements in the cooperation between member states happening outside the EU rules and institutional framework.

Even some of the principal innovation mentioned above, such as in particular the establishment of the battlegroups, were at first decided by a small number of countries and later submitted for endorsement at the European level.

In the defence area, the special cooperation between France and the United Kingdom, sometimes enlarged to involve Germany and Italy, has been the engine of many innovations. This approach is consistent with the national sovereignty over defence structures and the widespread differences between member states capabilities and willingness to engage in a proactive security policy.

The most recent example has been the establishment of the so-called “European Gendarmerie”, a cooperative framework between the Military Police structures of some five European countries, promoted mainly by Italy and France and endorsed by a memorandum signed only by some countries at the margin of an informal European meeting.

While this “willing and able” approach is quite natural and understandable when integrated in a strong institutional arrangements (Treaty-based) that can later enlarge the participation to all member states (at least in theory), it becomes more problematic if the necessary institutional evolutions are not coming along.

The immediate result is to differentiate between countries, thus undermining the principle of unity, solidarity and equality among member states and determining cleavages and gaps that in the long run could be difficult to reduce.

essential interests of its security which are connected with the production of or trade in arms, munitions and war material; such measures shall not adversely affect the conditions of competition in the common market regarding products which are not intended for specifically military purposes.

2. The Council may, acting unanimously on a proposal from the Commission, make changes to the list, which it drew up on 15 April 1958, of the products to which the provisions of paragraph 1(b) apply.

This variable geometry approach, that normally determines the creation of “directories”, groupings of leading countries, provides at the same time opportunity and risks: on one end, it is a very flexible “realpolitik” instruments, fit for the fast changing international environment, on the other end damages the integration at the EU level.

This process is of course opposed by the smaller and poorer countries, as well as those who are less willing to involve in defence issues, as it undermines their power in the decision making process, as well as by the European institution.

It remains to be seen whether a mid-size country such as Italy can gain or lose; generally, only those able to identify a significant area of possible cooperation and provide the necessary leadership and resources for its development will be in the position of winner of these multiple games.

The long term impact on the evolution of ESDP as such is generally perceived to be negative, despite it could provide some incentives for the generation of new capabilities.

Conclusion

The stalemate of the European Constitutional process is already reverberating negatively on the EU capability to play a significant role as an international security actor.

The crisis has forced the political elite to look inwards and spend time and resources to internal problems more than for the badly needed external actions.

The absence of a new progressive institutional framework consistent with the emerging role of Europe in the world, is diminishing the capability and credibility of the external action of the EU; moreover, the possible negative impact on the enlargement process could deprive the Union of a critical incentive to its initiatives to promote security in the near abroad.

We are already experiencing a generally insufficient response to the present security problems faced by the Europeans, not only in the field of defence cooperation but mainly in the area of security, in particular in the fight against terrorism.

The growing need to answer to citizens’ security concerns shall remain high on the political agenda, despite the political and institutional difficulties triggered by the French and Dutch “no”.

The Constitutional Treaty, despite its complexities and limits, provides some proper answer to this legitimate needs, thanks to some new institutional arrangements and the introduction of regulated flexibility in the defence area.

The absence of such institutional framework will generate considerably more incentives to operate outside the Treaty, since the Nice Treaty is unfit to answer the most pressing

European security problems.

The prevalence of a foreseeable trend towards a security evolution lead by different groupings of “willing and able” countries could represent a viable solution in the short term, but would undermine the European project in the long run.

Moreover, given the importance of providing political and economic resources to lead any initiatives, it could prove dangerous for mid-size countries such as Italy.

The establishment of an institutional arrangements that will preserve the unity of the European integration project in the area of security and the value of international solidarity among European countries should be considered a prominent Italian interest.

Corinne Asti

The F-35 JSF in Europe: The consequences of pragmatism

INTRODUCTION

In the 1990s, against a backdrop of shrinking defence budgets and rising costs of complex weapon systems, the main European arms producers began to realise that industrial restructuring and armament cooperation (from R&D to production) would soon become a necessity. This was particularly true in the military aviation sector, where the development and integration costs of the required leading-edge technologies would make the production of a next-generation fighter aircraft extremely difficult for a single nation-state. As a result, considerable restructuring efforts were made in the European aerospace sector (with the emergence of powerful trans-European industrial groups), although industrial capabilities in the military aviation field remain fragmented – mainly due to the highly strategic importance of this sector and to the presence of strong national industrial interests¹. Recently, some European countries have moved closer to the realisation that long-term safeguard of their prime contractor and system integrator capabilities will depend on their ability to pool their financial, technological and industrial resources into structuring trans-national armament programs. However, this newly-found awareness has failed to materialise into common and coherent action in the fighter jet sector: when the US launched its ambitious F – 35 Joint Strike Fighter program and the subsequent aggressive marketing campaign in Europe, five countries (UK, Italy, Netherlands, Denmark and Norway – traditional close allies of the US and long-time buyers of American weapon systems) opted for a substantial investment of their R&D funds in the American combat aircraft project at the development phase, thus sacrificing de facto any potential new European cooperation program. Paradoxically, in 2001, Italy and the UK also signed a

¹ During the 1980s, an attempt had been made at launching a European cooperation program, but after 8 years of difficult negotiations between France, Germany and the UK (to find an agreement on common requirements and technical configuration for a Tactical Combat Aircraft) the endeavour partly failed and resulted in two separate programs: the Eurofighter, a cooperation efforts led by the UK and involving Germany, Italy and Spain, and the Rafale, developed by Dassault Aviation. Including the separate Swedish effort to develop the Gripen in 1980, three fighter aircraft programs were thus launched almost simultaneously in Europe in the 80s.

Memorandum of Understanding (MoU) with France, Germany, Sweden and Spain to launch a European Technology Acquisition Program (ETAP) aiming at developing a future European air combat system (SCAFE). But their participation in the development phase of the JSF program has been draining most of their R&D resources and monopolising their industrial capabilities, thus considerably diminishing the chances of success of any current or future European endeavour, and delaying development work on next-generation European combat aircraft.

Our aim is to explore this contradiction and to understand the two opposing forces that are currently at work in the European military aviation sector. On the one hand, we will scrutinise the F-35 JSF program, in an attempt to understand the rationale behind the United States' considerable efforts to promote it overseas, as well as the attraction power it exerted on five European countries. We will also try to evaluate the current state of the program, drawing extensively from US official sources. On the other hand, we will look at the program through the eyes of participating European countries, attempting to assess the situation in the United Kingdom, Italy, the Netherlands, Denmark and Norway ten years after the signature of the first MoU². We will examine the issue from a strictly European point of view, placing particular emphasis on the consequences of European participation in the JSF program, as well as on possible ways to safeguard Europe's autonomy in conceiving and producing air combat systems and to reinforce its Defence Technological and Industrial Base (DTIB).

1. THE JSF MODEL

HISTORY AND PECULIARITIES OF THE PROGRAM

In the United States the 1990s were also marked by decreasing defence budgets and the Department of Defense (DoD) was forced to scrutinise and review the totality of its armament programs. The September 1993 Bottom-Up Review (BUR) determined that a separate tactical aviation modernisation program by each service was not affordable, and envisaged a next-generation low-cost fighter/attack aircraft suiting the needs of the three services. As a result, the Joint Advanced Strike Technology (JAST) program was launched in January 1994, with the aim of saving

² The UK signed the first MoU to become a Full Partner in the Concept Demonstration Phase (CDP) of the F-35 JSF in December 1995. Italy signed a Memorandum of Agreement in December 1998 to participate as Informed Partner. The first agreement to participate in the System Development and Demonstration (SDD) phase was signed by the UK as Level 1 partner in January 2001. Italy became a Level 2 partner in June 2002.

30 to 35 % on the vehicle's Life Cycle Cost (LCC). In October 1995 the US Congress decided to merge the JAST and the US Navy Common Affordable Lightweight Fighter (ASTOVL/CALF) program – to which the UK participated. The future aircraft would replace several aging US and UK legacy airplanes³ and was intended to complement the air superiority aircraft F/A-22 Raptor. In June 1996, this new program was renamed Joint Strike Fighter (JSF).

On 16 November 1996, the DoD announced a 5-year competition between Lockheed Martin and Boeing to determine the most capable and affordable preliminary aircraft design⁴. The Pentagon also selected Pratt & Whitney, in collaboration with Rolls Royce Corporation, to develop the F-135 engine (a derivative of the F-119-PW-100 engine fitted on the F-22)⁵. The Lockheed Martin consortium won the competition⁶ and the program entered System Development and Demonstration (SDD) on 26 October 2001. The Joint Strike Fighter was then renamed F-35. NAVAIR subsequently awarded an \$18.98 billion contract to Lockheed Martin for the SDD phase, for a period of ten years. In November 2001, the Pratt & Whitney/Rolls Royce team received a contract for \$4.8 billion for the development, production and flight-testing of the F-135 engine⁷.

What is unusual about the F-35 program is that Low Rate Initial Production (LRIP) is expected to occur in parallel to the demonstration and development phase, in an attempt to bring the entry into service as quickly as possible⁸. The JSF Program

³ The future aircraft was intended to replace the F-16, the A-10, the F/A-18, the F-111, the AV-8B Harrier, the Sea Harrier and the Harrier GR-7 and GR-9

⁴ The Concept Demonstration Phase (CDP) was to cover the period 1996-2001.

⁵ The General Electric/ Rolls Royce Allison team was also selected to develop an alternative engine program (F-136, a derivative of the YF-120).

⁶ The Lockheed Martin team includes Northrop Grumman, BAE Systems, Pratt & Whitney and Rolls Royce. One of the determining factors that played in favour of the Lockheed Martin team was the X-35's STOVL concept, which employs a Shaft-Driven Lift Fan (SDLF) connected to the main engine for propulsion, with extra thrust provided by vectoring nozzles. This new approach was considered more efficient than Boeing's direct lift system. Another factor was Lockheed Martin's long experience with Low Observability Technologies (LOT), since it already built stealth aircraft such as the F-22 and the F-117.

⁷ The GE/Allison team also obtained a contract of \$ 460 million to launch an alternative engine program, the F-136. The first 5 production batches will go to Pratt & Whitney for the engine. However, from batch 6 around 2011, the F-135 and the F-136 engines should start competing.

⁸ According to initial plans, the JSF should constitute 60% of the USN aircraft fleet, 70% of the USAF fleet and 100% of the USMC fleet by 2020. Production is to be divided in three blocks, covering the period 2008-2012: Block 1 F-35s would only have basic war-fighting capabilities, whereas Block 2 aircraft would feature some Close Air Support

Office also chose to depart from the most traditional procurement approach based on requirements and performance, and opted for a commercial approach, focusing on cost control over the entire life cycle of the system⁹. The program team also decided to implement one of the most controversial initiatives proposed by the DoD's acquisition policy reform. The "best-value" approach introduced a competition process that led to the selection of the most advantageous offer according to five criteria: (1) technical competence, (2) past performance, (3) program management abilities, (4) cost control over the entire life cycle – as opposed to control of the initial unit price, and (5) quality.

In a further attempt to contain the cost of the aircraft, three variants – each with its specific characteristics fulfilling the needs of the USAF, the USN and the USMC – would be developed from a common airframe (with a degree of commonality going from 70 to 90% depending on the variant). The most expensive subsystems – avionics, engine and major structural components of the airframe – would be shared by the three variants, supposedly leading to an estimated cost reduction of circa \$60 million over the total life cycle¹⁰. In 1995, the DoD set the flyaway unit cost at \$28 million for the conventional take-off and landing (CTOL) variant, \$30-35 million for the short take-off vertical landing (STOVL) variant and \$31-38 million for the carrier variant (CV) [FY1994 dollars].

CHARACTERISTICS OF THE AIRCRAFT

The F-35 JSF is a single-engine, single-seat multi-role fighter aircraft with supersonic dash capabilities, optimised for the air-to-surface role (with secondary air-to-air capabilities). Its loudly advertised superiority and strength come from the fact that, besides being a modern aircraft integrating a wide variety of leading-edge technologies, it also has some degree of low observability to radar and other sensors, and it features an internal weapon bay – hence has more payload capability than air superiority vehicles (which must carry their ordnance externally, hanging

(CAS), Counter Air and Air Interdiction capabilities and Block 3 would add Suppression of Enemy Air Defence (SEAD) and a Deep Strike capability to the airplane (in addition to limited air-to-air capabilities).

⁹ The design-to-cost method assigns as much importance to price objectives as to performance and schedule objectives. The Cost as an Independent Variable (CAIV) principle means that, in case of difficulty encountered in the course of the development program, non-essential performances can be sacrificed to achieve a lower cost.

¹⁰ Commonality should contain operations and support costs (such as labour, equipment, training and logistics costs).

from the wings, hence becoming more visible on radars). In addition, the F-35 combat aircraft is intended to be a “network centric fighter”: it is a weapon system going beyond its traditional single task, embedded in an architecture of interconnected grids¹¹ and functioning in a complex network-centric air capability – composed of several sensors and control systems (such as AWACS or JSTARS), but also including satellites, drones and other flying combat platforms (such as the F/A-22 air superiority aircraft). As a matter of fact, the F-35 was designed to be a sub-system subordinated to the F/A-22, itself being the core of the above-mentioned network-centric air capability.

The advertised key design goals of the JSF system include “survivability” (innovative shape and structure, reduction of radio frequency/infrared signature, and on-board countermeasures), “lethality” (integration of on- and off-board sensors to improve delivery of current and future precision weapons), and “supportability” (maintenance by computer tracking, reduced logistics footprint and increased sortie generation rate to provide more combat power earlier in theatre). The initial design assumption was that the F-35 would be a consumer of sensor data, obtaining information from specialized intelligence-gathering aircraft, satellites and other sources. But the JSF is now increasingly seen as a producer of sensor data, with each aircraft interacting through high-speed data links with other aircraft to provide greater “electronic domination in the battlespace”. The vehicle and its sophisticated electronic warfare system¹² rely on complex software (executed on an “Integrated Core Processor”), which should contain around 17 million source lines of code and be designed in a modular or “layered” fashion to permit modification or growth.

¹¹ A sensor grid, an information or command & control grid, and an engagement grid.

¹² The F-35’s main forward-looking array is the “Multifunction Integrated Radio-Frequency System” (MIRFS), which is the core of the aircraft’s sensors and provides a wide range of functions – acting as a multimode radar, an active jamming system, a passive electronic defence system, and a communication system. It features a multifunction radar – the Active Electronically Scanned Array (AESA) mounted in the aircraft’s nose – which has the ability to track multiple targets, map terrain, protect planes from attacks, but also has additional offensive capabilities. It also has an internal laser designator and infrared sensors (EOTS), providing long-range detection and precision targeting, along with a thermal imaging Distributed Aperture System (DAS) consisting of multiple infrared cameras.

THE JSF PROGRAM: A DEFENCE EXPORT STRATEGY

US Concerns about Europe's competitiveness

Behind the pragmatic goal of developing a cheap next-generation joint attack aircraft suiting the needs of the US Armed Forces hides another objective, highlighted by a Rand Corporation report commissioned by the DoD in 1995¹³. In the report, Rand analysed the military aviation sector in Europe and suggested that the US take immediate action to face the competitive threat represented by European combat aircraft. The Eurofighter program soon emerged as the most menacing competitor for the US, due to the absence of cooperation between the US industry and the industries of participating European countries (among which Italy and the UK) – which reinforced America's fear of being eventually excluded from the European combat aircraft market. Therefore, it is safe to assert that the JSF program was also intended (and would be used) as a means to counter the so-called "grey threats"¹⁴ identified by Rand. In an attempt to ensure continued US access to the strategic European market and to avoid the emergence of a next-generation combat aircraft program (future competitor of the JSF) across the Atlantic, the DoD had the brilliant idea of opening its new program to international cooperation, and to appeal to America's closest allies in Europe – including those who had successfully participated in the F-16 program. Al Volkman (International Cooperation Director at OSD) listed the advantages of opening the JSF program to foreign partners: access to the best foreign technologies and know-how, prevention of a new collaboration between the European partners' industries to develop a future combat aircraft in competition with American platforms, penetration of the partner countries' market and, last but not least, weakening of existing competing programs (such as Rafale, Eurofighter and Gripen). A Defense Science Board

¹³ "The Gray Threat – Assessing the Next Generation European Fighters", by Hugh P. Levaux, Mark A. Lorell, Daniel P. Raymer, Michael Kennedy et al., RAND Corp., 1995. The report established that the European military aviation sector had been extremely dynamic since the 1970s. By the mid-80s Germany, Italy, Spain and the UK had launched the Eurofighter program, France had embarked in the development of the Rafale, and Sweden had begun working on the Gripen. Rand ascertained that both Eurofighter and Rafale would have capabilities far superior to the F-16 Block 60, and warned that those aircraft would be highly successful in export markets – due to a combination of factors, including competitive prices, highly coordinated promotion by both governments and industries, the laxity of European technology transfer regulation, very advantageous industrial offsets, and the considerable size of existing demand.

¹⁴ "Grey market" goods are generally defined as items manufactured abroad and imported into the US without the consent of the trademark holder. Grey market goods are not counterfeits; however, differences may exist between these goods and those goods produced for American sale.

(DSB) task force went further and bluntly warned that the JSF program ought to be careful not to reproduce the F-16 model¹⁵, whose enormous success was essentially due to co-production and industrial offsets that were far too costly for the United States.

New cooperation methods to guarantee US control

Very early on, in reference to the JAST program, the DSB had set the model for future armament cooperation, recommending that co-development be minimised and key technology transfers be limited (especially stealth, avionics and off-board interfaces technologies). But the DSB had also emphasised that some level of foreign participation during development would be the price to pay for market entry. The advice of the DSB was heard, and when the JSF program was launched, a few key principles were immediately applied to integrate foreign partners while retaining complete control over the program – thus limiting the “costs” of cooperation for the United States:

- (1) Absolute US leadership.
- (2) Compartmented program structures.
- (3) Suppression of the industrial offset practice.
- (4) Limitation of transfers of technology and of classified and non-classified information, to safeguard American industrial and technological superiority.
- (5) US control not only of development and production, but also over the maintenance and support of the aircraft sold to foreign air forces (and ultimately over future upgrade and modernisation programs).

¹⁵ The F-16 program was an enormous commercial success on the world market: circa 4,250 units were sold to 23 states, with more than 2,000 units sold on the export market. In 1975, the European Production Group (EPG) – a consortium including Belgium, Denmark, the Netherlands and Norway – signed a MoU with the United States for the F-16 Multinational Fighter Program (MNF). According to this agreement, the 4 European countries and the US were to co-produce the fuselage, the engine and the avionics. The Dutch company Stork assembled the F-16 for the Netherlands and Norway, and the Belgian company SABCA for Belgium and Denmark. In order to gain other markets, the US concluded more than ten offset agreements with other countries.

2. A GLANCE AT THE JSF PROGRAM FROM AN AMERICAN PERSPECTIVE

PROBLEMS OF THE JSF PROGRAM

During the past five years, the JSF program has experienced vicissitudes of all kind and has had to face extremely serious budgetary, technical and managerial difficulties. In January 2001, the JSF was presented as one of the most vulnerable programs, targeted for massive cutbacks and even for elimination. However, the September 11 attack on the United States largely contributed to saving it – albeit changing its nature profoundly: from a mere export strategy aimed at giving America a lead on the world market in the combat aircraft sector (while weakening the European industry), the JSF program was turned into a political tool and a symbol for America's national reaffirmation on the international scene. Nonetheless, this newly-acquired importance did not shield the JSF program from serious technical and financial difficulties. For the European partners, understanding the complex mechanisms governing the program and the problems it is currently facing has become a matter of vital importance. We will thus look at the various obstacles that have prevented the development of the new aircraft “as advertised”, and at the uncertainties of the program – drawing extensively from official American sources.

One of the most serious problems to emerge in 2003 was the excessive weight of the three variants, the STOVL version being the most affected and having surpassed its limit by 3,330 pounds (1,500kg). This resulted in substantial redesign of the internal airframe, a reduction of the two internal bays' dimension, a series of electrical system changes and propulsion system improvement for more thrust. In addition to the weight problem, Lockheed Martin reported that there were technical hitches with the avionics, as well as structural inefficiencies in the altered design: software development and integration are posing significant challenges; moreover, preliminary program data indicate that the design is still not meeting several speed, manoeuvrability and radar cross-section specifications. According to the Government Accountability Office (GAO), the aircraft is far from meeting key parameters (as recently claimed by the Program Office); as a matter of fact, even prior to design changes, the program was not even meeting 25% of the contract performance specifications. In any case, the GAO notes that until the detailed design efforts are complete – after the critical design review in February 2006 – the Program Office be unable to assess the impact that the restructured program will have on meeting performance specifications.

Official sources indicate that the costs estimate to fully develop the JSF has increased by over 80%. It was originally estimated at \$24.8 billion but is now up \$44.8 billion. The main reasons invoked by the Program Office are delays due to technical difficulties and rising labour costs. The JSF is the DoD's most costly aircraft acquisition programme: in an April 2004 report to Congress, the department estimated that the total cost to develop and procure its fleet of F-35 would reach \$244.8 billion – a \$45 billion (or 22.6%) surge from previous figures. The total costs to maintain and operate the JSF will add another \$344 billion over the aircraft's life cycle. The GAO recently warned that ongoing OSD cost reviews could result in further increases in the estimated program cost. As for the actual price of the aircraft, current estimates for the program acquisition unit cost¹⁶ are around \$100 million, whereas the total estimated cost to own an aircraft over its life cycle¹⁷ is \$240 million. This represents a 23% increase of the program acquisition unit cost and an 11% surge on the life cycle unit cost, since the first estimates in 2001. Finally, the unit flyaway cost has also increased for all three variants¹⁸. It is difficult to forecast what will happen to the JSF's price in the future, but it might be useful to compare the F-35 program with another combat aircraft program, the F/A-22: the GAO noted that the Raptor's initial price quadrupled when the aircraft went from the development phase to production launch. The JSF will go through this transition period around 2006-2007, and it is highly probable that it could experience a similar crisis.

The GAO highlighted another aspect of the financial difficulties experienced by the JSF, stating that current program funding level assumptions may be difficult to achieve. To execute the current acquisition strategy, the F-35 program must obtain an average of \$10 billion annually in acquisition funds over the next two decades. Regardless of likely increases in program costs, the sizable continued investment in

¹⁶ **Definition of the program acquisition unit cost:** it includes funding for development, procurement, related military construction, and initial modernization costs divided by the total procurement quantity. It does not include later modernization costs and certain support costs.

¹⁷ **Definition of the total cost to own the aircraft over its life cycle:** In addition to the acquisition unit cost, this also includes everything involved with the weapon system for its projected useful life – such as support costs (personnel, fuel, share of the basing costs, spares, training, etc), and later modernization costs (including additional R&D and temporary increases in recurring costs due to relearning).

¹⁸ **Definition of the unit flyaway cost:** it only includes the recurring costs to produce the basic aircraft, propulsion system, and mission systems. [The GAO mentions a 42% increase for the F-35A, whereas the STOVL and the carrier variants' estimated price rose by a range of 37-55% and 29-43% respectively].

JSF – \$225 billion over 22 years, according to DoD’s 2003 estimates – must be viewed within the context of the fiscal imbalance facing the US within the next 10 years. Moreover, in addition to competing with the F/A-22, the JSF will also have to compete with existing and future flying platforms (F/A-18, FB-22, UCAVs), as well as with many other large defence programs (such as the Army’s Future Combat System or the Missile Defense Agency’s BMD system) for funding during the same time frame – not to mention important competing priorities external to DoD’s budget. Funding challenges will be even greater if the program fails to translate current cost estimates into actual costs: for example, the GAO estimated that another one year delay in JSF development would cost \$4 to 5 billion, based on current and expected development spending rates, and that a 10% increase in production cost would amount to \$20 billion.

Finally, the GAO’s latest assessment of the F-35 program¹⁹ raised a crucial question: did the DoD adopt the right acquisition strategy to develop and produce a JSF that will maximise its return on the more than \$220 billion²⁰ that remain to be invested in the program? The GAO’s assessment is extremely severe: the Pentagon has failed to deliver on its initial promises, and “*the combination of cost overruns, delayed delivery dates and procurement quantities reductions have diluted DoD’s buying power and have made the original [JSF] business case unexecutable*”²¹. There will be dangerous overlapping of the low-rate production and system development and demonstration activities, which is likely to result in failure to capture the right knowledge at the right time for informed decisions on future investments²². Therefore, while delays are never welcomed, the GAO suggests that the DoD take more time before it presents a new business case.

¹⁹ GAO-05-519T, 6 April 2005: “Tactical Aircraft – F/A-22 And JSF Acquisition Plans And Implications For Tactical Aircraft Modernization”.

²⁰ \$225 billion represent 90% of the \$245 billion total estimated program cost.

²¹ Definition of “business case”: the business case is demonstrated evidence that (1) the warfighter need exists and that it can best be met with the chosen concept, and (2) the concept can be developed and produced within existing resources – including design knowledge, demonstrated technologies, adequate funding, and adequate time to deliver the product.

²² By the 2007 production decision, only 1 of JSF’s 8 critical technologies are expected to be demonstrated in an operational environment, and only about 40% of the 17 million lines of code will have been released. Complex software needed to integrate the advanced mission systems is not scheduled for release until 2010. Most structural fatigue and radar cross-section testing of full-up test aircraft are not planned to be completed until 2010. The program will not demonstrate critical manufacturing processes are in statistical control, and flight-testing of a fully-configured and integrated JSF (with critical mission systems and prognostics technologies) is not scheduled until 2011.

3. EUROPEAN PARTICIPATION TO THE JSF PROGRAM

FINANCIAL CONTRIBUTIONS AND STATUS OF THE EUROPEAN PARTNERS

The foreign partners' total financial contribution to the development phase of the JSF amounts to \$4.535 billion over a period of ten years (or 13.7% of the SDD phase total cost, if it is estimated at \$33.1 billion)²³. More specifically, the five European partners' share amounts to \$4.152 billion, or 12.5% of the total development cost. The United Kingdom is the biggest contributor, with an investment of \$ 2.056 billion – to which must be added an additional \$870 million to adapt the aircraft to British capability requirements. The UK's financial contribution represents a 6.2% share of the SDD total cost. Italy is the second biggest investor, with a contribution of \$1.028 billion to the program's development (3.1%), whereas the Netherlands committed to paying \$800 million (2.4%). Finally, Norway and Denmark are the smallest European partners in financial terms, respectively with a share of circa \$143 and \$125 million.

In terms of program management, the status of non-US partner has been determined by the amount of money each of them contributed to the development phase. The only Level 1 partner is the United Kingdom, whereas Italy and the Netherlands acquired the status of Level 2 partners. Italy, having made a higher financial contribution, obtained more integrated staff in the International Program Office than the Netherlands. As for Norway and Denmark, they both are Level 3 partners. All partners, regardless of their status, can compete for US subcontracts.

EVALUATION OF EUROPE'S PARTICIPATION

The US launched an unprecedented marketing campaign borrowing heavily from the commercial sector, and potential European partners were eventually won over by the catchy slogans. All five European partners had high expectations when they joined the JSF program development phase, but the combination of motives upon which the decision was based varies depending on the country. As a general rule, the armed forces, the MoDs and big defence companies had a great amount of influence on the decision to opt for the JSF. On the contrary, Parliaments – which had only access to a limited amount of information – remained weak actors in the process. Overall, participation in the American program appeared to the European

²³ Originally, the Program Office had hoped that non-US partners would cover 30% of the costs. During the negotiations to enter the SDD phase, the DoD had fixed much higher financial objectives to allow participation at all three levels. But those objectives were not reached, and the DoD had to lower its expectations (and the entry price) considerably in order to obtain the signature of the various bilateral agreements.

partners like an easy way to obtain a myriad of lucrative high-quality contracts and to maintain their industrial capabilities in the military aviation sector, through the transfer of leading-edge US technology.

After a few years of cooperation with the United States on the F-35 program, the time has come for the European partners to take stock of the situation. We will thus try to assess the results obtained and the difficulties encountered by the partners, especially in industrial terms. At first glance, it appears that the foreign partners all share a sense of dissatisfaction with the evolution of the cooperation program. The participating states' industries, in spite of their technological excellence and solid know-how, have found themselves confronted with the inhibiting hegemony of the American prime contractor and are having enormous difficulties obtaining substantial benefits. An additional obstacle is represented by the increasingly protectionist attitude of the American government (especially Congress), more and more concerned about US technology flowing towards potentially hostile foreign countries (through their allies). In any event, what had been presented as a golden business opportunity by the Clinton Administration and by the American defence industry seems to be turning into a difficult and heavily politicised scenario. In the past three years, the United Kingdom, Italy, the Netherlands, Denmark and Norway have all complained loudly and publicly about two recurrent problems: (1) the low quality and insufficient quantity of subcontracts granted by Lockheed Martin to non-US partners, and (2) a total lack of transfers of technology from the US to partner countries.

Overall, the British defence industry seems to be in a privileged situation compared to other partner countries. This can be explained both in political terms (diplomatic ties between the US and the UK being quite strong) and in industrial terms (the leading British defence groups being more integrated in the American industrial landscape). The two British partners in the Lockheed Martin team operate in the US through separate American subsidiaries, BAE Systems North America and Rolls Royce North America. Consequently, Britain has obtained a substantial amount of contracts – although most quality (and sensitive) contracts are handled by the American divisions of its industry, while lower quality subcontracts have been distributed in the UK. However, the British industry and government do not seem to be quite satisfied with the situation. The truth is that British contractors have been experiencing enormous difficulties with market access – in spite of the fact that the UK is the only Level I partner in the program – caused by numerous technical limitations on transfers of US technology and painfully slow technical assistance and manufacturing license agreements. Britain's frustration has

transpired in many public declarations²⁴, accompanied by numerous threat to pull out of the program. But those protests have not had much effect. In any case, given the enormous investment in the JSF program the UK has already made (in technological, industrial and financial terms), it is doubtful that it might consider withdrawing; rather, this hard talk indicates that the British are negotiating with the US, perhaps in the hope to be designated as the F-35 regional support centre – a business potentially worth billions of dollars over the next 30 to 40 years. However, as Sir Richard Evans²⁵ wisely remarked during a hearing at the House of Commons in July 2004 (referring to the JSF), *“it is no good when you have signed up and paid your cheque over then trying to go back to negotiate the release of technology. It is absolutely not the way to do it”*. British defence industry sources warned that the \$15 billion contract to develop and buy the JSF negotiated by the government could mark *“the end of the UK in the manned aircraft business”*.

In Italy, years of intergovernmental and industrial negotiations with the US have led to the signature of a framework MoU, many additional bilateral agreements, and a non-binding “side letter” which promises: (1) an exchange of information that would allow Italy a certain amount of autonomy regarding operation, maintenance and support of the JSF Air System (compatibly with US national disclosure policies), and (2) support from the US government to help Italy obtain an industrial return consistent with its financial participation. However, this vast array of agreements has failed to bring the results expected by the Italian industry.

²⁴ For instance, the MoD’s procurement minister (referring to Britain’s participation in the JSF program) declared in 2003 that the UK had been “unrightfully stymied in [its] competition”. British dissatisfaction was formerly expressed again in a letter from Britain’s Defence Minister Geoffrey Hoon to Mr Rumsfeld dated 16 June 2004. This letter contained a threat to Americans to bar access of the UK domestic arms market to US companies if transfers of technology did not occur soon, and a warning that the issue could begin to unravel the two nations’ close defence relationship. BAE Chairman Dick Olver has allegedly been pressing US Vice President Dick Cheney to seriously address the issue. He recently threatened that, unless progress was made, there would be pressure for the British to pull out. At the 2005 Paris Air Show, BAE Systems CEO Mike Turner stated he was tired of battling the US government for access to technology needed to repair and upgrade Britain’s future F-35, and that he would make one last attempt at solving the issue, by simply applying for US clearance to assemble and check-out the aircraft in Britain (instead of continuing to complete the painfully slow negotiation of Technical Assistance Agreements – imposed by US ITAR regulations – between London and Washington). At a BAE media dinner on June 12, Mr Turner explained: “it brings the pain to a head by testing the technical transfer agreement early on. If you wait until you sign the production contract, they have you”. He described the technical transfer issue as a huge problem.

²⁵ Sir Richard Evans is BAE Systems’ former chairman. He retired from his post at BAE Systems on July 1, 2004 after 6 years of service.

According to Italian industry sources, in 2002 Lockheed Martin (LM) had promised the Italian aerospace industry \$320 million in subcontracts (during the development and initial production phases) – excluding subcontracts regarding the engine. In an attempt to reassure sceptical Italian companies, LM claimed that the total of contracts awarded to Italy could even amount up to \$590 million. However, by September 2003, numerous reliable sources revealed that Italian companies had not obtained the high profile work they were expecting. By mid-2004, Italian companies had reportedly obtained subcontracts for a meagre amount of \$138 million²⁶. Overall, public complaints have mainly focused on the unfairness of competition, the low-quality and insufficient quantity of subcontracts, and the lack of technology transfer. Based on available data, it is extremely difficult to evaluate how much progress Italy has truly made in its negotiation with the US. Finmeccanica Chairman and CEO Pier Francesco Guarguaglini recently declared that “*the situation on the JSF program [was] not good*”. Echoing recent official British declarations, he also complained that the Italian defence industry was not treated as a subcontractor, but as a mere “*subordinate*” by the US. Even though the DoD and Lockheed Martin have announced that “strategic best-value sourcing”²⁷ would be used in the future to bring more subcontracts to Italian companies, industrial sources continue to voice concern about the future of Italian participation in the program – especially because there is a high probability that access to vital source codes and sensitive technology might never be obtained, hence that the business related to maintenance and upgrade of the aircraft might never go to the Italian industry. At the 2005 Paris Air Show, BAE Systems CEO Mike Turner

²⁶ Initially, Alenia Aeronautica got a contract for the wing box – which makes it the second supplier for the JSF wings. Four other Italian companies obtained contracts for an additional amount of \$50 million: Marconi Selenia Communications (Genova) for the production of back-up radios; Marconi Sirio Panel (Montevarchi) for the production of cockpit panels and lights; Aerea (Milano) to build missile launch pods; Piaggio Aereo (Genova) for the production of mechanical parts on the F-135 engine. According to an industry source, these contracts -- added to the Alenia work and to the contracts promised by LM (\$320 million) – should bring the total to circa \$590 million (during the SDD and the low-rate production phases). In addition, Galileo Avionica won its first subcontract in June 2004 for the F-35 vacuum cell assembly [a component of the sophisticated electro-optical targeting system (EOTS)]. The deal is supposedly worth \$12.9 million (SDD phase and LRIP), and Galileo Avionica estimated the value of the work it could receive at the full-rate production was \$50 million. It is important to note that, by contrast, Canada (a Level III partner) will receive about \$1.1 billion in contracts by 2011 with an investment of only \$95 million or so [according to a 2003 DoD report].

²⁷ Strategic Best-Value Sourcing (SBVS) implies the award of contracts to targeted foreign companies without resorting to a competition process. It is a pragmatic compromise, much criticised by the GAO, between the need to meet foreign partners’ expectations of industrial return and the selection of the cheapest best offer.

declared that Italy was considering, like the United Kingdom, to apply for US clearance to assemble and support the aircraft on Italian soil before signing the production phase contract. This can be read as an ultimate test of American goodwill.

BONES OF CONTENTION BETWEEN THE US AND THE EUROPEAN PARTNERS

Negotiations between US team leaders and their foreign partners began in May 2005, in an attempt to reach a complex preliminary agreement that is intended to pave the way for an international production program, but still stops short of a formal contract to buy the aircraft. Many foreign partners entered the negotiations with numerous grievances, often justified. Unlike in the case of preceding MoUs, these talks are not strictly bilateral, in the sense that they simultaneously involve the US and the 8 participating countries²⁸ – which is likely to lead to tougher bargaining. This preliminary agreement covers some potentially thorny issues: (1) the degree to which local industry can participate in supporting the F-35 in service, (2) whether or not the JSF version delivered to non-US operators will have the same low-observable characteristics as US-operated aircraft, and (3) the cost of integrating nationally required weapons on the aircraft. The final “Production, Sustainment and Follow-on Development” (PSFD) MoU, which could be signed by the end of 2006, should specify firm orders by the partners and should set up a framework for production, support and upgrades of the aircraft: it is supposed to specifically establish the degree of local industrial involvement and the cost of integrating national weapons and communication systems. It should also contain precise provisions concerning partners’ individual requirements and the stealth characteristics of the non-US aircraft.

The difficulties encountered by the European partners in ongoing negotiations about additional assembly lines and management of the regional support centre are not a good omen, and seem to indicate that chances of obtaining more autonomy on the purchased aircraft are very slim. Lockheed Martin is probably not going to give up easily the lucrative business represented by maintenance, support and upgrades of the JSF²⁹. As for the US government, given that technology transfers are such a sensitive issue at the moment, it is doubtful that it will be willing to grant more

²⁸ United Kingdom, Italy, The Netherlands, Norway, Denmark, Canada, Australia and Turkey. Singapore and Israel joined the program as “security cooperation participants”.

²⁹ Even if a certain amount of autonomy was granted in the MoU and the European industry is allowed to perform some support activity, LM would undoubtedly sell the rights over the needed technology at a very high price.

autonomy. There is no better warning about what is awaiting the European participants than the straight-forward declarations of Rear Admiral Steven Enewold (JSF Program Director) in Air Force Magazine of June 2005: *“When you get into sustainment, every one of the international countries has aspirations of doing things in their own country (sic). [The Program Office] will determine what we think is the most economical, cost-effective plan. Every country thinks that their own country is the right place to do that (sic). There is already a term for the nationalistic outcome that is the likely result: ‘pay to be different’. If national aspirations get in the way of overall program efficiency, we’ll have that discussion later. The plan is to have a signed MoU about international participation ready by the end of 2006”*.

As for the issue of probable “sanitisation” of the export aircraft, several official sources seem to confirm that the non-US partners’ JSF will contain “black boxes”, and that sources codes and key technologies (electronic warfare, radar and stealth) will never be completely unveiled. In 2003, Lockheed Martin received a \$603 million supplemental contract to develop what was referred to as an *“international partner version”* of the aircraft – ie, *“a version of the JSF that is as common as possible to the US air system within the National Disclosure Policy”*. This probably means an aircraft with less effective stealth features, the limitations apparently being built into the design. There have also been press reports of built-in anti-tamper technology in both hardware and software. Moreover, a 2005 report of the Cost Analysis Improvement Group (CAIG)³⁰, concerned about additional costs to the JSF program, mentioned the necessity to make the export aircraft “tamper proof” – so that US allies who buy the planes could not reverse engineer some of the technology on board. A recent straight-forward declaration by the Defense Security Cooperation Agency, Lt.Gen. Jeffrey Kohler, clearly illustrates how the United States intends to approach the issue in production phase: *“The partners are getting the information they need to do their assigned work. What do they want us to do – turn over the blueprints, the stealth technology or the radar we’ve been working on for the last ten years? We don’t need to. The JSF program is not meant to be a stealth technology seminar (...) The US made ten times the investment into JSF [as its partners]. I think there are limits to what we should share”*. This definitely confirms the hypothesis of “black boxes” for the European version of the JSF.

³⁰ The CAIG is a highly-regarded internal Pentagon analysis group [part of the Office of the secretary of Defense (OSD)], which is in fact often the true arbiter of cost in the DoD.

Finally, in spite of numerous requests by the foreign partners that the US adapt the aircraft to their needs by integrating European made weapons, hardly any effort has been made in that direction. The Storm Shadow cruise missile and the Brimstone anti-tank missile, both made by the European company MBDA, are on the list of weapons that will have to wait for later JSF upgrades. As for the Meteor beyond-visual-range air-to-air missile (BVRAAM), the alarm was first sounded in 2003 by experts who revealed that the new European weapon would not fit in the JSF's internal bay, and that there was no guarantee it could eventually be integrated in the aircraft. Reportedly, the UK and Italy are still negotiating in an attempt to include Meteor in the list of weapons to be integrated on the F-35 by the US, so far without any result. Italy and Norway have also asked Lockheed Martin to study the possible integration of the short-range air-to-air missile IRIS – T³¹, and Norway hopes to be able to embark its air-to-surface anti-ship missile Penguin. However, to this day, no clear response has been given on the possible integration of European armament. It can be added that the JSF program is interfering with other European equipment: should the Meteor BVRAAM be incompatible with the F-35, the aircraft's users would inevitably buy less missiles, which in turn would influence the Meteor program negatively. The European missile company, which is well aware of the problem, has recently announced that it plans adjustments to Meteor to make it capable of deployment on the JSF. MBDA has come to the conclusion that getting its ASRAAM, Brimstone, Storm Shadow and Meteor missiles integrated on the American aircraft is key to the company's future prospects, and it has been forced to take the matter into its own hands. As a high executive put it, *"if [MBDA] does not achieve this, the JSF will be offered around the world with a largely US weapons package. That means we will lose leverage in the export market"*.

CONCLUSION

Participation of five European countries in the JSF program and the related vicissitudes ought to be viewed in the context of the international fighter aircraft market, which is currently booming³². According to Washington analyst Richard Aboulafia³³, the offensive launched by the US industry in the form of the JSF is likely to be successful, especially if it is coupled with an activist foreign policy. He

³¹ IRIS-T is made by a consortium led by Germany's BGT, with Canada, Greece, Italy, Norway and Sweden.

³² According to many analysts, around 6,000 aircraft will need replacement by decade's end.

³³ Vice President of Analysis at the Washington-based Teal Group, a highly influential consulting firm.

confirms that the F-35 can be regarded as much as an industrial policy as a fighter: *“Unless some kind of new-generation counterweight to JSF emerges, everyone other than Lockheed Martin and Sukhoi will be either be a subcontractor, UCAV builder or merely on borrowed time (...) European prime contractors will have to settle for aerospace niches and helicopter programs (...) The JSF may [thus] do to the European industry what the F-16 almost did: kill it”*. So the ultimate question is: will Europe understand the urgency of the situation and reunite around a next-generation combat aircraft program before it is too late, thus spoiling US plans? The six-nation UCAV program Neuron recently launched by France and joined by Italy, Sweden, Greece, Spain and Switzerland might be a step in the right direction – especially now that the UK is supposedly considering joining the effort³⁴. But given the extent of the American offensive, the European industry will have to act quickly and with great determination if it is to salvage its capabilities in the sector and remain competitive. Paradoxically, help could come from the United States, whose unilateralist and protectionist attitude in the context of the JSF cooperation program might encourage European countries to collaborate more efficiently and effectively.

³⁴ Defense News, 20 June 2005, “UK May Look To Europe For UCAVs”.