THE Journal OF INTERNATIONAL Security Affairs

Number 9, Fall 2005

The War on Terror: Future Fronts...

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From the Publisher

With this issue, the *Journal of International Security Affairs* inaugurates a new format and welcomes a new editor.

When we started the *Journal* in the summer of 2001, we had many dreams about what we wanted to accomplish. Thanks to our outgoing editor, Ambassador Harvey Feldman, we have exceeded those expectations in the short time that the *Journal* has been in existence.

Above all, we wanted the *Journal* to be a distinctive voice in the already-crowded debate over national security policy. Rather than simply adding more pages to the standard fare found in other journals, we wanted our publication to be a forum for ideas that are rarely voiced elsewhere.

Like in other areas of the media, there are clear margins to the ideas that today's journals choose to publish, and they generally go from left to center. I am proud to say that the *Journal of International Security Affairs* has succeeded in extending those margins.

The public reaction has been tremendous. Sales of the *Journal* continue to rise at a time when sales of other publications have remained flat. And there can be little doubt that we have yet to reach full potential.

For a journal, that potential is very different than for other forms of media. Journals are, by their nature, smaller, more exclusive and more professional. They are intended for readers who are hungry for more than the "fast food" information that we are fed daily. They are designed for those who have the facts, but want to go a few layers deeper. And, because of this different audience, they are put to a very different use.

It is a limited market, but it is one that is ever so important, and it should not be framed by a world that speaks strictly between the margins. The unexplored life, argued Socrates, is not worth living. So too, the unexplored idea may not be worth having.

We are proud to help in the broader pursuit of the idea.

Tom Neumann
Publisher

The Jewish Institute for National Security Affairs

Translating Ideas into Policy

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To educate the American public about the threats and dangers facing our country and our global allies; to explain why a mobile, technologically superior military is vital to America's security; to provide leadership on issues affecting American national security and foreign policy; to explain to Americans and others the importance of U.S. security cooperation with like-minded democratic partners around the world and to explain the key role Israel plays in the Mediterranean and Middle East as an outpost of liberty, a linchpin of stability and a friend and ally of the United States.

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Editor's Corner

As an "alum" of the Jewish Institute for National Security Affairs, where I spent 1998 to 2000 as a foreign policy researcher, my new role at the helm of JINSA's flagship publication feels more than a little bit like a homecoming. In many ways, it is also quite a daunting proposition, since my predecessor, Ambassador Harvey Feldman, has left some rather large shoes to fill.

In the four years since its inception, under Harvey's direction, the *Journal* has flourished, emerging as an important resource for foreign policy and international security practitioners, both within the Washington Beltway and far beyond it. I plan to build on these successes to make the *Journal* a truly global forum for public policy and international security debate—one to which opinion-shapers and the general public alike turn for new ideas about American security and the security of our allies abroad.

As part of this effort, a number of changes are afoot within these pages. The most visible, of course, is the *Journal's* new look. With changes to layout, design and format, we are working to make every issue more eye-catching, dynamic and easier to read. The *Journal* is also expanding its profile and outreach with a new website (www.securityaffairs.org) that boasts a comprehensive archive of articles from previous editions, and periodic postings of content from the issue of the *Journal* that is currently on newsstands. You will see new names among the authors in the *Journal* as well—part of our effort to expand the "talent pool" of contributors and stay abreast of rapidly-changing developments in a variety of different geographical and topical areas.

More changes are in store in the months ahead, so stay with us for what promises to be an exciting and eventful year! But now, without further ado, on to business…

Nearly two-and-a-half years after the overthrow of Saddam Hussein's regime, the U.S. government and the American public remain deeply focused on the slow and often painful pace of freedom in Iraq. It is instructive to remember, however, that in the run-up to Operation Iraqi Freedom, American officials made clear that the liberation of Iraq constitutes just one front in the larger War on Terror. Building on that logic, this issue of the *Journal* is dedicated to exploring just what those other "fronts" are—and what challenges, adversaries and political realities the United States will likely be forced to contend with in the not-so-distant future.

Some of these "future fronts" are geographic. In the Balkans, terrorism analyst Evan Kohlmann details how the brutal legacy of al-Qaeda's Bosnian *jihad* during the 1990s continues to reverberate, fueled by a mix of corrupt governance and Islamist infiltration. Michael Radu of the Foreign Policy Research Institute highlights a similar situation in Latin America, where a volatile combination of Marxist radicalism, Islamist encroachment and weak governments is creating fertile ground for instability. Lorenzo Vidino of the Investigative Project gives us a glimpse into Europe's troubling new role as an incubator of terrorist ideologies and Iraqi insurgents. The

National Defense University's Tyler Rauert weighs in on the topic of Central Asia's rising Islamist challenge—the radical, anti-American populist movement known as Hizb ut-Tahrir. And Ajai Sahni of New Delhi's Institute for Conflict Management tackles the thorny subject of South Asia's *jihadi* movements and the one thing they all have in common: Pakistan.

Others, however, are ideological. In his contribution, Andy McCarthy of the Foundation for the Defense of Democracies highlights how old mindsets about law and order are hindering the War on Terror. NDU's James Robbins, meanwhile, explores the "battle of ideas" now raging within Islam, and the centrality of Iraq to the ideological competition between Western values and al-Qaeda.

We also offer up a pair of tantalizing solutions. Intelligence specialist Jason Freier takes a supply-side look at the terror trade, and curbing the flow of weapons that fuels it. For his part, Evgueni Novikov of the American Foreign Policy Council provides an intriguing—and controversial—overview of the lessons we can learn from the fight against radical Islam underway in Central Asia.

But that's not all. Our new "Dispatches" section, designed to showcase international developments through the eyes of foreign experts, contains communiqués on Canada's missile defense mess, Kosovo's uncertain political status and the emerging personality politics of Eastern Europe. Last but not least, our "Book Reviews" include appraisals of four important recent works dealing with Iran, Middle East diplomacy, nuclear nonproliferation and American grand strategy.

All in all, an issue full of important insights about what lies ahead for the United States.

Ilan Berman
Editor

The Once and Future Balkan *Mujahideen*

Evan Kohlmann

It is hard to miss the King Fahd Bin Abdelaziz al-Saud Mosque in Sarajevo. Built with an estimated $10 million in donations from the Kingdom of Saudi Arabia, the mosque is a sprawling, ornate structure that stands out among the architecture of Bosnia-Herzegovina's capital.

In the mosque's parking lot, however, one can find an even more interesting sight. There, local Muslim vendors hawk various Islamic books, videos, and articles of clothing. Among the items available for purchase are numerous episodes from the notorious "Russian Hell in Chechnya" video series, conveniently translated into Bosnian. The videotapes—emblazoned with the image of Shamil Basayev (the Chechen warlord responsible for organizing the massacre of schoolchildren in Beslan, Russia in September 2004)—depict various combat operations conducted by *mujahideen* (Islamic holy warriors) against the Russian military in the south Caucasus, complete with graphic footage of car bombings and the detonation of improvised explosive devices.

These videos, and other assorted *jihadi* paraphernalia, are a pointed reminder of the precarious geopolitical position occupied by the Balkans—torn between the secular Western society of modern Europe and the call of Islam echoing from the Arabian Gulf. It is a battleground that, nearly a decade after al-Qaeda's incursion into the region, remains deeply scarred by the formative post-Cold War military experience of a key cadre of Islamic radicals: the *jihad* that raged in Bosnia during the early and mid-1990s.

Evan Kohlmann is an NBC terrorism analyst and author of the book, *Al-Qaida's Jihad in Europe: the Afghan-Bosnian Network* (Oxford: Berg Publishers, 2004).

The Bosnian cauldron

The growth of radical Islamic thought in the Balkans can be traced to the same factors that have plagued other recent havens for international terrorism: a smoldering civil conflict pitting neighbors of various ethnicities against each other, a devastated economy, weak governmental institutions, and a flourishing organized crime sector.

During the 1990s, al-Qaeda and the Arab-Afghan movement were able to thrive in places like Bosnia by feeding on the suffering and misery of those left out of the post-Cold War peace dividend, using populist dogma clothed in vague and fanciful notions of religious and Islamic history to recruit war-scarred, shell-shocked volunteers devoid of personal identity and self-worth. Bosnia, like many of the other nations victimized by roving bands of Arab-Afghan Islamic militants, was embroiled for several years in a catastrophic war that has permanently altered the political, cultural, and religious face of its people. The failure of the U.S. and Europe to intervene before 1995 to stop that genocidal conflict was a foreign policy misstep that opened the door to anti-Western Islamic fanatics.

By contrast, it took Osama Bin Laden and his cohorts precious little time to seize the opportunity in Bosnia. While much of the aid from the Muslim world to the Bosnian government was given in the form of money and weapons in violation of an international arms embargo, there was also a volunteer battalion of foreign *mujahideen* active in the Balkans. These ideological mercenaries—originating from Saudi Arabia, Egypt, Yemen, Algeria, Morocco, Tunisia, Libya, Afghanistan, Pakistan, the Palestinian Territories, Turkey, Syria, Jordan, France, the United Kingdom, Italy, and other locales—were led almost exclusively by Sunni Muslim extremists.

At the forefront of this movement were the veterans of the anti-Soviet *jihad* in Afghanistan, which had served as a training ground for holy war, as well as the birthplace of al-Qaeda. For these legions, the Bosnian war occurred at a propitious time; In January 1993, the Pakistani government, eager to put the Afghan *jihad* in the past, had ordered the closure of Arab *mujahideen* offices in the country and threatened official deportation to any illegal foreign fighters who attempted to remain in Pakistan.[1] Other sources of funding and training were similarly drying up.

These displaced men faced a serious problem, because returning to their countries of origin meant certain arrest, torture, and likely death. At the time, a Saudi spokesman for the Arab-Afghans in Jeddah explained in the media, "the Algerians cannot go to Algeria, the Syrians cannot go to Syria or the Iraqis to Iraq. Some will opt to go to Bosnia, the others will have to go into Afghanistan permanently."[2] His assessments were predictably accurate; a number of prominent Arab guerillas left Southwest Asia destined for a new life of asylum and "holy war" amid the brutal civil conflict in the Balkans.

Al-Qaeda's inroads into the Balkans began in earnest following the *mujahideen* conquest of Kabul in April 1992. That fall, Osama Bin Laden personally ordered a former key Sudanese member of al-Qaeda, Jamal Ahmed al-Fadl, to travel to Zagreb, Croatia for consultations with key Arab-Afghan leaders that had begun operating as al-Qaeda emissaries in the region. These included Shaykh Abu Abdel Aziz "Barbaros," Enaam Arnaout, and Abu Zubair al-Madani (a Saudi cousin of Osama Bin Laden). Not coincidentally, the meeting was held at the local offices of Arnaout's Benevolence International Foundation (BIF) in Zagreb[3]—an organization that, after September 11th, would be identi-

fied by the U.S. Department of Justice as a financial and logistical front for terrorists. Discussions centered largely around al-Qaeda's growing interest in acquiring Bosnian businesses and forging relationships with local banking networks to hide terrorist financing activity, as well as the establishment of training camps in Bosnia, the need to forge relations with relief agencies in Bosnia, and the purchase of weapons for the *mujahideen* in the Balkans.[4]

These plans, however, were merely housekeeping. Osama Bin Laden had grander designs for the region. According to al-Qaeda operatives, Bin Laden's master plan for Bosnia "was to establish a base for operations in Europe against al-Qaeda's true enemy, the United States."

But, in order for Bin Laden's strategy to succeed, other intelligent and experienced Arab Afghan commanders were needed on the ground. Accordingly, Enaam Arnaout personally arranged for nine elite instructors from the Al-Sadda terrorist training camp in Afghanistan to be immediately imported into central Bosnia.[5] More militants were subsequent recruited by the Egyptian Shaykh Anwar Shaaban, who emerged as the political leader and chief spokesman for the foreign *jihadis* based in Bosnia.[6] Shaaban would serve for over three years as the spiritual and political Shaykh of the foreign *mujahideen* in the Balkans, shuttling back and forth to his headquarters in Milan, Italy, and feeding a steady stream of seasoned al-Qaeda veterans and new recruits to Bosnia.

By May 1992, under the leadership of Shaaban and another Arab-Afghan commander, Shaykh "Barbaros," the *mujahideen* had established *jihad* camps in two principal locations: in Zenica, at the sprawling Vatrostalno Factory complex, and (twenty miles away) in Mehurici, six miles outside of Travnik.[7] There were also smaller pockets of foreign *mujahideen* based on Mt. Igman, south of Sarajevo, near Travnik and in Turbe, Radina, and elsewhere in the Lasava Valley in central Bosnia.[8] The commanders built these camps along the Afghan model: intense, aggressive recruitment and training in both military tactics and the violent, confrontational form of Islamic fundamentalism borrowed from the al-Qaeda training camps in the Hindu Kush. Propaganda videos of the military training in the Bosnian camps reflect strong similarities to those of al-Qaeda in Afghanistan.[9]

Meanwhile, Islamic "humanitarian aid" organizations—Sunni and Shiite alike—played key roles as a cover for arms smuggling and the importation of foreign *mujahideen*. By clothing their militant activity in charitable ideals, Islamist leaders discovered that they were able to slip below the radar of many international intelligence agencies—but not all of them. A declassified 1996 U.S. government report (reportedly issued by the CIA) would charge that "approximately one third of these Islamic NGOs support terrorist groups or employ individuals who are suspected of having terrorist connections."[10] Moreover, according to the CIA assessment, "nearly one third of the Islamic NGOs in the Balkans have facilitated the activies of Islamic groups that engage in terrorism, including the Egyptian Al-Gama`at Al-Islamiyya, Palestinian Hamas, and Lebanese Hizballah." The report added that "some of the terrorist groups, such as Al-Gama`at, have access to credentials for the UN High Commission for Refugees and other UN staffs in the former Yugoslavia."[11]

Reversal of fortune

Yet, within months of arriving in Bosnia-Herzegovina, the foreign *mujahideen* were already facing a major lead-

ership crisis. Early months of frontline combat had badly wounded or killed dozens of older, senior commanders from Saudi Arabia, Afghanistan, and Yemen. Meanwhile, Saudi Shaykh "Barbaros" was forced to temporarily leave the Balkans to participate in a much-needed fundraising and recruitment drive across the Islamic world on behalf of the Bosnian *mujahideen* battalion.

These demands led to the rapid ascension through the ranks of other, younger Arabs who adhered to an even more purist and fanatical Islamic ideology known as "Salafism." Among the more notable foreign Salafist commanders who came to dominate the Bosnian *mujahideen* battalion after 1993 was Abu el-Ma`ali (a.k.a. Abdelkader Mokhtari, "The Gendarme"), a senior commander from the Algerian Armed Islamic Group (GIA), who had arrived in Bosnia soon after the war.[12] In the early 1990s, returning Algerian Arab-Afghan veterans were largely responsible for founding the GIA, an organization that championed a particularly ruthless philosophy of murdering anyone who stood in the way of a fundamentalist regime, including competing Muslim clerics, politicians, foreigners, journalists, teachers, women, children, and other "enemies of Allah." The GIA was so brutal and feared by even those in the Arab world that Bin Laden himself allegedly urged its leadership to rename and reform themselves in order to present a "better image of the Jihad."[13] And Abu el-Ma`ali was no exception. As a senior commander of the battalion, he was in control of a crucial strategic reservoir of weapons, ammunition, and willing recruits that was loosely shared by several prominent Middle Eastern and North African terrorist groups—principally, al-Qaeda, Al-Gama`at al-Islamiyya, the Egyptian Islamic Jihad (EIJ), and the Algerian GIA.

Through telephone records, financial front groups, and seized evidence across Europe and North America, Abu el-Ma`ali has been connected to numerous international terrorist sleeper cells, including the 1995 Paris Metro bombers; a second group of parallel bomb plotters in 1996 in Milan, Italy; the Roubaix Group in France; and the Montreal cell responsible for a failed suitcase bomb plot at Los Angeles International Airport on the eve of the Millennium. French counterterrorism magistrates Jean-Louis Bruguiere and Jean-Francois Ricard subsequently concluded that—under the influence of Abu el-Ma`ali and his cohorts—foreign *mujahideen* recruits in Bosnia were "plunged into violence."[14]

The stability of the Sunni *mujahideen* leadership in Bosnia suffered another series of dramatic blows in September and December 1995. Following the end of "Operation Badr"—the last major battle of the Bosnian war involving foreign *mujahideen*—in what was a major blow to battalion morale, senior Egyptian military commander Moataz Billah was unexpectedly killed by a mortar bomb. Within only a few hours of Billah's death, another critically important leader of the Bosnian *mujahideen*—the Egyptian Al-Gama`at al-Islamiyya spokesman Abu Talal al-Qasimy—was captured by Croatian forces while en route to Zenica (and was eventually rendered to the Egyptian government). Then, only three months later, two other senior Saudi *mujahideen* commanders were killed in a mysterious firefight with Croatian HVO troops near Zepce.

By January 1996, the foreign *mujahideen* battalion in Bosnia had been decimated. Many of the key Arab-Afghan commanders who had guided the battalion through the early 1990s were either dead, in hiding, or held in official custody by various sovereign governments.

The top-level purge of the *mujahideen* ranks was compounded by another blow: the signing of the Dayton Peace Accords. The peace deal was a shock to the *mujahideen*, who complained that their expected military victory over the Serbs in Bosnia had been "stolen" by the United States and its European allies.

But Dayton also highlighted a new direction for Balkan Islamists. As their primary role of aiding the Bosnian army faded away, Abu el-Ma`ali and his Salafist cohorts were free to pursue their own independent extremist agenda, including elaborate revenge operations and organized terrorist attacks. The restlessness and fanaticism of the *mujahideen* estranged some of their former allies, including growing numbers of Bosnian army and government officials and non-Salafi Muslims—Shiite and Sunni alike.

Sinister legacy

Perhaps not surprisingly, an overwhelming number of these Bosnian veterans have gone on to conspire or to commit acts of international terrorism. The list is long and bloody, and includes Nawaf al-Hazmi and Khalid al-Mihdar (both of whom were September 11th suicide hijackers); Khalid Sheikh Mohammed (the acknowledged mastermind of the September 11th terrorist attacks); Abdelaziz al-Muqrin (al-Qaeda's former top operative in Saudi Arabia); Abu Anas al-Shami (a former top aide to Jordanian master terrorist Abu Musab al-Zarqawi), and many others. By their own accounts, the war in Bosnia during the 1990s was a crucial stepping-stone to even greater achievements in the world of religious terrorism and extremism for these radicals.

Bosnia itself remains an active focal point for noteworthy Salafist extremists—almost all ex-*mujahideen* commanders—hailing from Syria, Egypt, Algeria, and elsewhere. Just this spring, the notorious Moroccan Karim Said Atmani, a well-known figure among the Bosnian *mujahideen*, quietly returned to asylum in central Bosnia after his sudden release from a French prison, where he was serving a five-year sentence stemming from his role in an unusually prolific terrorist theft and document fraud ring.

Atmani's triumphant return to Sarajevo is symptomatic of a larger dilemma in the Balkans. Though much effort has been expended over the past decade to heal the wounds of the Bosnian war and cleanse the region of extremists and war criminals, much work is left to be done. As the attention of the world is drawn elsewhere, to places like Afghanistan and Iraq, and the presence of international arbiters in Bosnia-Herzegovina begins to fade, there are growing opportunities for the same foreign extremists who previously profited from the Bosnian civil war (and were forced into exile) to re-insert themselves in the fabric of local society. An influential network of former *mujahideen* commanders still exists in central Bosnia, sustained through the use of fraudulent commercial and charitable enterprises. Though many of these Islamic militants have assumed non-descript private lives as Bosnian citizens, they continue to manipulate gaping holes in Bosnian border control and anti-corruption measures from behind the scenes in order to support extremism and terrorism—even beyond the confines of Bosnia-Herzegovina.

Even though the Bosnian government has dramatically improved its response on issues of terrorism and international security since the comparatively bleak reign of Alija Izetbegovic, basic underlying problems with fraud, graft, and bureaucratic account-

ability (common in many areas of Eastern Europe) remain. In the troubled Balkans, these problems can reach the highest levels. On June 14th, the former Deputy Director of the Bosnia-Herzegovina branch of Interpol, Asim Fazlic, was acquitted of charges "that he abused his authority and powers, gave away official secrets, accepted bribes and participated in illegal mediation" in regards to ongoing murder and terrorism cases in central Bosnia.[15] Despite his acquittal, there is good reason to believe that Fazlic was attempting to conceal the illegal financial operations of foreign nationals on Bosnian territory—among others, an Iraqi currently on trial in Sarajevo for allegedly abducting five civilians in October 1993 and eventually beheading one of them.

This network of foreign *mujahideen* veterans is further buttressed by the continuing sponsorship—both directly and indirectly—of predominantly Saudi-funded religious charities and investment projects. Some local Bosnians have been persuaded to adopt the strict Salafi religious dogma in order to receive much-needed financial stipends. Without a competing flow of money and humanitarian aid from Western democracies, chief among them the United States, Saudi-funded extremist groups like the Saudi High Committee in Bosnia, the International Islamic Relief Organization (IIRO), and the Al-Haramain Masjid al-Aqsa have what amounts to an unrestricted license to indoctrinate and brainwash needy local Bosnian Muslims.

This is a central lesson of the Bosnian war itself, and one that the international community must heed and ensure is not repeated. The fact that relatively few Bosnians have volunteered to join the Salafist extremists thus far is, more than anything else, a testament to their often-stubborn determination to hold fast to their local culture and secular European heritage. But without sustained international attention, Bosnia—and the Balkans at large—remains vulnerable to external manipulation by extremist ideologies and radical organizations.

1. Kathy Evans, "Pakistan Clamps Down on Afghan Mojahedin and Orders Expulsion of Arab Jihad Supporters," *Guardian* (London), January 7, 1993, 7.
2. Ibid.
3. "Bill of Particulars," United States of America v. Enaam M. Arnaout (United States District Court for the Northern District of Illinois, Eastern Division, February 3, 2003), 5.
4. Ibid.; See also "Government's Evidentiary Proffer Supporting the Admissibility of Co-Conspirator Statements," United States of America v. Enaam M. Arnaout (United States District Court for the Northern District of Illinois, Eastern Division, January 31, 2003), 24-25.
5. "Government's Response to Defendant's Position Paper as to Sentencing Factors," United States of America v. Enaam M. Arnaout. (United States District Court for the Northern District of Illinois Eastern Division, June 12, 2003), 38.
6. Video, "The Martyrs of Bosnia: Part I" (London: Azzam Publications, 2000).
7. George Eykyn, "'Mujahidin' Rush to Join Islamic Fundamentalists in War," *Times* (London), September 23, 1992.
8. "The Martyrs of Bosnia: Part I."
9. Ibid.
10. "Affidavit of Special Agent David Kane," United States of America v. Soliman S. Biheiri (United States District Court for the Eastern District of Virginia, August 14, 2003), 2.
11. Ibid.
12. "The Martyrs of Bosnia: Part I."
13. "Bin Laden Held to be Behind an Armed Algerian Islamic Movement," Agence France Presse, February 15, 1999.
14. Craig Pyes, Josh Meyer et al., "Bosnia Seen as Hospitable Base and Sanctuary for Terrorists." *Los Angeles Times*, October 7, 2001, A1.
15. See, for example, North Atlantic Treaty Organization, Stabilization Force in Bosnia and Herzegovina, Main news summary for February 6, 2004, http://www.nato.int/sfor/media/2004/ms040206t.htm.

The Latin American Vortex

Michael Radu

The scourge of terrorism has touched Central and South America (collectively, Latin America) for much longer than it has been a truly worldwide danger. The nature and reach of that threat in the Western Hemisphere, however, is changing profoundly. "Traditional" terrorism of the Marxist-Leninist variety has been in retreat of late, concentrated within fewer and fewer countries south of the United States. But Islamist terrorism is slowly expanding its presence and activities in a region that has historically been alien to it.

The terrorist threat emanating from Latin America today is two-fold. The first variety is local or regional in nature, and largely Marxist in ideology. The second sort, however, is imported, and Islamist. The two groups remain separate in terms of doctrine and methods—there were and are no suicide terrorists among the self-described Marxist-Leninist insurgents in Colombia or Peru, for example. Yet these forces undeniably share similar aims, most directly the defeat of American influence and power in the Western Hemisphere. And, away from the attention of the United States, these groups are steadily gravitating toward a threatening symbiosis of operational methods, weapons and funding sources.

Turmoil south of the border

The political and security situation in Central America, as in most of South

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America, has changed significantly over the last decade, and not for the better. The civil wars that convulsed the region during the 1980s (and South America before that) brought about a general weakening of local institutions of governance. Combined with slow economic growth, this trend has made regional governments incapable of dealing with real or potential security threats, or of effectively cooperating with the United States.

In El Salvador, Nicaragua, Honduras, and Guatemala, the military budgets for intelligence, troop strength, and indeed the social and political status of the military itself have been in sharp decline for more than a decade. The police in these countries are in equally bad shape, outgunned by the enormous gangs active throughout the region and reviled by local populations. In a reflection of these factors, all Central American countries—most directly El Salvador, Guatemala, and Honduras, along with Mexico—have effectively lost or voluntarily ceded control over their national borders.

As a result, just about anyone with enough money can enter these countries and continue on toward the United States, often with "valid" documents. Panama is one such environment, with passports routinely sold to Far Eastern illegal immigrants. But Chinese immigrants are not the only ones taking advantage of these loopholes; high-level al-Qaeda operative Adnan El Shukrijumah was spotted in Tegucigalpa, Honduras in July 2004, having crossed the border illegally from Nicaragua after a stay in Panama.[1] Abu Musab al-Zarkawi, al-Qaeda's pointman in Iraq, is likewise rumored to have been interested in a visa to Honduras as the first step toward infiltrating operatives into the United States via Mexico.[2]

Complicating the problem, international criminal gangs have established effective cross-border networks dealing in drugs, weapons and, most important, human beings. As a result, an individual or small group entering Panama could enlist gang assistance to make their way to the Mexican-U.S. border, from where local smugglers—*coyotes* or *polleros*—would take them to an American city of their choice.

In South America, the situation is somewhat different, but no less disturbing. Until very recently, the Colombian government did not control most of its national territory, and oversight of its common borders with Ecuador, Panama, and Venezuela is still very weak. Aside from Chile, most of the Southern Cone countries—Uruguay, Paraguay, Argentina, Bolivia, as well as Peru and Ecuador—have bankrupt, discredited and wildly unpopular security forces, preventing effective border control, internal security and intelligence operations. Bolivia and Paraguay are, for all practical purposes, nearly-failed states, so weak that the Revolutionary Armed Forces of Columbia (FARC) have been able to "advise"—read control and manipulate—the Paraguayan leftist terrorists of *Patria Libre* (Free Fatherland). In addition, the judiciaries in countries such as Peru, Argentina, and Chile are thoroughly politicized, and obsessed with pursuing the leaders of former, conservative, military regimes—so much so that they handle leftist terrorists, past and present, with leniency.

Add to this the growing anti-Americanism now spreading throughout the region, and it becomes clear that the general political, cultural and social environment in most of Latin America is simply not conducive to either an effective defense against terrorism, or to better cooperation, let alone coordination, with the United States.

Nowhere is this breakdown of effective governance more vis-

ible than in the so-called "Tri-Border Region" at the intersection of Argentina, Paraguay, and Brazil. The "Tri-Border Region" constitutes the most extensive lawless area in the Western Hemisphere, where international criminal gangs, insurgents, and terrorists (Islamist or otherwise) meet and cooperate—at least temporarily. It is a magnet for every illegal, extra-legal and criminal group in the world, including Korean and Chinese criminal groups, American criminals, locals, and Middle Eastern elements—the latter strengthened by the presence of some 10,000 to 21,000 ethnic Arabs in the area.

The fitfully functional Mercosur—the free trade area encompassing Paraguay, Uruguay, Brazil, and Argentina established in March 1991—has done little to control these illegal activities. To the contrary, the elimination of (most) tariffs among member states has only encouraged an expansion of criminality, making the "Tri-Border Region" an economic and criminal free-for-all. Not surprisingly, the result is a security nightmare for regional governments, and for the U.S.

This, in a nutshell, is the post-9/11 strategic environment confronting the United States in Latin America. Local governments are either (self-) disarmed on counterterrorism matters, too weak to pursue them, or too tempted by populism for any hemispheric counterterrorism policy to be effective. As a result, three distinct but increasingly related challenges to U.S. security have emerged:

- The general lawlessness described above, which is spreading throughout the region and, potentially, to the United States from Latin America;
- Indigenous terrorism and;
- Islamist penetration of the region, and the activities of radical Islamist groups there.

Marxists on the march

Since the early 1960s, wave after wave of communist insurgencies have washed up on the shores of Latin America. Most, but certainly not all, have been pro-Cuban—a function of Fidel Castro's expansionist Revolution. The cessation of Soviet financial and political patronage with the end of the Cold War sounded the death knell for many of these movements, including those in Nicaragua, Guatemala and El Salvador. Yet some have managed to survive the collapse of the former Soviet bloc, sustained by their ideological and financial independence from Moscow and Havana.

In Peru, the fanatical Communist Party, better known as *Sendero Luminoso* (SL, or "Shining Path"), ravaged the country and claimed some 30,000 fatalities in the 1980s and early 1990s, until brought to heel by the authoritarian regime of Alberto Fujimori. During this period, SL's activities were almost entirely funded by cocaine trafficking in the Upper Huallaga and Apurimac Valley regions. Today, remnants of SL are reorganizing, capitalizing on the political weakness of Fujimori's successor, Alejandro Toledo.

A far more significant threat comes from Colombia's FARC. Founded in 1964 as the armed wing of the pro-Moscow Communist Party in Bogota, the FARC became independent and grew exponentially after 1990, owing to a succession of weak and irresponsible governments in Bogota and growing demand for cocaine and heroin in the United States. To a much lesser extent, so did Colombia's pro-Cuban National Liberation Army (*Ejercito de Liberacion Nacional*, or ELN). Over the years, drug trafficking, along with kidnap-

ping for ransom and racketeering, have become so lucrative to the FARC that its annual budget is now estimated at some $500 million a year—more than enough to arm, feed, and maintain its force of some 15,000 combatants.

This wealth has allowed the FARC to become a serious threat to the stability of the region as a whole. With the tacit tolerance (and possibly the direct support) of the virulently anti-American regime of President Hugo Chavez in Venezuela, the FARC has been able to establish chains of operatives and logistics in Venezuela, Panama, and Ecuador, and is trying to do the same in Brazil and Peru. In short, it has become a truly transnational terrorist entity. Furthermore, the FARC's influence has led to the reappearance of similar, albeit smaller, groups in other countries—including *Patria Libre* in Paraguay, which was involved in the kidnapping and murder of the daughter of former president Raul Cubas.

Of greater concern are the FARC's extra-continental connections. While the organization's ties to drug trafficking networks in the United States and Europe are well known, its ties to the Russian and Ukrainian mafias, and to criminal networks that sell arms to al-Qaeda and associated groups, are less understood. Yet the fact that FARC-linked Colombian drug traffickers managed in 2000 to acquire a Russian submarine for use as a transportation vehicle to Mexico provides an inkling of the potential danger such ties present to American security.

One such alliance in particular deserves mention. Members of the Irish Republican Army have been arrested in Colombia, where they are accused of training the FARC in urban terrorism. Indeed, some of the latter's methods of urban warfare—in such places as Bogota, Medellin, and Cali—are quite clearly patterned after Northern Ireland's long-running insurgency.

Islamist inroads

For an outsider, the very notion of an Islamist threat in Latin America may seem odd. After all, the mostly-Catholic region has no apparent historic or cultural ties to the Islamic world, and contains virtually no Muslim population of any significance.

With the end of the Cold War, however, Latin America's links with the rest of the world have changed profoundly. The relaxation of border controls, increased immigration, diminished interest from the United States, and the weakness of internal institutions have altered the political climates of Argentina, Chile, Brazil, Honduras, El Salvador, Nicaragua, and Guatemala, many of which are areas of important historical Arab settlement—a development that has made these locales increasingly receptive to Islamist infiltration.

The hub of Islamist activity in Latin America today is located in the "Tri-Border Region," and Lebanon's Hezbollah is the dominant player. The majority of the group's Latin American activities, like those of the Palestinian Hamas organization, are related to fundraising and money laundering—a business enterprise so successful that experts estimate it generates revenue of "over $10 million annually."[3] But with the assistance of its historic power broker, Iran, Hezbollah has steadily expanded its activities throughout the entire region, with dramatic results. The March 1992 bombing of the Israeli Embassy in Buenos Aires, and the July 1994 bombing of the Argentine-Israeli Mutual Association in the same city have both been attributed to Hezbollah and its military chief, Imad Mughniyeh. Indeed, more than any other factor, it was the involvement of Mughniyeh—and through him, of Iran—in

the Buenos Aires bombings that has focused international attention on the Argentine government's inability to deal with terrorism.

Nevertheless, the "Tri-Border Region" does not represent the only Islamist threat to U.S. security emanating from Latin America. From Peru to Mexico, Islamist groups are increasing their attempts to penetrate the United States, with Mexico's lawless northern border the main target of opportunity. Such a focus is understandable; weakness, corruption and disarray within the national security and intelligence establishments of the Central American states make the region an attractive one for radical elements attempting to infiltrate the U.S. The presence of high-level operatives from al-Qaeda and Hezbollah in the region suggests that Latin America continues to be seen at least in part as a convenient back door into the United States, as well as a facile way of demonstrating the universal reach of their *jihad* to practitioners.

The Chavez factor

As yet, there is no direct proof that the Chavez regime in Caracas is openly and directly involved in supporting terrorism in the Americas, but the circumstantial evidence is mounting. Chavez' close ties to Fidel Castro's Cuba are themselves disturbing, considering Havana's history of support for terrorist groups throughout the Americas and beyond. Nor is it a secret that the FARC and ELN have operated openly in Venezuela, in the border areas with Colombia and, on the political level, in Caracas itself. Moreover, Chavez personally and publicly supports the largest and most dangerous Indian socialist group in Bolivia, Evo Morales' *Movimiento al Socialismo* (MAS), which is now actively trying to expand into Peru and Ecuador. MAS is a significant political party in Bolivia, and is openly supportive of drug production and trafficking, anti-American and anti-democratic in ideology, and inclined to use violence when political arguments do not succeed.

In short, Venezuelan oil money is fostering an atmosphere in which all kinds of "progressive" groups, reminiscent of the 1970s and 1980s, find a friendly reception. Another important but still unacknowledged problem is that the Chavez regime in Venezuela is increasingly linked—politically, financially, and ideologically—to a number of destabilizing groups in South America: some terrorist (FARC), some left-wing revolutionary, and some a combination of the two.

Furthermore, in line with his almost reflexive anti-Americanism, Chavez is also increasingly pro–Iranian, going as far as to support Tehran's "right" to nuclear weapons. While this may simply be heated rhetoric intended for domestic and regional consumption, it clearly makes any coordinated attempt to control Iranian activities in South America, especially in conjunction with the United States, more difficult.

So far, however, Washington has by and large remained silent in the face of Chavez' provocations, including his rhetorical, political, and financial support provided to Fidel Castro's Cuba, and Venezuela's quiet backing of a new threat to stability in the region—the rise of militant, violent, and anti-democratic Indian-based groups in the Andean region and Mexico, such as Bolivia's Pachacuti Indigenous Movement and the Chiapas, Mexico-based *Ejercito Zapatista Liberaction Nacional* (EZLN).[4]

Malignant neglect

It is not lost on these forces that the United States has, for all intents and purposes, neglected Latin America for more than a decade. Indeed, when officials in Washington have turned their attention to the region, the focus has by and large been Colombia, whose

popular president, Alvaro Uribe, continues to grapple with the rising power of the FARC. But Colombia aside, the U.S. has kept silent or reacted belatedly, if at all, to security threats emanating from south of the border, and especially to the persistent troublemaking of the Chavez government.

Regional institutions, meanwhile, are not up to the task. The Organization of American States (OAS) has proven ineffective in establishing a functioning system of antiterrorism cooperation, and military-to-military relations between OAS member states lately have lost much of their previous luster.

Neither have local governments resolutely confronted the threat. The advent of democracy, or at least electoral politics, in much of the region sadly has failed to engender a greater awareness of—or better effectiveness in—combating terrorism. Rather, in many countries, such as Brazil, Argentina, Uruguay, Venezuela and Ecuador, Leftist regimes which fear the military, are anti-American to various degrees, and tend to tolerate security threats from the radical fringes, have risen to power. These tendencies have generated a permissive environment for terrorists, whether they be Marxist or Islamist.

At the same time, the security threat emanating from Latin America is particularly threatening as a result of the nexus between international criminal organizations, drug trafficking, terrorist activities and weak governments. Today, a Middle Eastern terrorist cell from, say, Hezbollah or Hamas could freely travel to the "Tri-Border Region" or southern Peru, establish a phony "business" and acquire valid passports allowing travel to Mexico, where well-established smuggling networks would allow infiltration into the United States.

How serious is this threat? The U.S.-Mexico border area, especially the Arizona sector, is becoming more violent, and more OTM ("other than Mexican") illegal immigrants are being arrested each year. Indeed,

> In 2004, the Border Patrol apprehended 1.15 million illegal aliens along the 1,940-mile U.S.-Mexico border trying to sneak into this country between the nation's land ports of entry, more than 3,100 a day—a 24-percent increase from the year before. The agents also confiscated 1.4 million pounds of illegal narcotics with an estimated street value of $1.62 billion.[5]

That Chinese, Lebanese, Iranian, Pakistani, and various non-Latin American foreigners are being arrested in growing numbers along the U.S.-Mexican border indicates just how efficient and extensive Latin American smuggling organizations have become.

Yet, primarily because Latin American governments have become dependent upon remittances from their (mostly illegal) immigrant citizens in the United States,[6] local counterterrorism efforts are lackluster at best. And, in the absence of serious engagement on hemispheric security on the part of Washington, the chances of a coordinated approach to counterterrorism remain slim indeed, while the terrorist threat from south of the U.S. border is bound to increase.

1. Aaron Mannes, *Profiles in Terror. The Guide to Middle East Terrorist Organizations* (Lanham, MD: Rowman & Littlefield, 2004), 167.
2. Adam Zagorin et al., "Watch the Border," *Time*, March 21, 2005.
3. Mannes, 180.
4. For a detailed examination of this new trend, see Michael Radu, "Andean Storm Troopers," FrontPageMagazine.com, February 9, 2005.
5. Jerry Seper, "Assaults on Border Agents Increase," *Washington Times*, January 28, 2005.
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Jihad From Europe

Lorenzo Vidino

On March 16, 2003, just days before American forces commenced combat operations in Iraq, Italian intelligence intercepted the following telephone conversation between Mohammed Tahir Hammid, a suspected Kurdish terrorist recruiter based in the northern Italian city of Parma, and a fellow militant located in northern Iraq:

> **Man:** *How is the situation of the Muslims over there* [in Europe]? *What do they think of the situation* [the upcoming war in Iraq]?
>
> **Hammid:** *After the Americans decided to go to war against Iraq there are many communities of Moroccans and Tunisians that are getting ready to go and fight against the Americans… their blood is hot… this thing that they want to do will be a good thing for the future of the Muslims!*[1]

Some two and a half years later, Hammid's assessment of the impact of the war in Iraq on European Muslims still rings true. The Iraqi conflict has played an important role in radicalizing large segments of Europe's 15 million-strong Muslim population. And, while most have limited themselves to vocal opposition to the war, a small cadre of young European Muslims have joined the fight against U.S. and Coalition forces, either with the assistance of international terrorist organizations or via independent local cells inspired by the radical, anti-Western ideology of Osama Bin Laden and al-Qaeda.

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Europe's challenge

As three high-profile terrorist incidents—the March 11, 2004 train bombings in Madrid, the subsequent November assassination of Dutch filmmaker Theo van Gogh in Amsterdam, and the bombings in London in July of this year—have highlighted, Europe today confronts a two-fold terrorist threat. The first danger comes from sophisticated international organizations, such as al-Qaeda, which have operated on European territory for almost two decades, and which can still count on an extensive continental network that could allow them to carry out large-scale operations on European soil, even after September 11th. The second stems from independent, autonomous cells of young, freshly radicalized domestic militants, whose members have emerged as major players in terror acts abroad, and—increasingly—in the internal destabilization of the European continent as well. Indeed, while al-Qaeda and its affiliates remain a serious threat, European intelligence officials have concluded that an attack carried out by such local groups acting autonomously and selecting their own targets and *modus operandi*, constitutes the more immediate danger.[2] (The recent bus and rail bombings in London are sad proof of this fact.)

The movement of European militants to Iraq as a result of Operation Iraqi Freedom underscores this dual menace. Over the past three years, European authorities have succeeded in dismantling a series of highly organized trans-state networks engaged in the recruitment of volunteers for terrorist operations in Iraq. In other cases, however, investigations have found volunteers for the Iraqi *jihad* to be young European Muslims with no affiliation to any organized network or terror group, but who nevertheless felt a sudden urge to fight the "infidels."

The Iraqi *jihad*, however, is just the latest of a series of recruitment campaigns that fundamentalists have carried out on the "Old Continent." European militants have previously fought in conflicts in Afghanistan, Bosnia, Somalia, the Philippines, and Kashmir. The success of those prior recruitment drives exposes a wider and more troubling phenomenon: the extensive radicalization of large segments of the European Muslim population.

That process began some twenty years ago, when hundreds of Islamic fundamentalists began to establish a presence in Europe, capitalizing on generous asylum policies that allowed them to escape persecution in their native countries in North Africa and the Middle East. Contrary to the naïve hopes of European governments, however, these radicals did not abandon their extremist rhetoric or subversive activities in their new homes. Rather, they exploited newfound liberties to further an increasingly ambitious agenda, directed first at overthrowing secular governments in the Islamic world and, gradually, at "infidel" European societies and governments as well.

> Iraq is emerging as a new Afghanistan—a place were a fresh cadre of fanatics is learning deadly skills that its members will be willing and able to employ once they return from the battlefield.

In the years that followed, these radical cadres played a key role in ideologically influencing large segments of Europe's burgeoning Muslim population. The mosques and networks established by them went on to radicalize thousands of immigrant or European-born Muslims.

The reasons for these successes are numerous. Many turn to radical Islam as a form of protest against social and economic difficulties, such as segregation and unemployment. Others feel a disconnect with their adoptive societies, where they live amid drugs and crime, and think they can find true identity or some form of redemption in what they perceive as "pure" Islam. Yet at least some who have embraced militant Islam have come from wealthy, fully assimilated families in Europe, disproving the paradigm that equates militancy with segregation—and making the profiling of European radicals a nearly impossible task.

While the reasons for their conversion might vary from case to case, what is constant among the thousands of European Muslims who identify themselves with radical Islam is a deep hatred for the very societies in which they live. Radical preachers in numerous European mosques tell their devoted audiences that Islam is under attack, not only in Iraq or the Middle East, but worldwide, and that it is their duty to defend it.

As such, the mobilization of European terrorists for Iraqi *jihad* poses a direct danger to the security of Europe—and, by extension, to that of the United States as well. While the impact of European radicals on the course of the Iraqi insurgency has so far been limited, European authorities increasingly fear that Iraq is emerging as a new Afghanistan—a place were a fresh cadre of fanatics is learning deadly skills that its members will be willing and able to employ once they return from the battlefield.

Ansar al-Islam's European base

The war in Iraq has provided fresh fodder for the already-busy recruitment networks established by Islamist terrorist groups in Europe during the 1990s. Over the last three years, European authorities have partially uncovered a sophisticated web of cells run by al-Qaeda's radical Kurdish affiliate, Ansar al-Islam, responsible for sending hundreds of volunteers to Iraq.

Since its creation in 2001 through a merger of several Kurdish Islamist groups in northern Iraq, Ansar has evolved into a major terrorist entity. Its links with al-Qaeda began early on, when, in the summer of 2001, representatives of the group traveled to Afghanistan to meet with al-Qaeda leaders in Kandahar. There, the newly-formed Kurdish group obtained moral and financial support from the Bin Laden network. In exchange, it proposed a symbiosis of sorts, offering al-Qaeda's leadership the use of Iraqi Kurdistan as an alternate base.

Ansar's offer was accepted after 9/11, following the destruction of al-Qaeda camps in Afghanistan by U.S. forces, and the man appointed to oversee al-Qaeda's relocation was a familiar face: Jordanian-born master terrorist Abu Musab al Zarqawi. Zarqawi moved some of his most trusted lieutenants to northern Iraq, where he developed close operational ties with Ansar forces. He also facilitated the passage of hundreds of Arab fighters fleeing the Afghan scene into Iran, from where the majority eventually traveled to Ansar camps near the Iraqi city of Suleimaniya.[3]

The partnership between Ansar and al-Qaeda solved another problem as well. Following the loss of their Afghan sanctuary, al-Qaeda's recruiters in Europe found themselves without a destination for the swelling numbers of volunteers for the *jihad*. The alliance between Zarqawi and Ansar changed all that, making Iraqi Kurdistan a favorite destination for European militants.

That shift was facilitated by a series of new, post–9/11 alliances formed in

Europe between terrorist groups in response to continental counterterrorism efforts. The most notable of these was created in Italy and Germany between remnants of al-Qaeda and Ansar militants who had been sent to Europe for recruitment and fundraising. The new network, coordinated by Zarqawi in Iraq, became active in several European countries, harnessing the cells established by al-Qaeda prior to 9/11.

Milan, with its infamous Islamic Cultural Institute—a facility with a long history of extremist activities—became one of the most important operational hubs of the new network. There, operatives established links with al-Qaeda recruiters, and with their assistance built a formidable conduit for *jihad*, sending volunteers from Europe to camps in northern Iraq by way of Turkey or Syria.[4] The first group of European volunteers, consisting of eight Tunisians and three Iraqis, was allegedly sent to Iraq in the fall of 2002 via Syria. Many other volunteers, from European countries such as Germany, France, Holland, Sweden and Finland, followed suit.

The flow of militants from Europe to Iraq surged with the prospect of a war in Iraq. A growing number of *jihadis* flocked to Kurdistan, enticed by the idea of fighting U.S. forces and avenging al-Qaeda's bitter defeat in Afghanistan. Ansar, in turn, became a major focus of the Coalition campaign. In the opening days of the war, American forces pounded suspected Ansar facilities in northern Iraq and destroyed its training camps.

Ansar would not re-emerge as a player in Iraq until after the fall of Saddam Hussein's regime, when the group's members returned from Iran, where they had sought refuge during Coalition operations. While some remained on the group's original turf in Kurdistan, many fighters made their way to Baghdad and the Sunni Triangle. There, their ranks were bolstered by scores of additional foreign volunteers.

Evidence gathered by European intelligence services and by Coalition forces in Iraq since the end of major combat operations in Iraq has shed light on the scope and effectiveness of Ansar's Milan-based network. All told, the Milan network is believed to have succeeded in recruiting no fewer than 200 militants for the Iraqi *jihad*, 70 of them from Italy.[5]

Italy was not the only European outpost for the network, however. Ongoing investigations into the group's recruitment activities have uncovered important links to Germany, and to a cell of senior leaders based in Munich. Under the leadership of a 30-year-old Kurd named Mohammed Loqman, this cell was responsible for organizing safe houses, recruiting volunteers and raising money for the "brothers" in Kurdistan, using the smuggling of illegal Kurdish immigrants into Europe to bankroll its activities.[6] German authorities believe that the group managed to raise more than a million Euros (nearly 1.3 million dollars) before most of its members were arrested in late 2003.[7]

The Munich cell may have been the nerve center of Ansar's network in Germany, but its dismantlement did not end the group's activities there. Other active Ansar cells have since been found throughout the country, including in Stuttgart, Berlin, Hamburg, Duisburg, Cologne, Ulm and Frankfurt.[8] Authorities in Berlin estimate that at least 100 Ansar members are currently active domestically, while an undetermined number of German Muslims has been recruited by the group to fight in Iraq.[9] In Bavaria alone, between 10 and 50 militants are believed to have joined Ansar activities in Iraq. German officials are also convinced that at least two of the militants recruited by the

network left Germany determined to die as suicide bombers.[10]

As authorities quietly closed in on the Munich Ansar cell in late 2004, a plot by the group made headlines worldwide. On December 6th, German authorities arrested three men accused of planning to kill Iraq's interim Prime Minister, Iyad Allawi, during his visit to Germany. While authorities believe that the plot was an unsophisticated one, hatched on the spur of the moment, these arrests showcased Ansar's willingness to transplant the brutality of the Iraqi conflict to European soil. As Michael Ziegler, the spokesman for Bavaria's security forces, told reporters following the seizure, "the foiled attack on Allawi shows that this group must be considered dangerous also for Europe."[11]

The continent's political proclivities and lack of effective counterterrorism laws will have serious ramifications in the years to come, as militants now active in Iraq return home and turn their attention to domestic troublemaking.

The abortive attack on Prime Minister Allawi rocked Germany. Ansar, which previously had been using Germany purely as a logistical base of operations, was now planning attacks inside the country. And while the target was an Iraqi, there was no guarantee that the group would not have struck German targets in the future. The logic was convincing: "If someone is involved in an attack in Iraq, I am virtually 100 percent convinced that he'll also carry out an attack over here if ordered to do so," Guenter Beckstein, the top state security official in Bavaria, announced.[12]

Spurred by this logic, German authorities launched an unprecedented crackdown on the Ansar al-Islam network in their country. On January 12th, more than 700 police officers raided dozens of apartments, businesses and mosques in Munich, Frankfurt, Ulm, Bonn, Duesseldorf and Freiburg. Twenty-two Ansar members were arrested and charged with crimes such as raising money for a terrorist organization and forging documents.[13]

From the Banlieux to Fallujah

The Ansar network uncovered in Italy and Germany has shed light upon the sophistication of foreign terrorist recruiting operations in Europe. But the Iraqi conflict has also attracted another constituency—young Muslims with no apparent ties to organized terrorist groups. While these radicals are fewer in number than al-Qaeda and Ansar's professional recruits, their activities are no less troubling. The understanding that Iraq can become the new Afghanistan, a place where militants gain military and terrorist experience before they travel back to their home countries, is gaining ground among European counter-terrorism officials, who are now apprehensively awaiting the return of Iraq's "alumni."

France has played a particularly pro-active role in investigating the movement of such homegrown militants. "We consider these people dangerous because those who go will come back once their mission is accomplished," a top French counterterrorism official explained to the *New York Times* in October 2004. "Then they can use the knowledge gained there in France, Europe or the United States. It's the same as those who went to Afghanistan or Chechnya. Now the new land of *jihad* is Iraq. There, they are trained, they fight and acquire a technique and the indoctrination sufficient to act on when they return."[14]

French authorities have matched rhetoric with action. In the fall of 2004, in the wake of reports from American and Iraqi authorities that at least three French Muslims had died fighting in Iraq, and that another three French citizens had been detained by U.S. forces, the government of Prime Minister Jacques Chirac began seriously investigating the migration of domestic radicals to the Middle East.

These culprits, French authorities quickly found, had much in common. All six had come from the same Paris suburb, the XIX *arrondissement*—an area in the northeast of the French capital heavily populated by immigrants from North Africa.[15] Moreover, all six had left France in March 2004 for Syria, where they had enrolled in the al-Fateh al-Islami Institute, a radical religious school in Damascus, as a prelude to entering Iraq.[16]

French authorities uncovered other similarities as well. All six men had been quiet, normal, secular youths. But something had changed in the months following the beginning of the Iraq war; the men had all fallen under the influence of a group of radicals of North African descent, who had indoctrinated them into the world of Islamic fanaticism. In January 2005, on the basis of these findings, French authorities moved against the group, arresting 11 individuals, including its ringleader and his closest collaborators.

According to French authorities, these arrests decisively dismantled the network operating in the XIX *arrondissement*. However, a lingering question remains: how many other such networks exist in France?

On this score, recent intelligence reports are not encouraging. As of December 2004, the DGSE, France's foreign intelligence service, had identified a group of twenty fighters operating in Fallujah under the command of a Frenchman.[17] Moreover, Andre Broussard, France's top anti-terrorism judge, who is currently conducting a sprawling investigation into the cadres known domestically as the *filière irakienne*, is convinced that dozens of young Frenchmen have reached Iraq since the summer of 2004.[18]

Self-imposed limits

Unfortunately, the substantial operational successes made by European intelligence agencies in closing down, dismantling and uprooting recruitment networks and terrorist cells have not been mirrored on the legal front. In many European countries, joining a terrorist organization that operates on foreign soil is still not a crime, and therefore those who travel to Iraq are not breaking the law. In certain cases, authorities have used "Al Capone-style" loopholes, detaining militants for lesser crimes such as document forgery or illegal immigration. Yet by and large, most European prosecutors are hamstrung by legal guidelines that lack the appropriate teeth to properly tackle terrorist activities.

Even where such legal mechanisms have been available, liberal interpretations of law and policy by European judges have torpedoed some terrorism cases. In January 2005, for example, Italy was scandalized by the final ruling of the judge presiding over the Milan trial of members of Ansar's Italian network. According to the judge, Clementina Forleo, the men—while indeed part of a network that was recruiting fighters for the conflict in Iraq—were engaged in "guerrilla" actions, not terrorism.[19] The result? The Ansar operatives, though found guilty of such minor crimes as document forgery, were acquitted of all terrorism-related charges.

These political proclivities and legal hurdles will have serious ramifications for European security in the years

to come, as militants now active in Iraq return home and turn their attention to domestic troublemaking. Indeed, signs of such activity are already emerging; the January 2005 arrests of the militants of the XIX *arrondissement* in Paris revealed that the men, originally detained because they were recruiting volunteers to go to Iraq, also had been "drawing up plans for attacks in France against French and foreign interests."[20]

American authorities, for their part, would do well to watch these developments closely. Most of the terrorists who have planned or executed attacks on American soil over the last decade have come from or through Europe. Moreover, many of the individuals now fighting in Iraq hold European passports and can therefore enter the United States with relative ease. "The Iraqi conflict, while not a cause for extremism, has become an extremist cause," CIA director Porter Goss told the U.S. Senate's Select Committee on Intelligence in January 2005. "Those jihadists who survive will leave Iraq experienced in and focused on acts of urban terrorism."[21]

Goss' concerns are certainly justified. Recent history is rife with examples of terrorist attacks by the veterans of radical religious conflicts in Afghanistan, Bosnia and Chechnya. It might only be a matter of time before combatants in the Iraqi *jihad* similarly bring the fight to the West. Indeed, by all indications, they have already begun.

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2. This is the conclusion, for example, of the 2004 annual report of the *Algemene Inlichtingen-en Veiligheidsdienst* (AIVD), Holland's domestic intelligence service, which clearly indicates that the biggest threat to the security of the Netherlands comes from "home-grown" Islamist groups.
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The Next Threat From Central Asia

Tyler Rauert

Today, the United States faces a daunting set of challenges in Central Asia, ranging from the ideological to the strategic. None, however, are more complex than responding to *Hizb ut-Tahrir al Islami* (the Islamic Party of Liberation, or HuT). Highly secretive, HuT is a pan-Islamic movement that aims to seize power in Central Asia as the first step in an elaborate plan aimed at creating a unified worldwide Islamic state.

Thus far, HuT has managed to operate for the most part away from the eyes of Western governments, thanks in large part to a sophisticated worldview that simultaneously supports violent *jihad* and publicly proclaims peaceful Islamic change. It has not, however, escaped the attention of the governments of Central Asia—the "stans" at the crossroads of Europe, Asia, and the Middle East—and has become the target of massive clampdowns and domestic repression.

Much about Hizb ut-Tahrir is unclear, including its leadership, organizational structure, and financing. What is less ambiguous, however, is that HuT poses a growing danger to U.S. interests and long-term objectives in the region.

Origins and ideology

Hizb ut-Tahrir's roots are shrouded in mystery. The organization appears to have been established in Saudi Arabia, Lebanon, and Jordanian-occupied East Jerusalem in or around 1953 by a group of Palestinians led by Taqiuddin

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an-Nabkhani al-Filastyni (1909-1977), a member of the Egyptian Muslim Brotherhood.[1] A party spokesman admits that "Hizb ut-Tahrir has been involved in a number of failed coup attempts in the Middle East"—including several attempts to overthrow the Jordanian government in the late 1960s and early 1970s, as well as involvement in an attack on the military academy in Egypt in 1974.[2]

In Central Asia, HuT cells began to emerge after the fall of the Soviet Union. Uzbek officials assert that the movement was introduced into Uzbekistan in 1995 by a Jordanian by the name of Salahuddin.[3] From there, it quickly spread through the Ferghana Valley at the crossroads of Uzbekistan, Tajikistan and Kyrgyzstan.

Leaders of Hizb ut-Tahrir believe that Central Asia is approaching a "boiling point," making it ready for an Islamist takeover.

Little is known about HuT's organizational structure, chain of command, or leadership. The group's major organizational center is said to be in London, where most of its literature is published and a good deal of its fundraising and training occurs.[4] There are no photographs of HuT leaders in Central Asia. There is no hint of who they are, precisely how the chain of command functions, or where they are based.

By contrast, the group's platform and ideology are well-defined. Hizb ut-Tahrir rejects the modern political state. It disavows nationalism, democracy, capitalism, and socialism as Western concepts alien to Islam. Instead, the organization seeks a return to the *Khilafat-i-Rashida*, which ruled Arab Muslims from the Prophet Muhammad's death in 632 until 661 under the four "righteous Caliphs."[5]

The modern caliph envisioned by an-Nabkhani in his day, and thus by Hizb ut-Tahrir, controls the religion, army, economy, foreign policy and internal political system of the caliphate. He is not accountable to the people. There are no checks, balances, or branches of government. In fact, Hizb ut-Tahrir explicitly rejects democracy and sees it as a Western concept alien to Islam. Instead, *sharia*—Islamic law—will be the law of the land. It is left up to the caliph and his deputies to interpret and apply it. The imposition of *sharia* will solve all social, economic, and ethnic problems that the *ummah* (Islamic community) may have. Arabic will be the state language. The role of women will be restricted to the home, though they will be allowed to liberally pursue education. The defense minister—the emir of *jihad*—will be appointed by the caliph to prepare the people for and to wage *jihad* against non-believers, including the United States and the West. Military conscription will be mandatory for all Muslim men over the age of 15.

It is widely reported that Hizb ut-Tahrir shuns violence. This view, however, lacks the nuance necessary for useful analysis. Outwardly, HuT advocates the peaceful creation of an Islamic government in any region where the organization might initially gain power, including Central Asia. HuT literature supports *jihad* primarily as a means of mobilizing supporters against non-Muslims. With respect to Muslim regimes, the organization attempts to win over mass support in the hope that one day its adherents will rise up in peaceful demonstrations to overthrow the regimes they live under, ostensibly including those of Central Asia.[6] To assert, however, that it is opposed to political violence *per se* is erroneous. In addition to calling for attacks on Coalition forces in Iraq,[7] HuT has developed the concept of *nusrah*

(seeking outside assistance), including military assistance, from other groups.[8] Moreover, HuT endorses defensive *jihads*, where Muslims are required to fight against an invader if attacked—a position that clearly has the potential to be interpreted very broadly.

Like many other radical Islamist movements, Hizb ut-Tahrir is virulently anti-Semitic, anti-Western, anti-Sufi and anti-Shi'a. The "enemy" that HuT perhaps spends the most time discussing, however, is the United States. The organization maintains that the United States has declared war on the *ummah* in establishing an international alliance under the pretext of fighting terrorism after September 11, 2001[9]—thus creating the precedent for a defensive *jihad*. In response, it calls on all Muslims to attack Coalition forces in Iraq and Afghanistan, calls for the expulsion of all U.S. and Western citizens, including diplomats, from Muslim lands, and demands the abrogation of any agreements or treaties made with Western governments.

HuT's vision for Central Asia

The scenario played out in Hizb ut-Tahrir literature involves one or more Islamic countries in Central Asia coming under the organization's control, creating a base from which it will be able to convince still others to join the fold—generating what is in essence an Islamic domino effect. But, while Central Asia (and potentially the Xinjiang Province of China) may be the starting point for this campaign, HuT's ambitions are substantially broader.

Leaders of Hizb ut-Tahrir—citing the lack of secular space for political opposition, increasing despair and a lack of economic opportunity—believe that Central Asia is approaching a "boiling point," making it ready for an Islamist takeover.[10] The group seeks to take advantage of this dispossessed population to seize power in Central Asia as a prelude to the establishment of a broader caliphate, removing wayward Muslim regimes and, eventually, overthrowing non-Muslim ones as well.

Within Central Asia, Hizb ut-Tahrir appears to be focused on destabilizing the regime in Uzbekistan. According to experts, "[l]eaflets from Hizb ut-Tahrir, now found virtually everywhere in Central Asia, call for the overthrow of the Uzbek government, regularly insult President Karimov, and call for the creation of an Islamic caliphate" in place of the ruling regime.[11]

This focus derives from two sources. First, the organization itself is largely made up of ethnic Uzbeks.[12] It is only natural, therefore, that they focus their attention on their own government first.

Second, and perhaps more important, is the perception that the regime of President Islam Karimov represents the greatest threat to the goal of establishing a regional Islamic state. Uzbekistan has the largest and best-trained military and police force in Central Asia, making it the most well-equipped to quash a pan-Islamist movement, but also the most capable of spreading that same movement, if the existing regime can be overthrown. An Islamic revolution in Uzbekistan, in short, would make other, weaker Central Asian regimes more likely to fall.

Evidence of such a revolution appears to be surfacing in the recent unrest in the embattled Central Asian state. In addition to three days of violence in Bukhara and Tashkent in March 2004 that killed 42, three suicide bombers attacked the U.S. and Israeli embassies, as well as the office of Uzbekistan's prosecutor-general, in nearly simultaneous operations on July 30, 2004.[13]

More significant still has been the unrest in Andijan. International observers have characterized the events that took place in the Ferghana Valley city in May 2005 as a massacre, and with some justification.[14] Yet, for all of the Uzbek government's brutal tactics, at least as disquieting are the circumstances that precipitated the regime's response. The killings began when thousands rallied in Andijan's Bobur Square in support of the freeing of twenty-three businessmen on trial for their alleged membership in Akramiya, an offshoot of Hizb ut-Tahrir, by an organized band of devout Muslims.[15] A day earlier, that group had raided a military barracks and police station, captured weapons, led a prison break to free the businessmen and hundreds of other prisoners, and seized the local government building, taking law enforcement and government officials hostage and killing several in the process.[16]

Growing appeal

Hizb ut-Tahrir has grown exponentially since it emerged in Central Asia following the collapse of the Soviet Union. The majority of HuT members in Central Asia appear to be from the Ferghana Valley in Uzbekistan, Kyrgyzstan, and Tajikistan. Unlike other radical Islamic groups, such as the Islamic Movement of Uzbekistan (IMU), HuT finds its recruits among urban populations, as well as rural areas. Its support base consists of college students, the unemployed, factory workers and teachers.[17]

In addition to recruiting as many members as possible throughout Central Asia, Hizb ut-Tahrir actively seeks to convert regional government officials to its ideology. According to Ariel Cohen of the Heritage Foundation, "Hizb has begun to penetrate the elites in Central Asia. Observers in the region have reported successes in penetrating the Parliament in Kyrgyzstan, the media in Kazakhstan, and customs offices in Uzbekistan."[18]

Hizb ut-Tahrir is currently most active in Uzbekistan, where it has a particularly pronounced presence as the only serious political opposition to an overwhelmingly repressive and disliked regime. HuT has gained this status in large part because all meaningful opposition parties, including secular ones, are illegal. The organization claims 10,000 adherents in Uzbekistan alone, with an undetermined number of supporters in addition to its active membership. Between 7,000 and 8,000 HuT members are thought to currently be in prison there.[19]

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Hizb ut-Tahrir activity, however, is also on the rise in Tajikistan, especially in the north in the Ferghana Valley.[20] In addition, there are an estimated 3,000 members in Kyrgyzstan,[21] with its strongest support in the south of the country around the provinces of Osh and Jalal-Abad (though there are sporadic reports of activity in the north).[22] HuT also seems to be slowly gaining popularity in the southern part of Kazakhstan, where radical Islam historically has not made many inroads.[23] There are even reports that Hizb ut-Tahrir is at work in the prisons of Turkmenistan.[24]

Hizb ut-Tahrir's rising popularity is unmistakable. It is also deeply counterintuitive. Central Asia has a long legacy of Sufism, and HuT is violently anti-

Sufi. Moreover, the organization's very philosophy denies it any ability to adapt to the traditional norms of Central Asia. HuT draws its ideology from sources alien to Central Asian traditions, and *jihadi* literature is written for a global audience, rather than addressing local problems and specific concerns. In addition, the organization's leadership and hierarchy are kept secret, thus limiting its ability to be seen as a real alternative to the current regimes in Central Asia.

Yet, despite these inadequacies, HuT is making major inroads. The group has an advantage in societies with only limited religious knowledge among Muslims, because there are few religious leaders with adequate theological training to effectively refute HuT arguments. The suppression of Islam throughout the seven-odd decades of Soviet rule and the continuation of this policy in some regional states weakened many indigenous Islamic traditions to the point that they can be overcome by a movement which promises a better life and a return to glory of the cultures of Central Asia. Moreover, the secrecy of the movement's leadership does not indicate impotence. Quite the opposite, in fact; the spreading popularity of the group demonstrates a surprising degree of cohesiveness and strength.

The growth of Hizb ut-Tahrir has been significantly, though unintentionally, fueled by the repressive tactics adopted by Central Asian regimes. With few exceptions, the states that emerged out of the Soviet Union smother, rather than engage, their political opposition. The anti-democratic policies adopted by these regimes unwittingly expand the influence of extremist groups like Hizb ut-Tahrir and the IMU from the margins of national political discourse to its center. When there is no room for moderate and reasonable opposition, the only channel for change comes through radical elements.

Perhaps the most innovative force behind the rapid spread of Hizb ut-Tahrir, however, is the group's proficient use of technology. Unlike many other radical Islamic movements, the organization recognizes the achievements of non-Muslim cultures and strives to incorporate them. HuT relies heavily on modern technology such as the Internet to spread its message. The organization even has a fairly sophisticated and dynamic website (www.hizb-ut-tahrir.org). Moreover, arrests of alleged HuT members have yielded "[c]omputer disks, videos, CDs, the latest printing and photocopying machines, and extensive use of email—all of which are very rare in Central Asia, where people have little access to technology."[25] A great deal of the organization's technology has been funded and imported from abroad, signifying both the international scope of the movement and the complicity of at least some officials responsible for customs and border controls among local governments.

Washington's dilemma

Washington faces a two-fold dilemma in Central Asia: how to deal with HuT on the one hand, and with intractable Central Asian regimes that inadvertently stimulate the growth of Islamic extremism on the other.

Hizb ut-Tahrir presents a particularly difficult problem. The group is not currently on the State Department's list of designated Foreign Terrorist Organizations, largely because it has yet to definitively participate in guerilla activity, kidnapping, or the establishment of dedicated training camps. Rather, the danger stems from the ideological foundation that it creates for more violent offshoots, cross-pollination with other extremist groups, a potential internal radicalization, or some combination of these tendencies.

Increasingly, the movement is characterized by the "rhetoric of jihad, secret cells and operations, murky funding sources, rejection of existing political regimes, rapid transnational growth,"[26] and ideological—if not official—ties to al-Qaeda and other global *jihadi* movements. The organization's leaders may "deny that they have *formal links* with other radical movements such as the Taliban, Al Qa'ida, or the IMU."[27] It is clear, however, that the ultimate aims of Hizb ut-Tahrir and these other radical movements are congruent; it is over the means through which to achieve those ends that the movements diverge.

Should one emerge, either as a result of peaceful grassroots change or violent revolution, a HuT-controlled state is likely to become a latter-day Afghanistan—a safe-haven from which terrorist organizations can carry out their nefarious activities. It would also almost assuredly be anti-democratic, anti-capitalist, and severely repressive.

Hizb ut-Tahrir is certainly sympathetic to other radical Islamic movements. It appears to have a tactical partnership with the Islamic Movement of Uzbekistan (IMU)—a bond built on both ideological compatibility and ethnic ties. For example, HuT supporters were welcomed by the IMU in Afghanistan in 1999.[28] Moreover, HuT has supported and expressed empathy for the deposed Taliban movement in Afghanistan. There have been several reports of meetings between leaders of Hizb ut-Tahrir, the IMU, and the Taliban. And, despite denials of receiving money or support from al-Qaeda, the movement clearly sympathizes with the efforts of the Bin Laden network. The group has also been tied to Jema'ah Islamiyya in Indonesia, and to Uighur separatists operating in China's Xinjiang province.[29]

Even if Hizb ut-Tahrir has not been directly involved in violence, like the Muslim Brotherhood, it is not averse to supporting other radical Islamic movements, through force if necessary. And the organization is gravitating toward a more aggressive, confrontational ideological stance. According to the U.S. Department of State,

> Although there is no confirmed evidence of HT's involvement in violent actions as an organization, HT propaganda has praised martyrdom operations against Israel and called for attacks against coalition forces in Iraq. HT leaflets have also claimed that the United States and the United Kingdom are at war with Islam, and have called for all Muslims to defend the faith and engage in jihad against these countries.[30]

As a result of these ideological and tactical changes, Hizb-ut Tahrir is emerging as a distinct threat to American strategic objectives in Central Asia. Despite its persistent claims of a generally peaceful disposition, recent hostile rhetoric regarding the United States and the War on Terror, the group's justification of *jihad* against *kufr* (unbelievers), and its organizational ties to *bona fide* terrorist organizations suggest at least the potential to conduct terrorist activities against the U.S. and its interests, particularly in Central Asia. At a minimum, Hizb ut-Tahrir is on the front-line of the "war of ideas." It matters little whether HuT undertakes terrorist activities under its own banner, whether members act in their "individual capacities," or if the organization supports others conducting terrorist activities. The relevant issue is that HuT has justified such actions, and

therefore constitutes a *de facto* threat to the United States.

Even if it continues to refrain from terrorist activities against the United States, Hizb ut-Tahrir has the potential to dramatically alter the correlation of forces in the region. Should one emerge, either as a result of peaceful grassroots change or violent revolution, a HuT-controlled state is likely to become a latter-day Afghanistan—a safe-haven from which terrorist organizations can carry out their nefarious activities. It would also almost assuredly be anti-democratic, anti-capitalist, and severely repressive.

That danger, moreover, is only exacerbated by the policies of Central Asian regimes themselves. Repressive security services, poverty, corruption, and state mismanagement of the economy have created an atmosphere of discontent that has absolutely nothing to do with religion. When combined with the elimination of all moderate and secular opposition, groups like Hizb ut-Tahrir can fill the "protest niche that would otherwise be occupied by legitimate political opposition."[31] In such a situation, it is inevitable that a certain level of sympathy, if not support, for HuT comes from those who are primarily opposed to the authorities, rather than particularly supportive of the organization's goals in and of themselves.

In its understandable eagerness to combat terrorism, particularly in Afghanistan, the United States has so far given regimes like that of Islam Karimov in Uzbekistan at least a temporary pass on much-needed reforms. While such a tactic may be effective in the near term, in the long run it is likely to further destabilize the region, creating power vacuums that are then filled by political and religious extremists such as Hizb ut-Tahrir.

Confronting HuT

For the United States, neutralizing the nascent threat posed by Hizb ut-Tahrir requires a comprehensive strategy aimed at countering the organization's political power, ideological influence and its destabilizing potential in Central Asia. Recent tensions with Uzbekistan have highlighted the fragility of the Bush administration's contemporary, predominantly military, engagement with the Central Asian republics. A more multifaceted approach—one involving deeper political and economic dialogue with regional regimes on the part of Washington—could do much to erode HuT's regional appeal.

In doing so, Washington must be willing and able to make potentially painful compromises between competing priorities. In essence, the United States must determine whether it is getting a good return on its investment in combating regional terrorism. Funding regimes that employ practices which encourage the growth of Islamic extremism is obviously counterproductive. Instead, the U.S. should tie security and economic aid to *authentic* reforms in the political, security and economic sectors, and make clear that it refuses to sanction policies that undercut regional stability.

Just as important, the U.S. must encourage non-violent regional political participation, if not democracy, as a means of diminishing Hizb ut-Tahrir's relevance. In her June 20th speech in Cairo, Secretary of State Condoleezza Rice declared that, "[f]or 60 years, my country, the United States, pursued stability at the expense of democracy in this region… and we achieved neither. Now, we are taking a different course."[32] A failure to follow the same principle in Central Asia would similarly undermine American interests.

There are also certain measures the U.S. should not take. Hizb ut-Tahrir has shown no interest in legitimate political processes in the past, and can be expected to behave similarly in the future, even if Central Asian or Western governments attempt to engage it. As well, incorporating the group into local political systems would bestow upon it an undeserved legitimacy. The key to effectively confronting HuT instead lies in pushing it to the margins of regional political discourse.

Without such steps, the United States runs the risk of the emergence of a powerful new terrorist entity—or even a radical fundamentalist state—in the region. Should that happen, there can be little doubt that the United States would find its War on Terror much the worse for wear.

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24. "Radical Islam in Central Asia," 14.
25. Rashid, *Jihad: The Rise of Militant Islam in Central Asia*, 120.
26. Cohen, "Hizb ut-Tahrir: An Emerging Threat to U.S. Interests in Central Asia," 4.
27. Rashid, *Jihad: The Rise of Militant Islam in Central Asia*, 132. (emphasis added).
28. "Radical Islam in Central Asia," 24.
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30. Jones, Testimony before the Subcommittee on the Middle East and Central Asia.
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The Dynamics of Islamist Terror in South Asia

Ajai Sahni

South Asia is the quintessential "bad neighborhood." Overpopulated, poor and poorly governed, it has messy borders and a messier history of conflict, as well as an incendiary mix of strong ethnic identities and diverse religious communities, many of which are concentrated within exclusionary ghettoes. Islamist extremism has flourished in this intemperate soil, and it is here that the world's first *global* Islamist terrorist movement was bred and nurtured, and from where it was exported—first into the immediate neighbourhood, and then across the continents, until it finally struck the heart of "fortress America" on September 11, 2001.

The truth is that the terrorist threats confronting us today were sown decades ago—not just in the anti-Soviet *jihad* in Afghanistan of the 1980s, but in the radical Islamic ideologies that were revived in the early decades of the 20th Century. The history of these movements, and the ideologies that provoked them, is much too long to consider here. But it is useful to recall that, in undivided India in the mid-1920s, Maulana Sayyid Abu A'la Maududi, the founder and head of the Jamaat-e-Islami in India (and, following Partition, in Pakistan), began to articulate an ideology of political Islam that gave primacy to *jihad* over and above all the other duties imposed by Islam. The four pillars of Islam (prayer, fasting, almsgiving and pilgrimage), Maududi said, were "acts of worship… ordained to prepare us for a greater purpose and to train us for a greater

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duty": *jihad*.[1] Islam was, in this conception, in irreducible conflict with all nationalisms, as well as with every form of governance—whether authoritarian or democratic—other than *Sharia* (Islamic law).[2]

Over the intervening decades, this thesis has been further crystallized and radicalized, particularly by ideologues in Pakistan—a nation that, in the words of K.P.S. Gill, the man who led the campaign that comprehensively defeated Sikh extremist terrorism in the Indian province of Punjab, was "born out of an ideology of hatred (and that) has become the fountainhead of a universal ideology and movement of terrorism."[3]

The centrality of Pakistan

In and of themselves, these ideas are hardly unique to the sub-continent. Indeed, in 1920s Egypt, Hassan al-Banna, the founder of the Ikhwan-al-Muslimoon (Muslim Brotherhood) was articulating a strikingly similar ideology. Al-Banna's vision was subsequently extended by his more extreme successor, Sayyid Qutb, who viewed *jihad* as the essential but "forgotten duty" of all Muslims. Similarly, fundamentalist and extremist interpretations of Islam and *jihad* have cropped up in many other Muslim countries, particularly in the Arab world. And they have yielded many movements of violence—at least some of which have translated this ideology into terrorist violence across international borders.

But the true mobilization of the ideology of global *jihad* occurred in South Asia. And one country—Pakistan—was the locus. From Muslim communities across the world, volunteers were actively and aggressively located, motivated and drawn into terror camps in Pakistan and Afghanistan. Once trained, these recruits were "blooded," first in the anti-Soviet campaigns in Afghanistan and later in the Pakistani campaigns to secure "strategic depth" and to complete the unfinished agenda of Partition in Indian Jammu and Kashmir.[4]

By now, the thousands of *madrassahs* (religious seminaries) and *marakiz* (religious centers) that were set up or co-opted for mobilization and training for *jihad*—at first in Pakistan, but later in Bangladesh, Southeast Asia, and eventually across the West—have been well documented. So have the "assembly lines" of *jihad* that have emerged in Pakistan, Afghanistan, Bangladesh, Malaysia, Indonesia and the Mindanao region of the Philippines. Well after the end of the anti-Soviet *jihad* in Afghanistan, these camps continued to churn out legions of trained Islamist radicals with the active support of the Pakistani state, military and political establishment at the highest levels. Recent disclosures, for instance, have confirmed that the current Pakistani Minister for Information and Broadcasting, Sheikh Rashid Ahmed, personally ran a terrorist training camp at Fatehganj near Rawalpindi in the late 1980s and early 1990s.[5]

Ahmed was not alone. A long list of Pakistani luminaries from all walks of life has been found to be engaged in this "Holy duty." Indeed, the entire state apparatus of Pakistan, including its government-run educational system, has been harnessed to further the *jihadi* mission.[6] This infrastructure possesses three main components:

- The radicalized *madrassahs* themselves—tens of thousands of them in South and Southeast Asia, as well as in other parts of the Muslim world—with their curricula of rote learning of the *Quran* and their message of relentless hatred towards other communities and the West, have created the cannon fodder for local and regional *jihads*. The alumni of these institutions combine a fanatical mindset with

a lack of occupational skills for productive employment, and are consequently uniquely vulnerable to recruitment for criminal and extremist enterprises.

- The number of *madrassah* graduates involved in most of the major acts of international terrorism located in Western countries has been marginal, however. They lack the language and cultural skills, and the capacity to blend into alien (particularly Western) environments, and cannot, therefore, be the vehicles for exporting the *jihad* beyond the culturally familiar neighborhood. Rather, the majority of the terrorists responsible for the most dramatic acts of terrorism targeting the West—including 9/11—have a background in formal educational institutions, including universities, as well as significant exposure to Western culture, with many of them drawn from educated and expatriate Muslim communities. Many have a strong professional and occupational background. Their motivation, recruitment, training and deployment has been made possible by a global network of mobilizers, backed by well-supported *jihadi* and Islamist front organizations, covert Pakistani state agencies and elements drawn from an international coalition of other sympathetic states.

- The third layer of the terrorist infrastructure is the training camps—originally and overwhelmingly concentrated in Pakistan and Afghanistan, but gradually dispersed across other hospitable countries, including Bangladesh, Malaysia and Indonesia. There, these recruits, *madrassah* graduates and Westernized militants alike, were brought in to be taught the tools of the trade. While the Pakistani Army and Inter Services Intelligence (ISI) were directly involved in providing the technical support, resources, arms and supervision for running these training facilities, their day-to-day management was substantially "outsourced" to extremist groups and fundamentalist religious organizations—the same institutions that were being encouraged to run networks of *madrassahs* across the country. These same institutions were responsible for training trainers and teaching teachers, who then carried their extremist message and terrorist skills back to their home countries and communities. Control of these parent organizations was squarely located in the national power elite: the military-*mullah*-feudal combine that has ruled Pakistan from the first moment of its existence.

The true mobilization of the ideology of global *jihad* occurred in South Asia. And one country, Pakistan, was the locus.

The cumulative result was that the footprint of every major act of international Islamist terrorism, both before and after the events of September 11, 2001, invariably passed through Pakistan.[7] The 9/11 attacks themselves were a culmination of this process, and virtually all the perpetrators and conspirators had trained, resided or met in, coordinated with, or received funding from or through Pakistan. After 9/11, the U.S. campaign in Afghanistan, and the stark choice given to the Pakistani leadership, the dynamics of the Islamist terrorist enterprise in South Asia have

undergone dramatic adaptive readjustments and modifications. Essentially, however, this dynamic, its underlying ideologies, and its motivational and institutional structures, remain intact.

Tactical moderation

During the 1980s and 1990s, Pakistan was the most active and aggressive player in the South Asian region, defining for itself a role that substantially shaped the foreign policy priorities and security concerns of all its neighbours to an extent far in excess of its size and strategic strengths. And Islamist extremism and terror were the primary instruments of motivation, mobilization and execution of its policies. Afghanistan and Kashmir were the manifestations of these politics of violent disruption, and they remain central to the Pakistani vision.

After 9/11, transformations in the strategic environment forced Pakistan's president, General Pervez Musharraf, to join the Global War on Terror as a "frontline ally." But this decision was taken with the utmost reluctance. In his speech of September 19, 2001 justifying cooperation with the United States, President Musharraf cited the tactical Treaty of Hudaibiyya which the Prophet Mohammad entered into with the people of Mecca as his model, and explained his actions in terms of defending Pakistan's "strategic nuclear and missile assets."[8] Since then, moreover, this cooperation has been implemented both reluctantly and selectively.

General Musharraf has successfully beguiled much of the world—including some among the leadership of Pakistan's traditional antagonist, India—with his clever rhetoric about "enlightened moderation." And, as proof of this ideological transformation, he has touted the numerous al-Qaeda elements Pakistan has handed over to the U.S. The truth, however, is that only a series of coercive diplomatic initiatives, and enormous American pressure, eventually produced the succession of gradual and grudging concessions that are seen as signs of Pakistan's contribution to the War on Terror. Pakistan's root ideology of religious exclusion and hatred has not been abandoned. Indeed, this ideology *cannot* simply be discarded on a military dictator's fiat—whether voluntary or coerced. Pakistan remains a consensual dictatorship, backed by a triad of forces (military, religious and feudal) that has consistently pushed an extreme Islamist agenda.[9]

Pakistan's actions, in fact, speak much louder than its peaceful rhetoric. For one thing, most of the arrests and counter-terrorism actions engaged in by Pakistani forces have occurred only after U.S. investigators effectively gathered overwhelming evidence; little of this evidence has come from the Pakistani agencies themselves, which have consistently sought to deny the presence of al-Qaeda elements in their country, and to mislead U.S. investigators to every extent possible. It is also notable that the arrests of several senior al-Qaeda operatives were made in some of the best quarters of Karachi and Islamabad—localities dominated by military officers and government servants.

There is, moreover, more than sufficient evidence of Pakistan's continued support for a wide range of *jihadi* groups in its covert war against India. Most prominently, no action whatsoever has been taken against the fifteen constituents of the United Jihad Council (UJC), which is responsible for a major proportion of terrorist crime in Jammu and Kashmir. The UJC continues to operate openly from Muzaffarabad in Pakistan-occupied Kashmir, and receives visible support from the state and intelligence structures there. With regard to other terrorist organiza-

tions, peripheral tactical readjustments have indeed been made; where most were previously operating openly out of various locations in Pakistan, the majority have now ostensibly shifted their camps and headquarters to Pakistani-occupied territory to exploit the apparent ambiguity of its "disputed" status. Nine of these Pakistani groups are currently on the U.S. list of terrorist organizations. Harkat-ul-Mujahideen (HuM), Jaish-e-Mohammed (JeM), Lashkar-e-Toiba (LeT) and Lashkar-e-Jhangvi (LeJ) are listed as Foreign Terrorist Organizations. The al Badr Mujahideen, Harkat-ul-Jehad-e-Islami (HuJI), Hizb-ul-Mujahideen (HM), Jamiat-ul-Mujahideen and Sipah-e-Sahaba Pakistan (SSP) are identified as Other Selected Terrorist Organizations. Five of these—the HuM, HuJI and JeM (collectively known as the Harkat Triad), the JeM and LeJ—are members of Osama Bin Laden's International Islamic Front.

Despite significant U.S. and international pressure, the Musharraf regime has taken no more than token action against these various groups, most of which continue to be allowed to function with complete freedom. When activity has been curtailed, as in the case of JeM, it has been because some of its cadres were involved in the failed assassination attempts against Musharraf in December 2003. Groups like the SSP and LeJ which are engaged in acts of sectarian terrorism within Pakistan, for their part, have been targeted by the regime in demonstrations of its counterterrorism capabilities intended for external consumption.

Of course, Pakistan's increasing internal contradictions are creating mounting stresses, as the Musharraf regime adopts ideologically incompatible objectives. Elements within a number of hitherto "captive" *jihadi* groups have begun to chart an independent course, and the assassination attempts on Musharraf in December 2003, as well as those on then-Prime Minister designate Shaukat Aziz in July 2004, and senior military officers, including the Karachi Corps Commander Ahsan Saleem Hayat, in June 2004, are a telling sign of blowback against the regime's policy priorities.

Nevertheless, the infrastructure of terrorism in Pakistan has not been dismantled, and the present regime continues to export terror. Even as Islamabad talks peace with India, in Jammu and Kashmir alone 1,810 persons were killed in 2004 in violence related to Pakistan-backed terrorism, and another 795 have lost their lives thus far in 2005 as of this writing. Pakistan also continues to extend support to terrorism by ideologically incompatible groups such as Khalistani (Sikh) terrorists, ethnic insurgents active in India's Northeast; and Left Wing extremists operating across a widening swath of territory along India's eastern border.

Islamabad's *lingua franca*

The arrests of Islamist cells across Europe, the Americas, South-, Southeast and Central Asia, and Africa have shed light on Pakistan's ongoing role as an incubator of global subversion. But a far more insidious danger also continues to be nurtured in, and exported from, Pakistan—the propagation of the ideology of *jihad*, of communal polarization and hatred, and of the demonization of all other faiths in the eyes of Muslims.

In the wake of 9/11, Musharraf was quick to seize upon the alibi of aberrant institutions within Pakistan—specifically, certain extremist *madrassahs* and *marakiz*—to excuse his country's practice of fanning terror and hatred. He promised *madrassah* reforms and closer supervision over such institutions. But, after an initial flurry of

apparent activity—richly rewarded by the U.S. and Western donors, which have provided millions of dollars for "educational reforms" to Pakistan—the entire process has been brushed under the carpet and forgotten. Behind this elaborate smokescreen, the *madrassahs* have continued their subversion of innocent minds, and a deeper, more sinister reality has been successfully concealed: that the doctrine of hatred is not simply the product of supposedly "renegade" *madrassahs*, but an integral component of Pakistan's state-administered public educational system.[10]

Pakistan has reaped enormous benefit from its supposed "cooperation" with the U.S. To do so, it has combined deception and blackmail (including nuclear blackmail) as a way of securing a continuous stream of concessions.

Worse, Islamist extremism remains the central mechanism for political mobilization and management in the country. After the Musharraf regime intentionally rigged the elections of October 2002 to create a far greater role for the fundamentalist Muttahida Majlis-e-Amal (MMA) than would have been possible through any transparent or fair process, this group has continued to expand its activities and support base, further marginalizing democratic forces and institutions.

This strategy of political management, however, has failed manifestly, as evidenced by widening areas of instability and violence in Pakistan (including the North West Frontier Province, Balochistan and the Federally Administered Tribal Areas (FATA) which have long been loosely controlled by the state). In addition, Sindh, while currently relatively calm, has a history of political violence that could, in situations of rising political uncertainty in Islamabad, see a resurgence. The Northern Areas, meanwhile, are denied basic political and human rights, and the Shia population, which constitutes a majority in the region, has been subjected to repeated campaigns of repression—at least one of which was led by General (then Brigadier) Pervez Musharraf.

More disturbing still is the increasing supply and lethality of *fidayeen* (suicide) terrorists in the region. The first *fidayeen* attack in Jammu and Kashmir was recorded in 1999, and there have been 82 incidents since. The suicide bomber came to Pakistan as late as 2002, and there have been fifteen such attacks over the last three years. While these numbers, at first blush, may not appear particularly alarming, they reflect a much wider social and political reality. While it is easy to dismiss the suicide bomber as cowardly, desperate, or deranged, each is in point of fact the product of an extraordinary institutional support structure which has been exported from Pakistan in a series of stages:

1. A distortion of the relatively pluralistic practices of South Asian Muslims through a process of "religious mobilization and reorientation." This involves a triad of ideological concepts: the transnational Islamic *ummah*, *khilafat* and *jihad*. The transfer of populations and demographic destabilization—both externally induced and natural—have been powerful complements to this process.

2. The mobilization of motivated Islamist cadres for political action, and for support roles in existing terrorist operations, both in present areas of operation and in potential areas of expansion.

3. The exfiltration and training of such cadres for terrorist operations—in the past, primarily in Afghanistan and Pakistan. These processes now continue in camps in Pakistan, Pakistan-occupied Kashmir, and Bangladesh.

4. The infiltration of these cadres back into target communities, either for immediate terrorist operation in active theaters or to create cells that engage in consolidation activities, further recruitment, the build-up of arms and ammunition caches, financial mobilization, propaganda, and the establishment of front organizations, or as "sleepers," awaiting instructions for deployment and terrorist action.

The actual scope of penetration is immense, encompassing elements—either large or small—within virtually every major pocket of Muslim population in South Asia (and particularly in India, Pakistan, Bangladesh and Nepal). Most of the major groups involved in Islamist terrorist activities in India have a transnational presence, with bases, training facilities, headquarters and supply lines located in Pakistan, with Bangladesh as a secondary player, and with operational linkages with the larger pan-Islamist enterprise of terrorism. More specifically, the major Islamist terrorist actors in the region are either directly connected, or have had mediated linkages, with al-Qaeda.

The case for structural change

To date, Pakistan has reaped enormous benefit from its supposed "cooperation" with the U.S. To do so, it has combined deception and blackmail (including nuclear blackmail) as a way of securing a continuous stream of concessions. Pakistan's case for incremental aid has been that, if it does not receive the extraordinary dispensations that it seeks, it will in effect "implode," and in the process do extraordinary harm to others. Part of the threat of this implosion is the spectre of a transfer of its nuclear arsenal and capabilities to more intransigent and irrational elements of the Islamist far right, who would not be amenable to the logic that the country's present rulers are willing to heed. The fact that Pakistan possesses nuclear weapons invariably pushes the world's tolerance for this sort of behavior much higher than would be the case in dealing with a non-nuclear entity. Its leadership is aware of this power, and has not hesitated to use it to maximal advantage.

Today, the idea that the Pakistan problem can be "solved" by liberal developmental financing from the international community dominates international responses. This, however, is a myth. For one thing, each dollar of development aid or financial relief provided to Pakistan releases a dollar of domestic resources for further militarization, radicalization and extremist religious mobilization.

For another, structural elements within the country have conspired to ensure the failure of this enterprise, notwithstanding superficial evidence of some economic growth as a result of the massive infusion of international resources over the past four years. There is today little by way of existing wealth, structures to sustain new wealth, or social, political and institutional strengths to underpin Pakistan's overweening delusions of military grandeur and strategic over-extension.

By 2050, populations are expected to nearly double in both Pakistan and Bangladesh—both regions where the current Islamist extremist enterprise

in South Asia is concentrated. Already by 2020, Pakistan's population will rise to 242 million (almost 100 million over 2002 figures), and Bangladesh's to 180.66 million (upwards of 50 million more than 2002). As population pressures increase, political turmoil and resource demand will compound current instability, and at least some of this will be directed outward. Given the dynamic of political mobilization in these countries, the dominance of an ideology of a permanent and relentless *jihad*, the chronic paucity of productive employment, and the deficiencies of current developmental institutions, merely cosmetic changes in small sectors of the economy, particularly those engineered through massive external aid, will not serve to constrain the basic structure of South Asian radical Islam.

Moreover, the effort to orchestrate a transition to democracy through a controlled military regime is fundamentally flawed, and has, in fact, immensely weakened democratic and secular forces in Pakistan even as it has further entrenched revanchist elements within the country. The problem lies at the very foundation of the Pakistani state and the ideology of political Islam that led to its creation: the theory that people of different religious communities cannot coexist. This has become the central element of the military-feudal-fundamentalist bloc that has ruled Pakistan for the last 58 years, and which has gradually come to dominate Bangladesh as well.

Given these realities, the problem of religious extremism and terrorism in South Asia can only be resolved through the delegitimization of the Islamist extremist state and the marginalization of these forces through a fundamental regime change that goes well beyond a change of leadership to encompass a change of ideology, collective beliefs and systems of governance. Only then will South Asia cease to serve as a breeding ground for the radical, anti-Western Islamism that threatens the United States and the world.

1. Khurram Murad, ed., *Fundamentals of Islam* (New Delhi: Markazi Maktaba Islami Publishers, 2002), 285.
2. Ibid., 296-302.
3. K.P.S. Gill, "Jinnah's Harvest of Hatred," *The Pioneer* (New Delhi), June 11, 2005.
4. *Jihadis* of at least nineteen identifiable nationalities were pushed into the terrorist campaign in Jammu and Kashmir, along with a significant number of other foreign terrorists whose nationalities remained unknown. Their countries of origin included Pakistan, Afghanistan, Egypt, Sudan, Lebanon, Bahrain, the United Arab Emirates, Tadjikistan, Uzbekistan, Turkey, Nigeria, Iran, Bangladesh, Algeria, Saudi Arabia, the United Kingdom, Nepal, Iraq, and the CIS (particularly the breakaway Russian republic of Chechnya).
5. See, for instance, "Shiekh's Terror Camps No Secret," *Times of India* (New Delhi), June 15, 2005; See also Syed Saleem Shehzad, "The Pawns Who Pay as Powers Play," *Asia Times* (Hong Kong), June 22, 2005, http://www.atimes.com/atimes/South_Asia/GF22Df04.html.
6. For details, see Ajai Sahni, "Pakistan: Why Do They Hate Us?" *South Asia Intelligence Review* 2, no. 38 (2004), http://www.satp.org/satporgtp/sair/Archives/2_38.htm; See also *The Subtle Subversion: The State of Curricula and Textbooks in Pakistan*, (Islamabad: Sustainable Development Policy Institute, nd), http://www.sdpi.org.
7. For an exhaustive and updated listing, see K.P.S. Gill, "Pakistan: The Footprints of Terror," in *Islamist Extremism and Terrorism in South Asia* (New Delhi: South Asia Terrorism Portal, January 2004), http://www.satp.org/satporgtp/kpsgill/2003/chapter2.htm.
8. General Pervez Musharraf, Address to the Nation, September 19, 2001, http://www.infopak.gov.pk/President_Addresses/president-address-19-09-01.htm.
9. Syed Saleem Shahzad, "Purging Pakistan's *Jihadi* Legacy," *Asia Times* (Hong Kong), December 22, 2004, www.atimes.com/atimes/South_Asia/FL22Df03.html.
10. Sahni, "Pakistan: Why Do They Hate Us?"

The Legal Challenge to the War on Terror

Andrew C. McCarthy

The American sense of justice is cathartic. Justice is the public purging of proven wrongs, a balancing of the scales. When profound evil has resulted in grievous harms, the scales can never really be evened—not for the individual lives that are damaged forever. But society does heal, and the criminal justice system is its traditional medium for doing so.

It is a tradition with a well-established cycle. First and foremost, there must be a wrong that has been done. From that premise, all else flows. An investigation's aggressiveness is judged to be lax, appropriate or overwrought based on the nature and extent of the wrong to which it is responding. The same is true of a prosecution's length, zealousness and accuracy. Most obviously, judgment and sentence must be commensurate with the actual harm done.

From that tradition, moreover, flows an abiding conviction that judicial proceedings—replete with rights, procedures and presumptions intentionally skewed in favor of the accused—are our best protection against economic instability, social anarchy, and domestic insurrection. This is how we have always done it in a nation committed to the rule of law and blessed with unparalleled prosperity and security on the home front.

But is this tradition an apt fit for the present-day menace of international terrorism? And, perhaps just as important, if it is not, are we as a society prepared to adjust to a new reality?

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There are grave reasons for doubt on both scores. International terrorism dramatically alters the law enforcement paradigm, down to its most rudimentary assumptions. Yet, on many fronts, Americans are still clinging to those assumptions, regardless of how misplaced they are and how deeply they endanger national security.

While terrorist attacks have been criminalized in our penal code, they are not crimes in the strict sense of the word. Rather, they are true acts of war, and mere prosecution is a pitifully meager response. Since the first duty of government is the security of those it governs, the cardinal goal must be the prevention of such acts, rather than their prosecution after the fact.

A prevention-first paradigm, however, rubs against our grain. It crashes headlong into another American tradition: the love of liberty. Simply stated, a prevention paradigm cannot work unless citizens (and the growing population of non-citizens able to claim Bill of Rights protections) are willing to make sensible accommodations to the government's need to constrain their liberties. And already, just four years after the horrors of 9/11, Americans are chafing.

An unnoticed war

Contrary to conventional wisdom, what today is called the War on Terror did not begin with the savage suicide attacks of September 11th, in which nearly 3,000 Americans were killed. The invaluable Norman Podhoretz, writing in the pages of *Commentary*, makes the case that the current conflict with the militant Islamic ideology that has replaced fascism and communism as a global threat (what Podhoretz aptly dubs "World War IV") can be traced back to at least the 1970s.[1]

Personally, I would set the date when the war began as somewhat later: February 26, 1993. Shortly after noon on that day, a powerful bomb ripped through the bowels of the World Trade Center in lower Manhattan. The explosive was timed to detonate at lunchtime, when nearly 100,000 people routinely inhabited the twin towers and the surrounding plazas, stores and restaurants. The van housing the bomb was strategically parked by terrorists in an area of the underground garage proximate to key support beams. Had it been positioned only slightly differently, the aim of bringing down one tower (crashing it into the other) might have been realized. As it was, the damage was immense, blowing a huge crater several stories high. While the goal of killing tens of thousands would not be realized, the attack should easily have claimed many hundreds, and perhaps thousands, of lives. Stunningly, however, only six people (including a pregnant woman) were killed.

This minimal death toll, together with an attribute of international terrorism then unfamiliar to Americans—a sub-national, shadowy and largely anonymous enemy—invariably meant that this act of war would be treated as a crime, notwithstanding the fact that the literal and figurative pinnacle of the U.S. financial system had been targeted, and that the enemy publicly claimed that its "battalions" were preparing more of the same, absent a radical change in American foreign policy.

Immediately, the FBI was placed in charge of the criminal investigation, and the WTC became the most famous crime scene since the Texas School Book Depository. Several of the culprits directly involved in the bombing were rounded up quickly, appointed counsel, and indicted. Within about six months, four of them were standing trial, and seven months later all were convicted. The following year, a dozen more terrorists, led by Sheik

Omar Abdel Rahman, the blind firebrand who was *emir* of Egypt's deadly Gama'at al Islamia, were convicted of a variety of terrorism charges arising out of the WTC attack and an even more ambitious "Day of Terror" plot to bomb several New York City landmarks. In an important but overlooked lesson, the latter conspiracy was foiled only because the FBI successfully infiltrated the *jihad* organization with a spy: an informant at the heart of an elaborate sting, who won the trust of terrorists by attending political rallies and praying in mosques with them, ultimately enabling government agents to record them gleefully planning and preparing their barbarity.

A prevention paradigm cannot work unless citizens are willing to make sensible accommodations to the government's need to constrain their liberties. And already, just four years after the horrors of 9/11, Americans are chafing.

In all, from February 1993 through September 2001, the United States was challenged by eight major terrorist plots. In addition to the WTC bombing and the "Day of Terror" plot, there were:

- "Operation Bojinka," the unsuccessful 1994-95 conspiracy to blow up U.S. airliners in flight over the Pacific
- The 1996 Khobar Towers bombing in Jeddah, Saudi Arabia, in which nineteen U.S. airmen were killed[2]
- The 1998 bombings of the U.S. embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania that killed nearly 250 people
- The unsuccessful 1999 "Millennium" conspiracy to bomb Los Angeles International Airport (LAX)
- The 2000 bombing of the U.S.S. *Cole* in Aden, Yemen, which claimed the lives of seventeen U.S. sailors (an attack that had actually been attempted unsuccessfully ten months earlier against the U.S.S. *The Sullivans*), and
- The terrorist attacks of September 11th

That same eight-year period featured six major terrorism trials (and three related but less substantial cases), prosecution in the criminal justice system then being government's almost-exclusive strategy for combating international terrorism.

Legal proceedings provide rich opportunities for projecting energetic government activity that nicely complements rhetoric portraying a nation at "war." Such, of course, has been the history of the "war on drugs," in which nearly half a century of seemingly ceaseless prosecutorial successes masks the reality of a stubborn blight that operates in some quarters with utter impunity, and for which there is no end in sight. So too the "war on terror," 1990s style. Successful attacks spawned wall-to-wall media coverage. High profile arrests preceded months (or more) of pretrial hearings, which peppered coverage with new revelations, suggesting investigations making dramatic progress. The resulting trials spread out over several months, generating daily news about the government methodically calling terrorists to account.

While the projection was accurately indicative of robust activity on the law enforcement side, it was an illusion insofar as the rest of govern-

ment (particularly, its true war-fighting mechanisms) was concerned, and a dangerous one at that. Even by conservative accounts, membership in al-Qaeda and its affiliates grew well into the thousands during the years prior to 9/11, and tens of thousands more received training in terrorist paramilitary camps. Yet, although the terrorism prosecutions stoked the public impression of massive governmental pressure, in reality they neutralized less than three dozen terrorists. And, with few exceptions, those apprehended were extremely low-level operatives.

The WTC attack alone was responsible in whole or part for half the trials and about two-thirds of the defendants.[3] There was one "Bojinka" conspiracy trial, accounting for three terrorists (one being Ramzi Yousef, who would in any event have received a life sentence as a result of the WTC cases). Although the embassy bombings resulted in the filing of charges against high-ranking al-Qaeda members, including Osama Bin Laden himself, only six have actually been prosecuted, and the highest ranking of these was not tried for the bombings themselves.[4] The Millennium plot generated two trials—one of the major plotter, another of a bit player—and a total of three convicted terrorists.

Of all the terrorist incidents, only the embassy bombings provoked a military response—a single, ineffectual burst of cruise missile strikes on August 20, 1998 against al-Qaeda targets in Afghanistan and Sudan. Five years after the fact, the government would file an indictment against fourteen defendants in response to the Khobar Towers bombing. But none were ever actually brought to trial, and no other meaningful action was taken. The *Cole* bombing, for its part, did not even prompt criminal charges, let alone any military reaction, until two Yemenis were indicted nearly two years after the 9/11 attacks. (They, too, were never actually prosecuted on terrorism charges.)

Flawed assumptions

This track record is telling proof of the chasm between effective law enforcement and effective national security. As prosecutions, the cases could not have been more successful. Every indicted terrorist brought to trial was convicted. All received severe sentences, and most (including two capital defendants in the embassy bombing case whom the jury spared from execution) were imprisoned for life terms.

Significantly, the public broadly supported this approach to counterterrorism. In the aftermath of the WTC bombing (and the subsequent "Day of Terror" and "Bojinka" conspiracies), the danger did not seem at all hypothetical. Aggressive investigative and prosecutorial efforts won widespread approval. They did so because they resonated with the American public. If terrorism was a crime, there was none more serious. It cried out for a muscular and public government response, which law enforcement supplied, and crushing penalties on offenders, which the federal courts imposed. There was catharsis.

There was only one problem—the United States was not facing a crime wave. It was facing a war. If that was not clear in the WTC rubble of 1993, it should have been by 1996, when—in an echo of the "Day of Terror" and "Bojinka" Air plots—Osama Bin Laden issued his "Declaration of Jihad Against the Americans Occupying the Land of the Two Holy Mosques [i.e., Saudi Arabia]," which called upon militant groups to pool their resources to better kill Americans. The reality was even more blatant by February 1998—six

months *before* the African embassy bombings—with the issuance of Bin Laden's notorious *fatwa* urging Muslims to kill Americans, including civilians, anywhere in the world.

Under the circumstances, the legal response—fewer than three dozen terrorists neutralized over eight years at prohibitive costs—was simply unacceptable. From a national security perspective, eliminating such a piddling fraction of a committed enemy was a sure prescription to be hit repeatedly. And so we were. Nothing galvanizes the opposition like the combination of at least some successful offensives and the belief that its adversary is unwilling to fight back vigorously.

The paltry number of terrorism prosecutions may have been an eye-opener, but it was also symptomatic of a more structural dissonance. Legal prosecution, when used as the point of government's defensive spear rather than one element in a multi-faceted arsenal, is not an effective means of addressing true threats to national security. It is simply not designed for that purpose.

Though the distinction has been blurred of late, domestic policing and national defense are separate aspects of the executive branch's constitutional power. In the former, as former U.S. Attorney General William P. Barr explained in October 2003 testimony before the House Intelligence Committee, government seeks to discipline an errant member of the body politic who has allegedly violated its rules. That member, who may be a citizen, an immigrant with lawful status, or even, in certain situations, an illegal alien, is vested with rights and protections under the U.S. Constitution. Courts are used as a bulwark against suspect executive action; presumptions exist in favor of privacy and innocence; and defendants and other subjects of investigation enjoy the assistance of counsel, whose basic job is to put the government to maximum effort if it is to gather intelligence and obtain convictions. The line our society has painstakingly drawn here is that it is preferable for government to fail than for a single innocent person to be wrongly convicted or otherwise deprived of his rights.[5]

Not so in the realm of national security. There, government confronts a host of sovereign states and sub-national entities (particularly international terrorist organizations), all claiming the right to use force. There, essentially, the Executive Branch's purpose is not to enforce American law against suspected criminals. Rather, it is to exercise national defense powers to protect against predominantly external threats. Foreign hostile operatives acting from without and within are generally not vested with rights under the American Constitution. The Fourth Amendment, for example, bars only *unreasonable* searches, and there is nothing *per se* unreasonable about searching, arresting or wiretapping a foreign spy or terrorist planning mayhem against the United States from within our borders.[6] When true threats to national security are at issue, the galvanizing concern is to defeat the enemy and, as Barr put it, "preserve the very foundation of all our civil liberties." The line drawn here is that government cannot be permitted to fail if we are to have freedom worthy of the name.[7]

The absurd ramifications of branding the same terrorist operative alternately an enemy and a criminal illustrate the point that there is a disconnect between the battlefield and the courtroom. In the former, the terrorist confronts U.S. military personnel, who presume him hostile and attack him with deadly force, entirely absent judicial oversight or standards of proof. In the latter, the same terrorist would be presumed innocent,

afforded counsel at the expense of the American taxpayer, and given every advantage of due process available to an accused embezzler.

Structural impediments

Less apparent, but just as perilous to national security, are the nuts-and-bolts of trial practice itself. Under discovery rules, the government is required to provide to accused persons any information in its possession that can be deemed "material to the preparation of the defense," and, under the current construction of the so-called *Brady* doctrine, any information that is even arguably exculpatory. The more broadly indictments are drawn, the more due process demands disclosure of precious intelligence—and terrorism indictments tend to be among the broadest. The government must also disclose all prior statements made by witnesses it calls, and often even the statements of witnesses it does not call. In capital cases, moreover, *Brady* is expanded, requiring surrender not only of evidence that is colorably exculpatory, but also of that which, even if incriminating, might induce a jury to vote against the death penalty.

This is a staggering quantum of information, certain to illuminate not only what the government knows about terrorist organizations, but the methods and sources used by intelligence agencies in obtaining that information as well. When, moreover, there is any dispute about whether a sensitive piece of information needs to be disclosed, the decision ends up being made by a judge on the basis of what a fair trial for the terrorist dictates, rather than by the Executive Branch on the basis of what public safety demands.

Finally, the dynamic nature of the criminal trial process must be accounted for. The discovery typically ordered will far exceed what is technically required by the rules. To begin with, common sense dictates that officials do not operate on the margins of their authority when the stakes are high. Further, as already noted, terrorism trials are lengthy and expensive. The longer they go on, the greater the public interest in their being concluded with finality. The Justice Department does not want to risk reversal and retrial, so it tends to bring questions of disclosure to the presiding judge for resolution. The judge, in turn, does not wish to risk reversal and—because the government cannot appeal acquittals—can never be reversed for ruling against the government on a discovery matter (at least where classified information is not involved).

> In all, from February 1993 through September 2001, the United States was challenged by eight major terrorist plots. That same eight-year period featured six major terrorism trials (and three related but less substantial cases), prosecution in the criminal justice system then being government's almost-exclusive strategy for combating international terrorism.

Thus, the system goads participants to disclose far more information to defendants than what is mandated by the (already broad) rules. These incentives, furthermore, become more powerful as the trials proceed, the government's proof is admitted, it becomes increasingly clear that the defendants are probably guilty, and prosecutors become even less inclined to risk a conviction over withheld discovery—even if making legally unnecessary disclosures is certain be edifying to our enemies.

Finally, applying criminal justice rules to a national security problem not only provides terror organizations with precious intelligence they could never obtain on their own. It also threatens public safety by retarding inputs to our intelligence community. As demonstrated by several post-9/11 investigations of intelligence failure, the United States relies heavily on cooperation from foreign intelligence services, particularly in areas of the world from which threats to American interests are known to stem and where our own human sources have been grossly inadequate. It is vital that we keep that pipeline flowing. Clearly, however, foreign intelligence services will be reluctant to share information with our country if they have good reason to believe that information will be revealed to terrorists in court proceedings under generous U.S. discovery rules.

Paradigm shift?

It was widely believed that the unadorned savagery of 9/11 would rouse the country out of its lethargic approach to national security threats. But while government is slowly changing, the public, by and large, has not.

The 9/11 attacks were taken by the Bush administration to be the start of a true war. International terrorism as practiced by Islamic militants bent on harming America would henceforth be treated as principally a military challenge. U.S. armed forces would take the battle overseas, to the sanctuaries from which terrorists had previously operated with impunity. The diplomatic corps would step up pressure on hostile or apathetic regimes to desist supporting or at least abiding these terrorists. And Treasury enforcers would be mobilized to choke off funding channels.

Law enforcement thus receded from the forefront. Its mission, however, became at once dramatically different and incalculably more difficult. Investigation and prosecution, its bread and butter, were out; intelligence collection and incident prevention were in.

> Those who believed that "9/11 changed everything" failed to factor in two crucial realities: the extent to which the U.S. has become a litigation culture, and how resistant such a culture really is to deterring and punishing potential (as opposed to completed) wrongdoing.

The vast majority of training for agents and prosecutors is premised on the need to prove completed crimes. The metrics by which we evaluate them are quantified in complaints, arrests and convictions—not in fears that are never realized or sympathizers discouraged from crossing over into active wrongdoing. The ability to knit together the answers to disparate clues that solve a complex crime is an invaluable skill, but it is a skill critically different from the collection and analysis of intelligence to predict and prevent events. The zeal to maintain chain-of-custody and evidentiary integrity in anticipation of courtroom use, the ingrained deference to defendants' rights and privileges—these things produce a mindset markedly different from that suited to sifting through raw and disconnected data for the kernels of future trends.

The FBI is making this transformation in fits and starts. From a philosophical standpoint, it has done a good job: Director Robert Mueller's vision has been clear and agents have responded to the cultural transformation. There is, in addition, the most salient and overlooked development of all—the U.S. has gone four years without a domestic

terror attack, bottom line success for which the Bureau's vigilance is owed some credit.

To sustain prevention-first success, however, requires capable information systems. Those of the FBI are impossibly cumbersome and woefully antiquated. In early 2005, it was finally forced to abandon (after spending over $100 million) the deficiency riddled "Virtual Case File" technology upgrade. The Bureau is now preparing to commence a new overhaul, called "Sentinel," which in the best of circumstances will not be fully implemented until 2009. This means that its information processing and sharing capabilities will be substandard for years to come. Moreover, this does not even touch upon the problem of translating collected intelligence. A lack of competent linguists in key languages and dialects has caused an alarming backlog in untranslated data. After all, dots cannot be connected if they cannot be read in the first place.

Far more of a challenge, however, is growing public ambivalence. Those who believed that "9/11 changed everything" failed to factor in two crucial realities that may ultimately prove fatal to a prevention-first paradigm. One is the extent to which the U.S., over the last half-century, has become a litigation culture which regards judicial procedures as the *sine qua non* of fact-finding and dispute resolution. The second is how resistant such a culture really is to deterring and punishing *potential* as opposed to *completed* wrongdoing—even when the stakes are life-and-death.

A disruption strategy is guided by several principles. Because a modern terrorist attack is capable of killing thousands of people and causing untold billions in damage, it cannot be allowed to happen. To prevent something from happening, you must neutralize not only those whom you know would carry it out, but also those whom you have reason to believe *might* carry it out. This necessarily means probing people whose ties to terrorism are apparent but elusive, and may prove on greater scrutiny to be highly attenuated or even non-existent, but who have committed other law violations that are readily provable. Reliable intelligence sources are sparse and invaluable, so if there are legal ways of neutralizing suspects without having to reveal why agents suspect they have terror ties, these must be utilized. Since the terrorism at issue is motivated by an interpretation of religion, those targeted will very likely be adherents of that religion. And since the terror suspicions that galvanize investigators will be often be difficult to prove, but the suspects' religious (and often ethnic) affiliation will be consistent, the situation will always be ripe for claims that it is an alien culture, not terrorism, that government is truly targeting.

In the abstract, people understand and are sympathetic to this explanation. In the immediate aftermath of 9/11, they were downright enthusiastic. But when we get to the brass tacks of real people and real cases, unease sets in. Government, moreover, becomes a victim of its own success. As the months turn into years without any reprisal attacks on the U.S. homeland, people's natural, hopeful reaction is that the threat has ebbed and prevention-first is excessive, rather than that prevention-first is a big part of the reason they have been safe.

This is best elucidated by the current controversy over immigration detentions. Following the attacks of 9/11, over 700 mostly Arab Muslim immigrants were arrested. There was nothing remotely unlawful about this; virtually all were guilty of violating immigration laws—which, after all,

are laws—and the number detained is such a tiny fraction of the overall Arab Muslim population as objectively to belie the claim that a culturally discriminatory "round-up" had occurred. But while this sensible measure was strongly approved of when undertaken, and while it was meek in comparison to historical excesses such as the Alien and Sedition Acts, the Palmer Raids, and the Japanese internment, it is now the subject of widespread condemnation.

The basis of the criticism speaks volumes about the state of domestic law enforcement in the War on Terror. These aliens may have been guilty of immigration violations, but they were being targeted and punished for suspected terror ties. In our presumption-of-innocence, proof-beyond-a-reasonable-doubt culture, there will always be a demand for evidence of terrorism before severe punishment is tolerated. The effect of this, counter-intuitively, is to immunize law violators who may have terror ties from prosecution for crimes that other, less dangerous felons could be convicted on uneventfully. The same line of thinking also threatens to frustrate the government's best tools in the post-9/11 world: the Patriot Act and the aforementioned statutes making it a crime to provide terrorists with material support.

Enacted six weeks after 9/11, the Patriot Act essentially did three things. First, it updated investigative techniques developed in the late Twentieth Century to meet Twenty-First Century technology (for example, placing access to email evidence on a par with equivalent evidence about telephone communications). Second, it made available to intelligence agents responsible for national security cases (involving terrorism and espionage) some of the same investigative techniques—such as broad subpoena power and roving wiretaps—that had long been available to investigators responsible for probing ordinary crimes. Third, it put an end to structural intelligence impediments by repealing misguided law and regulations that had rendered national security agents unable to communicate effectively with criminal investigators and prosecutors. The law was measured, badly needed, and most significantly, there have been no reported instances of the new powers actually being abused.

> If we are not to have repetitions of the WTC bombing, the embassy bombings, and the 9/11 atrocities, the American people will have to adjust.

Yet, the Patriot Act has been subjected to a tireless smear campaign by an odd marriage of right- and left-wingers who share a knee-jerk hostility to government power. So successful has the propaganda offensive been that many localities have enacted symbolic condemnations of the Patriot Act. One major city, Portland, Oregon, has gone so far as to withdraw its law enforcement contribution to the local Joint Terrorism Task Force. And, despite revelations that at least seven of the 9/11 hijackers made use of libraries in their preparation for the attacks, the House of Representatives voted in June 2005 to exclude libraries from the Patriot Act provision allowing national security agents to compel production of business records (as criminal investigators have been able to do for decades)—a vote which, if it ultimately became law, would create an instant domestic safe-haven for would-be terrorists. So corrosive is the political climate that renewal of several key Patriot Act provisions which will otherwise sunset at the end of this year is in doubt as of this writing.

Learning to adapt

If we are not to have repetitions of the WTC bombing, the embassy bombings, and the 9/11 atrocities, the American people will have to adjust. The prosecutions of the 1990s, suffuse in gore and destruction, proved to be very attractive as criminal cases. But, of course, people had to die to make them that way. Bad national security will always provide opportunities for soaring law enforcement. But if we are to avoid having to try such cases again, good national security is needed.

Still the fact remains that for a populace in which lawsuits have become as American as baseball and apple pie, prevention-first will be an increasingly hard sell. Post-crime investigations are fine, but investigative tools designed to stop wrongdoing—however heinous—from happening in the first place cannot help but impinge on some degree of innocent activity and invade some zones of privacy that would otherwise be left undisturbed.

Moreover, the criminal justice system that Americans rightly cherish assumes a wrong—crimes which the punishments must fit—for society to accept the results as legitimate. Here, though, the real "crime" at issue is a terrorist war. Yes, there can be no greater wrong. But, as a practical matter, the connections to that wrong will frequently be murky at best, and in many instances either invisible or undisclosable (if precious intelligence methods and sources are to be protected). Those suspects will of necessity have to be thwarted by reliance on far less serious infractions. Prevention-first, then, means the punishment will frequently not appear to fit the crime.

The public welfare demands this. As for the public itself, the jury is still out.

1. Norman Podhoretz, "World War IV: How It Started, What It Means, And Why We Have To Win," *Commentary*, September 2004.
2. While the Khobar Towers attack has long been considered a Hezbollah operation, intelligence brought to light by the 9/11 Commission has raised the intriguing possibility of an al-Qaeda role. Moreover, the two organizations are known to have collaborated in other contexts (such as Hezbollah training of al-Qaeda's top military committee members and operatives involved with its Kenya cells prior to the 1998 embassy bombings).
3. In addition to the aforementioned trials of the four originally arrested bombers and the Blind Sheik's *jihad* organization, a third major WTC prosecution occurred in 1997, when WTC master-planner Ramzi Yousef (a fugitive until 1995) and another conspirator were tried and convicted. In the less substantial category, the brother of one bomber, who had assisted the bomber's unsuccessful flight to avoid prosecution, was convicted after a short trial in 1997 of being an accessory-after-the-fact to the bombing.
4. Four were convicted at trial and one pled guilty. The sixth, Bin Laden's close associate, Mamdouh Mahmud Salim (aka Abu Hajer al Iraqi), was severed after a barbaric escape attempt in 2000, during which he plunged several inches of a shiv through the eye of a prison guard, nearly killing him. He was later convicted of this attempted murder, but whether he will ever be tried for the embassy bombings is unknown.
5. William P. Barr, Testimony before the Senate Select Committee on Intelligence, October 30, 2003, http://www.fas.org/irp/congress/2003_hr/103003barr.pdf.
6. Until 1978, when the Foreign Intelligence Surveillance Act (FISA) was enacted in response to Watergate and Vietnam-era domestic spying scandals, there was no formal judicial role in electronic eavesdropping or searches conducted for national security, as opposed to criminal investigative, purposes.
7. Barr, Testimony before the Senate Select Committee on Intelligence.

Al-Qaeda Versus Democracy

James S. Robbins

This spring, practically unnoticed by the mainstream media, the battle lines were formally drawn in the "war of ideas." President George W. Bush used his January 2005 inaugural address to deliver an unapologetic tribute to freedom and the premises that undergird Western liberalism: liberty, the individual, and self-government. The policy of the United States, Bush proclaimed, is to seek and support the growth of democratic movements and institutions in every nation and culture.

In response, Jordanian terrorist Abu Musab al-Zarqawi, Osama Bin Laden's chief lieutenant in Iraq, released an audiotape of his own. In it, he denounced the very principles President Bush has pledged to promote. "We have declared a bitter war against the principle of democracy and all those who seek to enact it," Zarqawi announced. According to him, elections, representative government and popular sovereignty are "the essence of infidelity and deviation from the true path," and any who seek to promote this "malicious ideology," whether in Iraq or elsewhere, will be treated as infidels and put to death.[1]

This frank exchange should serve as a useful primer for all of those who believe that the War on Terror is at its core a struggle against global privation, or a cross-cultural misunderstanding that can be settled by a search for common ground. Quite the opposite is true. We are engaged in an ideological conflict that resists compromise.

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This can be difficult for people who live in liberal societies to appreciate; after all, compromise is at the core of democracy. But the radical Islamists are pursuing a universalist vision of the *Sharia* (Islamic law), or at least their interpretation of it, and utopians seldom seek the middle way. The voice of the people has no place in a political system that follows rules ordained by God. The public mood is variable, but the law is eternal. For Zarqawi and others of his kind, law was created to rule man, not vice-versa. And those who disagree have no place in their world.

The war on liberalism that is now being waged by al-Qaeda and its affiliates is the political manifestation of this mindset, and of their resistance to globalization and Westernization. In an October 2001 interview, Osama Bin Laden was asked whether a "clash of civilizations" of the type described by the famed political theorist Samuel Huntington was inevitable. His answer was unequivocal: "I say there is no doubt about that."[2]

Other al-Qaeda ideologues have been even more explicit. Bin Laden's deputy, Ayman al-Zawahiri, effectively summarized al-Qaeda's litany of complaints about American culture and its impact on the region in his message to the Iraqi people on the eve of the January 2005 Iraqi elections. Muslims, Zawahiri said, should "confront America in the sphere of principles" in order to "expose its polytheism, immorality, and hypocrisy."[3]

Iraq has emerged as the central battlefield of these two competing worldviews. The majority of Iraqis are eager to build a democratic state. They see their country's successful elections as a milestone—a victory over their totalitarian past, and over the terrorists' plans for their future. They have also made their vision of the future known, and most desire to live in a society that allows them the freedoms and opportunities that citizens in established liberal democracies take for granted.

But the Islamists, particularly the foreign fighters in Iraq, do not share these views. Rather, the notion of legitimate government propounded by al-Qaeda and its ilk is rooted in a very different premise—that "[t]he Almighty is more eligible to rule since He is the Creator. This is a self-evident truth that does not accept uncertainty."[4]

The ideological divide

Such thinking is certainly not new. In his day, Sayyid Qutb, the intellectual godfather of the modern Islamist movement executed by Egyptian president Gamal Abdel Nasser in 1966, had argued that "obedience to the *Sharia* becomes a necessity for human beings so that their lives may become harmonious and in tune with the rest of the universe."[5] Today's radicals, however, have refined this formula still further. In obedience, Ayman al-Zawahiri argues, there can be no middle ground. One either accepts God and his law, or does not:

> *Sharia* is the course we should follow, since it is sent from God Almighty. No rational human being can adopt an unsteady or wavering position vis-à-vis *sharia*… Either you believe in God and abide by His judgment, or you have no faith in God, and then there is no point of arguing with you regarding the details of *sharia*.[6]

For al-Qaeda, *Sharia* represents a perfect system for ordering human affairs. Since man has been given God's law, there is no need for any other. In fact, because of man's innate corruption, it is a sacrilege to elevate human law above that of God.

In his day, James Madison started with a similar premise ("If men were

angels no government would be necessary"), and concluded that government must take into account human frailties, and ideally use them to check the growth of governmental power. But to the radical Islamists, Madisonian government means the institutionalization of a flawed system that produces imperfect laws. By contrast, God's law is faultless; human contributions to it are not only unnecessary, but harmful. Thus, for man to assume the power to alter what God has wrought is a form of apostasy, an intolerable act of hubris. As Qutb put it in his day,

> Man cannot understand all the laws of the universe, nor can he comprehend the unity of this system; he cannot even understand the laws which govern his own person, from which he cannot deviate by a hair's breadth. Thus he is incapable of making laws for a system of life which can be in complete harmony with the universe or which can even harmonize his physical needs with his external behavior.[7]

Legislators who assume this responsibility are attempting to take the place of God, and those who obey them are worshipping false idols. Zarqawi has therefore warned that "this contravenes the foundations of religion and monotheism… When you worship [legislators], in the sense that you obey them after they permit what God forbids and prohibits what God permits, it means that you worship them and not God."[8]

All this made the Iraqi provisional constitution doubly corrupt—representing both a human instrument, and one created by infidels. It was "man-made and pagan," according to Bin Laden, and could be neither a legitimate basis for choosing leaders, nor a framework for legislation. The proper means of establishing a government is under *Sharia* alone.[9]

Naturally, the notion of separating church from state or minimizing the influence of religion in political life is anathema to these elements. After all, there is no history of such a separation in the region, and no central institution akin to the church to govern Islam. While some form of secular authority has traditionally wielded power, its legitimacy was based on its role as the defender of the faith and upholder of the law. Thus those who disconnect religion from politics cannot be true believers. Indeed, Zarqawi has mocked the "secularist democrat who separates religion from state, politics, and life even though he claims a thousand times, in his own tongue, that he is a faithful Muslim."[10]

Iraq has emerged as the central battlefield for the competing worldviews of the United States and al-Qaeda.

Likewise, the radical ideology of al-Qaeda blurs the public-private distinction that is one of the foundations of liberal democracy. The Islamist view of law encompasses all aspects of life. Qutb wrote that "it is necessary that we clarify the point that legislation is not limited only to legal matters, as some people assign this narrow meaning to the *Sharia*. The fact is that attitudes, the way of living, the values, criteria, habits and traditions, are all legislated and affect people."[11] Al-qaeda defines this subjugation to God in all areas of life as a higher form of freedom—"the freedom of monotheism, ethics, and virtue."[12]

Through this prism, voting is seen as an insufficient and even counterproductive means of choosing leaders. The

democratic insistence on "one person, one vote" imposes an implicit equality that does not in fact exist. Under democracy "the most agnostic and the most ignorant people are equal to the most virtuous or most knowledgeable people," Zarqawi has scoffed. "In the opinion of democracy and democrats, right is what the majority agrees on even if it opts for wrong or flagrant atheism."[13] This is true whether in predominantly Muslim countries or elsewhere.

Notably, the views held by al-Qaeda are decidedly unpopular among most Muslims. Osama Bin Laden may be admired in some quarters for his willingness to stand up to the United States, but few fully endorse his ideological beliefs.

To be sure, not all Islamist movements have taken such a doctrinaire approach to democracy. The Islamic Republic of Iran holds elections, though with candidates chosen by the clergy and under unfree and unfair conditions.[14] Furthermore, some radicals have made it a point to participate in electoral politics either to frustrate the designs of social equality, or to overthrow the democratic system itself. A recent example of the first variety occurred in Kuwait, where extreme Islamic elements stood in parliamentary elections as a way of subsequently blocking expanding suffrage to women. The most noteworthy example of the latter is Algeria's Islamic Salvation Front (FIS). A coalition of radical and moderate Islamic factions founded in 1989, the FIS took a more sophisticated, Leninist approach to elections, seeing them as a vehicle for the assumption of power, following which the Islamicization of the country could commence.[15] The FIS won 54.3 percent of the vote in Algeria's June 12, 1990 local elections and 47.3 percent in the first round of subsequent parliamentary elections held on December 26, 1991, prompting the Algerian military to intervene, postpone the second round of elections and ban the group outright.

But for al-Qaeda, such approaches are far too piecemeal. Bin Laden and his cohorts see democracy as so repugnant to Islam and its norms that those who believe in it or endorse it have made a fundamental break with the tenets of the religion, and must be considered apostates. (In Bin Laden's view, FIS' dalliance with democracy's trappings was itself proof positive that the belief Islamists could work within the system was deeply misguided.[16])

That charge plays a significant role in al-Qaeda's strategy, because it sanctifies the killing of Muslims. It also legitimizes the use of the term *jihad*, which by definition cannot be fought between observers of the faith. By redefining its victims as those who have rejected Islam, the organization creates the theological basis to act against them. Zarqawi has concluded that his fighters "are thereby allowed to resort to all possible means to take away the souls of the nonbelievers, cleanse the earth from their filth, and alleviate the harm they would cause to Muslims." This is true even if the violence extends to taking the lives of innocent believers, even women and children.

In the case of the Iraq elections, violence was not only sanctified but a mandatory form of resistance. Zarqawi decreed that "in accordance with the religion of God Almighty, democracy is unrestrained atheism that is clear to everyone except for those who are blind in sight or mental vision. Everyone who believes in democracy, calls for it, endorses it, or embellishes it will

be viewed as an infidel and apostate even though he calls himself Muslim."[17] Attacks were therefore mounted against political candidates, elected officials, polling places and voters.

This was not a national resistance movement. Most members of al-Qaeda in Iraq are not Iraqis. Nor was it a protest against the manner in which the election was being conducted. Rather, it was a physical manifestation of the view that democracy *per se* is a direct assault on Islam itself, and it is the duty of all Muslims to threaten it by any means possible. The Iraqi election, a concrete manifestation of democracy, became a useful target for both practical and symbolic reasons.

As it turned out, al-Qaeda proved unable to make good on its threats. The net effect was to make the election into a durable symbol of civic bravery in the face of terrorist aggression.

An unpopular agenda

The views held by al-Qaeda, it should be noted, are decidedly unpopular among most Muslims. Osama Bin Laden may be admired in some quarters for his willingness to stand up to the United States, but few fully endorse his ideological beliefs. Widespread political participation in Afghanistan and the Palestinian Authority, high voter turnout in Iraq, and the eruption of the "Cedar Revolution" in Lebanon are just some of the more noticeable manifestations of support for popular government that has begun to emerge in the Muslim world.

Opinion polling in Iraq has revealed the extent of the rejection of the radical program among ordinary Muslims. In the National Voter Attitudes and Awareness poll, conducted jointly by the International Republican Institute (IRI) and the Independent Institute for Administrative and Civil Society Studies between August 10th and 20th, 2004, only 7.27 percent of Iraqis identified the need for Islam and the *Sharia* to form the basis of all laws and legislation as the overriding priority in their country. A slightly smaller percentage (6.46%) called for a firm separation between religion and government. The plurality response, 44.44 percent, backed a more fluid dynamic—one in which "all religions and sects can practice freely."[18]

> Bin Laden and his cohorts see democracy as so repugnant to Islam and its norms that those who believe in it or endorse it have made a fundamental break with the tenets of the religion, and must be considered apostates.

Other studies have yielded similar results. In the Oxford Research International National Survey of Iraq of June 2004, only 24 percent of those polled "agreed strongly" that Iraq should have a government made up of religious leaders, but 70 percent supported having a democracy. And when asked what country could serve as a model for Iraq, just 3 percent listed Iran, and an equal number listed Saudi Arabia, either of which might be seen as an example of some form of *Sharia*-based government. Yet 5 percent chose the United States as a model, and more than 25 percent chose the political system of the comparatively liberal United Arab Emirates.[19]

These popular views are irrelevant to al-Qaeda, however. It does not matter that the people would not choose the form of government that they espouse. Al-Qaeda has no interest in social preference; they want to give people the government they need for their own good, whether a majority selects it or

not. Even a democratic polity with laws based on *Sharia* is illegitimate. The entire radical program must be implemented as a whole. Even if "90 percent of the laws and regulations are derived from the Islamic *Sharia* and 10 percent are derived from man-made legislation, then this constitution, according to Islam, is a constitution of infidelity," according to Bin Laden.[20]

Just as tellingly, the radicals are not under the illusion that their Islamic utopia can be built by consensus. Rather, it will be arrived at by coercion. "There is no doubt," Zarqawi has confirmed, "that the Imamate [universal authority in all religious and secular affairs] is established by means of fealty from the proponents of valor—in other words, force."[21]

Clarifying the debate

The rhetoric of freedom's opponents has seldom been so literal. During the Cold War, the Soviet Union and its satellites attempted to mask the authoritarian consequences of socialist rule behind the term "people's democracy." They obscured the lines of cleavage between east and west by claiming to represent the same human aspirations to freedom, dignity, and equality, but to do so more effectively.

The terrorists make no such claims. They do not promise to give people the liberties they want, but rather supply them with the guidance they believe they need. They do not seek to allow people to live freely, but rather to force them to live justly. No free people would voluntarily choose to live in the society Zarqawi advocates. This is why the terrorists resort to violence. They are seeking to compel people for their own good. Their acts are sanctified by their beliefs.

Al-Qaeda's opposition to liberal democracy has important implications for U.S. strategy in the Middle East, particularly its articulated objective of "countering the ideological support for terrorism."[22] That term, however, is something of a misnomer. It implies that al-Qaeda's ideology boasts some level of support. In fact, al-Qaeda's ideas are wildly unpopular, and even among Islamic radicals are considered extremist. The group promotes a distinct vision of social and political order that is irreconcilable with democracy. The points of disagreement are at such a fundamental level as to make compromise between the two systems impossible. And there is no way to negotiate a settlement, primarily because al-Qaeda seeks conquest, not conciliation. Furthermore, because al-Qaeda is pursuing a universal vision and sanctifies violence, peaceful coexistence is impossible. The group will resist violently the establishment of democracy anywhere in the region for as long as it is able to do so.

It is important for the United States to engage in, and to clarify, the terms of the ideological debate that is now raging throughout the Middle East.

Given these facts, it is important for the United States to engage in, and to clarify, the terms of the ideological debate that is now raging throughout the Middle East. Liberals and reformers speak to human aspirations for freedom in a way that Islamist radicals reject on principle. They have a powerful weapon in their ideological arsenal; freedom has a much greater appeal than submission to the views of a self-appointed enlightened few. Al-Qaeda will never be able to build a mass base of support so long as it stands objectively against popular sovereignty.

In time, this alienation will spell the end of the insurgency in Iraq, and markedly improve the prospects for peace in the region. In the interim, the United States can and should engage the "undecided voters" of the Muslim world and explain to them that it stands for freedom, its opponents for theocratic tyranny.

1. Statement by Abu Musab al-Zarqawi, posted to http://www.alezah.com/vb/, January 22, 2005.
2. Interview with Osama Bin Laden conducted on October 21, 2001, posted to http://www.jehadonline.org, January 21, 2003.
3. "The Emancipation of Mankind and Nations under the Banner of the Koran," Statement by Ayman al-Zawahiri, posted to http://www.almjlah.net/vb, January 30, 2005.
4. Ibid.
5. See Sayyid Qutb, *Milestones* (Indianapolis: American Trust, 1990), especially Chapter 6.
6. Zawahiri, "The Emancipation of Mankind and Nations under the Banner of the Koran."
7. Qutb, *Milestones*, Chapter 6.
8. "Legal [Islamic] Judgment Regarding Democracy, its Proponents," Statement issued by the Legal Committee of Al-Zarqawi's al-Qaeda of Jihad in the Land of the Two Rivers, posted to http://www.almjlah.net/vb, January 27, 2005.
9. The form of government envisioned by the radical Islamists is laid out in Sheikh Omar Bakri Muhammad's *The First 24 Hours After the Establishment of the Islamic State* (London: Al-Muhajiroun Publications, nd).
10. "Legal [Islamic] Judgment Regarding Democracy, its Proponents."
11. Qutb, *Milestones*, Chapter 7.
12. "The Emancipation of Mankind and Nations under the Banner of the Koran."
13. "Legal [Islamic] Judgment Regarding Democracy, its Proponents."
14. See, for example, Homa Omid, "Theocracy of Democracy? The Critics of 'Westoxification' and the Politics of Fundamentalism in Iran," *Third World Quarterly* 13, no. 4 (1992), 675-91.
15. See Yahia H. Zoubir, "Algerian Islamists' Conception of Democracy," *Arab Studies Quarterly* 18, no. 3 (1996).
16. Osama Bin Laden, "Letter to the American People," posted to http://www.waaqiah.com, October 26, 2002.
17. "Legal [Islamic] Judgment Regarding Democracy, its Proponents."
18. International Republican Institute, Iraq National Voter Attitudes and Awareness Poll, July 24-August 2, 2004, http://www.iri.org.
19. Oxford Research International, National Survey of Iraq, June 2004, news.bbc.co.uk/nol/shared/bsp/hi/pdfs/15_03_04_iraqsurvey.pdf.
20. Osama Bin Laden, "To Muslims in Iraq," posted on the Movement for Islamic Reform in Arabia (MIRA) discussion forum, December 28, 2004, http://www.yaislah.org/.
21. "Legal [Islamic] Judgment Regarding Democracy, its Proponents"; For a discussion of the Imamate, see Sayyid Sa'eed Akhtar Rizvi, *Imamate: The Vicegerency of the Prophet[s]* (Tehran: World Organization for Islamic Services, 1985), 1.
22. This approach was described in Undersecretary of Defense for Policy Douglas J. Feith, "U.S. Strategy for the War on Terrorism," Remarks to the Political Union, University of Chicago, Chicago, Illinois, April 14, 2004.

Counterterrorism, Central Asian Style

Evgueni Novikov

This spring, two upheavals profoundly altered the political landscape of Central Asia. The first was the so-called "Tulip Revolution" in Kyrgyzstan, which swept post-Soviet strongman Askar Akaev from power in Bishkek. The second was the outbreak of violent revolts in Uzbekistan that, as of this writing, threaten to destabilize the government of Islam Karimov in Tashkent.

Though different in location and—as yet—in their intensity, these developments share some striking similarities. Both were fueled by popular discontent with the ruling government. In both, largely unnoticed by the international media, radical Islamist organizations succeeded in harnessed that discontent against the respective governments. And, in both instances, the regimes in question were major partners in the U.S.-led War on Terror.

Yet the recent unrest in Uzbekistan and Kyrgyzstan is only the latest manifestation in what has by now become a pervasive and recognized problem in the former Soviet Union: the manipulation of regional conflicts by radical Islamic elements. Less well understood, however, is how Central Asian governments are confronting this threat—and making progress in the fight for Muslim hearts and minds.

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Saudi subversion

Radical Islam boasts a long and checkered history in post-Soviet Central Asia. Its roots stretch back to the days after the fall of USSR, when a number of former communist leaders gravitated to Muslim theology and Islamic discourse. Their ideological about-face was by and large tactical; these former Marxists were hardly true believers. Rather, most opted to abandon Soviet dogma and embrace Islamic revivalism as a pragmatic way of staying in power.

The results were profound. To burnish their credentials as champions of Islam, local leaders opened their doors to Saudi-sponsored Wahhabi Islam. Riyadh, for its part, took advantage of the invitation, expanding its financial and political foothold in the "post-Soviet space." Thus, in the early 1990s, Saudi influence came to the newly independent states of Central Asia in the form of new mosques and religious education.

"By the end of the Soviet era the number of local clergy had shrunk, while the demand for them across Russia and Eurasia was mushrooming," explains Central Asia scholar Zeyno Baran. "To meet the demand, Central Asian Muslims had to rely on foreign imams and religious texts. Funded by petrodollars and inspired by a radical ideology, outside Islamists filled the vacuum with their own radical religious interpretations, flooded the mosques and religious institutes and discredited those imams who practiced the traditional, Central Asian form of Islam. Most of the people did not see any difference; they wanted to learn about Islam and accepted any group that declared it was teaching their religion."[1]

The scope of Saudi outreach was staggering. Shamshibek Shakirovich Zakirov, a veteran Kyrgyz expert on religious affairs, estimates that after 1990, ten new mosques were constructed with the help of Saudi Arabia in the Kyrgyz city of Osh alone.[2] The Saudi effort, Zakirov says, also included the provision of Wahhabi literature in local languages for these new mosques.[3] This entrenchment of influence was replicated many times over in other corners of the former Soviet Union.

Though initially appreciative of Saudi largesse, local leaders quickly felt its destabilizing potential. Saudi money and educational materials were intended to promote the Kingdom's intolerant, puritan strain of Islam, which encouraged opposition forces to support the creation of an Islamic Caliphate, rather than reinforcing the rule of local post-Soviet governments. By the early 1990s, according to an official Kyrgyz government assessment, the "numbers of illegal private religious schools [had] increased… and their contacts with foreign (Saudi) Muslim organizations expanded. As a result of such contacts not only the functioning character of these centers, but also their ideology, changed. Those schools of traditional Islamic education turned into independent radical religious centers, the programs of which, except for training, included the propagation of their own social and political views."[4]

With democracy promotion now a key strategic objective, official Washington understandably does not wish to condone or ignore the draconian police measures employed by some of its Coalition partners. Neither, however, should it wish to undermine these governments in their struggle against radical Islam, which is even less likely to adhere to Western values.

The impact on civil society in Central Asia was pronounced. As experts have noted, the question was not one of "a trivial reshuffling of power, but rather a truly radical revolution" in which Wahhabi ideology confronted national secular elites. "National intelligentsia would undoubtedly fall prey to radical Islamization of public life. Secular, atheistic and 'Europeanized' elite would be unable to fit into an Islamic model of development. Iranian and Afghan examples leave no room for illusions."[5]

These fears were made all the more acute by the strategy employed by Central Asian Islamic radicals. At home, these elements challenged the new "Islamic" ideology of local ruling elites and threatened their positions of power by encouraging Muslim clergy and members of fundamentalist groups to assume state power. Even more ominously, regional experts say that these forces also became active recruitment organs, seducing hundreds of young Central Asians to venture abroad to study at Islamic educational institutions in nations throughout the Muslim world, often with the active support of radicals in those countries.[6]

The destabilizing nature of these activities goes a long way toward explaining why, time and again, Central Asian scholars, intellectuals and activists have tended to support local leaders, "whenever fundamentalist Islam reared its head."[7] At the same time, they have formulated a remarkably complex response to the inroads made by Islamic radicals, harnessing religious texts, state education, and public diplomacy in an effort to offer an alternative to the Wahhabi worldview.

Lessons from the Central Asian front

Today, it would be fair to say that the United States and the states of Central Asia share a common enemy: Wahhabi Islam. American policymakers can learn valuable lessons for their "war of ideas" from Central Asian religious leaders, academics and governmental officials, who have been fighting Wahhabism and waging the battle for Muslim hearts and minds since the collapse of the USSR. Their practical experience in several key areas can be brought to bear in the larger struggle with radical Islam now taking place throughout the Muslim world.

Ideology. Among the majority-Muslim states of Central Asia, the dominant branch of Sunni Islam is the Khanafi school—one of the most tolerant and liberal in that religion. Its pluralistic and largely apolitical disposition is one of the main reasons that Khanafi believers survived and avoided mass repression during the Communist era, when Soviet ideologues sought to eliminate doctrinal competition with Marxism-Leninism.

Knowledge Base. Since gaining independence, the Central Asian states have managed to educate considerable numbers of knowledgeable experts in Islam. In these countries, the Koran and *Hadith* have been translated into local languages, and many academics and *imams* are applying their knowledge on a practical level.

Ambivalence about America. Anti-Americanism among the Central Asian states is much more muted than in other Muslim countries, and for good reason. For the 70-odd years of Communist rule in Central Asia, Soviet Muslims were isolated from the outside Islamic world. "Being Muslim," in turn, became a tool of self-identification for the peoples of Central Asia; a niche to escape from totalitarian communist ideological control. Younger generations consequently have had no chance to see negative examples of Ameri-

can behavior in their countries, and they respect American achievements in technology, business, and the arts. And, since local Muslims do not identify themselves with a greater Muslim *ummah* (world community), they have broken with their counterparts in the Middle East and generally supported American actions in Afghanistan and ongoing Coalition operations in Iraq.

Education. By necessity, Central Asian governments, especially those in Uzbekistan and Kyrgyzstan, have created and developed an extensive educational system—spanning from kindergarten to university—that inculcates the moral norms and social principles of tolerant Islam, and which respects the value of human life (be it Muslim, Christian, Jewish, or other). The system provides textbooks for schools, cartoons for children, education for *imams* of local mosques, a network of counselors in Islamic affairs for central and local administrations, and television and radio talk shows that challenge the intolerant Wahhabi interpretation of the Koran and *Hadith* and provide listeners with a religious alternative. (Indeed, it can be argued that the lack of sufficient governmental funds to support tolerant *imams*, to publish the textbooks of moderate Islamic clerics, or to provide them with the necessary airtime to deliver their sermons to receptive audiences, are the primary reasons why Central Asian governments have so far not achieved a decisive victory in their fight against radical Islam.)

These realities have bred a cadre of Central Asian scholars and religious authorities that are ready and able to confront radical Islam. Dr. Abdujabar Abduvakhitov, the rector of the Westminster International University in Tashkent, Uzbekistan, is one such official. According to him, the mission of state educational establishments should be to erode the base of "supporters" of Wahhabism, and to educate young Muslims in the spirit of tolerant, traditional Central Asian Islam.[8] Other experts have echoed these prescriptions. Dr. Zukhriddin Khusnidinov, rector of the Islamic University of Uzbekistan, believes that university activities—as well as radio and TV broadcasting—are necessary in order to provide young people with a proper understanding of Islamic principles.[9]

Asanov Avazbek of the Osh State University in Kyrgyzstan agrees. According to him, traditional law enforcement measures are ineffective against Wahhabi propaganda. Rather, according to Asanov, opponents need the "help of other ideology," and of public outreach. "For example," Asanov says, "it not difficult ideologically to prove, that the Wahhabi goal of creating a Caliphate in Central Asia is not a real one. One simply has to put in plain terms for ordinary people."[10]

And some, like Abdukhafiz Abdudjabarov of the Tashkent Islamic University, are doing just that, articulating a bold critique of Wahhabi radicalism in public sermons and pronouncements:

> How can a person claim to be a Muslim, while violating the main precept of Islam, acting contrary to the ideas enshrined in the main document of the religion of Islam? How can he claim that he serves the true religion if he goes against the Holy Koran and Blessed Hadiths of the Prophet? It is known that the Holy Koran is the only law we obey in our deeds and actions and it prohibits killing…
>
> …a person who kills people without having reasons for it will be condemned to hell. How can such a person claim to be serving the religion of Islam? And how can he claim to be serving humanity's interests?[11]

Human rights, or counterterrorism?

In their fight against radical Islam, Uzbekistan and other Central Asian governments have often undertaken tough administrative measures—steps which have deviated from Western standards of human rights. For this, they have received public admonitions from the U.S. Department of State, and loud condemnation from international bodies such as the Organization for Security and Cooperation in Europe.

As justified as these criticisms are, some perspective is in order. It has become something of a truism that truly democratic regimes are hard to find in the Muslim world, even among allies of the United States. Not much has changed since September 11th; a 2005 survey conducted by Freedom House notes that just ten of the world's 47 Muslim-majority countries—less than a quarter—are electoral democracies.[12]

Without a doubt, this dichotomy poses a profound dilemma for the United States. With democracy promotion now a key strategic objective, official Washington understandably does not wish to condone or ignore the draconian police measures employed by some of its Coalition partners—measures that often violate individual rights and liberties. Neither, however, should it wish to undermine these governments in their struggle against radical Islam, which is even less likely to adhere to Western values.

Another problem is present as well. Well-educated at home and indoctrinated by Wahhabi tutors abroad, Central Asian radicals may become valuable foot soldiers in the terror *internationale*. Asian in appearance, they can easily escape the "Arab profiling" that is quietly being undertaken by American security agencies, and are capable of blending into Chinese, Korean or Vietnamese communities, either in the United States or in Asia. These constituencies, if left unengaged, could be seduced by radical Islamic ideology, much to the detriment of the security of the United States and its allies.

American policymakers are now struggling to strike the proper balance between democracy and security in the "post-Soviet space." It would be a tragedy, however, if in their efforts, officials in Washington were to ignore the important steps that have been taken by regional regimes to de-legitimize radical Islamic ideology, to limit its political influence, and to win the hearts and minds of local Muslims. They are lessons worth learning.

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2. Author's interview with Shamshibek Shakirovich Zakirov, Osh, Kyrgyzstan, August 2004.
3. Ibid.
4. *Islam in Kyrgyzstan: Tendencies of Development*, Official Report of the State Commission on Religious Affairs (Bishkek, Kyrgyzstan: Government of the Kyrgyz Republic, 2004), 35.
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6. Author's interview with Shamshibek Shakirovich Zakirov.
7. Sagdeev and Eisenhower, *Central Asia: Conflict, Resolution, and Change*, 175.
8. Author's interview with Abdujabar Abduvakhitov, Tashkent, Uzbekistan, July 2004.
9. Author's interview with Zukhriddin Khusnidinov, Tashkent, Uzbekistan, July 2004.
10. Author's interview with Asanov Avazbek, Osh, Kyrgyzstan, August 2004.
11. "On Terror and Terrorists," (in Arabic), Sermon of Abdukhafiz Abdudjabarov, Tashkent, Uzbekistan, August 2004. (Author's collection)
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Arms and the Terrorist

Jason Freier

On March 14, 2005, eighteen members of an illicit small arms trafficking network were arrested in New York, Los Angeles, and Fort Lauderdale in the midst of preparations for the shipment of an undetermined number of rocket launchers, anti-tank missile systems, and machine guns to the United States. Once these weapons arrived in the U.S., they would have most likely been lost in the American criminal underworld of black market arms dealers, potentially winding up in the hands of militiamen, criminal organizations, or terrorists.

The March 2005 seizure focused national attention on an issue that has bedeviled the international community for years: illicit small arms trafficking. Small arms (that is, non-nuclear, man-portable personal and military weapons and ammunition) are the lifeblood of groups such as al-Qaeda, Hezbollah and the insurgents now operating in Iraq. Curb the small arms trade, and you can effectively neuter the threat posed by these organizations. Yet so far, the United States and its foreign allies have failed to develop a proactive strategy to combat the global small arms trade and its increasingly evident intersection with international terrorism.

The Cold War legacy

The world is awash with weapons. Conflict-ridden regions in Africa, Asia,

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and portions of Latin America have been inundated with small arms since the end of World War II. Current estimates put the number of small arms available worldwide at around 550 million, or approximately "one [gun] for every 12 people."[1] And, while few would ascribe the availability of these weapons alone as the cause of conflicts, there is widespread agreement that their presence and accessibility "exacerbate" and "prolong" regional instability.[2]

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The vast majority of these weapons were not produced by the countries they currently reside in. They have been trafficked by second and third parties over a period that spans almost six decades. During the Cold War, the strategic competition between the United States and the Soviet Union facilitated such transfers, with both Washington and Moscow propping up sympathetic regimes with economic aid, military training and, most importantly, weapons.[3]

With the collapse of the USSR, however, things got much worse. The end of the ideological competition between the U.S. and the USSR signaled a withering of superpower support for third world proxy wars. It also heralded the end of the uncompetitive economies that had been sustained by that competition, as trade barriers fell away and "globalization" became the watchword of the day.

For the countries of the Soviet bloc, the effects were devastating. Arms manufacturing industries and brokers in the Soviet Union had enjoyed a constant supply of state-supported (and state-run) business. Consequently, entire economies had become built around arms. Ukraine, for example, boasted "a third of the USSR's defense industries," industries that "contributed as much as 45% of the republic's gross national product. It was producing enough hardware to equip five war fronts…"[4] And Ukraine was not the only state in crisis; The Soviet collapse similarly left a number of Third World dictators "broke but well armed."[5]

Today's arms merchants and illicit dealers found their callings in this turmoil. Former intelligence officers, military personnel, diplomatic officials, and weapons manufacturers were left without jobs as defense industries downsized and privatized. Of those fortunate enough to remain employed, many lacked consistent pay and compensation. Soldiers without pay, and having to care for loved ones, sold the one thing they had: their guns. Unlike the Cold War weapons market that was driven by demand, the weapons market of the 1990s was driven by supply: the burgeoning stockpiles of weapons left behind by the Soviet Union.

Illicit arms traffickers took advantage of economic globalization to expand the availability of, and the demand for, their products. This process transpired concurrent with the decline of the Soviet Union and the violent dissolution and secession of numerous states. The two trends made for a volatile mix, and a more efficient business process that allowed weapons and money to travel farther, faster, and with less obstacles—fueling a number of new regional conflicts in the process.

The networks that have been built to move weapons are as diverse as the

people who operate them. They may be regional or worldwide. They may be goods-specific, limiting themselves to transactions in only weapons, or the networks may facilitate the transfer of a wide range of legal and illegal goods. The weapons that move within these networks can be bought from numerous sources, but many experts believe that the "major point of origin" for most illicit small arms is Eastern Europe and the former Soviet Republics.[6]

Victor Bout is a key player in this game. A former Soviet KGB officer of Tadjik origin, Bout—like many of his former Soviet military colleagues—was forced out of the military when his air force regiment was disbanded at the end of Cold War. But Bout had the experience required to connect the demand for weapons with the abundant supply that dotted the landscapes of Eastern Europe and Central Asia. Bout created his first airline, Air Cess, just as the Soviet Air Force was reducing its forces. Drawing from old Soviet cargo planes, he managed to create what experts describe as "one of the world's largest private fleets of aircraft."[7] Bout used these aging but still operable aircraft to ferry various and sundry military supplies to conflict zones worldwide. And Air Cess proved to be just the beginning; as of 2001, the U.S. government has been able to identify at least five airlines owned by Bout, and approximately 300 people directly employed by him.[8]

Today, Bout specializes in busting sanctions, and he does it well. He has flown weapons to the Philippines in support of Abu Sayyaf, and is known to have provided the Libyan government with weapons.[9] Likewise, Bout has facilitated the shipment of small arms to various rebel movements in countries such as Liberia, Angola, and the Congo. Bout's chief motive is financial profit, and he sees no problem with supporting a number of warring factions against one another.

Bout, moreover, is not alone. In Europe, a Ukrainian named Semion Mogilevich smuggles weapons from Russia through an elaborate network that ends in Spain.[10] Routinely, they travel by air or land through Ukraine to Bosnia, Kosovo, and Albania. They traverse the Mediterranean Sea by boat through Gibraltar for a brief stop in Spanish Ceuta and Melilla in Morocco, and then double back across to the Spanish resort of Marbella.[11]

These operations are just a small sampling of the numerous weapons trafficking networks that exist throughout the world, but they provide an illustration of the complexity of the phenomenon—and its worldwide reach.

The trafficking-terrorism nexus

Unlike most periods in history, the post-"post-Cold War era" began at a definitive date and time: September 11th, 2001, at 8:46am. At that moment, the foreign policy fumbling that characterized much of the 1990s stopped abruptly, and a clear objective and set of guiding principles began to emerge. Henceforth, the number one foreign policy priority of the United States would be the defeat of international terrorist organizations and their supporters at home and abroad.

Logic would dictate that America's stance toward weapons traffickers would also have changed. The mere existence of trafficking networks makes them a threat to the national security and stability of numerous nations. Moreover, the fact that these networks are increasingly becoming intertwined with terrorist organizations highlights the need to monitor their activities. And Victor Bout, the dozens of illicit arms traffickers like him, and the networks

within which they conduct their business can provide the United States and its allies with the means to infiltrate, undermine, and shut down terrorist organizations and their supporters.

Today's arms merchants and illicit dealers found their callings in the turmoil of the Soviet collapse.

"September 11th produced a decisive impact alerting the international community to the link between illicit arms trade and terrorism," says Ambassador Kuniko Inoguchi of Japan. According to her, "trafficking in small arms and light weapons is at the core of this nexus" since it allows them to train and equip their followers and exert their influence over weak nations.[12] No two networks illustrate this better than Victor Bout's operations in Liberia and Semion Mogilevich's operations in Morocco and Spain.

During the 1990s, Bout became a key player in the long and bloody Liberian civil war, and in Liberian dictator Charles Taylor's active support of the Revolutionary United Front (RUF) in Sierra Leone. Earning a reputation as "someone who could fly virtually anything anywhere in Africa," Bout was the natural choice to provide Charles Taylor with the weapons he needed to fight for control over Liberia and support the RUF as it pillaged neighboring Sierra Leone.[13] These operations, however, also connected Bout's organization to an industry deeply infiltrated by Islamic radicals, ranging from Hezbollah to al-Qaeda. Combined with his alleged support of the Abu Sayyaf group in the Philippines, his provision of the surface-to-air missiles fired at an Israeli airliner in Mombassa in 2002,[14] and his documented support of the Taliban in Afghanistan, Liberian connections display a tangled relationship between Bout's weapons trafficking networks and terrorist organizations. Bout—and others like him—either provide the actual weapons that terrorists use to conduct their training and operations, or indirectly supply the arms and logistical backbone used by those who support terrorists with havens from which to conduct attacks.

Mogilevich's activities tell a similar story. Just before the attacks of 2001, the Ukrainian mobster emerged at the center of a European investigation into the arrest of an al-Qaeda-linked group in Paris. When apprehended in August 2001, the group had in its possession a suitcase containing uranium-235.[15] Subsequent investigations into the incident have determined that the group attained the uranium via Mogilevich's Ukraine-Marbella route—a transit corridor that, prior to September 11th, had been a favorite among transnational criminals and terrorists entering Europe from the Maghreb.[16]

Patterns of interaction

In its study of the subject, the U.S. Library of Congress found three broad patterns connecting terrorism and transnational crime in Europe.

1) Alliances for mutual benefit, in which terrorists enter agreements with transnational criminals solely to gain funding, without engaging directly in commercial activities or compromising their ideologically based mission;

2) Direct involvement of terror groups in organized crime, removing the middleman but maintaining the ideological premise of their strategy, and;

3) The replacement of ideology by profit as the main motive for operations.[17]

Al-Qaeda's dealings with Mogilevich in Spanish Morocco and Bout in Liberia fall into the first category. In these instances, the cooperation has been based upon nothing more than mutual benefit, with neither group compromising its primary mission. The weapons traffickers, in short, view the terrorists as little more than clients, and business is business.

On September 11th, the foreign policy fumbling that characterized much of the 1990s stopped abruptly, and a clear objective began to emerge: the defeat of international terrorist organizations and their supporters at home and abroad. Logic would dictate that America's stance toward weapons traffickers would also have changed.

A group that epitomizes the second pattern is alleged to have been responsible for the March 11, 2003 train bombings in Madrid, Spain. Takfir wal Hijra is an al-Qaeda-linked extremist organization that currently operates throughout Western Europe and portions of the Maghreb. What separates it from other al-Qaeda affiliates is the open acceptance of crime and vice by its members as a means of waging war against the West.[18] Takfir accepts drinking and drug use, encourages short hair and Western dress, and permits drug and weapons trade—all as a means of blending into Western society and funding their *jihad*.

Progressing from the second pattern to the third pattern tends to be detrimental for a terrorist group, especially an Islamic fundamentalist one. By losing sight of their ideological goal, the groups risk erosion in their base of popular support, and a slowdown of funding from higher echelons of their parent organizations.

Some well-known terrorist organizations have drifted between the second and third patterns, and have paid for it dearly. In the early 1990s, the Armed Islamic Group (GIA) in Algeria was a major ally for al-Qaeda. Al-Qaeda heavily funded the organization during the bloody Algerian civil conflict, until the GIA began to lose track of its ideological purpose.[19] Its involvement in mass executions of innocent Muslims and its "lapse into pure criminality" caused al-Qaeda to withdraw its financial and logistical support, and the two groups appear to have drifted apart. Similarly, the Abu Sayyaf Group in the Philippines has strayed from initial, "righteous" path toward the more lucrative business of kidnapping for ransom. This has caused it to fall out of favor with the al-Qaeda leadership, which is now actively courting the Moro Islamic Liberation Front (MILF) as its "favorite Filipino group" in Southeast Asia.[20]

A new approach

In the summer of 2004, President George W. Bush signed an executive order barring American citizens and U.S. companies from conducting business with companies owned by Victor Bout.[21] Such orders have been the standard Western response to illicit arms trafficking. By and large, however, they have not been matched in developing nations, especially those that benefit from doing business with such illicit arms dealers. In fact, according to experts, only eighteen states throughout the world have so far "adopted controls that capture the entire chain of arms transfers."[22]

In short, for all intents and purposes, arms trafficking networks cannot be shut down completely. Nor

should they be. Rather, their existence and methods of doing business should be exploited by the West.

An indication of just how that might be done has been proffered by former Central Intelligence Agency (CIA) case officer Robert Baer. Writing in the journal *Foreign Policy*, Baer recommends a number of steps available to the new Director of Central Intelligence in better orienting the intelligence community to fight the War on Terror. He writes:

> The directorate [of operations] needs to recruit a third class of employees: those who skirt the law. I have in mind the dealers in embargoed and stolen oil who beat a path to Baghdad through the 1990s and who stayed up late drinking and partying with Saddam's son Uday.[23]

Throughout the numerous works Baer has written on the failures of the CIA to recruit the required cadre of informants needed to properly fight the War on Terror, he has never minced his words, and seldom has he been wrong. Just as a member of Uday's inner circle would have been a huge asset prior to Operation Iraqi Freedom, so too would insiders within illicit arms networks be an asset to future fronts in the War on Terror.

Why should Western intelligence agencies infiltrate illicit arms markets? Quite simply, because they provide the ideal vehicle for gaining access to terrorist organizations.

For one thing, terrorists need to conduct business with weapons traffickers if they are to succeed in their *jihad*. Since small arms allow terrorists to acquire power, train, conduct operations, and exert influence over weak states, these same terrorists, and those who support them, are a consistent source of revenue for illicit traffickers. Moreover, traffickers are one of the few groups of outsiders that terrorists regularly associate with. Indeed, as the experiences of notorious dealers like Bout and Mogilevich have shown, the business of trading arms is one in which politics and ideologies are set aside in favor of monetary profit and asset acquisition. This provides Western intelligence agencies with a way to get close to Islamists without hiding the fact they are Westerners or trying to convince them of a John Walker Lindlike Islamic conversion.

For another, the overwhelming allure of profit makes traffickers easy marks. Buying the loyalty of these individuals is a comparatively easy alternative to convincing a hardcore Islamic radical to sell out his fellow Muslims. Whether they are pilots, crew chiefs, document forgers, customs officials, or the dealers themselves, their overriding motive is money. And individuals who are driven by money are usually willing to answer questions from, or gather information for, someone who is willing to pay them a little more.

For all intents and purposes, arms trafficking networks cannot be shut down completely. Nor should they be. Rather, their existence and methods of doing business should be exploited by the West.

Finally, weapons trafficking networks should be appealing to intelligence collectors because of the ease with which traffickers establish their reputations. Vice cops and drug enforcement agents regularly infiltrate criminal organizations by posing as someone they are not. Often this means "walking the walk" of those they are targeting in order to be accepted. Establishing credentials in the weapons trafficking business,

and gaining the attention of terrorists in need of weapons is certainly easier than proving a willingness to become a martyr. Just as the CIA used stockpiles to arm anti-communist tyrants during the Cold War, similar arming of shady regimes or insurgent groups in Africa or Asia by persons on the CIA's clandestine payroll will gain attention quickly, particularly if the price is right and the inventory is attractive.

Without question, this is a dangerous policy to pursue. If such weapons are found to have been used to fight an ally of the United States, or—worse still—to kill Americans, the political and diplomatic damage could be catastrophic. Yet few would argue against the sale of AK-47s to the Lords Resistance Army (LRA) in northern Uganda if there was a reasonable chance that doing so would gain the attention of al-Qaeda logisticians and eventually enable U.S. agents to get closer to al-Qaeda's North African networks.

To manage such an intricate policy, however, Western intelligence agencies would need a comprehensive and well-funded co-option strategy, one that includes:

- *The recruitment of assets within already existing trafficking networks*. These assets may be the pilots who fly the planes, the crew chiefs who load and unload the equipment, or the middle-management brokers who conduct the smaller deals. The purpose of gaining assets in these positions is to gain familiarity with the business of these established networks; find out who they are selling to and what they are selling; and identify who the major brokers in the networks are.

- *The acquisition of small arms stockpiles currently available on the black market*. Agency personnel should be scouring the globe looking for stockpiles to buy, and setting up the front companies that will be needed to start buying them. The greatest advantage the CIA and other agencies have over private brokers is the availability of clandestine monies. The rule-of-thumb is clear: offer more than the private brokers are offering, and start controlling the supply-side of the weapons business.

- *Enter illicit markets and offer cheaper prices*. By doing so, these companies will establish their credentials and hopefully gain the attention of the very organizations the West is trying to shut down. To be sure, this step will take years to implement properly. Then again, few think that the War on Terror is a short-term affair.

- *Use information acquired through front companies and contacts to quietly shut down competing networks*. This can be done either through calculated information leaks to relevant law enforcement agencies, or through the targeted killings and disappearances of key market players. Whatever the modality, the goal is to make your arms network the only game in town for arms buyers. Again, this takes time. But if it is done successfully, the world's most dangerous elements will have few places to turn for their small arms.

- *Track the weapons sold to radical groups and militias*. This step is key to finding terrorist safe houses and distribution points. If successful, tracing weapons that have been tagged electronically or by some other means would allow Western intelligence services to disrupt,

impair and perhaps even destroy terrorist operations throughout entire regions.

Without a doubt, these recommendations are controversial. They may be so controversial, in fact, that policymakers who are more concerned about their legacies than fighting terrorism will not even contemplate pursuing them. But as the recent war in Iraq has shown, a lack of intelligence on enemy regimes and organizations can prove to be costly.

In the end, Robert Baer said it best: "We're waging war, not running a church social."

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DISPATCHES

Martin's Muddle

by James Fergusson

WINNIPEG, CANADA—On February 24th, the government of Canadian premier Paul Martin formally announced that it would not participate in the ground-based mid-course defense (GMD) segment of the Bush administration's emerging missile defense system. Delivering the surprising verdict, Foreign Minister Pierre Pettigrew declared that the decision had been based upon "policy principles," not "sheer emotion."

But Pettigrew failed to articulate those principles at that time, and no other government official has done so since. Moreover, the mystery over how and why the Martin government reached its decision is deepened by four other considerations.

First, as justification, Pettigrew emphasized Canada's preference to invest in other areas of North American defense and security cooperation with the United States. Yet there is no evidence of an investment trade-off between missile defense and other areas of cooperation—or of an American "price tag" for Canadian participation.

Second, there had been no formal negotiations between Canada and the United States regarding participation in the run-up to the decision. Previous talks had concluded nearly a year earlier, and had led to an August 2004 agreement placing GMD under the North American Aerospace Defense Command (NORAD).

Third, Mr. Martin had previously identified two parameters for Canadian participation—no interceptors on Canadian soil and no weapons in outer space.

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Neither, however, was at issue at the moment. The U.S., then deeply engaged in discussions with East European allies about possible basing options across the Atlantic, had not requested an interceptor site from Canada. Furthermore, GMD had nothing to do with weapons in space. Not only is the technology to place weapons in space at least a decade away, but the space side of the missile defense equation is assigned to United States Strategic Command (STRATCOM), which does not include Canada.

Finally, Canada had long placed a premium on missile defense dialogue with the U.S. Mr. Martin's predecessor, Jean Chretien, had initiated discussions with the White House on the subject in June of 2003. Upon taking office at the end of that year, Prime Minister Martin took pains to shore up this policy, stressing the importance of Canada having a "seat at the table" on missile defense, as well as initiating moves to engage the Bush administration even more deeply on the missile defense issue.

Given these realities, Ottawa's sudden about-face can only be explained by the exigencies of short term domestic politics—a weak minority government, wracked by scandal and partially dependent upon the anti-American or anti-Republican New Democratic Party for survival; a divided Liberal caucus; and public opinion that had shifted against participation, especially in Quebec.

Ironically, however, the missile defense decision had no bearing on the domestic political situation in Canada. The government could not have fallen on the missile defense question, because there was nothing before the House of Commons that required a vote. But even if there had been, it could not have brought the government down, and would likely have passed with the support of the Conservative Party. More fundamentally, the future fate of the Canadian government does not rest one way or another on missile defense; Canadians simply do not vote for reasons of defense.

Perhaps, then, the real domestic political factor was the use of missile defense as a political instrument to demonstrate distance from the United States in general and the Bush administration in particular. After all, this had been Martin's strategy in the June 2004 election; facing imminent defeat, the Liberal Party had wrapped itself in the Canadian flag and portrayed its opposition as toeing American values. Moreover, leadership from the Martin government could easily have moved public opinion back toward support of participation in missile defense, where it had been for nearly a decade before the Fall of 2004. It, however, chose not to do so.

Whatever the reason, the missile defnse decision could prove to be a fateful one for Ottawa. Despite Canada's rhetorical commitment to North American security cooperation, the Administration and Congress now must wonder whether other initiatives could also fall victim to short-term domestic contingencies at any time.

Just as importantly, American decision-makers must, or should, have serious questions about the credibility of a government that professes to place a premium on the defense of its territory and population, yet turns over this responsibility to another nation. Even more troubling is the audacity of the Prime Minister to speak of an American obligation to give Canada a say on intercepts passing over Canadian territory (albeit in outer space), even though the government has rejected cooperation.

In the end, perhaps the greatest puzzle is that no one actually knows what Canada has said "no" to. Regardless, the decision does not speak well of Canada's commitment to national defense. And the United States, as well as other Canadian allies, is likely to respond accordingly. Much of Ottawa's choice derived from a belief that its post-September 11th defense and security relationship with Washington is a durable one, immune to specific domestic decisions. Canadian politicians, however, could well discover that they were wrong.

Total Recall

by Kamil Tchorek

WARSAW, POLAND—Change is afoot in Poland. The country's upcoming parliamentary and presidential elections, scheduled for September and October respectively, are widely expected to produce a fundamental transformation in political outlook, and Warsaw's foreign policy is sure to follow suit.

Poland is ripe for just this sort of overhaul. The reputation of the country's ruling left has been destroyed by a series of cataclysmic sleaze scandals. Allegations include a conspiracy theory—one taken seriously by the electorate—that ex-communists in government conspired to enable Russian infiltration of Poland's energy sector through a closed network of tycoons and former security agents in both countries. Meanwhile, the country's rising political right, riding high on public outrage at these charges, is staunchly anti-Kremlin.

In Poland, after all, fear of Russia runs deep. To understand the reasons for this sentiment, it is instructive to take a look at a fifteenth century map of Europe. Back then, a Polish-Lithuanian dynasty, the Jagiellos, ruled across an area covering much of the modern "post-Soviet space," including what has become known as "New Europe": Poland, Lithuania, Latvia, Belarus, Ukraine, Hungary, Croatia, modern Moldova and the Czech and Slovak territories. In the centuries that followed, however, that geopolitical space became dominated by Germans and Russians, leading many Poles to embrace the notion that the region should again unite for self-preservation.

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Lech Kaczynski, the current frontrunner in Poland's presidential race, is attuned to this sentiment. Over the past several years, in his capacity as the mayor of Warsaw, Kaczynski has given the Polish people a sense of how and where he would lead their country. In July 2004, he opened a museum to revitalize the memory of the 1944 Warsaw Uprising, a mass slaughter by the Nazis made possible because the Red Army refused to come to the aid of the Polish resistance. Then, when Chechen leader Aslan Maskhadov was killed by Russian security forces in March 2005, Kaczynski denounced it as a Russian blunder and immediately named a Warsaw roundabout after Maskhadov's predecessor, Djokhar Dudayev, who was assassinated by Russia in 1996.

Such acts of defiance against Russia would have been unthinkable a decade ago, when nobody in Poland really knew what the political future of Central and Eastern Europe would be. Now, however, Poland has gained NATO and EU membership. Its new foreign policy stance has challenged Europe's traditional center of gravity, France, much to the delight of officials in London. And it has become an active and constructive participant in the transformation of the regimes in Iraq and Ukraine.

Polish self-assertiveness, in short, is a growth industry. So it is no surprise that an ambitious politician like Kaczynski wants to invest in it wholeheartedly. As a member of the "Law and Justice" party (PiS), he is quick to point out the injustices that were done to Poland by Russia in the past, and to connect them to injustices Russia is currently committing throughout the region.

Kaczynski's popularity, and his hold on power, could be bolstered by another factor: his twin brother Jaroslaw Kaczysnki (who is identically short, identically conservative, and identically tough on Russia) has a good chance of being elected prime minister. Together, this duo would present a powerful political bloc—one that would unflinchingly shore up the new governments in Georgia and Ukraine, and toe a far tougher line on Belarus.

Indeed, Belarus might just emerge as the major political fault line between Warsaw and Moscow. Many Polish policymakers have no expectations of an outpouring of "people power" in Belarus akin to Ukraine's "Orange Revolution." Belarus is more ethnically and linguistically homogenous, and its economy is given such preferential treatment by Russia that certain industries (such as armaments and chemicals) are booming. In many of the country's provinces, agricultural jobs are secure and bellies remain full.

Polish attempts to support Belarusian subversives will certainly be limited by these factors. But the regime in Minsk has a serious liability: the country's volatile and unpredictable president, Aleksandr Lukashenko, whose relationship with Moscow of late has been anything but uncomplicated.

That is where the Kaczynskis come in. They are dedicated provocateurs, and will doubtless see Lukashenko as a perfect target for political agitation. The ensuing war of words, and Lukashenko's responses to Poland's efforts to promote democracy in his country, might turn out to be too much for Russian President Vladimir Putin to bear, provoking regime change in Minsk—not from below, but from above.

Not Ready for Prime Time

by Borut Grgic

In many respects, the Constitutional crisis that is currently buffeting the European Union (EU) is greatly overblown. Even if the vaunted Constitution championed by French President Jacques Chirac is in fact dead, the 2002 Treaty of Nice—formally codifying the idea of a "European community"—ensures that the EU can continue to function and even expand its ranks by an additional three countries. However, this crisis, like every other, opens the door for a bit of introspection.

At its core, Europe's problem is mostly external. The formal rejection of the Constitution by French and Dutch voters this spring amounts to a serious setback for a common European security and defense policy, and probably for EU enlargement as well. Many rightly doubt that, in the wake of the crisis, Europe will find the stomach to overcome the inertia generated by skeptics of enlargement and by the weak governments of the three biggest "Euro Zone" economies—France, Germany, and Italy.

The foreign policy implications of this malaise are profound. The EU already has a rather spotty track record on international affairs and, without the new, solidified structures outlined by the Constitution, the cohesion and coherence of European foreign policy is not likely to improve.

Moreover, the first serious test of just how well a chastened EU will be able to handle its foreign policy portfolio in the future is right around the corner. As of this writing, the United States is pushing for final negotiations over the political status of the Balkan enclave of Kosovo to commence as early as the fall of 2005 (and ending sometime in 2006). This timeline is probably realistic; at this point, the only thing worse than doing something on Kosovo is to do nothing. Kosovars are growing restless about their ambiguous political status, and have begun to turn away from reforms toward rather unconstructive nationalist rhetoric. At the same time, it is becoming clear that prolonged inaction on Kosovo's status is a boon to anti-reform elements in Belgrade, allowing them to retain their share of power.

Washington, meanwhile, has made clear that it is eager to transfer responsibility for the Balkans to the Europeans. Arguably, this strategy makes sense; fifteen years after the collapse of Yugoslavia, and ten years after the signing of the Dayton Accords, it is becoming increasingly difficult to justify why the U.S. is still enmeshed in the region. Moreover, with American resources increasingly stretched as a result of the War on Terror and Iraq, Washington's Balkan engagement has become more and more costly.

As is becoming clear, however, this is a bad time to hand Europe the reins. Indeed, the promise of a brighter EU future is already becoming a tougher sell in the region. Without the ability to provide clear-cut guarantees on membership, it is increasingly difficult to envision how the EU can take the lead in the upcoming

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negotiations over Kosovo's future status, particularly when a great deal of heavy political lifting will be necessary in order to secure a durable deal. For reformers in Belgrade, the prospect of EU membership—once an incentive for making serious political concessions—has lost much of its luster. Kosovo's radicals, meanwhile, are eager to call Europe's bluff.

In light of these new realities, the Bush administration will find itself forced to remain at the center of the looming discussions over Kosovo's ultimate disposition. Current recommendations emanating from Washington—of a European negotiator and a strictly supporting role for the U.S. (and perhaps Russia)—neglect to account for the EU's declining political stock in the Balkans, not to mention regional desires for continued American engagement.

Ultimately, the only way out of the Balkans for the United States is to continue to provide both strategic vision and tactical pressure. President Bush would do well to appoint an official envoy to lead the Kosovo status talks and help keep the process on track, rather than following the lead of an increasingly fractured Europe.

Recent history tells us that success in the Balkans has always been directly linked to America's will to lead. When it comes to Kosovo's final status, the situation is no different.

Book Reviews

Missing Pieces of the Puzzle

by Ilan Berman

Kenneth M. Pollack, *The Persian Puzzle: The Conflict Between Iran and America* (New York: Random House, 2004), 539 pp., $26.95.

Give Kenneth Pollack credit. The former Clinton National Security Council staffer and long-time CIA analyst, who now heads up research on the Middle East at the influential Brookings Institution in Washington, knows a thing or two about positioning.

Pollack's first book, the best-selling *The Threatening Storm*, was released in the run-up to Operation Iraqi Freedom, and instantly made waves as the moderate Democratic case for war against Saddam Hussein's Iraq. Never mind that Pollack, during his tenure as Director of Persian Gulf Affairs in President Bill Clinton's National Security Council, had played a central role in formulating the policies and official positions that resulted in the weakened sanctions regime he would later lambaste in his private capacity. He became an instant celebrity, appearing frequently on the talk show circuit and in the book review pages of leading papers and scholarly journals. Timing, as they say, is everything.

Pollack's follow-up endeavor, *The Persian Puzzle*, is similarly prescient. The Islamic Republic of Iran, now steadily marching toward an offensive nuclear capability, represents the next big foreign policy challenge for the Bush administration—and a pivotal turning point in the War on Terror. How the United States chooses to tackle Iran's strategic

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advances in the Persian Gulf, Central Asia and the Caucasus will go a long way toward determining the success or failure of long-term American strategy in those regions.

Pollack begins his assessment in antiquity. His sweeping, rapid-fire account of Iran's serpentine history—from the rise of the Safavids to the turbulent politics of the late 19th Century to the rise of Reza Khan—is definitive, and should be studied by students of Middle Eastern history everywhere. His detailed personal portrait of Iran's last pro-American leader, the Shah Mohammed Reza Pahlavi, is equally insightful, providing a realistic measure of a man torn between competing impulses: the desperate need to be loved by his subjects, and the need for strong, sometimes draconian, measures in order to weather the intrigue and great power politics that typified the Cold War in the Middle East.

The problem, however, is that *The Persian Puzzle* is not intended solely as a history tome. Rather, Pollack makes clear that his work is intended to also serve as a primer for formulating policy toward Iran's ayatollahs.

In some ways, it certainly succeeds. Over the past quarter-century, U.S.-Iranian relations have been nothing if not complicated, and Pollack, an accomplished Beltway player, provides an intriguing first-hand glimpse into the backroom deals, horse-trading and compromises that have so profoundly characterized U.S. policy.

But political maneuvers are not policy, and more than anything else Pollack's work underscores the sad schizophrenia of America's approach toward one of the Middle East's most important nations—a malaise that has endured despite multiple changes of administration and even the start of the Global War on Terror.

The results have been entirely predictable. As Pollack himself admits, the strategic ambitions of the Iranian regime, and its relentless pursuit of a nuclear option, have become a "problem from hell."

Where, then, does that leave the United States? Here, Pollack does not have many good answers. His antidote for the Iranian problem is purely tactical. Ignoring the current of revolution that is now visible within the Islamic Republic, he settles for a convoluted "triple track" strategy designed to simultaneously dangle diplomatic carrots and sticks before Iran's leaders, pursue international cooperation for a new containment policy, and plan for failure.

Ultimately, however, these prescriptions are entirely unconvincing. Perhaps that is because Pollack, through his meticulous review of the ebb and flow of U.S.-Iranian relations, has so thoroughly detailed the depths of Tehran's antagonism toward America. Maybe it has to do with the fact that, having decisively shut the door on the possibility that a fundamental transformation of the regime could be in the offing, Pollack has to content himself with incremental steps built around ephemeral hopes of mollifying Iran's ayatollahs.

Whatever the reason, *The Persian Puzzle* provides a commendable assessment of the evolution of Iranian politics, and of the unhappy state of affairs between Washington and Tehran. But readers who are looking for more—for instance, a coherent plan for confronting Iran's international menace, and for promoting a peaceful, democratic Iranian future—are likely to be sorely disappointed.

Angling for a Comeback

by Meyrav Wurmser

DENNIS ROSS, *The Missing Peace: The Inside Story of the Fight for Middle East Peace* (New York: Farrar, Straus, and Giroux, 2004), 840 pp., $35.00.

Dennis Ross has undertaken a monumental task. A seasoned diplomat, he served for twelve years under both the Bush I and Clinton administrations, with one goal in mind: to obtain an Israeli-Palestinian peace settlement. Now, he has chronicled his experience in painstaking detail to explain just why the peace that he worked so hard to achieve has remained elusive.

Ross' book is not intended to be a light read. Over 800 pages long, it lays out in painstaking detail the events that shaped what has come to be known as the Oslo peace process between Israelis and Palestinians. Names, dates, events, and characters are all described in Ross's account—sometimes to the point of distraction. Among other minute tidbits, for example, the reader learns that Saudi Arabian ambassador Prince Bandar bin Sultan had Roberta Flack perform at his home in Mclean, Virginia during a reception for numerous officials.

With what is at times an overwhelming attention to detail, Ross describes the journey from the period prior to 1993 Madrid Conference to the year 2000 Camp David meeting where Arafat finally ended the peace process. Much of the book is an account of the haggling that took place along the way.

Ross' exhaustive recollection of the events, and his determination to reach a viable agreement, is evident throughout. He outlines the many channels initiated by him and successive administrations in their efforts to obtain anything resembling a lasting peace. The cast of characters rivals that of a Victorian novel. Ronald Reagan, George Shultz, George H.W. Bush, James Baker, Bill Clinton, Warren Christopher, Sandy Berger figure prominently on the American side. Of the Israeli participants, we have Yitzhak Shamir, Yitzhak Rabin, Shimon Peres, Benjamin Netanyahu, Yossi Beilin, Ehud Barak and Ariel Sharon. As for the Palestinians, Ross outlines the involvement of Mohammad Dahlan, Hanan Ashrawi, Ahmed Qureia and current Palestinian leader Mahmoud Abbas.

There is, however, only one permanent fixture throughout the book, besides Ross: Palestinian leader Yasser Arafat. While the revolving door of negotiations leads both American and Israeli leaders in and out of the peace process, the Palestinian chairman is always present.

Arafat, of course, is the central figure in this book. And Ross, ever the diplomat, is reluctant to blame him squarely for the failure of the process. On the one hand, he writes that: "[h]ad Nelson Mandela been the Palestinian leader and not Yasser Arafat, I would be writing now how, notwithstanding the limitations of the Oslo process, Israelis and Palestin-

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ians had succeeded in reaching an 'end of conflict' agreement." At other times, however, he equivocates that both sides failed to live up to their commitments: "Herein lies the main failure of Oslo: Transformation was required, but each side fell far short of what was required." For readers unfamiliar with the intricacies of Israeli-Palestinian politics, Ross' contradictory answers provide little insight into exactly what piece is missing in *The Missing Peace.*

And herein lies the problem. Despite its 800-plus pages, Ross' work never satisfactorily explains why Arafat should have remained a part of the process for so long. If *The Missing Peace* highlights anything, it is how much of an institution Arafat truly was at the Israeli-Palestinian negotiating table. Ross fully and completely internalized the arguments of Arafat's associates—that his stature and "moral authority" among the Palestinian people meant that he alone could compromise on the tough issues: refugees, borders, and Jerusalem. For Ross, Arafat was the sole representative of the Palestinian people, in spite of irrefutable evidence of his corruption, his tyrannical rule, and the repression of his own people.

As a result, what comes across clearly is that peace, not freedom for the Palestinian people, was the chief goal of Ross' diplomatic efforts. For him, America's founding principles took a back seat to short-term interests.

If certain questions ultimately remain unanswered, it may be because the author's intentions are at least twofold. The first is, undoubtedly, to provide an insider's view of a historical process. But Ross is also simultaneously seeking to claim his place in history and stage his comeback to the diplomatic scene. He seeks to remind those around him of his energy and talents, and instill the belief that there is no time like the present for a new peace process. Reality does not seem to matter. Neither do the players and their actions. Instead, what matters are American diplomats who believe that they shape reality and make peace, even when facts on the ground dictate otherwise.

Ross therefore scolds the Bush administration for its initial reluctance to become embroiled in a new peace process, and later criticizes its failed attempt to bring democracy (and ultimately peace) to the Palestinian territories through the "Road Map." The "Road Map," in Ross' view, simply needs to be negotiated in order for it to be implemented.

The rest of his thought is not hard to complete: Negotiations need negotiators, and the author, with his years of experience, is ready and willing.

Nuclear Security as Partisan Politics

by Peter Huessy

GRAHAM ALLISON, *Nuclear Terrorism: The Ultimate Preventable Catastrophe* (New York: Times Books, 2004), 272 pp., $24.00.

As a rule, any book that examines the threat of a nuclear device being detonated over or in an American city should be taken seriously. And Graham Allison's *Nuclear Terrorism: The Ultimate Preventable Catastrophe* is most definitely about that problem—arguably the most grievous facing the United States today. But it is not a serious book. Instead, it reads like a polemic against the Bush administration first and foremost, and second a whitewash of the Clinton record on nonproliferation.

Nuclear Terrorism's first thesis is that it is probably an impossibility to stop a nuclear device or nuclear materiel from coming across our borders. Given the number of trucks, trains, planes, people, and automobiles crossing the frontiers of the United States by land, air or sea, such an enterprise would require a Herculean effort, and multiple trillions of dollars annually.

The second is that no bombs will be made and used against America if we can secure the two principal means by which weapons-grade nuclear material is produced—reprocessing spent fuel from nuclear reactors or the enrichment of uranium through centrifuges. As a corollary, Allison is an ardent advocate of securing such material in the former Soviet Union and in the United States.

The third and fourth premises are that the liberation of Iraq has ruined our chances for serious nonproliferation, and that defending the continental United States against ballistic missile attack is a waste of money and time.

The partisan nature of Allison's effort is easy to discern. Almost 100 pages paint the Bush administration in a derogatory light, while the Clinton White House warrants one small criticism and only half a dozen mentions. This, despite the fact that the Clinton administration did not eliminate a single Russian warhead, while the Bush team has initiated and sustained an ambitious program to do just that. And, though the Clinton White House failed to finalize the START II treaty when it was presented on a silver platter, the Bush administration has successfully secured an agreement to eliminate more than 20,000 Russian and U.S. nuclear weapons.

When it comes to the Clinton administration, Allison—an Assistant Secretary of Defense during the first Clinton term—gives credit where no credit is due, lauding it for succeeding in ridding Belarus, Kazakhstan and Ukraine of their nuclear weapons. In fact, it was the first Bush administration that in 1991 and 1992 got the three nations to accede to both START I and the NPT as a prelude to formally abdicating their nuclear weapons. Allison also turns a blind eye to the Clinton administration's abysmal record on proliferation. Between 1993 and 2000, India and Pakistan exploded

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nuclear devices; North Korea developed and produced nuclear weapons, including an initial centrifuge effort that it hid from the signatories to the 1994 "Agreed Framework" and the International Atomic Energy Agency (IAEA); and Iran moved swiftly to build nuclear weapons, even as the Clinton administration repeatedly belittled prescient warnings and issued laughably inaccurate intelligence reports.

Allison's treatment of border security is similarly myopic. He completely leaves out a key issue—the role of Canada and Mexico in U.S. border security—neglecting the current lapses evident in both countries. He also misses the fact that the major form of illegal immigration into the United States is from overstays—the method used by at least some of the 9/11 hijackers. And he seems unaware of the extraordinary efforts now being made by customs authorities, the Coast Guard, border security agents and the U.S. private sector to create safe port initiatives here and abroad, and to vastly improve the ability to monitor ships, planes and trains entering the country.

Most of all, Allison seems blissfully unaware of a simple fact: the Clinton administration chose deliberately to leave the United States naked and vulnerable to mounting threats. Nowhere was this attitude on the part of the Clinton team clearer than in a June 2000 congressional briefing given by Richard Clarke, then the National Security Council's counterterrorism czar. A comprehensive antiterror plan for the United States, Clarke told Congressman Christopher Shays at that time, was a "silly" idea. This is the same Clarke who as a State Department Bureaucrat dismissed the idea that Iran was pursuing nuclear weapons.

When he turns to Iraq, Allison gets nearly everything wrong. He does admit that terrorists must be denied the sanctuary of countries in which they can train, operate, live and organize. But he completely misses that the liberation of Iraq and Afghanistan have begun just such a transformation.

Having taken the obligatory partisan potshots at the Bush administration over Iraq, Allison moves to another target of opportunity, missile defense, with the usual results. According to both the Senate and House Armed Services Committee reports for the FY06 budget, funding for the defense of the United States against long-range ballistic missiles stands at roughly $2.3 billion, not the $10 billion that Allison criticizes.

Allison also seems blissfully unaware of the benefits that missile defenses deployed in the Persian Gulf, Israel and the Far East can provide to American allies and the Global War on Terror. Paradoxically, for all of his analysis of "nuclear terrorism," Allison somehow never entertains the notion that a nuclear device against America could come on the tip of a missile.

Nuclear Terrorism certainly paints a frightening picture of a daunting problem. Its solutions, however, leave a lot to be desired. To hear Allison tell it, securing the nuclear material in Russia and the United States, as well as compelling China, North Korea, Pakistan, Iran and others to do the same, is to be accomplished largely through greater, more invasive international oversight. This suggestion ignores the fact that, throughout the 1990s, the atomic watchdogs of the IAEA were found time and again to be sound asleep, face down in their bowls of Viennese Alpo.

Given that shameful track record, Allison's faith in such international arrangements seems sorely misplaced. And his antagonism toward the current White House is equally inexplicable—particularly since the Bush administration has already eliminated two aspiring nuclear powers (Iraq and Libya), and is in negotiations with North Korea and Iran to curb two more.

Travel Tips

by David J. Smith

THOMAS P.M. BARNETT, *The Pentagon's New Map*, (New York: G.P. Putnam's Sons, 2004), 435 pp., $26.95.

Boiled down to its essence, Thomas Barnett's *The Pentagon's New Map* is a set of recommendations about where (and where not) to travel. Nevertheless, it is well worth reading, because some of these tips will no doubt prove essential to America's 21st Century journey.

Unfortunately, the message of *The Pentagon's New Map* is burdened by two problems that render it downright tedious in parts. The first is that Barnett's arrogance virtually drips off the page. In the 1980s, he writes, he played a role akin to that of Tom Clancy's superstar character Jack Ryan. Then he "spent the 1990s trying in vain to reconnect the military to the world outside the Pentagon." He failed "despite [his] considerable briefing skills." Sure, he left his wife alone one Thanksgiving, but he "was part of history!" Barnett, in short, tries to impress Clancy fans with the ways of Washington, all the while ignoring one essential tenet of life along the Potomac: if you have to tell people how important you are, you probably are not very important.

The second is that Barnett tries to weave what are unquestionably important observations—maybe even a nascent post Cold War strategy—into a grand theory. I read *The Pentagon's New Map* in Tbilisi, Georgia. From my vantage point on Rustaveli Avenue, Barnett's theory was not firing on all cylinders. My first clue came from the map adorning the book's inside cover. Georgia, if that graphic is to be believed, has been the site of a major U.S. military peacekeeping mission. The problem is that, although a detachment of U.S. Marines is currently training the Georgian army down the road in Krtsanisi, there has in fact been no U.S. peacekeeping mission in Georgia.

Instead, there is a so-called CIS—Russian, actually—peacekeeping force that helps sustain the breakaway regime in the enclave of Abkhazia. This may seem a pesky detail to all but those of us embroiled in Caucasus politics, but it illustrates the problem: while many of his fellow Pentagon briefers may miss the forest for the trees, Barnett misses the trees for the forest.

Globalization, Barnett argues, has bypassed large swaths of humanity. Consequently, people in what he calls the "non-integrating gap" have little vested interest in the rules that we in the "functioning core" would like to uphold. Until we shrink the "gap" and forge near-consensus on a new set of rules, conflicts—catalyzed by disputes over religion, ethnicity, wealth or what have you—will continue to spew from the "gap" into the "core." Meanwhile, of course, we must insulate ourselves from these conflicts. And the U.S., as leader of the "core" and the world's only superpower, must take the lead in doing so.

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Barnett concludes that we will need military power, but of a sort far different from what the Pentagon has been buying. Moreover, military power alone will be insufficient; there must also be major efforts at economic and democratic development aimed at shrinking the "gap" and enlarging the "core." Without them, we will be unable to keep pace with wars across the globe.

One could argue at the margins, but this is unquestionably a powerful thesis—and one with which Washington must grapple. It could even form the beginnings of the coherent post Cold War strategy for which we have been searching for almost fifteen years. And *The Pentagon's New Map* is replete with brilliant observations and important sub-theses.

The problem, then, is one of overreach. Barnett's thesis does not explain everything. For one thing, what exactly is the "core," and what is the "gap"? Barnett assigns Brazil, South Africa and Mexico to the functioning "core." Singapore, Thailand and Malaysia, on the other hand, fall into the "gap." But by what criteria? More problematic still is Barnett's inclusion in the "core" of India and China. One can certainly hope that these countries will join the functioning "core," but that is very different from asserting that they already have. Perhaps Barnett has never seen how people in central China's Gansu Province live in mud huts, eking out a living with a pig and a few geese.

I doubt he has been to Tbilisi either. Sitting there, I found Barnett's assignment of Russia to the "core," and of democratic Georgia to the "gap," most vexing. A young woman had just told me of her hope for her newborn son to grow up in their family home in Abkhazia. Today, however, he cannot, because Russia props up a regime there that chased out her family and most other Georgians. Indeed, Russia has done everything it can to destabilize Georgia. If Russia today is part of the functioning "core," then the concept is meaningless. More likely, then, Barnett is engaging in a bit of wishful thinking, or in a Cartesian calculation of how Russia ought to behave. Real world Russia remains leader of the "gap"—bits of Moscow and St. Petersburg may look like the "core," but Chechnya and Bashkortostan certainly do not.

That means our task will be greater and messier than Barnett believes. Furthermore, though he is surely correct that the U.S. military needs a post-Cold War course correction, Pentagon planners must not exclude the emergence of a near-peer competitor to the U.S., and they must buy accordingly. Finally, perhaps cultural factors like religion and ethnicity are just a bit more powerful than Barnett's thesis allows.

The point is that *The Pentagon's New Map* is no map. But with a touch of humility and his "considerable briefing skills," Barnett might be able to work with others to contribute to a post-Cold War strategy. He would be doing the nation a service.

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