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We publish scholarly articles as well as viewpoints that address issues of current interest to the makers and executors of US national security policy. We are particularly interested in articles addressing homeland security, WMD/WME proliferation, regional conflict, and the contemporary role of US security forces. The journal seeks articles that will make our readers think, generate discussion, and gain new insight into the challenges and opportunities confronting US policymakers and military operators. Views that run counter to the conventional wisdom or official US government policy are welcomed.

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Foreword

Summer 2011: Weapons of Mass Effect

Editors

Terrorists rely on media coverage of their attacks to deliver their message to a wider audience. They often choose their victims for tactical, strategic, or symbolic reasons, but—just as often—the choice of victim matters less than the psychological impact the attack makes on society. For this reason, terrorist groups have sought the ability to execute spectacular attacks or to innovate new tactics to shock their audiences. When they succeed, they have developed a weapon of mass effect (WME). This issue of Strategic Insights explores the roles WME have played in recent history.

An attack or tactic can be described as having a mass effect if any of the following are true:

- The number of people killed is over one hundred.
- The attack devastated a large area—a square mile of a city or ten square miles in rural areas.
- The attack damaged or destroyed a critical facility, such as a power plant, a major airport, or an important government office.
- The attack disrupted everyday services enough to cause a significant reduction in quality of life.
- The attack caused significant economic losses to the target (e.g., $10 billion for the United States, less for developing nations).
- The attack provokes a manifests “degree of terrorism”—a subjective but nonetheless present psychological or emotional impact on the population.

In this issue, we consider one terrorist attack often credited with bringing down an authoritarian regime, as presented by José A. Olmeda in “ETA Before and After the Carrero Assassination,” and a terrorist campaign that specifically sought to develop shocking tactics, discussed in Yoram Schweitzer’s “Innovation in Terrorist Organizations: The Case of PFLP and its Offshoots.” We also examine a US policy in Afghanistan that could be considered a WME by the people of Afghanistan, with Stephen Wrage’s “Norms for Assassination by Remotely Piloted Vehicle.”

- In “ETA Before and After the Carrero Assassination,” José A. Olmeda, professor of political science at the Universidad Nacional de Educación a Distancia, examines the development of the Basque nationalist terrorist group Euskadi Ta Askatasuna (ETA). In 1973 ETA earned the distinction of being the only terrorist group to successfully assassinate a Western head of state in the post-World War II era. The death of Admiral Luis Carerro Blanco, the first and only prime minister under Francisco Franco, is widely credited with collapsing the authoritarian regime and beginning the Spanish transition to democracy. ETA’s ability to successfully plan and execute an attack against a high-ranking official is a result not only of its history of innovation (which continues even today), but also of mistakes made by Spanish law enforcement. Despite the profound psychological impact the attack made on the Spanish public, ETA was unable to leverage its success into a major role in the democratic transition, nor did it secure any of its long-held goals. This failure reflects problems with the way ETA is organized.
- In “Innovation in Terrorist Organizations: The Case of PFLP and its Offshoots,” Yoram Schweitzer examines the Popular Front for the Liberation of Palestine (PFLP) and how it
developed the tactic of hijacking commercial airliners in an effort to bring international attention to the Israeli-Palestinian conflict. After a failed guerrilla campaign in the 1960’s, the PFLP specifically pursued “spectacular, one-off operations” in order to attract world media attention. PFLP’s Marxist-Leninist ideology led it to expand its target selection to Western airlines in general, and to cooperate with non-Palestinian terrorist groups, such as the Baader-Meinhoff group, the Japanese Red Army, and ETA. Other terrorist groups copies PFLP’s methods as a result. PFLP co-founder Waddia Haddad led a special unit that specialized in creative tactics for carrying out airliner attacks. The case study of the PFLP suggests features that terrorist organizations must have in order to develop the innovative tactics and strategies necessary to achieve mass effects.

• In “Norms for Assassination by Remotely Piloted Vehicle,” Stephen Wrage of the US Naval Academy looks at the issue from a different angle: a government’s decision to use WME when pursuing its own security—specifically, the United States’ use of drone attacks in Afghanistan and Pakistan. Though each drone attack is a small-scale operation on its own, the overall drone campaign has had a profound collective impact on the local population. Wrage examines the history of American norms regarding assassinations and the use of air power, particularly how such norms change depending on our capabilities and our perception of necessity. The United States has two drone campaigns, one run by the military and the other by the CIA, embodying two different interpretations of American norms. As the US disengages from the region, it will have a unique opportunity to assess the relative effectiveness of these two programs and their normative implications.

In addition to our WME papers, we have an article by Sabina Khan, a graduate of the Monterey Institute of International Studies, examining how the political status of Pakistan’s Federally Administered Tribal Areas (FATA) leads to political instability and poor development. Today, the Pakistani government still uses policies in FATA that were originally set by the British colonial government. Khan argues that addressing FATA’s problems requires a modern system of governance that comes with full provincial status. Her research is based on her life in South Waziristan as well as her recent travels in FATA, including interviews with local residents, soldiers, and the Governor of Khyber Pakhtunkhwa.

This issue also introduces a new feature: Point/Counterpoint. Three graduate students from the Naval Postgraduate School debate whether the death of Osama bin Laden has made the United States safer from terrorism. We hope our readers will find it a thought-provoking exchange and look forward to more debates in future issues.
ETA Before and After the Carrero Assassination

José A. Olmeda

In December 1973 the Basque terrorist group ETA (Euskadi ta Askatasuna) assassinated Admiral Carrero Blanco, the first and only prime minister in Franco’s dictatorship. Between 1946 and 1999 only three other Western heads of state or prime ministers were assassinated: US President John F. Kennedy (1963), Swedish prime minister Olof Palme (1986), and Israeli prime minister Yitzak Rabin (1995). Only the Carrero assassination was the work of a terrorist group. This resounding event supposedly helped to bring about the end of the authoritarian regime and became the signal achievement of the Basque nationalist organization. To assess this terrorist attack as a weapon of mass effect, this paper will examine the strategies ETA has adopted to distinguish itself within the Basque nationalist movement; its history of innovation in ideology, funding, and capabilities; how that innovation built up to the Carrero assassination; and the effect the assassination had on Spanish democracy and ETA's standing within the Basque nationalist movement. Although the profound psychological effects of the assassination allowed ETA to claim credit for the collapse of the Franco regime, it was unable to translate that credit into tangible progress towards its political goals.

Introduction

In 1958, a group of militant activists within the moderate Basque Nationalist Party (EAJ-PNV, founded in 1892) formed a breakaway faction seeking more radical policy goals and committed to outspoken, direct action against the authoritarian Franco regime. At its inception, this new organization, Euskadi ta Askatasuna (Basque Homeland and Freedom, ETA), appeared to be generally unified behind a shared vision of a future independent, socialist Basque Country, to be achieved through ‘armed struggle.’ ETA is one of the oldest terrorist organizations in the Western world, operating for more than fifty years, with 858 assassinations and a history as a significant destabilizer of Spanish democracy.

The Basque nationalist movement, like other nationalist movements around the world, has a history of internal fragmentation and numerous divisions and mergers. The movement’s organizational field represents an increasingly heterogeneous mix of organizations and aims. Its branches compete for resources, legitimacy, and the right to speak on behalf of Basque society. Some groups have been able to navigate this competitive environment successfully, while others that are less adept at formulating effective strategies have found themselves increasingly marginalized. As these marginalized groups lose public support, they become unable to induce the government to respond

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1 In Spain several prime ministers have been killed before Carrero: Prim (1870), Cánovas del Castillo (1897), Canalejas (1912), Dato (1921); besides Maura (1904), Cambó (1907), Suárez (1977) y Aznar (1995) were object of grave terrorist attacks. Since 1999, Serbian Prime Minister Zoran Djindjic was assassinated by snipers in Belgrade in 2003. Political assassinations are much more frequent in the rest of the world; see Iqbar, Zorn 2006. For public reactions to the cases in the main text (Kennedy, Palme, Rabin), see, respectively, Sheatsley, Feldman 1964; Hansén, Stern 2001; and Vertzberger 1997. It could also be mentioned that in 1979, Lord Mountbatten, cousin to the British Queen, was assassinated by the Provisional Irish Republican Army (PIRA), who planted a bomb in his fishing boat, the Shadow V, at Mullaghmore, in County Sligo in the Republic of Ireland.
to their demands in any meaningful way. The formation and evolution of ETA must be understood within this context.

Politically motivated groups have a wide spectrum of strategies to choose from in this competition for relevance. Using the terminology of McAdam, Tarrow, and Tilly (2001: 5), Basque nationalism is a clear example of contentious politics. According to this concept, there is an essential continuity between institutional and non-institutional politics; conventional electoral politics, protest, civil disobedience, and terrorism each count as one strategic choice among many of differing intensity. Groups ultimately choose one strategy or a mix of strategies based on their own capabilities and motivations, as well as those of other groups competing for power within the nationalist movement (Chenoweth 2010).

Under this framework, ETA is a Basque nationalist organization that has chosen a violent strategy. The substantive issue is its attachment to Basque nationalism; it is not a nihilistic organization that cloaks itself in a political cause, but a Basque nationalist organization that practices terrorism to achieve its political ends. ETA's formulated goals are: recovery of Basque culture and language, Basque secession from Spain, the annexation of the Navarre region of Spain to make the new state viable, and the incorporation of the Basque regions of France into the new state. All branches of the Basque nationalist movement share these ideological goals, irrespective of their tactics. ETA's behavior should be analyzed in the context of the organizational population forming the nationalist movement, of which it is an integral part.

**ETA's Ideological Evolution**

One strategy ETA has used in its competition with other branches of the Basque nationalist movement is its endorsement of a diffuse Marxist-Leninist platform that serves to differentiate it from more traditionalist groups. From its founding until the fall of the Franco regime, ETA's strategy was inspired by the Third World revolutionary wars. At ETA's first annual conference in May 1962, the group declared itself ‘a Basque revolutionary national liberation movement.’ ETA's anti-colonialist rhetoric compared it to the National Liberation Front (FLN) in Algeria and the Vietcong in Vietnam—movements that enjoyed much broader popular support than ETA. The analysis completely disregarded the fact that, in socioeconomic terms, the Basque country bore no resemblance to Third World countries. This lack of political realism and disconnection with reality has been a constant in ETA’s terrorist campaign.

Under this strategy, terrorist actions were considered the trigger for an armed insurrection in which the Basque people would secede, achieving their independence from Spain. There was no mention of French Basque country at that time because France was its sanctuary and continued to be until the mid-1990s. The period of democratic transition appeared to represent the most appropriate time to implement this strategy, but after the consolidation of democracy and the establishment of autonomous communities, the potential for a popular uprising in the Basque country ceased to be credible, even for the most fanatical ideologues.

ETA has added new ideological ingredients over time. For example, ETA adopted an anti-nuclear platform and in 1984 became the only European organization to successfully prevent the construction of a nuclear power station; the socialist government of Felipe González gave in to terrorist pressure after the assassination of the chief engineer in 1981 and the project director in
1982. In 1992, during the Urrats-Berri Process, the ETA political wing Herri Batasuna (HB) adapted to the disappearance of the Eastern bloc and altered its Marxist-Leninist ideology, redefining itself as “abertzale (patriot) and progressive left.”

ETA considers institutionalized politics to be necessary in certain periods, but also considers them dangerous because they may lead to pliable, bourgeois-like attitudes, even among ETA’s own members. In the ETA-fostered internal reflection in HB that led to the Oldartzzen Statement in 1996, ETA insisted upon the need to increase the offensive strategy and actions on different fronts (armed, civil disobedience, national construction, etc.) to avoid that risk. This risk became a reality for ETA Político-Military, an offshoot of ETA, during the first years of the transition to democracy, when it decided to dissolve in 1982 after negotiating immunity with the UCD (Unión de Centro Democrático) government. ETA’s fears were confirmed by the split within Batasuna in the 1990s, which led to the current Aralar movement with a high number of abertzales from Navarra. ETA has never mentioned the possibility of giving up arms, and during the 1998 ceasefire it assumed the role of “guarantor of the process” that would eventually bring about the national and social liberation of a re-unified Basque Country. ETA thereby should gain control over moderate nationalist forces and their political institutions and regional security forces (Ertzaintza). This never mentioned possibility of giving up arms is a very important aspect, although it has not been fully exploited by those who establish the counter-terrorist guidelines in the political field 2.

The addition of ambiguous progressive and eco-leftist discourse has given ETA an increasingly populist image. However, at every critical moment for the organization, the old guard of extreme nationalists eventually triumphed and guaranteed that orthodoxy would prevail. Even the Basque anti-nuclear movement distinguished itself from similar movements worldwide by continuously emphasizing its Basque nationalist character. When ETA spearheaded violent protests against the proposed nuclear power plant, it was reluctant to admit independent Basque anti-nuclear groups into its broader political front organizations. A similar logic has guided every episode of negotiation between ETA and different Spanish socialist governments, with the armed branch prevailing over the political branch. Thus, ETA has a history of opportunistically adjusting its ideology to fit the times, but not so far that it would have to give up armed struggle.

**ETA's History of Innovation**

*Leadership Capability*

The important question regarding ETA is not whether there is a political motive behind armed violence, but whether a political leadership directs the implementation and quality of that violence. To effectively achieve specific goals, a terrorist group needs some sort of political leadership to regulate its violent activities and direct them towards its ultimate objectives. Since violence is not an end in itself, these goals, when attained, should lead to the end of violent actions. If the goals prove unattainable, the political leadership must be able to reformulate its strategy, adjusting its means and its ends. Such reformulation is only possible if violence is limited to rational and instrumental activities. If there is no political influence behind terrorism, then a strategy cannot be established, the military objectives cannot be determined, and no efforts can be made to accomplish them (Neumann, Smith 2008; Smith 1995; Tangen, Smith 2000).

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2 Echeverría 2006.
Unlike other terrorist organizations, ETA’s armed faction controls its political branches, which conflicts with the strategy of violence. This has created three problems related to the political control of the armed instrument that ETA has not yet solved. First, because there is an asymmetric conflict of low intensity, in which the Spanish democracy is unwilling to use all of its resources to crush the enemy, there is a situation of calculation and competition in which each opponent makes decisions that depend on those taken by the other. Since ETA has never been able to maintain a hypothetical stalemate, much less defeat the democratic state, the only thing that it can attempt is to influence decision makers within the Spanish state to meet their demands. This is especially true as French law enforcement cooperates more and more with the Spanish government, denying ETA its old sanctuary in France.

Second, ETA is imbued with an intense vanguardist ideology that reinforces its isolation. This is a double vanguardism: as a trustee of a messianic spirit to the other Basque nationalist groups and in a more secular manner as a Leninist vanguard for the Basque workers toward a “Basque socialism” suited to this stage of the 21st century in Western Europe. The underlying ideology is likewise doubly totalitarian: an exclusive ethnic nationalism and a historically failed and anachronistic Marxist-Leninist complement (labeled after the implosion of the Soviet Union as simply “progressive”). In organizational terms, ETA is structured as an armed party, with different specialized subordinate political branches and mass organizations in different fronts. The result is an organizational complex guided by the elitist violent actions that serve to maintain the cohesion of the organizational fabric, but lack a compelling political logic apart from meeting the ideological and emotional drives of the Basque nationalist movement.

Third, rejection of the new Spanish democracy after the collapse of the Franco regime limits ETA’s ability to adapt to new political circumstances. The segment of those who accepted violence as the primary means to disrupt the democratic system continues to regard Spanish democracy as an artificial creation astutely designed to maintain powerful interests and stifle dying Basque nationalist aspirations. Only if constitutional rules and the autonomy statute are surpassed can nationalist goals be achieved. Only a minority of terrorist Basque nationalists joined the fledgling Spanish democracy as a consequence of the 1982 dissolution of ETA Político-Military, which split from ETA in 1974 and merged with the Basque Socialist Party. In contrast, PNV, the mainstream nationalist party, took advantage of the institutional fabric built by the new democratic regime to exploit the regime’s resources without hiding PNV’s disloyalty to its constitutional foundations. Terrorist violence remains the primary tactic, with a subordinate political branch devoted to resource extraction from the democratic system, under different brands, from Herri Batasuna (1978) to Bildu (2011). The members of the political branch have never explicitly questioned its subordinate position, nor implemented real political control over the armed branch, thereby rendering the achievement of its political objectives impossible in practice.

Thus, ETA’s militant strategy has achieved few tangible results, except perhaps stopping the construction of a nuclear plant at Lemóniz, forcing a new route for the design of the Leizarrán highway, and radicalizing PNV. Its decreasing ability to impose costs and its political inflexibility allowed the People’s Party government (1996-2004) to develop an effective counter-terrorism policy, one that would be continued by the Socialist government in 2009 following its failed negotiations with the terrorist group (in 2000, 2004, and 2006). This is a clear example of what the sociology of organizations labels “permanently failing organizations.” However, this does not mean that coercion and intimidation have disappeared. The political and social consequences created by the terrorist
branch of Basque nationalism have not evaporated merely because ETA commits less murder than it would like, or even none at all. This situation implies that ETA has not made a careful assessment of the power of its enemies, the Spanish and French governments, or that it lacks a sophisticated understanding of how to launch attacks to achieve its political objectives.

**Funding Capability**

In contrast to its political stagnation, ETA has developed a sophisticated system for funding its activities. Aside from the early years when ETA was partly financed by some governments (Soviet Union, People’s Republic of China, Czechoslovakia, or Libya), ETA funding has experienced the classic stages of any terrorist group; banks and jewelry store robberies, kidnapping, and an increasingly sophisticated extortion system. However, ETA has developed such an efficient system that it is currently able to meet surprisingly high standards in cost-efficiency, quality, and marketing criteria.

Since robbery and assaults cost ETA a great number of casualties, it decided to use the kidnapping and extortion of important businessmen to finance its operations—businessmen would rather pay than become a likely target to be kidnapped or murdered. This “revolutionary tax” has produced a great amount of money, allowing ETA not only to finance itself and its political wing, but also to establish weapons and explosives factories to enhance its logistical independence. ETA has attained a complex level in the implementation for exacting financial resources, enabling it to abandon basic methods of funding. In 2002-2003, ETA’s messages to demand the “tax” began to include a personal reference code for each “client,” illustrating the efficiency of its financing and collection apparatus. Its annual budget for 2002 was around one million euros according to French security forces.

ETA may resort to kidnapping at any time to collect funds. There remains a sophisticated system of safe houses that has not been dismantled. At times, ETA engages in money laundering and makes transfers abroad, allotting the money to activists in Latin America. In this case, it is necessary to keep people abroad distributing funds among sleeper agents or activists in reserve. Establishing front companies and making investments in economic sectors are also common ETA practices. However, as Buesa (2011) has rightly demonstrated, the main funding source in the last decade has been the participation of its political branch in Spanish democracy through public funding according to its electoral results.

**Weapons Capability**

ETA’s efforts to keep itself well armed demonstrate a similar level of sophistication. To provide itself with weapons, ETA bought supplies in the black market in Spain and other European countries. Regarding explosives, ETA stole dynamite and plastic explosive (nitroglycerine-based gelatin) from quarries in the Basque Country and neighboring provinces. As controls became stricter in Spain, ETA had to strengthen its relations with the Provisional Irish Republican Army and some Palestinian groups, as well as Mafia groups in Italy and France, which facilitated access to weapons.

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3 Buesa 2011.
4 Echeverría 2006.
and training (including in distant places like the Bekaa Valley in Lebanon). Although ETA has garnered supplies from purchases and robberies, it also has an extensive ability to manufacture weapons, particularly mortars (Jotasu), hand-made grenades, and hollow charge anti-tank grenades (Jotake), although anti-tank grenades are no longer in use due to lack of precision. Likewise, ETA is able to manufacture ammonal (including a sophisticated packet-bomb disguised as a pack of cigarettes and found in the training academy in Arcachon, which was dismantled in 1993, and also in a safe house in Lyon in April 2002). Moreover, ETA is able to manufacture and repair small arms. ETA has shown an interest in purchasing missiles several times; the case of the SAM-7 purchased in the 1980s allowed Spanish Intelligence Services, with the co-operation of the CIA to introduce the microchip that helped launch Operation Sokoa in France.

Regarding electronic components, ETA has made purchases in the free market in Belgium, France, Italy, Switzerland, and other countries. ETA also manufactures sophisticated electronic initiators of explosive devices that use several frequencies coded in remote controls, photoelectric cells, or movement sensors. In the safe house dismantled in Lyon in April 2002, infrared-ray movement sensors were discovered. Likewise, in 2002, legal purchases of sophisticated materials from well-known companies were discovered in France. These purchases were intended for use in the construction of new generation booby-traps against police explosive disposal teams. Regarding chemical weapons, it is important to point out that a manual to manufacture this type of weapons was seized in Mexico on July 17, 2003.

Over its lifetime, ETA has demonstrated an ability to adapt its operational capabilities to changing circumstance to ensure that it stays well funded and well armed. That talent for innovation can be found in ETA’s to planning, implementation, and execution of its plot to assassinate the second highest official in the Franco regime, with profound effects on Spanish society. However, ETA seems to lack that talent for innovation in its politics and leadership, making it unable to leverage such a critical success into tangible results.

**ETA’s 1973 Assassination of Admiral Carrero**

ETA’s assassination of Carrero was a hallmark in its short criminal trajectory. Out of the blue, a little known small terrorist organization was capable of assassinating the prime minister of a long-lived authoritarian regime, reaching the front pages of mass media around the world. The success of the attack has contributed to the myth, propagated by ETA and sectors of the Spanish Left, that this assassination was a catalyst of the transition to democracy due to the relevance of Carrero in the dictatorship. However it is important to contextualize the crime to get a more nuanced picture. The assassination was neither a necessary nor a sufficient condition for the transition to democracy because there is no such indispensable person for the continuity of any political regime, especially after the disappearance of its founding dictator.

ETA’s central leadership obtained through unknown channels—possibly from communist anti-Franco opposition—information about Carrero’s lifestyle, specifically, his daily attendance at mass at a particular church in Madrid. Before that time, the ETA leadership had never considered kidnapping or assassinating Admiral Carrero. However, based on this new information and his key role in the Franco regime, Carrero made an attractive kidnapping target who could be ransomed for ETA terrorists held by Spanish authorities since December 1970 (Forest 2007: 29-30). ETA began
collecting intelligence on the target in December of 1972, after learning about his daily mass attendance, when Franco was already 80 years old. They named the target “Ogro” (Ogre) due to his physical appearance.

On December 19, 1972, the Director of the Civil Guard sent Carrero a letter with an intelligence report describing the arrival of ETA members in Spain, as well as one cell in Madrid, and their plan to kidnap Prince Juan Carlos, Admiral Carrero, the General Director of the Civil Guard, or one of their relatives to claim the freedom of the ETA prisoners. However, Carrero did not increase his protection or change his daily routine; he continued to use his non-armored Dodge Dart. Only when he was appointed Prime Minister on June 4, 1973, did he add a new car with a driver and three policemen to his former protection of just one driver and a bodyguard.

Before 1973, ETA had only limited operational experience: bombings of multiple television masts, two kidnappings, and several murders; none of these operations took place outside the Basque Country (Spanish or French) or Navarre. Therefore, given that the informant remains unknown, a strange serendipity occurred at the launch of the operation. “Txabi”, the leader of the cell which killed Carrero, considered him the key element for the continuity of Franco’s regime: a successful attack would show the efficacy of armed struggle to destroy the Spanish state (Forest 2007: 48-50). However, an analysis of the regime’s collapse and the transition to democracy following the assassination—published by Pertur, later one of the main theorists of ETA Político-Military—shows the impending internal crisis of the terrorist group and its future split between nationalists and revolutionaries in 1974. The nationalists would continue to follow its terrorist campaign until now; the revolutionaries, opposing the political control of the armed branch, would voluntarily dissolve ETA Político-Military in September 1982.

Luis Carrero Blanco went to Mass on the morning of December 20, 1973, to the nearby church of San Francisco de Borja, his family’s parish. For months, the terrorists had watched Carrero travel a daily route from number 6 Hermanos Becquer Street to the church, back again to his house for breakfast, and then to the Prime Minister’s office on Castellana Avenue. The attack was delayed for one day while Henry Kissinger, the U.S. secretary of state, was visiting Spain. Carrero left his home at 8:45 and was in the church until 9:20. Upon leaving, he entered his official unshielded car with his driver and a bodyguard, and was followed by another vehicle with a driver and two policemen. To return home, it was necessary to make a turn that followed the traffic signs, up Juan Bravo St. and turning again onto Claudio Coello St. When his car reached number 104 on this street, behind the church, the attack occurred. The ETA cell had excavated a T-shaped cell of seven meters to the center of the road, placed three powerful explosive charges inside, and piled sandbags around the charges in a manner that would direct the explosion upward. For greater accuracy, they placed a vehicle in the second lane, which forced the driver to pass directly over the explosives, and drew a red line to signal the precise position of the excavated cell. At the precise moment of his passage, they detonated the bombs, which threw the car over the church building to land in the church courtyard. Carrero did not die immediately, but the injuries he suffered were fatal. The hours that

7 See Amigo 1978: 177-193.
followed were filled with confusion in Madrid and throughout Spain. The police reaction showed disorientation and a lack of professionalism.8

That the terrorists managed to kill Carrero is less noteworthy than the things the members of the cell did in Madrid without being detected or prosecuted by the police. ETA raided an armory, stole a submachine gun from a soldier of the General Captaincy, and left weapons in coffee shops on a few occasions. Despite this, the leadership of the military front was able to hold a meeting in the spring of 1973 where they planned the attack without being disturbed by security forces. This seems unbelievable now, but we must bear in mind that at that time, the terrorist spiral was just beginning its escalation against Spanish society, but at the same time it was deteriorating the internal cohesion of the group, causing the militant faction to break away from the political faction and assert itself with spectacular attacks. The very boldness of the attack is an indicator of innovation.

The assassination of a leader can shake a polity to its very core, provoking struggles over political succession, shaking both elites’ and the general public’s sense of security and political order, and widening political cleavages in society.9 An assassination crisis can easily become a national trauma, a political wound that persists and will not heal. Such was the case in the United States in the wake of the John F. Kennedy assassination, where the investigation involved many irregularities. The Swedish experience following the assassination of Prime Minister Olof Palme in 1986 was similarly painful. However, in the assassinations of Prime Ministers Carrero and Rabin, these critical moments had less of a lasting impact on the public's political values, beliefs and attitudes than might have been anticipated from the magnitude of the event and the intensity of the immediate responses.

It is conventional wisdom—and a belief widely shared among the Spanish left—that this assassination was the catalyst for regime change (Reinares 1987: 121):

“The detonator which precipitated the change of the political system in Spain from authoritarianism towards a liberal democracy was set off in December 1973, when the then President of the Government [sic], Admiral Luis Carrero Blanco was killed in a bomb attack. Though General Franco was still alive, postfrancoism became inevitable. A regime so leader-orientated had lost the person who could guarantee continuity. Although there did exist an institutional heir, Prince Juan Carlos, political succession had been granted to the victim of what soon would be known as ‘Operación Ogro’. In this way terrorism made its mark at the very beginning of the transition and became a part of the sordid legacy of the dictatorship.”

This seems to be a simplistic interpretation derived from ETA’s own analysis of the attack. It must be stressed, however, that this attack was a strategic, tactical and organizational innovation. It was a game-changer for ETA in its confrontation with Franco’s regime and Spain. ETA had to plan a complex operation coordinating several cells and employing a significant amount of explosives in a new way—a significant shift in the technologies and techniques used until that time—and they did so in a new place: Madrid, Spain’s capital city, close to the US Embassy, and far from the familiar environment of the more rural Basque Country. Everything it did was done for the first time and without prior operational experience.

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8 The best journalistic account is Fuente, García, Prieto 1988.
9 San Martín 1983: 88-105, provides a very rich account of the contradictions among the regime elites and their poor crisis management. He was the director of the small intelligence service, which depended on Carrero, had good contacts in the opposition forces, and reported to Carrero very frequently.
In the Spanish case, the physical and psychic decline of Franco very quickly took over the front pages of the mass media. The newly appointed prime minister, Carlos Arias Navarro, the inefficient interior minister under whose watch the assassination took place, was closer to the dictator's inner circle. He was also the first prime minister under the reinstituted monarchy after Franco’s death in November of 1975. King Juan Carlos considered Arias Navarro an unmitigated disaster as a political leader, and soon appointed Adolfo Suárez to implement general elections scheduled for June 1977. This fact is a proof that the disappearance of Carrero, a more seasoned and prudent politician than Arias, did not advance the transition to democracy. Had ETA not killed Carrero, the king could have overcome the admiral’s hypothetical resistance to political change as he did with Arias. However, even Carrero’s supposed opposition is doubtful because he was a smarter political analyst than Arias and very loyal to the monarch. Further, deeper economic, social, and political forces were driving the transformation of the authoritarian regime.

*Analysis*

At least in this case, it seems that a window of opportunity appeared, to use Kingdom’s terminology (2003) about “garbage can decision-making”: in the stream of problems, ETA had around 150 militants in Spanish prisons; in the stream of ideas, it received information about the daily routines of Carrero from unknown sources. The arrival of information was a focusing event that launched the group’s decision to innovate in the political stream and to audaciously attack the Spanish state in Madrid, targeting its most important political figure after Franco, a significant symbol. A kidnapping was planned at first, but that alternative was discarded for security reasons and the final decision was made to perform the assassination. The terrorists were strongly motivated by the memory of their activists who had fallen in clashes with Spanish police forces.

In this case, there was an external trigger, but the leadership of the group was receptive to the information, and the cell on the ground was active in the planning of the action. It was a top-down decision with bottom-up feedback. The information about Carrero’s daily moves was a necessary condition of the attack.

The context of this innovation was a bit exceptional because it appeared at the very beginning of the evolutionary life cycle of the organization. The technology was state of the art at that time; the decision was made in the middle of an ideological debate, which later would end in the split of ETA Político-Military from ETA; and the decision was made autonomously by the military front without consulting the rest of the organization (Shabad, Llera 1995: 430). The vulnerability of Carrero should be stressed: he lacked security countermeasures, had a non-armored car, and minimal escort. The general political context was the decline of the authoritarian regime and the deteriorating health of the dictator, who was 80 years old in December 1972. Everybody in the regime and in the opposition had expectations for political change.

Information concerning this type of action came from the Intelligence Service of Civil Guard a year before it took place. The terrorist cell made many mistakes while preparing the action, as stated earlier: ETA raided an armory, stole a submachine gun from a soldier of the General Captaincy, and, on a few occasions, left weapons in public places. This illustrates a perennial problem in intelligence: the information was there, but nobody connected the dots.
It seems to me, at least in this case, that without the external information about Carrero’s daily routines, the decision to prepare the operation would not have been launched. At the beginning of its evolutionary cycle, terrorists in prisons were an acute problem, but this problem has faded over the years. For example, ETA organized an operation to break its militants out of Segovia prison in April of 1976. It has since organized other ambitious attacks, but countermeasures fortunately prevailed.

In hindsight, we see things differently, but in real time, we have the problem of strategic surprise, signals and noise in intelligence. We do not consider the audacity and imagination of our enemies; innovations are mainly mental leaps forward that combine strategy, tactics and technologies in new and creative fashion to damage opponents. These variables do not evolve in a linear way. I cannot envision indicators that would signal this precise trajectory of innovation. In fact, security forces did have information about the possible action obtained through human intelligence, but this did not trigger effective countermeasures against the relevant persons. ETA was perceived as a threat, but mainly as a public order problem in the Basque Provinces, not as a group capable and motivated to attack the top political official under the dictator in Madrid.

As we have seen, the right information (Civil Guard report about a possible attack) went to the right place (Carrero himself) one year before the strike at a political moment when he was worried about public order, but no significant decision was made by himself or by his entourage, who were all blind to ETA’s threat.

**ETA Strategy since the Carrero Assassination**

Although the profound psychological impact of the Carrero assassination allowed ETA to claim credit for the collapse of the Franco regime—a claim widely accepted by the Spanish left even today—ETA was unable to translate that popular perception into tangible results, nor did it become a major player in the transition to democracy. Instead, its lack of an effective political leadership led ETA to pursue strategies that achieved little.

The Carrero assassination and the democratic transition marked a new stage in ETA’s evolution. Abandoning the ideology of revolutionary struggle, from 1978 to 1998, ETA was characterized by a strategy based on the assumption that terrorist pressure would eventually induce the state to abandon its principles and yield to the claims of ETA. In this strategy, terrorism no longer represented an early-stage tactic that would eventually inspire a mass insurrection, but rather the essential element that would lead directly to victory. The success of this strategy depended on the respective perseverance of the state and the terrorist network; however, massive public support for firm Spanish policy against ETA diminished the credibility of this strategy. There is reason to suppose that in the mid-1990s, ETA perceived that its chances of forcing the Spanish democracy to acquiesce were increasingly remote because its own operational capacity was weakening.

From 1998 to 2000, ETA attempted an alliance with non-violent nationalist forces grounded in the repudiation of the regional autonomy framework to pursue a unilateral path to independence, backed by broad popular support that would leave the state unable to resist. The premise of this policy shift was that ETA’s increasingly weak terrorist actions were insufficient to compel the Spanish democracy to yield. The new strategy formed through contact between ETA, PNV and Eusko Alkartasuna (EA, Basque Solidarity) in August 1998 as well as the Estella-Lizarra agreements...
and the declaration of a cease-fire by ETA in September of that year. However, ETA quickly saw
that there was little potential for the National Front to achieve massive support from the Basque
people for an immediate independence process, so their new strategy could lead in the opposite
direction, toward an integration of the sectors that supported it under regional autonomy. Hence,
ETA broke with the rest of the nationalist forces and resumed terrorist attacks in 2000.

After extremely intense pressure by Spanish and French security forces during the administration of
the People’s Party government (1996-2004) and resumed by the Socialist government after the
failure of negotiations in 2007, ETA is under an acute operational crisis. ETA militants are less
skilled, younger, and more marginalized than in the past and, consequently, more vulnerable to
Spanish counter-terrorism policies. Organizational capabilities have been greatly diminished, and the
motivations of its militants and sympathizers are declining. This diminishing morale is causing a slow
trickle of defections, which is visible in the abandonment of ETA’s discipline by some prisoners in
Spanish and French jails. A 2009 ruling by the European Court of Human Rights against ETA’s
political branches, Herri Batasuna and Batasuna, further challenges the viability of ETA. The court
upheld a 2003 ban of the two parties, ruling that their political projects are in essence contrary to the
democratic principles espoused by the Spanish Constitution. The Court recognizes that every
political party may “campaign for a change in legislation or statutory or constitutional structures of
the state,” but with “two conditions: that they use legal and democratic means and that the proposed
change is compatible with fundamental democratic principles.”

Regarding its immediate political environment, ETA has usually had to be active on different froni
ts at the same time. The political support network it created has reinforced ETA’s activism in a variety
of ways: visibility in elections through the famous 200,000 votes that have been steadily decreasing;
obtaining economic benefits from the state and infrastructures of great value to maintain both street
rioting and terrorism while sharpening the contradictions of its enemy, the rule of law; and tactically
attracting those nationalist parties (PNV and EA) that ETA has historically considered opponents to
divide and confront them. ETA has retained around 10 percent of the electorate, i.e., around
150,000 votes, for thirty years.

Public opinion support for the terrorist group has also significantly decreased. Support for ETA,
which was around 10% in the 1980s, is currently around 3%. In contrast, total rejection has
increased from 40% in the mid-1980s to 62% currently. The remaining 30% takes a position of
rejection but with some qualifications, for instance, supporting the group’s aims but not the violent
means used to achieve them, or justifying the existence of ETA during the dictatorship but not
under democracy. These results produced a polarization of Basque nationalist forces, leading to
serious confrontation with the political system due to the threat of secession invoked by the Basque
regional government.

Further, ETA has been unable to achieve an assassination with a similar mass effect to Admiral
Carrero’s, although it has also pursued similarly ambitious targets: it tried to kill Prime Minister
Adolfo Suárez in 1977 by shooting an RPG-7 grenade launcher at his official residence in the Palacio
de la Moncloa; it tried to kill José María Aznar with a car bomb in 1995 when he was the opposition
leader and three more times with SAM-7 Strela missiles after he became Prime Minister while he was
campaigning in the Basque Country in 2001; and it tried to assassinate the Head of the State, King
Juan Carlos I, with a high caliber rifle in 1998 while he was enjoying his summer holidays in Palma
de Mallorca.
Current situation

If Carrero’s assassination had the supposed effects claimed by ETA, why has it not reached any of its strategic aims yet, after a terrorist campaign of more than fifty years and 858 victims? Most of the victims have been killed during the democratic regime, showing the antidemocratic character of terrorist Basque nationalism. The Spanish state has managed to survive this deathly terrorist campaign, and at the same time has preserved its democratic institutions, has professionalized its police and security forces, and has achieved a strategic advance over the terrorist organization. In January 2010 there were 750 terrorists in prison, 585 in Spain and 165 in France.

Today, after suffering a series of blows to its leadership, membership, and infrastructure and facing national and international political and judicial strategies of isolation and counteraction, ETA lives within the negative context faced by all terrorist groups worldwide since September 11th. Nevertheless, ETA still strives to adapt to this increasingly hostile atmosphere using a process of organizational changes that may allow it to survive to achieve its goals. However, at present, we could speak of a “minimal victory” (Avidror 2007) for Spain, in which terror is not destroyed, but is contained at a minimal level, and constant energy must be invested to prevent its eruption. Minimal victory does not provide a solution to the politico-ideological conflict that forms the basis of armed struggle and terror. This “minimal victory,” in which terror is contained and checked before it strikes, becomes more significant if, due to the terror organizations’ prolonged lack of success, they consciously or unconsciously decide to reduce the number of terror attempts. Such an achievement is possible, for example, when the terror bodies are busy protecting their own lives instead of planning terror and carrying it out. If the decision on the field does not lead the political bodies to an understanding that the situation permits them to withstand the demands of the terror organizations and they choose to compromise, surrender, withdraw, or concede, then all of the work invested by the security forces will be in vain.

The current cease-fire declared on September 5, 2010, and the recent legalization of the latest avatar of its political branch (Bildu) in 2011, another gross strategic mistake by the socialist government of Rodríguez Zapatero, could set the scenario for the next years: political participation in the Spanish democratic political system, and the terrorist organization behind the scenes, preserving its autonomy from its political branch, rearming and reorganizing its seriously weakened networks, waiting again for the impossible achievement of its political aims, and ready to attack as soon as it is decided.

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Innovation in Terrorist Organizations

The Case of PFLP and its Offshoots

Yoram Schweitzer

Between the end of the 1960's and the mid 1980's, the Popular Front for the Liberation of Palestine (PFLP) and its various offshoots pioneered an innovative terrorist strategy, along with several related tactics. The PFLP's innovation lay, first, in the identification of the global community as the primary target audience for Palestinian activism; second, in the selection of the aviation system as the prime target for their attacks; and third, in the incorporation of foreign nationals into their operations. Offshoots of the PFLP extended this strategy, pioneering significant micro-tactical innovations. These innovations enabled the PFLP and its offshoots to execute some of the most dramatic operations seen in the 20th century, setting a trend that would only be broken decades later by the September 11th, 2001, attacks. Further, these attacks provided a template not only for other Palestinian groups, but for terrorist groups all over the world. This makes the PFLP's record a good starting point for exploring the factors that produce and drive innovation within terrorist organizations. In turn, this exploration builds a solid platform for discussing the extent that security organizations, knowing these factors, can predict and undercut the emergence of innovative capacities in both contemporary and future terrorist networks.

The Rise of the PFLP's International Terrorism Strategy

After Israel's decisive victory in the Six Day War, Palestinian resistance groups realized their hopes of liberation would not be fulfilled by the armies of Arab states and that they would have to pursue their radical agenda on their own. Lacking a conventional military, many in the resistance movement argued that they should engage in guerrilla/terrorist warfare against Israel, operating out of the newly occupied territories and relying on the strategic depth of neighboring Arab countries. However, the terrain of the West Bank was unsuitable for this style of warfare, and the Arab states were unwilling to support their Palestinian brethren. These factors, combined with the fact that Israel reacted effectively to those attacks that were carried out, led many militant Palestinian leaders back to the proverbial drawing board. This re-evaluation sparked a revolutionary approach to terrorism in the minds of PFLP leaders.

Steered by George Habash and Waddia Haddad — Christian Palestinians trained as physicians at the American University in Beirut — the PFLP was born out of a merger between several earlier organizations, most notably, the Arab Nationalist Movement, Youth for Revenge, and the Palestine Liberation Front. From its inception, the PFLP was dedicated to the expulsion of Jews from Israel and, more broadly, to the Pan-Arabist belief that the Arabs must unite to overthrow Western imperialism and the reactionary puppet regimes it had installed in the Arab world.

In a 1967 meeting of the organization's leadership, Waddia Haddad, then the leader of the group's military wing, leveled a direct challenge to the strategy of guerrilla operations: “Trying to get men and weapons across the Jordan into Israel is a waste of time and effort. Armed struggle of that type will never achieve the liberation of Palestine… We have to hit the Israeli army in a qualitative way, not quantitative way. This is a particular animal, the IDF [Israel Defense Forces]; we cannot fight it
plane for plane, tank for tank, soldier for soldier. We have to hit the Israelis at the weak joints”. His proposed solution involved a major strategic shift:

What do I mean by the weak joints? I mean spectacular, one-off operations. These spectacular operations will focus the world’s attention on the problem of Palestine. The world will ask, ‘What the hell is the problem in Palestine? Who are these Palestinians? Why are they doing these things?’ At the same time, such operations will be highly painful for the Israelis. High-profile, sensational operations, carried out by thoroughly trained people in secure underground structures – this is how we shall hit at the painful joints. In the end, the world will get fed up with its problem; it will decide it has to do something about Palestine. It will have to give us justice.

Elaborating, Haddad explained that the main idea was to hijack an El Al airliner and to hold its passengers and crew hostage. Haddad claimed that if such an operation failed to get the attention of international media, then probably nothing could succeed in achieving this goal. “It shouldn’t be necessary to use actual violence. We don’t even have to hit Israeli targets all the time. But we must be a constant irritation, a bug under the skin of the developed world. We must make them lose patience with Israel and Palestine that hard way.” While these actions would not precipitate Israel's downfall, they would, Haddad argued, draw sufficient international attention to the Palestinian problem and force a resolution. In the following months, Haddad created a separate special operations unit dedicated to executing such international operations.

Palestinian operatives developed this innovative strategy through the experience of executing spectacular attacks. The first hijackings were designed to impact Western public opinion and to inflate the power image of Palestinian groups, demonstrating their ability to attack Western targets if their demands and national agenda were not met. At the same time, the new strategy aimed to coerce the release of prisoners in Israeli jails and, later, the release of failed hijackers who were caught during their missions. These tactics were rapidly adopted by other Palestinian groups as well as other international terrorist groups.

In July 1968, five members of the new unit were deployed, hijacking an El Al flight from Rome to Tel-Aviv. The kidnappers forced the plane to divert to Algeria, carrying 36 passengers and ten crewmembers. After landing, the kidnappers released the non-Israeli passengers. The remaining five passengers and seven crewmembers were held hostage in an Algerian police station near the airport. As Haddad hoped, the airline’s hijacking became an international incident; Israel, faced with an unfamiliar challenge, turned to the US for help. All US attempts to find a swift resolution failed, and the crisis dragged out until September, ultimately coming to resolution through Italian mediation. In August 1969, the PFLP followed up on this initial foray, deploying two operatives to take control of TWA flight 840 from Los Angeles to Tel Aviv. Claiming that they launched the attack in retaliation against US military aid to Israel, the hijackers landed the aircraft in Syria, deplaned the hostages, and blew up the cockpit. The US demanded that Syria arrange the release of all hostages, but the Assad regime declined, allowing only a dozen crewmembers and 93 non-Israeli passengers to leave. Two male Israeli hostages were released at the end of October 1969, only after Israel agreed to release some Egyptian soldiers.

This strategic innovation soon gave rise to tactical innovations as well, such as ground attacks on European airports. For example, in December 1968 a parked El Al airplane was attacked at Athens

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11 Ibid, pp. 59-60.
12 Ibid pp. 59-60.
International Airport. One mechanic was killed and two others were injured. In February 1969, four PFLP operatives opened fire and threw grenades at an El Al airline while it was departing Zurich Airport, killing an Israeli co-pilot, three other crew members, and injuring three passengers. An Israeli air marshal managed to kill one of the terrorists, while the three other operatives were eventually captured.

Habash's organization declared it would broaden its worldwide activities and focus, not only on Israeli targets, but on any target that belonged to the US-led “imperialistic world.” Throughout the summer and fall of 1969, the PFLP bombed several European and Israeli targets, including three Israeli related-businesses and a Marks and Spencer shop in London. In September, the PFLP extended its scope to targets in the Netherlands, Belgium, and West Germany. These attacks expanded the plan to attract Western attention and built on the group's declared agenda of international revolution. The success of the first operations encouraged them to continue with this second gambit. Haddad personally selected all targets and supervised every operation.

These high-profile operations were not only tactical successes, but strategic victories as well. As Haddad had predicted, they brought international attention to the Palestinian problem. Their success also significantly boosted the PFLP's stature among Palestinian groups. In 1969, after the PFLP accepted Iraqi and Soviet sponsorship, Habash's organization fully capitalized on its increasing popularity, nearly tripling its size and significantly upgrading its capabilities. These improvements were on full display when the organization launched the so-called "airplane operations" – the most spectacular, innovative undertaking it has attempted to date.

The “Airplanes Operation”: The Pinnacle of PFLP’s International Operations

Building on the success of the earlier hijackings, Haddad resolved to hijack not one, but three airplanes en route to New York – selecting an American target because attacking American objectives led to the highest level of media attention. The planes were all to be landed on the same isolated strip in Jordan (an Arab country targeted for reasons beyond the scope of this paper). The operation was launched on September 6th, 1970, when TWA flight 741, en route from Frankfurt, was hijacked with 141 passengers and 10 crewmembers aboard. The next airline to be hijacked was Swissair flight 100 from Zurich, with 143 passengers and 12 crewmembers aboard.

While the first two hijackings went according to plan, the third hijacking, El Al flight 219, Amsterdam to New York, did not. According to Haddad’s plan, an operative from a left-wing Nicaraguan guerrilla group and a Palestinian woman by the name of Leila Khaled would pose as a married couple to deceive El Al security personnel in Amsterdam. Two other operatives were supposed to infiltrate the plane in the traditional fashion. While the “married” couple managed to board the plane, the other two, of Palestinian origin, were not allowed to board, but were also not arrested by the authorities. Shortly after takeoff, the two remaining operatives attempted to hijack the plane. The Israeli pilot, who had been trained in counter-terrorism tactics – a direct result of the

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14 “Memorial Institute for the Prevention of Terrorism’s Terrorism Knowledge Base”, <www.tkb.org>, [MIPT TKB]. (Website is no longer available. For clarification please contact the author.)
15 Ibid.
16 Ibid.
17 Ibid.
18 Abu-Sharif and Mahnaimi 81.
1968 Algeria hijacking – turned the plane sharply and entered it into a steep nose-dive.\textsuperscript{19} As a result, the hijackers lost their footing and an undercover Israeli security officer shot and killed the male operative. A group of passengers leaped from their seats, charged Khaled, and started beating her. Khaled pulled the safety pin from the hand-grenade that she was carrying and tossed it.\textsuperscript{20} Fortunately, the grenade did not explode. Her actions, however, indicate that she was ready to turn the operation from a hijacking into a suicide attack. After the passengers took control of Khaled, the pilot turned the plane back and made an emergency landing in London. Khaled was arrested immediately after landing.\textsuperscript{21}

The implementation of Haddad’s plan suffered from another complication. The two Palestinians who were turned away by El Al security decided to ignore Haddad’s directions and improvise instead. The operatives bought tickets on Pan Am flight 93 to New York and successfully hijacked the plane, its 153 passengers, and 17 crewmembers. This airplane, however, was not suitable for Haddad’s plan; Pan Am flight 93 flew a Boeing-747, which was too large for the sandy landing strip in Jordan. The kidnappers were ordered to divert the flight to Beirut and load it with explosives. After that, they would fly to Egypt and blow up the plane at Cairo International Airport after evacuating all the hostages. The PFLP's intention for this improvised plan was to embarrass Egypt for announcing its ceasefire with Israel, which ended "the war of attrition" in the Suez Canal.\textsuperscript{22}

The Swissair and TWA flights landed as planned at an abandoned British airport in Jordan known as “Dawson’s field,” later renamed the “Revolution Airport.” PFLP operatives waited on the ground and helped in securing the plane and handling the hundreds of hostages. Among those at the field was the commander and mastermind of the operation, Waddia Haddad.\textsuperscript{23} After completing the hijacking phase of the operation, the PFLP announced that they were not targeting US civilians themselves, but rather the US administration's policies. On the practical level, the PFLP demanded the release of terrorists held by the countries who had citizens among the hostages. As the United States held no terrorists in its prisons, Haddad announced that the US hostages would be released after all other countries had complied. In exchange for the release of the Swiss hostages the PFLP demanded that the Swiss government release several terrorists from Swiss prisons. A similar demand was made of the West German government. The British government was presented with a demand to promptly release Leila Khaled. Israel was required to release several Palestinian prisoners in exchange for the release of the Israeli and dual-nationality (where one nationality was Israeli) hostages.

The negotiations, conducted by the International Red Cross, started the day after the hijacking and dragged out for some time. The United States spent their political capital convincing the nations involved to present a unified front and to agree to release their terrorist prisoners only on the condition that all hostages, regardless of nationality, would be released as well.\textsuperscript{24}

Two incidents took place during the negotiations. On the third day of the crisis, Haddad received a report from Beirut that a BOAC airliner out of Bombay was en route to Dawson. Haddad originally suspected that it was a rescue mission, but soon discovered that a Palestinian PFLP supporter had

\textsuperscript{19} Ibid, 82.
\textsuperscript{20} According to some of the reports it was the male operative who dropped the grenade.
\textsuperscript{21} Abu-Sharif and Mahnaimi, 81.
\textsuperscript{22} Ibid. 82.
\textsuperscript{23} Ibid. 84.
\textsuperscript{24} Naphtali 43.
privately hijacked the plane after he heard about the arrest of the famous Leila Khaled. However, Haddad was still concerned about the possibility of a rescue attempt, and worried that Jordan, heavily embarrassed by the crisis, would attempt to end it by force. Therefore, with the media in attendance, Haddad evacuated the guarded hostages and then blew up the planes. The videos and photographs of this scene became some of the best known graphic symbols of the Palestinian international terrorist movement in particular and of international terrorism in general. This event epitomizes the whole strategic aim of the new PFLP strategy to force the world, at gunpoint, to pay attention to the Palestinian problem. Haddad's actions in Jordan gave him that attention in full.

The crisis ended formally on September 30th, with the western European nations exchanging imprisoned terrorists for their hostages. Even Israel agreed to release some Palestinian prisoners, although officially this release was claimed to be unrelated to the hijacking. The tactical victories of the airplane operation, though, were quickly translated into strategic difficulties, sparking harsh reprisals from Jordan and a significant global backlash. The consequences were so severe they convinced Habash that it was necessary to curb the PFLP's international operations. Haddad, though, was unwilling to retreat. Ironically, Haddad's most innovative operation led to his departure from the PFLP, along with his special operations unit. This separation shifted the center of gravity from the PFLP to Haddad's splinter organization. However, the PFLP remained a presence among global extremists, albeit one less oriented towards terrorism.

PFLP-External Operations (PFLP-EO, a.k.a.: The Waddia Haddad Faction)

In addition to devising the international operations strategy, Haddad was the chief planner and senior commander of each operation even though he kept such a low profile he remains almost an obscure figure even today. He also devised the training program for the PFLP's special operations unit — a training program he continued with his new offshoot and significantly upgraded. The first stage of training included standard military skills. During this initial stage, Haddad's handpicked officers singled out those recruits with the highest degree of intelligence, mental strength, physical stamina, and persistence. These recruits, after completing the entry-level regime, were selected for special operations training. This advanced training program, wholly of Haddad's making, was strongly geared towards preparing the operatives to execute missions targeting airlines. It focused heavily on techniques designed to overcome both pre-flight and on-board security measures. In some cases, trainees even learned how to pilot airplanes—in case the pilots were injured or killed during the initial takeover, and the operatives had to land the plane themselves. Haddad's personal involvement in the training process created strong bonds between himself and his operatives, with many of them idealizing him as a commander and as a human being. In many ways, they were more Haddad's people than PFLP operatives.

In order to further improve his unit's capabilities, Haddad took the unorthodox step of accepting non-Palestinian volunteers, who were often motivated by a combination of sympathy for the Palestinian cause and a desire to acquire the same skills for their own radical agendas. This decision not only lent the organization an international flavor that fit well with their nominal Marxism, but,

25 Abu-Sharif and Mahnaimi 84-85.
26 Ibid. 87.
27 MIPT-TKB
28 Ibid. 64.
29 Ibid. 64-65.
more importantly, it offered a way to circumvent "racial" profiling. This tactic was tested in the 1970 hijacking of the El Al plane in Amsterdam; while the two Palestinian operatives were stopped by security, the other two operatives—a Nicaraguan and a Palestinian woman who had undergone plastic surgery—successfully boarded the plane. Among the first to qualify under Haddad were the future founders of the Baader-Meinhoff group. Over the years, Haddad cemented further relations with the West German June 2nd Movement (Bewegung 2. Juni), the Italian Red Brigades (Brigate Rosse), the Japanese Red Army, the Basque ETA (Euskadi Ta Askatasuna), the Turkish THKO (Türkiye Halk Kurtuluş Ordusu), the French Action Directe, and the Provisional Irish Republican Army. In addition, Haddad recruited foreign volunteers who were not members of known organizations but who expressed a willingness to fight for the Palestinian cause. The most notable of those operatives was the Venezuelan Ilich Ramírez Sánchez, better known as “Carlos.”

Haddad was a great believer in developing innovative technological tools for his special operations. He specifically recruited engineering and chemistry professionals from all over the Arab world. Among the major fields of research in Haddad’s organization was the development of tools to overcome the airport security measures. PFLP’s engineers tried to develop various explosive devices that could pass through x-ray screening machines—a counter-innovation starting to appear in airports around the world—without raising suspicion.

Another development of Haddad’s special unit was a liquid explosive that resembled red wine. For the initial test of this explosive, Haddad decided to use a South-African operative of Arab origin. The man was so enthusiastic to participate in special operations that he declared his willingness to carry out a suicide mission. Haddad agreed. This was probably the first time the PFLP planned to carry out a suicide attack, an unknown phenomenon at that time. The special explosive was poured into an ordinary Chianti bottle that was sealed with red wax. All the operative had to do was to remove the wrapping from the bottle, which should have made it explode. The operation failed after the operative hesitated and was caught by Israeli authorities. In another case, a group of Haddad’s operatives was caught while carrying explosives hidden inside ceramic artifacts and religious icons.

Haddad's original ideas saw extensive deployment in the following years. One of the first to be carried out was the attempted assassination of Lord Joseph Sieff, president of Marks and Spencer and a known supporter of Israel. The assassination attempt was carried out in December 1973 and failed. The attack is considered the first operation for “Carlos” and may have served as a test of his courage and loyalty. In another noteworthy event, Haddad's group took over the Japanese embassy in Kuwait and successfully negotiated the release of embassy staff in exchange for two Palestinians and two members of the Japanese Red Army, who had collaborated on an attack in Singapore. It seems that Haddad went to this effort because the Japanese, able to travel easily across Europe, were turning from "operational contractors" into an integral part of Haddad’s special unit.

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30 Ibid. 67.
32 Abu-Sharif and Mahnaimi 71-72.
33 Abu-Sharif and Mahnaimi 73-74.
34 Ibid.
36 MIPT-TKB.
38 Ibid. 79.
Subsequently, in order to disrupt the possibility of peace talks between Israel and the PLO, Haddad masterminded two attempts to shoot down El Al planes in France, at the behest of his Iraqi patrons. Both attempts failed. In the aftermath of the second, three operatives, under fire from Israeli security, withdrew into the airport terminal and captured several hostages. After negotiations conducted under the auspices of the Egyptian ambassador to France, they released the hostages and were allowed to leave the country. Many countries refused to allow the attackers to land in their territory, hoping to avoid the appearance of supporting the attack or jeopardizing their relations with France. Ultimately, Iraq was "forced" to allow the operatives to land, ironically because of a direct request from France.

Throughout the mid 1970s, Haddad invested heavily in concocting what some have described as "shock value" operations. For instance, Haddad compiled a hit list of hundreds of targets, including names that had no connection to the Arab-Israeli conflict, but were sufficiently high profile to draw attention to the Palestinian struggle. In 1974, the organization set off a triple car bombing of the offices of three French newspapers that supported Israel. A fourth car bomb was discovered before it could be detonated.

In 1975, Iraq tasked Haddad with a special operation: storming OPEC headquarters in Vienna during a gathering of ministers from member states. The Iraqis gave Haddad free rein to plan the attack as he saw fit, but instructed him to kill the Saudi and Iranian oil ministers. Haddad devised a plan to take over the headquarters and kidnap the oil ministers, eventually releasing them in exchange for a plane to the Middle East. Each minister would be released only after he publicly denounced the possibility of dialog with Israel. This part of the plan was intended to get widespread media attention and to hide Iraq's involvement.

While Haddad was the man behind the plan, he decided to give the responsibility for executing it to "Carlos." Haddad selected operatives from members of the June 2nd Movement, since the Baader-Meinhof gang declined to participate and the Japanese were unsuitable for such a mission. The operatives included three Palestinians, two Germans and Carlos as their commander. The mixed international background of perpetrators was not unusual, because Haddad was known to assign operatives from several countries to the same operation. The involvement of the Palestinians was based on the assumption that they would be more determined executors, as well as Haddad's desire that the operation have a direct and clear linkage to the Palestinian issue. Haddad was directly involved in the training of the operatives for the planned OPEC operation. The Iraqis provided weapons and intelligence as they had for other operations in the past.

The storming of the OPEC building in December 1975 went as planned and without any special difficulties. Carlos identified himself to the 70 hostages using his full name and credited the operation to "The Arm of the Arab Revolution." The PLO was quick to denounce the attack and it was even condemned by the PFLP. After intensive negotiation, the kidnappers' demands were met and they were allowed to leave with their hostages to Algeria. Against the direct orders of Haddad, Carlos accepted the Algerian president's offer to release all of the hostages without killing the two ministers as required by the Iraqis. In exchange, the kidnappers would get ransom from the relevant

40 Ibid. 380.
41 Abu-Sharif and Mahnaimi, 67.
42 Yallop 381.
43 Ibid. 409.
countries. According to one publication, Carlos claimed that he decided to take the offer because he thought that the large sum of money would help finance Haddad's future operations.\textsuperscript{44}

Taking high-ranking ministers hostage in an operation including foreign nationals virtually guaranteed Haddad extensive media coverage — and a commensurate rise in the group's international profile. Further, they had fired a shot across the bow of oil-wealthy accomodationist Arab regimes, strongly incentivizing them to invest more heavily in resolving the Palestinian issue. The aftermath of the operation also worked in Haddad's favor: by cashiering Carlos for his insubordination, Haddad bolstered his image of uncompromising leadership.

**Audacity and Innovation in Aerial Attacks**

In 1976, Haddad launched yet another attempt to shoot down an Israeli plane and kill its passengers, targeting an El Al aircraft as it touched down in Nairobi, Kenya. For this attack, he put together a team combining experienced members of his organization and German operatives. The attempt was thwarted when Kenyan authorities, apparently acting on information provided by Israel, arrested the entire cell. The terrorists were transferred covertly to Israel for interrogation.

This failure did not dissuade Haddad from further attempts to attack aviation targets. In fact, the need to secure the release of the Nairobi cell only added additional incentive.\textsuperscript{45} In July 1976, Haddad dispatched a second cell to hijack Air France flight 139 (Tel Aviv to Paris via Athens), carrying primarilyIsraeli passengers. This operation succeeded. The operatives forced the plane to land in Entebbe, Uganda, and demanded that the hostages be exchanged for imprisoned comrades—including the three arrested for the Kenya attacks. While the hijacking itself went according to the plan, the operation ended in failure when Israeli commandos raided the plane and rescued the passengers and crew. All of the kidnappers were killed during the rescue mission.

In 1977, Haddad was diagnosed with leukemia. Despite his illness, Haddad continued to develop operational plans, including a repeat of an Entebbe-type hijacking intended to secure the release of the Baader-Meinhof members. The special training for this operation was conducted in Iraq and personally supervised by Haddad. In October 1977, operatives hijacked Lufthansa flight 181 (Palma de Mallorca to Frankfurt) and diverted it to Mogadishu in another attempt to release the German prisoners. Again, Haddad failed after GSG-9, the German counter-terrorist unit, successfully rescued the passengers and crew.\textsuperscript{46} Most of the kidnappers died during the German raid. Worth noting is the fact that the leader of the kidnappers was involved, several months earlier, in the killing of several North Yemen officials in London.\textsuperscript{47} It is possible that Haddad planned this operation on behalf of the government of South Yemen, where he resided for most of the 1970's before to moving to Baghdad.

The Mogadishu operation was Haddad's third major failure, with a high cost in both funds and skilled operatives. This, combined with Haddad's deteriorating health, effectively spelled the end of

\textsuperscript{44} Ibid. 407.
\textsuperscript{45} Interview with former Israeli security official, 29 August 2007.
\textsuperscript{46} Ibid.
\textsuperscript{47} Ibid.

**May 15 Organization (Abu-Ibrahim Faction)**

Two factions emerged from the ruins of the Haddad group. One, the May 15 Organization, was founded in Iraq by Hussein Mohammad al Umari, AKA “Abu-Ibrahim”. Al Umari, a Palestinian refugee raised in Lebanon and Syria, joined the PFLP because of his support for George Habash's ideas. He named his organization after the date that symbolized the birth of the State of Israel and the Palestinian catastrophe. Al Umari fully embraced Haddad's flair for innovation and daring, along with “the Master's” belief that, in order to achieve the desired effect, it would be necessary to attack not only Israeli objectives but also American ones, and even those belonging to moderate Arab countries. From an early stage, al Umari decided to focus his operations against airlines. But while Haddad was interested in hijacking planes, al Umari tried to blow them up while they were still airborne. Accordingly, he invested heavily in developing advanced explosives capabilities along with innovative tactics to circumvent the heightened security measures adopted in many of the world's airports.

One of the most famous products of al Umari's research was a suitcase with explosive material woven directly into the fabric. Lacking any suspicious external marks, it was thought to be unlikely that, even if airport security personnel found the cases suspicious, they'd be able to identify the explosives. Each suitcase contained a relatively small amount of explosives, but it was more than enough to bring down an airliner in flight. Invented while he was still a member of the Haddad faction, this device would become an al Umari trademark.

In 1982, the May 15 Organization fully deployed its next-generation abilities, dispatching Muhammad Rashid, the organization's top operations expert, on one of the most innovative attacks ever seen on the international stage. During June of that year, Rashid left Baghdad and, in accordance with al Umari's guidelines, stayed in Singapore as a regular tourist for a short period of time to avoid raising suspicion. After that, Rashid took his family with him on a Pan Am flight from Hong Kong to Tokyo. Al Umari correctly assumed that a man flying with his family would escape suspicion; authorities did not expect a terrorist to bring his own family with him during an attack. During the flight, Rashid took a concealed explosive device from his carry-on luggage and hid it inside his seat. The device was built with a barometric fuse that would detonate the bomb during the plane’s next flight. After their arrival in Tokyo, Rashid and his family stayed a couple days in Japan before returning to Baghdad. Meanwhile, the Pan Am plane took off on flight 830 to Hawaii with 267 passengers aboard, most of them Japanese. Shortly before landing, the bomb exploded. The passenger sitting in Rashid’s seat died instantly. 28 other passengers were injured. The bomb tore a wide hole into the fuselage and released the cabin's air pressure. Fortunately, the pilot was able to

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48 Yallop 40.
49 Ibid. 42.
50 Ibid. 74.
52 Ibid. 53-54.
regain control and make an emergency landing, saving the passengers.\textsuperscript{53} Two more attacks were launched in the following weeks, with bombs planted on a Pan Am flight from Miami to Rio de Janeiro and another on board a plane in a Tokyo airport. Fortunately, these bombs were found before detonation.

Japanese and American authorities quickly discovered that the explosion was a terrorist attack, but had difficulty finding suspects capable of such a sophisticated plan.\textsuperscript{54} Eventually, Western intelligence agencies exposed al Umari's organization and launched an aggressive intelligence campaign against it.

Al Umari remained determined to target the aviation industry and to cause massive casualties among Americans, Israelis, and anyone who flew with them to and from Israel. In other words, he continued the original strategy of Haddad's organization while improving its methods. Al Umari continued to plan and execute innovative operations against the aviation system, even while he was being pursued by the West. In December 1983, al Umari sent a British woman to Israel with a suitcase – unknown to her – equipped with Semtex-type explosives and a barometric fuse that was supposed to detonate shortly after takeoff.\textsuperscript{55} The woman boarded an El Al plane leaving Tel-Aviv on its way to London, with 260 passengers aboard. However, the bomb, which went undetected by Israeli airline security, did not explode as planned. When the woman arrived in London, she claimed the suitcase and took it with her, still unaware of the explosives it contained. On the same day, security personnel in Italy noticed that a Palestinian did not board his scheduled flight to New York, even though he had already checked his luggage. This made security suspicious, so they removed the missing man's suitcase from the plane before takeoff. When they inspected the suitcase, knowledge about May 15's bomb designs allowed them to discover the explosives and the barometric fuse. It appears that al Umari tried to carry out two, nearly simultaneous, major attacks.\textsuperscript{56}

Al Umari later launched several other attacks, including an attempted bombing of an El Al flight from Berlin to Tel Aviv and a similar attempt against a Lufthansa aircraft. However, attention from Western intelligence agencies was inhibiting his organization's ability to operate. Eventually, Western intelligence discovered the link between al Umari's group and the Iraqi government. Western pressure and several botched operations led the Iraqis to drop their support of al Umari. By 1985, the May 15 Organization was no longer operational.

**Conclusion**

The PFLP pioneered strategic innovations starting in the late 1960's, adopting new patterns of behavior radically different from those seen before. These new behaviors perfectly fit the definition of terrorist innovation offered by Crenshaw,\textsuperscript{57} and serve as a useful proof-of-concept. A combination of external structural factors and managerial ambitions within the organization allowed the PFLP's

\textsuperscript{53} Ibid. 56.
\textsuperscript{54} Ibid. 59-60.
\textsuperscript{55} Ibid. 131.
\textsuperscript{56} Ibid. 132-133.
\textsuperscript{57} In her article *Innovation: Decision Points in the Trajectory of Terrorists*, Martha Crenshaw states that “Strategic innovation involves significant points of novelty in the historical development of campaigns of armed resistance, those shifts that change the fundamental pattern of terrorist challenges to political authority. Such transformations in the modes of armed struggle probably require a new conception of strategic effectiveness. That is, strategic innovation requires both a new goal and a new way of relating operations to that goal.”
commanders to develop a groundbreaking offensive policy and to expand its range of targets exponentially. Making the international public the target audience for their attacks—rather than the Israeli, Palestinian, and Arab publics as they had before—was a significant conceptual evolution in terrorist strategy.

This evolution resulted from the PFLP’s belief that it could violently coerce the global community to dramatically change its attitude to the Israeli-Palestinian conflict and force the outside world to intervene on Palestinians’ behalf. Through this new brand of attack, the PFLP hoped to induce the world to regard the Palestinians as a nation in exile—rather than refugees to be resettled in Arab countries—and to treat them accordingly.

The colossal defeat Israel handed Arab nations during the Six-Day War, along with the subsequent failure of guerrilla warfare in the newly occupied territories, caused the PFLP to construct a new paradigm, pursuing Palestinian nationalist goals within the broader vision of international revolution.

The longstanding partnership and great trust between PFLP leader George Habash and his operations chief, Waddia Haddad, became a central component in the PFLP’s ability to develop a new and revolutionary terrorist strategy. These factors also allowed Haddad to implement this strategy with the full backing of the organization’s leader and to receive the necessary resources to fully support it.

That the PFLP and Waddia Haddad were able to personally procure extensive training, funding, logistical support, and shelter from several Arab regimes, as well as the Soviet Union, significantly increased their ability to run an expansive global campaign for an extended period of time. Haddad’s leadership style, his creativity, his deep personal involvement in planning and management, his dedicated terrorist unit, and his independent faction are what fostered the innovative tactical approach employed by the PFLP and its offshoots. For nearly a decade, terrorist attacks planned and executed at the international level were methodical, intensive, daring, and lethal, making international terrorism a permanent and significant factor on the international stage, and whose tactics were copied by Palestinian and other groups for years to come.

Choosing the aviation industry as the central target for attacks perfectly suited the goals of the organization. Hijacking airplanes was the first step. This was soon followed by a series of tactical innovations (defined by Crenshaw as “changes in method rather than strategic conceptualization...typically involv[ing] new weapons or targets... occur[ring] within strategies rather than replacing them”). Initially, attacks against airplanes used RPGs as airliners were landing or taking off. Next, the PFLP continued by planting bombs on planes, attacking planes and travelers on the ground, and finally attacking airline counters. This tactical expansion was wholly organic and suited the main idea: putting this central, multi-national, highly lucrative branch of the global economy squarely in the organization’s crosshairs. The attack on aviation guaranteed that media attention would be secured and that the economy of developed nations would suffer. Through this new approach, world leaders and the global community would take notice of the Palestinian issue.

The scope of the organization's strategy dynamically and continually expanded as its operations succeeded. Along with the initial motivation to move into the international arena, these operations

were also dedicated to serving the goals of international revolution and the PFLP’s Marxist-Leninist ideology. The organization’s cooperation with foreign terrorist organizations was an expression of this ideology (although it also constituted payment for services rendered by these organizations). Terrorist attacks against Arab targets also expressed this spirit and served the goals of the so-called "revolutionary" Arab states which supported the PFLP against the "reactionary" Arab regimes. The motives for these attacks included securing the release of comrades who had been arrested while working with the organization.

This case study suggests a set of features that organizations must exhibit in order to be considered truly innovative. Beyond the simple use of innovative tactics, organizations must (almost always) possess some or all of the following features, which shape the character of their innovation:

- First, a state of distress which derives from a sense of marginality and an enduring lack of progress, causing frustration and leading towards a desire to drastically change the situation.
- Second, a determined, cohesive (or centralist) leadership, which supports and enables innovation.
- Third, a charismatic, entrepreneurial leadership, with high operational capabilities, that can inspire innovation.
- Fourth, successful operations based on innovative planning.
- Fifth, influence that outlasts the organization over the long run.

Many of the nations targeted by the PFLP’s new strategy did not readily identify the revolution it represented, which contributed significantly to the spread of the PFLP’s methods and the continued utility of terrorism today. One of the reasons for this slow reaction was the lack of understanding regarding the principles of international terrorism, the ideology in which these principles were rooted, and a widespread belief that giving in to the demands of terrorist organizations would placate them. This led other organizations around the world to adopt the PFLP strategy, imitating and improving upon its methods. Other countries, such as Israel, developed both defensive and offensive countermeasures against the sources of international terrorism to interdict and prevent attacks.

Along with the success of the PFLP and its influence on other Palestinian groups, its international operations created tensions within the organization itself, with its colleagues and competitors in the Palestinian camp, as well as with the nations who’d suffered from its attacks. All of these factors led the Haddad faction to break away from the main group and embark upon an independent career sponsored by patron states. Countermeasures enacted in response to Haddad’s tactics foiled many of his operations, led to the imprisonment of his comrades and, eventually, the early death of this innovator and leader of international terrorist actions. For a number of years after his death, Haddad’s successors enacted tactically innovative operations similar to those Haddad himself had launched, but were ultimately neutralized by a widespread counter-terrorist campaign that included intelligence and political action against sponsoring states.

In retrospect, seen from a contemporary perspective, it can be said that locating innovative terrorist initiatives and their agents before disaster strikes is a difficult and complex challenge, which requires the ability to identify those groups or networks prone to strategic innovation.
Close surveillance of terrorist groups with a revolutionary agenda and a particularly destructive record, which display innovative tendencies and experiment with inventive tactics, will allow security forces to focus their efforts and isolate such groups from other organizations around the world. This can be done only through a deep understanding of the ideology, world view, inner discourse, and state of mind among the leaders such groups. Close analysis of these organizations’ operational leaders has critical importance; this would allow security forces to isolate these organizations before, or shortly after, they begin their innovative campaign, ensuring that, even if they do succeed, they will not inspire others to copy their tactics, as happened with the PFLP.

It appears today that there are two potential areas in which certain terrorist networks are moving towards innovation. The first is CBRN operations – chemical, biological, radiological, and nuclear attacks. The second consists of operations against critical infrastructures (such as those which control mass transit systems, energy, and communications facilities), plus economic and trade hubs. As the dramatic 9/11 attacks have already proven, terrorists sometimes develop innovations that are relatively simple yet surprising in their tactical originality and daring—innovations that are considered “illogical” even though their success is obvious even to the unbelieving eyes of intelligence agencies.

One of the inescapable conclusions of these cases is that, despite their differing characteristics, the necessary preparations left a trail that could have been detected in advance, or at least understood in its systemic context after the fact, leading to a swift response to prevent future attacks. A lack of willingness to quickly and effectively confront the sources of international terrorism and to eliminate innovative leaders from the arena is what gives terrorist innovation enough breathing space to become routine. If an organization's methods are successful and demonstrate that imitation will generate results at a low cost while advancing the organization's agenda, innovation is likely to persist.
Norms for Assassination by Remotely Piloted Vehicle

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Abstract

This article briefly summarizes what is known about the formation and revision of norms and applies that knowledge to the ongoing process of norm formation in the United States with regard to remotely piloted vehicles as they are currently being used for assassination. It focuses particularly on the use of drones in Afghanistan, but its arguments apply to their use in places like Yemen, Somalia, and Libya as well. It recommends distinguishing between the military’s and the CIA’s drone programs, finds that the military’s program is far more in line with American norms and argues that the CIA’s program should be terminated or brought into line with those norms.

Since Michael Walzer published Just and Unjust Wars in 1977, argument regarding ethics in international affairs has taken account of the idea that norms are formed through discourse among authors, ministers, editors, professors, politicians, and, as he put it, "publicists of all kinds." Scholarly attention to the importance and function of public discourse in norm formation has grown over the intervening decades. More recently, a number of scholars including Ward Thomas, Jeffrey Legro, Robert Price and Stephen Krasner have established that norms in international relations, particularly norms regarding the use of force, are "products of political processes." They argue that norms are developed and propagated because they express a moral conviction but also because they offer the individuals, organizations and states that adopt them important elements of political advantage. In this sense norms are "politically constructed."

The political construction of norms and rules systems has been recognized for some time. In the same year that Michael Walzer published Just and Unjust Wars, Hedley Bull wrote in The Anarchical Society that "any historical system of rules will be found to serve the interests of the ruling or dominant elements of society more adequately than it serves the interests of the others."

59 The term “norms” will be used in this paper in the simple and common sense fashion that Legro recommends, that is as "collective understandings of the proper behavior of actors." (See Jeffrey Legro, "Which Norms Matter? Revisiting the 'Failure' of Internationalism in World War II", International Organization 51:1 (Winter 1997).

60 Assassination is the killing of an individual by surprise attack, often treacherously and often out of political or religious motives. This article employs the term “assassination” rather than the more recent term “targeted killing” because the substitution of a new term severs the concept from the discourse which has long surrounded it. This article aligns with current scholarship on norms that argues that it is through discourse that norms are formed and revised. Therefore discourse ought not be distorted by the substitution of new and anodyne terms that strip a concept of important historical and social associations. This point is famously made by George Orwell in his essay “Politics and the English Language.”


None of these scholars argues that norms are purely pragmatic and reflect nothing more than political factors. Norms, as Thomas, Legro, Price, Krasner, McElroy and others demonstrate, derive from values and widely held moral intuitions. They would add, however, that political, social and cultural interests play a crucial role as intervening factors in norms' development. Norms, Thomas finds, "typically comprise two strands: one based upon a priori moral principles, and the other grounded in more historically contingent cultural and geographical factors." That second strand often reflects political interests defined in terms of power and may be thought of as the "power function" of the norm.

Norms for American use of air power historically have conformed to these principles. In World War II the strand based on a priori moral principles was subdued by the exigencies of war, as is commonly the case during wartime in all cultures. Wars bring distortions to the "collective expectations of proper behavior of actors" (as we have defined norms) and these distortions arise from the inflated public passions of wartime, a perceived degree of necessity that trumps a previously established norm, the practice of secrecy which can decrease visibility, and the sense that the enemy's crimes justify any action of our own. Once a war ends there is often a "reset" as the moral impulse at the root of societal norms reemerges from under the factors that had overlaid it.

Such distortion is evident in the public discourse surrounding a massive air attack on Tokyo in early March 1945. The front-page article in the New York Times describing the attack runs for several dozen column inches but never directly mentions the near certain fact that many tens of thousands of non-combatants were killed. The article implicitly accepts that there were such levels of casualties, since it declares that "the raid was designed to attack an area of ten square miles" and later states that "the density of population is 100,000 to the square mile." This item of public discourse, which was typical of the articles that appeared in American newspapers at the time, took no notice of the incineration of tens of thousands of civilians, indicating that public expectations at that time did not rule out such killing.

The power function of the norm may explain the public's expectations. The spectacle of such overwhelming force rained down on the enemy with impunity (the article dwelt at length on the fact that all three hundred B-52's returned safely to their bases) greatly reinforced the public's perception of America's strength and, in contrast to the memory of Pearl Harbor, its restored power and invulnerability.

American norms regarding airpower were dramatically different in January 1991 as is evident from public discourse concerning Operation Desert Storm. At that time, and to a heightened extent later during Operation Allied Force in 1999 over Kosovo, tremendous attention was paid to the avoidance of civilian casualties. Americans’ collective understandings of the proper behavior of its

his description of a 17th century debate between Holland and England over the legitimacy of attacks on merchant ships at sea. Howard explained that the merchant Dutch were highly reliant on freedom of trade for their prosperity while the British, with their growing naval power, depended heavily on blockades and commerce raiding. Consequently the Dutch championed norms and laws that would hold commercial shipping inviolate while the British promoted arguments that found attacks on commerce morally and legally acceptable. Howard showed the British view prevailed, and it prevailed increasingly as British naval power became more dominant. See Michael Howard, "Temperamenta Belli: Can War Be Controlled?" In *Restraints on War: Studies in the Limitation of Armed Conflict*, edited by Michael Howard (Oxford: Oxford University Press, 1979), pages 8 through 10.


68 Thomas, page 60.

military reflected a desire for near-perfect respect for the safety of noncombatants. Much attention focused on the gun camera videos which dramatically showed the unprecedented and extraordinary precision of what were called at the time "smart bombs." No attention was paid to the fact that in 1945, in what had come to be called "The Good War," the newly named "Greatest Generation" had behaved by standards that would in 1991 be considered grossly criminal.

The moral strand of the norm was greatly reinforced by the contingent strand of the norm. Americans seemed to take great satisfaction from the fact that in 1991 they alone could perform these feats of precision warfare. In fact, the norm briefly granted the United States a de facto monopoly on the legitimate use of force from the air. Under the collective understandings of proper behavior that suddenly came to prevail, the United States alone was capable of delivering bombs and missiles with sufficient accuracy and discrimination. All the other countries, with their "dumb bombs" were morally inadequate by comparison.

American norms shifted again in September 2001 after the Al Qaeda attacks. One would expect the distortions of wartime caused by shock, anger, and dismay to overlay the moral impulse behind the norm, but in fact air power norms had been so greatly strengthened that when force was applied from the air in Afghanistan against Al Qaeda and the Taliban, it was accompanied by simultaneous drops of food and supplies. The issue of what norms should apply was complicated by the fact that technological advances in precision guided munitions, real-time intelligence, swift information processing and excellent communications combined to transform force from the air into the functional equivalent of a sniper rifle with global range. The subsequent addition of remotely piloted vehicles was merely one more step in the transformation of American airpower from a crude, city-incinerating weapon to a subtle instrument for assassination.

Americans’ collective expectations for proper behavior with regard to assassination have never been equivocal. Thomas Jefferson, who had a particular gift for enunciating American values, followed the Swiss philosopher Emmerich de Vattel who declared that assassination was "an infamous and execrable practice," and that “the sovereign who makes use of such execrable means should be regarded as an enemy of the human race.” Jefferson himself wrote that "assassination, poison, perjury... All of these were legitimate principles in the dark ages which intervened between ancient and modern civilizations, but exploded and held in just horror in the 18th century." In the 19th century the Lieber Code was equally clear in its condemnation of assassination. It states in Section IX under the heading of "Assassination" that: "The law of war does not allow proclaiming either an individual belonging to the hostile army, or a citizen, or a subject of the hostile government an outlaw, who may be slain without trial... The sternest retaliation should follow the murder committed in consequence of such proclamation, made by whatever authority. Civilized nations look with horror upon offers of rewards for the assassination of enemies as relapses into barbarism.”

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70 The dramatic contrast to the standards of 1945 was captured by the remark that this practice was like starting the Marshall Plan aid on D-Day.
71 Vattel is quoted in Thomas, page 58. We know from his records of his library that Jefferson owned a copy of Vattel’s *Law of Nations*.
72 Quoted in Thomas, page 58.
73 The Lieber Code of 1863 Correspondence, Orders, Report, and Return of the Union Authorities From January 1 to December 31, 1863 – #7 O.R. – Series III, Volume III [S#124]
The contingent strand of the norm strongly reinforces the moral strand. As a possessor of great military resources, the United States traditionally has condemned assassination as the treacherous, vile tactic of a John Wilkes Booth or a Lee Harvey Oswald, and it has served its power interests in doing so.\footnote{Public discourse in Rome, another unrivaled military power, functioned the same way. Livy, Suetonius andTacitus forcefully condemn assassination as “un-Roman” and inadmissible.} America’s covert experiments with assassination in the form of the Kennedy brothers’ attempts on Castro and the Phoenix program in Vietnam caused great embarrassment when they were unearthed and examined in the hearings of the Church and Pike committees in both houses of Congress in 1975.

In the state of emergency following the September 11 attacks, President George W. Bush and CIA Director George Tenet started breaking the norm against assassination, but did so in secret. This represented an abrupt change in thinking on Tenet’s part.\footnote{“Before September 11th, the CIA, which had been chastened by past assassination scandals, refused to deploy the Predator for anything other than surveillance. Daniel Benjamin, the State Department’s counterterrorism director, and Steven Simon, a former counterterrorism adviser, report in their 2002 book “The Age of Sacred Terror” that the week before Al Qaeda attacked the US George Tenet, then the agency’s director, argued that it would be “a terrible mistake” for “the Director of Central Intelligence to fire a weapon like this.” Jane Meyer, “The Predator War” in \textit{The New Yorker}, 26 October 2009, p 6.} The norm had been clearly enunciated in a public setting by the US ambassador to Israel, Martin Indyk. Accurately stating US policy and in line with American discourse, Indyk declared “The United States government is very clearly on record as against targeted assassinations... they are extrajudicial killings, and we do not support that.”

American practice with regard to assassination by drone strike has developed greatly since 2001. The technology has evolved in the direction of greater accuracy, miniaturization, improved sensors for the collection of intelligence and improved information processing for the analysis of communications and imagery. Drones are far greater in number and sophistication, reliance on them has increased exponentially and the trends for increased sophistication and reliance are clear. The trends with regard to American understandings and expectations of proper behavior are also quite clear, but should be stated.

In the first days following the September 11 strikes, the CIA stepped forward with quickly developed plans for special operations in Afghanistan supported by airstrikes with precision-guided munitions. The CIA was much quicker off the mark with executable plans than the Department of Defense. In the state of emergency that prevailed in those days, standard practices were quickly set aside and the CIA embarked on an unprecedented program of missile strikes from remotely piloted aircraft. That program operated and swiftly expanded without critical supervision from the White House or Congress. Indeed, very few persons in the White House or the House and Senate Intelligence Committees were aware of the significant details. The public had only the vaguest notion of its nature and public opinion offered no significant restraint.

The US military developed its own drone program months after the CIA undertook its program in a significantly different direction. While there is no publicly available doctrine to explain how individuals are placed on the CIA kill list, the US military, with experience in the use of precision guided munitions dating back to 1991, has been careful to review and legally substantiate its targeting standards. In contrast to CIA practice, the military has formulated and promulgated standard procedures for the review and testing of targeting information and intelligence. About 180 persons are “in the loop” in any drone strike and a target may be held under observation for hours before a strike occurs.
In this way, the military strikes have achieved standards of compliance with the laws of armed conflict higher than those achievable by strikes from manned aircraft. This is in part due to the fact that an F-18 pilot cannot be as patient as a drone pilot, does not have access to equally complete and rich streams of information as are available to drone pilots, and does not have as ample support from other reviewers.

Understanding the differing norms practiced by the CIA and the US military is necessary in the context of the shifting trends for target selection. When the United States began using drones for assassination in Afghanistan, the strikes were few and were aimed at high-level members of Al Qaeda and the Taliban. By late 2010 strikes became much more frequent and were aimed at much lower value targets. According to Greg Miller in the *Washington Post*, "CIA drone attacks in Pakistan killed at least 581 militants last year, according to independent estimates. The number of those militants noteworthy enough to appear on a US list of most wanted terrorists: two." A practice that began in 2002 with a very few strikes on very high value al Qaeda targets had transformed into a practice of killing foot soldiers. It seems that the contingent strand of US norms regarding assassination has increasingly trumped the moral strand as the war in Afghanistan continues.

Conclusion

In complying with the law of armed conflict, the military program for drone strikes has also aligned its practices with American norms. The CIA practice, without comparable accountability, visibility, public review or other significant restraints may or may not respect American norms. Past experience as uncovered by such reviews as the Church and Pike committees would suggest that programs operating without substantial accountability are likely to vary widely from collective understandings of the proper behavior.

As the United States begins to withdraw from Afghanistan, it will naturally reassess the balance between the contingent and moral strands of its norms regarding assassination. Now that the former director of the CIA has become the current Secretary of Defense, and the former commander in the Afghan war has become the new Director of Central Intelligence, the two agencies will have a rare opportunity to compare the relative ethics and effectiveness of their drone programs. The contingencies of the September 11 attacks that launched the CIA program have passed. Since the US military is manifestly able to carry out the necessary drone strike missions, it would seem appropriate ten years later to terminate the CIA program and transfer its missions to the US military, which has demonstrated its ability to comply with the sort of normative oversight expected of a peacetime military.

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FATA’s Political Status

What are the consequences and options for Pakistan?

Sabina Khan

Abstract

In this article the author shares her research from the Federally Administered Tribal Areas (FATA) of Pakistan where she travelled and conducted interviews. The Constitution of Pakistan governs FATA through the colonial system established by the British in 1901, which is different from the rest of Pakistan’s governance structure. As a result the region became isolated and militants reigned free until military operations were conducted in the area. In order to prevent this from happening again the government has to integrate FATA with the rest of Pakistan. The author examines several alternatives available to the government of Pakistan to address FATA’s political status. Merging of the tribal areas with Khyber Pakhtunkhwa is analyzed against a separate provincial status for FATA. In conclusion, the article ends with recommendations for Pakistan to address FATA’s governance challenge.

Introduction

The Federally Administered Tribal Areas (FATA) of Pakistan are the epicenter of the “War on Terror.” The tumultuous region served as a base for the militants launching attacks within the country as well as against the governments, militaries, and civilians of the US, Afghanistan, and others. After the 9/11 attacks, Pakistan joined the US-led “War on Terror” and severed ties with the Taliban. In order to eliminate the threat of terrorism emanating from there, the military set foot in the region for the first time in 2002. Pakistan presently has 140,000 troops on the ground in FATA and military operations have been conducted in six of the seven agencies with the exception of North Waziristan.77

The military operations eliminated Taliban control, subdued the group’s fighting ability and set up the government’s writ in the tribal areas. To make FATA an integral part of Pakistan, the colonial governance system established by the British in 1901 needs to be replaced.

The root of the problem is that FATA has a special political status as a “tribal territory” and is different from the rest of Pakistan; basic governing bodies like the police, judiciary, and civic amenities do not exist in this area. Subsequently, economic development failed to reach FATA, thus keeping the area isolated and impoverished. The extremely low standards of education and development have left the people vulnerable to militants. FATA residents want the comforts and security that accompany conventional systems of governance. The absence of state governance has created a gap in the system and allowed militants to thrive in the region.

This article analyzes FATA’s status problem in depth, beginning with a description of its colonial governance system. Historical events that shaped FATA’s condition are explained and the paper ends with choices available to the government in order to bring FATA under the same governance

structure as the rest of Pakistan. Options considered include: revival of the traditional tribal system of governance, implementation of President Zardari’s reforms in the tribal areas, a separate provincial status, and the merger of FATA with the already established province of Khyber Pakhtunkhwa. In conclusion, a separate status will be recommended for FATA, making it the fifth province of Pakistan.

Governance of FATA

FATA is a group of administrative units in northwest Pakistan and consists of 7 agencies. These agencies are Khyber, Mohmand, Bajaur, Orakzai, Kurram, North Waziristan, and South Waziristan. The tribal areas are located in a narrow belt running along the Durand Line, the disputed de facto border between Pakistan and Afghanistan. FATA and Afghanistan share 1500 miles of this porous border in largely unmarked mountainous terrain.

The Tribal Areas and Afghanistan were a buffer zone between the British and the Russian Empires in the 19th century. The British could not enforce their writ upon the tribal area. Exhausted by repeated battles with the tribes, the Frontier Crimes Regulation (FCR) was introduced in an effort to subdue them. The FCR was a special governing system for the tribal region only; civil and criminal laws were different than the ones enforced in the rest of British India. The Political Agents (PA) and the Maliki system were also developed to allow for greater colonial control and will be further discussed in succeeding paragraphs.

After Pakistan’s independence from India in 1947 it was cheaper for the government to stick with the British system than replace it with a new system. Some 30 instruments of accession were subsequently signed in 1948 granting the tribal areas a special administrative status. Under article 247 of the Constitution, the President of Pakistan is the chief executive for FATA who in turn administers it through the Governor of Khyber Pakhtunkhwa (formerly known as NWFP). The Governor has this special power due to the proximity of the tribal areas near Khyber Pakhtunkhwa. This form of government was mutually agreed to at the explicit request of the tribes. The tribes pledged loyalty to Pakistan in return for maintaining their own identity, for securing the Western Border and not allowing any hostile agency to function within its territories. The tribes that inhabit the areas are fiercely independent and were peaceful until the fall of the Taliban in neighboring Afghanistan.

Frontier Crime Regulation

The FCR is based upon tribal customs (rivaj) and the Pashtun code of ethics known as Pashtunwali. The FCR relies upon the concept of “collective responsibility,” according to which an entire tribe or sub-tribe can be held accountable for the actions of a single wrongdoer. Since the FCR resulted in gross human rights violations it came to be known as the “black law.” This method of law

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enforcement has been criticized by some segments of the tribes and human rights organizations. The Pakistan Supreme Court has deemed it unconstitutional.

**Maliks and Political Agents**

Each agency in FATA is administered by a Political Agent. As provided in the Constitution, the Governor of Khyber Pakhtunkhwa appoints Political Agents in FATA and they represent the Governor in their respective agencies. The tribes operate through their Maliks (tribal and village elders) who can be selected by the tribes themselves or selected by the Political Agent of each agency. Political Agents do not directly rule or administer, but they work with the Maliks to influence the tribes’ decisions and behavior. The Political Agents provide money, infrastructure support and other incentives to the Maliks in exchange for cooperation; they maintain law and order in their tribal region with the help of jirgas. They also have the power to enforce collective punishment through the FCR.

**Jirga**

A jirga holds the status of a court in the tribal areas of Pakistan. It consists of a tribal assembly of elders who make decisions by consensus. Since the parliament and the judiciary are not recognized in FATA, the authority lies with the jirga. It is similar to that of a city council meeting in the US, where important local matters are discussed among the leaders of the community. A jirga is selected by consensus and given an open decree; its decision is accepted by all parties. After hearing from the parties in dispute and examining the evidence, the jirga issues punishment. The jirga can grant a death sentence, stoning in case of adultery, or dismissal from the community.

**The effects of foreign influence**

FATA was heavily changed following US efforts to arm the Afghan mujahideen against the Soviet army in the 1980s. Operation Cyclone remains the longest and most expensive CIA covert operation to date. Military equipment, including anti-aircraft weapons such as Stinger missiles, and paramilitary officers from the Special Activities Division (SAD) were supplied to the Afghan mujahideen during the Soviet war in Afghanistan. Initially the funding began at $20 to $30 million dollars in 1980 and increased to $630 million dollars a year in 1987. This controversial covert operation was undertaken to draw the Soviets into a long and costly Vietnam like war. The US reached out to Pakistan’s fundamentalist dictator, Zia-ul-Haq, to garner support for the mission. Operation Cyclone relied heavily on Pakistan’s Inter-Services Intelligence (ISI) for funds and weapons distribution, providing military training and support to the Afghan mujahideen.

American aid to the region was quickly cut following the collapse of the Soviet Union. However, in Afghanistan, Jalaluddin Haqqani and Osama bin Laden still controlled a vast number of radical

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83 Azeem Ibrahim, “US Aid to Pakistan,” Belfer Center - Harvard University, July 2009
freedom fighters. Afghanistan plunged into chaos. This created an opening which was filled by the Taliban, and eventually the al Qaeda terrorist organization. As the staging area for Operation Cyclone, FATA was left with a destroyed system, the world’s largest refugee population, radical Islam, drugs and weapons.\footnote{AFP, “Pakistan host to largest population of refugees: UN report,” Dawn News, June 20, 2011} 

The links to the deadly events of 9/11 were deeply rooted in the Soviet-Afghan war. The US now finds itself fighting against the very movement it helped arm, in a region that is still impaired by chaos three decades later. Few places in the world assumed as much importance for the US and its allies since 2001 as Pakistan's tribal areas. Pakistan joined the 'War on Terror' and immediately deployed 80,000 troops along the western border to capture or kill Taliban and al Qaeda militants fleeing from Afghanistan. The entry of coalition forces into Afghanistan led to the conflict spilling over into FATA. Drone strikes and Pakistan military operations in the tribal area followed suit and triggered 980,000 FATA residents to relocate to other parts of Pakistan.\footnote{Saba Imtiaz, “Pakistan has the sixth largest population of displaced persons” The Express Tribune, April 24, 2011. http://tribune.com.pk/story/155548/pakistan-has-the-sixth-largest-population-of-displaced-persons/ (Accessed July 21, 2011)} The war took a heavy toll on the economy and terrorist violence became a daily part of life in Pakistan.

**Radicalization and the origin of the Taliban movement**

The Taliban movement developed and formed from Afghan orphans and refugees who abandoned their homes and fled to Pakistan after the Soviet invasion. Saudi donations led to a sudden increase in the number of madrassas during the Afghan jihad against the Soviets. A new kind of madrassa emerged in the Pakistan-Afghanistan region with teachings strictly focused on making war on infidels.\footnote{Vali Nasr, “Analysis Madrassas,” Frontline, http://www.pbs.org/wgbh/pages/frontline/shows/saudi/analyses/madrassas.html (Accessed October 5, 2010)} Back then the Soviet Union was the enemy; today it is the United States. Many of the Taliban were educated in the Saudi-financed madrassas in Pakistan. Madrassas used the Islamic ideology as a way of creating an army of anti-communist guerilla fighters. Facing a bleak future, Afghani parents often resorted to sending their sons to madrassas. The promise of free education and food proved difficult to resist. The Taliban’s swift rise to power was the result of the disorder and civil war that ensued following the complete breakdown of law and order in Afghanistan after the Soviet retreat.\footnote{Alex Kirby, “War has ruined Afghan environment,” BBC News, January 29, 2003, http://news.bbc.co.uk/2/lowl/science/nature/2704989.stm (Accessed October 6, 2010)}

**Rise of the mullahs and the mujahideen commanders**

Religion is a major part of FATA’s identity today, but it had been subservient to tribal culture before 1980. The US, Pakistan, and Saudi Arabia support for an anti-Soviet jihad in Afghanistan subsequently altered the governance structure in FATA. During this time, mujahideen commanders and mullahs (Islamic clerics) emerged to weaken the traditional governance model in the tribal areas. The military commanders who were at the forefront of the jihad against the Soviets became increasingly powerful because of their leadership skills and capability as fighters. The mullahs, who
were disregarded and mocked before the Soviet invasion, gained influence because of the religious
motivation they provided for the war. The power of the commanders and mullahs grew stronger yet
with the large sums of money channeled in by the US and Saudi Arabia through Pakistan. The
Political Agents and the Maliks were no longer the sole power brokers in FATA.

Spread of Afghan militants into FATA

The situation in FATA took a turn for the worse when US and NATO forces invaded Afghanistan
in October 2001. This led to the spillover of militancy from Afghanistan into FATA, with thousands
of militants from the Afghan Taliban and the Arab al Qaeda rushing in. Foreign affiliates of these
groups—including Uzbeks, Chechens, and Tajiks—also came to the tribal areas in order to establish
bases to carry on their fight against the coalition forces in Afghanistan.88 The local tribes who
believed in the cause provided support to the fighters, while local militants who were allied with the
Afghan Taliban before 9/11 began to form local Taliban groups.

Rise of militant influence in FATA

For the first time in the history of the country, the Pakistan army set foot into FATA which changed
the dynamics of the political administration in FATA once again. The military authorities started
dealing directly with the militants and their tribal intermediary. The Political Agents was sidelined,
thus losing their influence and credibility. In the process the tribes and their Maliks could not stand
up against the armed and organized militants.89 Initially the tribes in FATA opted for peace deals
with the government of Pakistan. One after another the peace deals failed and the militants
beheaded around 300 Maliks while accusing them of collaborating with the Pakistani army and
intelligence services.90

After the invasion of Afghanistan, militancy and violence gradually found roots in FATA and started
to spread towards urban areas. Pakistan deployed the largest number of troops in the world to fight
the spread of terrorism, 140,000 in total.91 Compare this figure to 140,000 coalition forces in
Afghanistan made up of troops from 48 countries.92 Attacks inside Pakistan dramatically increased as
the army continued its operations against the Taliban in FATA. Over 30,000 Pakistanis have
perished as a result of terrorist violence in the country.93 Even though militant groups from other
parts of the country also participated in these attacks, FATA became the chief supplier of suicide
bombers.

88 Mansur Khan Mahsud, “The Battle for Pakistan: South Waziristan,” New America Foundation, April 19, 2010,
http://counterterrorism.newamerica.net/publications/policy/the_battle_for_pakistan_south_waziristan  (Accessed
October 6, 2010)
89 Owais Ahmed Ghani, “The governance challenge in the tribal areas (FATA) and the North-West frontier province.”
90 Mukhtar A. Khan, “The role of Tribal Lashkars in winning Pakistan’s War on Terror,” Jamestown Foundation, Terrorism
Focus Volume: 5 Issue: 40, (2008)
91 Steve Inskeep, “Pakistan, Militants in Deadly Border Fight,” NPR, June 6, 2011.
(Accessed July 25, 2011)
93 John Bingham “Bin Laden: 3,519 days, 2 wars, $1.283 trillion, tens of thousands of lives,” The Telegraph, May 13, 2011,
http://www.telegraph.co.uk/news/worldnews/asia/pakistan/8488157/Bin-Laden-3519-days-2-wars-1.283-trillion-tens-
In addition, the use of Predator drones and Hellfire missiles against selected militant leaders in FATA, in cooperation with the Pakistani forces, have led to increased anti-US sentiments in the country. The War on Terror came to be perceived by the common man as an American war. The credibility of Pakistan’s government came into question and the Taliban began running schools in which children as young as 9 were being conditioned to become suicide bombers. They were taught that “the Pakistan army is the ally of the Western capitalist world; they are the enemies of Islam.”

Lack of development in FATA

Militancy in FATA was fueled by several contributing factors. FATA is the least developed area of Pakistan. Illiteracy and poverty are severe; the literacy rate is estimated to be as low as 29 percent among men, and only 3 percent among women. The extremely low standards of education and development have left the people vulnerable to militants. Lack of infrastructure provides limited career opportunities. There is also an acute shortage of basic amenities like health care and drinking water. Catastrophic floods worsened the situation and caused an even further increase in the number of Internally Displaced Persons (IDPs).

Options available to address FATA’s governance challenge

There are several alternatives available to Pakistan regarding the political status of FATA. Residents of FATA have made demands to be converted into a fifth province of Pakistan. On the other hand some Government officials are considering expanding one of the four provinces of Pakistan, Khyber Pakhtunkhwa, to absorb FATA as well. Maintenance of status quo has also been proposed but with some key changes such as abolishment of the FCR. A revival of the Political Agent and Malik system has even been mentioned.

These alternatives are evaluated using three criteria: political acceptability, enforcement and effectiveness. The policy alternatives will be measured against their acceptability, the degree to which Pakistan’s government is able to implement the policy, and the alternative’s ability to effectively tackle the economic problems in FATA, along with countering the spread of militancy and radicalization.

Maintenance of Status Quo: In the midst of the current political, economic, energy and security crisis, the government of Pakistan continues to neglect FATA. The status quo is an isolated FATA with a deteriorated and corrupt governing system where the maliks and political agents were sidelined by the militants first and then by the Pakistan military. In addition to severe poverty, the dismal state of infrastructure provides limited opportunities. The discouraging human development indicators show that the status quo is not a feasible option because it has alienated the local population and robbed the youth of an education and a future.

Enforcement of this option is without question since no new action will be required. The continued destabilization of the Pakistan government is what causes this policy alternative to be unacceptable.

Status quo is not effective in dealing with FATA’s militancy, radicalization and economic troubles because it was this broken tribal system which originally allowed terrorists to flourish in the tribal areas.

**Implementation of President Zardari’s reforms in FATA:** In 2008 President Zardari announced political, administrative and judicial reforms to be introduced in FATA. The proposed reforms included setting up a FATA Tribunal with powers similar to those of the high court. The right to appeal cases regarding the FCR would be provided through the establishment of the court of appeals. This would limit the power of political agents to hold an entire tribe responsible for the actions of a single person. Under the reforms, funds provided to the political agents for use in the region would be reviewed by the Auditor General of Pakistan. The reforms also allow political parties to function in the region. Under the current system, development funds in FATA are utilized by the provincial government of Khyber Pakhtunkhwa but the people of FATA have no representation in the provincial assembly. This deprives them of the right to hold their leaders accountable.

Implementation of these reforms will not alter FATA’s political status, which is the crux of the problem. Despite amending the FCR and allowing political parties to function in the tribal areas, these reforms provide no solution for the economic woes of FATA and continue to consider it a tribal territory of Pakistan. On the positive side, political acceptability of this option is better than the status quo; it gives the people something rather than nothing. Enforcement of this alternative would, however, prove complicated since FATA will remain a tribal territory with FCR but the people will have the right to appeal the ruling. The limited scope of these reforms would be less effective in addressing the problems in FATA in comparison to more comprehensive options.

**Revival of the political agents and maliks in the short term:** The harsh terrain and the population straddling the porous border with Afghanistan will require immense resources to establish an effective administrative and law enforcement system in FATA. While researching possible solutions to turmoil in the area, I interviewed the Governor of Khyber Pakhtunkhwa, Owais Ahmed Ghani, at his office in Peshawar. Governor Ghani said that these resources will not be available soon. In his view, it is important to sustain the tribes in the short term through restoration of the traditional role of the political agent by strengthening their power and authority in their respective agency. He also emphasized the importance of reviving the malik system so that they can develop the tribes’ capacity to deliver collective and territorial responsibility.

The political agent and malik system worked before the Soviet invasion of Afghanistan but even then it failed to bring any development to the region and FATA remained the least developed part of Pakistan. This alternative is not politically acceptable or effective because the tribal system of political agents and maliks did not prevent the rise of Islamic militancy in the region; the Taliban destroyed the system by taking their place. Al Qaeda and the Taliban must be removed from their position of power before peace can possibly flourish. Even if the maliks can one day be restored to power, they have not demonstrated the ability to develop the infrastructure and living conditions of FATA. Solving FATA’s lack of governance and its side effects will require measures above and beyond restoration of solutions which have been historically proven as inadequate. Enforcement of this policy will face an uphill battle due to a broad lack of faith in political agents and maliks. Many residents consider them corrupt relics of the tribal governing system.

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96 Governor of Khyber Pakhtunkhwa, Owais Ahmed Ghani, interview by the author, July 20, 2010, Peshawar.
**Merger of FATA with Khyber Pakhtunkhwa:** Historically the administration of Khyber Pakhtunkhwa and FATA has remained interwoven with each other. Many people from FATA are already residing in Khyber Pakhtunkhwa and they speak the same language, although the dialects differ. The Governor of Khyber Pakhtunkhwa is the president’s agent in the tribal areas and political parties such as the Awami National Party (ANP) have already demanded FATA’s merger with Khyber Pakhtunkhwa. On the other hand, many political parties and tribal elders demand a separate province. “We will never support FATA’s merger with Khyber Pakhtunkhwa,” said Pakistan People’s Party Tribal Areas President Waris Khan.

During an interview with Major General Tariq Khan of the Inspector General Frontier Corp (IGFC) at the Frontier Corp headquarters in Peshawar, he posed “if there were violent reactions to calling the province Paktunkhwa and Hazara wanted to separate then what do you think is going to happen if the FATA status changes through unilateral means and then it is forced to merge to Khyber Pakhtunkhwa? FATA is very proud of its tribal heritage, its unique independence and would go into a civil war situation if forced to give up these privileges without an autonomous standing i.e. separate provincial status.”

The social makeup of the people of FATA is considerably different from that of Khyber Pakhtunkhwa; merging the two would be difficult and might lead to a civil war. FATA residents will oppose being ruled from Peshawar and the government of Khyber Pakhtunkhwa is already stretched thin due to struggles with terrorism and limited resources. The added pressure of governing FATA is more than can reasonably be asked of the struggling neighbor. Residents of FATA also fear that integration with another province will lead to a bleak allocation of development funds for FATA based on the already weak financial position of Khyber Pakhtunkhwa. While more funds are expected to be allocated to Khyber Pakhtunkhwa in the event of its expansion, no such plans have been announced as of yet. Currently, the Pakistan government is using US aid money to construct roads in FATA.

Geographical proximity of the two areas does provide a reason to consider a merger. The united territory would provide easy access to all the tribal agencies currently dependent on Khyber Pakhtunkhwa for their logistics and provisions. A merger could also make it easier to manage the tense rivalries between the tribes of the region. The Wazir and Mahsud tribes of South Waziristan are unlikely to form an alliance in the near term due to ongoing discord. Khyber agency is home to a vicious feud between the different sects of Sunni Islam. Orakzai and Kurram Agencies suffer from sectarian strife between Shias and Sunnis. Decisions made by the provincial government of Khyber Pakhtunkhwa might be more acceptable to all the tribes than the Governor of the new province of FATA, whom they might view as favoring one tribe over the other.

The political acceptability of this option is high amongst the political parties in Khyber Pakhtunkhwa who wish to establish a massive Pashtun province. If the tribal areas are merged with Khyber Pakhtunkhwa then a Pashtun majority province will be born. The current political

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administration of FATA is already tied to Khyber Pakhtunkhwa through the Governor who appoints the Political Agents in each tribal agency. In 2002 the Governor also set up the FATA Secretariat in Khyber Pakhtunkhwa to oversee development planning in the tribal areas. Thus, enforcement of this option has the benefit of FATA already being linked to the administration in Khyber Pakhtunkhwa. The government can build upon those links which will be easier than establishing a government structure from scratch in the tribal areas. However, the effectiveness of this alternative as far as tackling FATA’s economic problems is uncertain. Khyber Pakhtunkhwa has development issues of its own and maintains the lowest human development indicators in comparison to every province in Pakistan.

Adding an under-developed tribal territory to an already strained government may not yield optimum results. The religious party known as MMA (Muttahida Majlis-e-Amal) has been able to exercise significant influence in Khyber Pakhtunkhwa and it was the leading party until 2008 when the secular ANP won. Efforts should be made to move FATA away from radicalization and militancy. By joining the tribal areas to Khyber Pakhtunkhwa, there is a risk of adding to the existing disorder of the province.

**Separate provincial status for FATA:** In October 2010, elders from all seven tribal agencies attended a FATA convention in Peshawar and demanded a separate provincial status for FATA. In interviews conducted by the American Foundation and Terror Free Tomorrow, when asked how FATA should be governed, seventy percent of FATA residents said it should become a separate province of Pakistan. Pakistan is divided into four provinces, one capital territory, two self-governing autonomous regions and the Tribal Areas. A separate provincial status would make FATA the fifth province of Pakistan. FATA is a tribal society and roughly 3.17 million people of the area have the same language, culture and traditions. A smaller separate province of FATA will be more manageable than an even larger province of Khyber Pakhtunkhwa. The government may encounter fewer roadblocks if they choose to start anew rather than attempting to merge tribes with the already established structure in Khyber Pakhtunkhwa.

If FATA is given a separate provincial status, then Southern Punjab, Hazara, and parts of Baluchistan will reason that they deserve a similar status as well. For example the non-Pashtun, Hazara population is a separate ethnic group with their own language in Khyber Pakhtunkhwa. When the name of NWFP was changed to Khyber Pakhtunkhwa in April 2010, riots and protests broke out because the Hazara population did not feel represented by the new name. Unlike FATA, however, these groups already belong to a province and have an established status. Any change in their status will have to be done through the instrument of the constitution and a 2/3rd majority in the parliament will have to ratify such a change.

Political acceptability of this option is excellent since the inhabitants of FATA have demanded a separate provincial status rather than a merger with Khyber Pakhtunkhwa. Added likelihood of success will come from the people having a sense of ownership in their new province rather than

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being forced into less popular situations. This option will be effective in countering the spread of militancy and radicalization because access to a government funded education would provide impoverished parents with more palliative option to radical madrassas. The real challenge of this alternative is going to be enforcement since any new government will have to start from the ground up. A concerted approach from the population and long term steady support from a stable central government will be essential to bring FATA into the fold.

In theory, funds will be allocated for education, infrastructure, and eventually new commerce. At the moment US funds are being used to undertake some development projects in FATA such as road construction. In 2010 the US pledged $750 million, spread over five years, to support infrastructure, health, education, job creation, and other economic projects in FATA. The United States Agency for International Development (USAID) also has many small projects to develop basic water infrastructure and power systems. The Pakistan government has an opportunity to expand upon these projects and ramp up their efforts to provide basic amenities to improve upon the quality of life in FATA. Not until basic infrastructure is in place to support growth and commerce will FATA have the ability to generate significant revenue through taxation.

Recommendation

The status quo is the dire state which needs to be addressed in FATA; as Governor Ghani said, militancy in the tribal area has exposed many weaknesses and shortcomings in the current political and administrative system. Implementation of President Zardari’s reforms will not address the political status of FATA and it will remain a tribal territory. By amending the FCR and allowing political parties to function in the tribal areas, short-term benefits may be produced. On the other hand, this policy will do little to improve upon the low human development indicators and increasing militancy and radicalization.

A merger with Khyber Pakhtunkhwa would provide a preliminary economic base for FATA to develop on. However, the interests of influential religious parties in Khyber Pakhtunkhwa are in direct conflict with those of many FATA residents. A vulnerable and largely illiterate population of FATA makes an easy target for extremism. For those reasons, a separate provincial status for FATA is recommended. Making FATA into a province of its own will allow the Pakistani government to start afresh in the region. A stable administration will have to be created in order to develop roads, courts and police stations.

Under Article 247 (6) of the Pakistan constitution, the President has the power to declare the entire or part of FATA as a non-tribal area provided that he determines the views of the tribes through a jirga. This article also allows the president to take any consequential action necessary after declaring FATA a non-tribal area. FATA residents desire progress, developmental projects, infrastructure and education. They demand that the constitution should be extended to the tribal

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Therefore the current instrument of governance, Loi Jirga (large Jirga), should be used to move forward until the region is up to par with the rest of the country.

The FCR has surpassed its useful life and should be abolished. An evolutionary approach should be taken in removal of the regulation since the goal will realistically take several years to achieve. A sudden change in FATA will lead to problems. For example, the FCR was abolished overnight in Swat and was immediately followed by anarchy in the Valley. Similarly, when the princely states of Swat, Dir, Chitral and Malakand were merged with mainstream Pakistan in 1969 without proper preparation, the resulting poor governance led to public dissatisfaction. The discord eventually progressed into a full-fledged insurgency. In order to avoid repeating those mistakes, a measured plan is required for FATA to ensure that the tribal population has time to adjust to each phase of the process.

Conclusion

The situation in Pakistan must be viewed as an opportunity to bring FATA under the constitution and at par with the rest of the country. A higher state presence will ensure the security and development of the region. Success of this option would lie largely in the hands of the people. A unified voice will go far in determining whether FATA is awarded provincial status or if it is merged with Khyber Pakhtunkhwa. Regardless of the choice, FATA residents are long overdue for equal status as Pakistani citizens. The cost of keeping FATA trapped in the past is becoming too high to bear.

About the Author

Sabina Khan graduated from the Monterey Institute of International Studies with a Master’s in Conflict Resolution. She is from South Waziristan and spent the summer of 2010 travelling through FATA up to the Torkham border with Afghanistan. For her research she interviewed the Pakistan military, local residents, and the Governor of Khyber Pakhtunkhwa. Sabina is the daughter of the previous Inspector General of the Frontier Corps, Peshawar.

Appendix: Polling Data from FATA

The charts on the next page show that FATA residents reject Al Qaeda and the Taliban, as well as the religious political party, Jamaat-e-Islami. Former cricketer Imran Khan’s, secular political party, Tehreek-e-Insaf has the most support in the region (Source: New America Foundation and Terror Free Tomorrow107).

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FATA Residents who Support/Oppose Pakistani Military Action against Al-Qaeda and Taliban in their Region

Support: 69%
Oppose: 24%

If you could vote for any, which would you vote for?

- PPP (9.3%)
- PML-N (10.1%)
- PML-Q (2.6%)
- MQM (2.1%)
- JUI (9.4%)
- ANP (7.5%)
- Jamaate-Islami (3.0%)
- Pakistan Tehreek-e-Insaf (22.3%)
- Al-Qaeda (2%)
- Pakistani Taliban (0.6%)
- Other (Don't know, refused, independents, none, will not vote) (26.5%)
Editors’ Introduction

The editors of Strategic Insights are pleased to present the first installment of what we hope will become a regular feature: Point/Counterpoint. With this feature, we invite readers to consider opposing positions and arguments on contentious issues of the day.

On May 1, 2011, US President Barack Obama announced that US Special Forces had successfully killed Osama bin Laden, mastermind of the 9/11 attacks. Crowds gathered publicly in cities across the United States to celebrate the news, waving flags, lighting fireworks, and chanting “U-S-A!” Over 56.5 million Americans watched President Obama’s announcement on television, giving him his largest audience since he won the 2008 election.

Despite attaining this long-held goal, the US still faces the legacy of 9/11. US troops continue to serve in Afghanistan and Iraq; US intelligence agencies are still heavily organized against the threat of international terrorism; US relations with Muslim-majority states are still heavily influenced by reaction to the 9/11 attacks. How might these change with the death of the man who provoked the United States into two wars? What might the post-9/11 world look like post-Bin Laden? And, perhaps most importantly in the minds of Americans, has the death of Osama bin Laden made the United States safer?

In the following pages, graduate students from the Naval Postgraduate School will examine that question. While we originally intended to publish two opposing arguments, we received three thought-provoking essays that each tackled the question from a different vantage point. First, USAF Major Jeremy Reeves argues that Osama bin Laden’s death has inspired others to continue his legacy, reinvigorating the terrorist threat he posed to the United States. In contrast, USMC Captain Seamus M. Quinn argues that Bin Laden’s death at the hands of US soldiers will demoralize his supporters, making them less likely to follow his example, while the raid of Bin Laden’s compound has also provided valuable intelligence about the operations of al Qaeda that will seriously weaken the organization. Finally, Jerry Guo posits that bin Laden’s death has had no effect on attacks against US soldiers in Afghanistan, and has even destabilized Pakistan, creating a potentially more dangerous scenario for the United States and its allies. Each analysis argues different threat levels and sources and thus suggests different policy options.

We hope our readers will find these arguments thought provoking and will look forward to future installments of Point/Counterpoint. The editors welcome comments and suggestions as we develop this forum for debate.

Please note: the opinions expressed in these pages are the authors’ own, and do not reflect any official position of the Naval Postgraduate School, the US Department of Defense, or the United States Government.
The Legacy of bin Laden and National Security

Major Jeremy Reeves

The daring raid on the compound in Abbottabad by our country's most elite servicemen has been widely touted as a tremendous success both here and abroad. However, to believe the United States is more secure after the death of Osama bin Laden (OBL) is a naive notion. Osama the man is dead, but his legacy lives on.

Al Qaeda was never about one man. While OBL played an important role in the attacks of September 11th, scores of others were involved, including OBL's recently named successor, Ayman al-Zawahiri. Furthermore, there is essentially no evidence linking OBL to the most notorious attacks since, the Madrid railway bombings in 2004 and the London bombings in 2005. His death may have come as a blow to AQ's leadership, but there are others both willing and able to pick up his mantle of Islamic extremism and continue to terrorize the West.

Indeed, bin Laden's greatest achievement is not the 9/11 attacks, but rather the establishment of the al Qaeda “brand.” Jason Burke, in his well-written book, *Al Qaeda: The True Story of Radical Islam*, describes how OBL created AQ from three elements: a hardcore of devoted followers who stayed with him since the 1980s, a network of co-opted terrorist organizations, and an innovative ideology.108 This ideology, described by Michael Scheuer, former head of the CIA's bin Laden unit, chiefly consists of the “defensive jihad.” He goes on to say, “Bin Laden's genius lies...in constructing and articulating a consistent, convincing case that an attack on Islam is under way and is being led and directed by America.”109 As such, it is every Muslims duty to join in the defensive jihad by attacking Americans.

Burke explains how this ideology continues to resonate with millions of Muslims even though the AQ hardcore were scattered or killed in the invasion of Afghanistan and the ongoing war on terror. Today, the co-opted groups continue to operate and attack US interests around the world, taking on names such as al Qaeda in Iraq (AQI), al Qaeda in the Islamic Maghreb (AQIM), and al Qaeda in the Arabian Peninsula (AQAP). As Burke says, their members continue to “look up to bin Laden as a symbolic leader...acting in the style of al Qaeda, along the agenda of al Qaeda,” though they were never directly controlled by OBL.110 Umar Farouk Abdulmutallab, popularly known as the “Underwear Bomber,” provides the premier example. Intelligence sources offer ample evidence of his connections to AQAP, specifically Anwar al-Awlaki, the organization's senior recruiter. However, there are no ties between Abdulmutallab and OBL. The attempted attack was carried without the assistance of AQ's leader.

The security threat this country now faces goes beyond proclaimed members of al Qaeda-affiliated organizations. In February, the Director of National Intelligence, James Clapper, testified before Congress that terrorism is still the greatest threat to the U.S, and he noted “disturbing instances of self-radicalization among our own citizens.”111 In an op-ed piece for CNN.com, former CIA Director Michael Hayden recently asserted that since American forces have severely weakened al

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Qaeda’s structure, the organization is turning to “less complex, less well-organized…but more frequent” actions that are “more domestic in [their] origin.” Recent attacks and attempted attacks executed by US citizens have supported these notions: the attempt on Times Square, the New York City subway plot, and the Ft. Hood shootings, to name a few.

The perpetrators of these events were not radicalized by OBL directly. Bin Laden did not order the attacks nor did he provide material assistance. Rather the attackers and would-be attackers were radicalized, received some if not all of their training, and planned their operations with the help of the internet. Scheuer notes that bin Laden and al Qaeda became increasingly more adept at utilizing the World Wide Web since 9/11, not only for communication, but also as a means of sharing training, educational, and attack planning materials as well as standardizing curriculum. The State Department’s 2009 Country Reports on Terrorism cited al Qaeda’s continued use of “both the Internet as a means to distribute propaganda and telecommunications infrastructure to plan attacks and coordinate movements.” Despite our government's efforts, these online sources still exist and allow bin Laden to continue to recruit, train, and motivate despite his demise.

Finally, while the raid may have killed America’s “Most Wanted,” it may have also helped kill an extremely important relationship in our global fight against terror. On May 2nd, American military forces flew into a sovereign country with a known nuclear weapon capability for the express purpose of a targeted killing. Pakistani officials were not informed of the operation until after the fact. This calls into question America's sincerity when our government asserts the need for “building security partnerships” as stated in the most recent National Strategy for Counterterrorism. The already strained relationship between the US and Pakistan was further weakened by this action. While never the model ally, Pakistani government officials have made significant strides in capturing al Qaeda operatives, provided key intelligence, and to some degree demonstrated a willingness to assist in our country's war on terror. However, a recent Pew poll now shows that the majority of Pakistanis view the US as more of an enemy than an ally. Their government officials, already incensed by continued Predator incursions into Pakistani airspace, now have further impetus to look to burgeoning superpowers such as China for strategic alliances.

In no way am I insinuating bin Laden's death was a bad thing. While the legality of the raid may be called into question and the political implications continue to be resolved, OBL's death provided a tremendous boost to a war-weary country and struck a critical blow to AQ. He undoubtedly continued to play some sort of role in the organization’s operations despite being severely constrained. In addition, the computers, notes, and other information seized in the raid will aid in future operations against the Islamic extremists. However, these victories represent battles in what continues to be the long war against international terrorism. OBL's legacy continues to threaten our national security.

113 Scheuer, Imperial Hubris, 78-85.
The notion that his death has made our country more secure is unreasonable. The ideas he convincingly espoused for decades are now doctrine to a myriad of al Qaeda brand organizations, millions of eager jihadists, thousands of potential martyrs, and a host of sympathizers all over the world. This is reflected in his very own words when he stated, “Regardless if Osama is killed or survives, the awakening has started, praise be to God.”\textsuperscript{117} It is this awakening that America must continue to deal with if we are ever going to become more secure.

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\textsuperscript{117} As quoted in Burke.
Why the Death of Osama bin Laden has made the United States Safer

Captain Seamus M. Quinn, US Marine Corps

The United States is safer after the death of Osama bin Laden for three reasons: 1) its effect on our enemies; 2) its effect on our relationship with Pakistan; 3) and its effect on the rising generation of young men—mostly Muslim and Arab—who might otherwise have been vulnerable to bin Laden’s ideology.

First, the skill with which the Abbottabad operation was carried out sent the strongest possible signal to our enemies that they can find no true sanctuary and that their lives can and will be ended at a time of our choosing. The success of our predator drone campaign in the Afghanistan/Pakistan border region, and elsewhere, over the last few years has sent a similar message, as have the many special operations missions which have eliminated other al Qaeda operatives. The death of Osama bin Laden, however, was the culmination of these efforts for a variety of reasons—not the least of which is his talismanic status as the United States’ great nemesis. The Abbottabad operation demonstrated that no matter the enemy’s resources, capabilities, or security measures; the United States will not tire of pursuit and will inevitably prevail. If other enemies of the United States ever doubted our strategic resolve or tactical ability, they cannot in the aftermath of Osama bin Laden’s death. The resources and efforts our enemies must spend on their own security going forward cannot but enhance our national security, if only because we have more time to discover and disrupt their schemes. An optimist might even say that the audacity and precision on display in the Abbottabad operation will, for some time, dissuade our most capable, and therefore most dangerous, enemies from even planning plots against the United States. The benefit to national security in that case is obvious and inestimable.

Likewise, the intelligence gathered as a result of the Abbottabad operation—computer hard drives describing and chronicling significant aspects of al Qaeda’s operations, by all accounts—is of terrific importance. The exact contents of bin Laden’s computers are highly classified and not widely known. But it seems certain “that bin Laden had remained far more involved in the operational activities of al Qaeda than many American officials had thought. He had been developing plans to assassinate Obama and Petraeus, to pull off an extravagant September 11th anniversary attack, and to attack American trains.”118 Obvioulsy, disrupting high profile plots such as these is of tremendous value to our national security—as valuable as the idea that we now have crucial, top-level information about al Qaeda. No less than the example of resilience and expertise set by the Navy SEALs in Abbottabad, the idea that the United States may now know the most intimate details of al Qaeda’s operations significantly degrades the ability of terrorists to attack the United States. How can terrorists be sure we are not watching? How can they trust their own security measures? They cannot. More importantly, they must know they cannot. This situation, in which al Qaeda and enemies of the United States sympathetic to it cannot have confidence in the security of their operations, immeasurably enhances the safety of the United States.

The second reason the death of Osama bin Laden has made the United States safer relates to Pakistan. Our misalliance with Pakistan is murky and fraught, and the Abbottabad operation has

brought a long overdue reckoning. The exact reason why elements within Pakistan’s national security establishment allegedly protected and supported Osama bin Laden may not be widely known, but the overall strategic logic is not difficult to understand. Osama bin Laden’s presence in Pakistan, under the control of some element of Pakistan’s security establishment, was an insurance policy. If the United States ever completely abandoned Afghanistan or otherwise fundamentally reconsidered its relationship with Pakistan—both constant concerns in Islamabad—Osama bin Laden, alive and well, would have provided Pakistan with a range of strategic options.

Regarding Afghanistan, it is reasonable for Pakistan to assume that, in the event of yet another American abandonment of its neighbor to the west, the Taliban, or some other jihadist faction, would come to power. In that case, the hospitality Pakistan had shown to the Taliban’s erstwhile guest, and jihadist hero, would undoubtedly have been rewarded, and would have allowed Pakistan to maintain its historical influence in Afghanistan.

Regarding India, Pakistan’s original and seemingly eternal enemy, patronage of Osama bin Laden enhanced Pakistan’s leverage. Much to Pakistan’s chagrin, strategic cooperation between the United States and India has become ever more forthright over the last several years. Indeed, many experts contend that India is the United States’ most natural and most capable ally in South Asia. “The ascent of China and the hedging this now produces across Asia helps focus the United States and India on their shared interest in an Asian balance of power. The values aspect, too, is real; a younger generation of Indian officials sees the world through less traditional eyes, and the government quite deliberately now refers to itself as the ‘world's largest democracy.’ There is bipartisan support on both sides for a close strategic relationship, and private sector support for better economic ties.”

Pakistan may go unmentioned in this analysis, but Pakistan cannot ignore deepening ties between the United States and India.

Given the bloody history of Pakistan and India, a strong Indo-American alliance is likely a terrifying prospect for the Pakistani national security establishment. Osama bin Laden in-residence just two hours’ drive from Islamabad gave Pakistan two options—one stick, one carrot—to blunt the effects of ever closer United States-India cooperation. The stick: under suitable circumstances, bin Laden could have been operationalized in order to remind the United States of the costs of alienating Pakistan. Lashkar-e-Taiba’s 2008 rampage in Mumbai at a minimum proves that spectacular terrorist attacks can emanate from Pakistan. The carrot: again under suitable circumstances, bin Laden could have been presented as a gift to the United States. “Capturing” bin Laden in this manner would have burnished Pakistan’s anti-terror credentials, bought international goodwill, and put the United States in Pakistan’s debt. In either case, harboring Osama bin Laden improved Pakistan’s strategic position vis-à-vis the United States, Afghanistan, and India and was therefore perfectly understandable. From the United States’ perspective, however, it was intolerable.

The United States is determined to remain on the best possible terms with Pakistan. The fight against terrorism, stability in South Asia and the Middle East, success in Afghanistan, and nuclear security demand no less. But such ties cannot depend on the judgment of the most cynical and reactionary elements of Pakistan’s national security establishment. This description almost certainly fits those who harbored Osama bin Laden, as Pakistan’s sullen and confused reaction to the Abbottabad operation attests. Eliminating bin Laden has enhanced our national security because it

has eliminated a great strategic vulnerability we had vis-à-vis Pakistan. Furthermore, there is every reason to suppose that the Abbottabad operation will discredit and marginalize Pakistani officials sympathetic with radicals like bin Laden, and who may have been responsible for his sanctuary. If their influence wanes and allows for less cynical and paranoid officials to lead Pakistan, our tense relations with Pakistan will undoubtedly improve. A stable relationship with Pakistan and deeper cooperation with India are crucial to United States interests in South Asia and to our broader strategic interests worldwide.

Finally, and perhaps most importantly in the long run, the effect bin Laden’s death must have on a generation of young men now coming to maturity—many of whom have seen their fathers and cousins and brothers respond to bin Laden’s summons in Iraq, Afghanistan, and elsewhere—cannot be overestimated. To the eyes of these men, Osama bin Laden’s was no heroic death fitting of a martyr to the faith. Rather, bin Laden met a cowering end at the hands of a much more capable enemy. The one-time guru of anti-American jihadism had clearly been reduced to what journalist Christopher Hitchens describes as “the pathetic client of a ramshackle regime.” Osama bin Laden was no Saladin. He was not even a Muhammad bin Qasim. He will be a footnote in Islamic military history, most likely as a cautionary tale, and certainly no hero. Young men in the Muslim world who have been intently assessing the wages of war against the United States since boyhood know this better than anyone else.

One of Osama bin Laden’s observations is likely to last for generations to come however: people will follow the strong horse over the weak horse. Osama bin Laden’s misspent life and squalid death revealed him as an Arabian plodder, not even a Sham.120

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Captain Seamus Quinn is a judge advocate, currently assigned to the Defense Language Institute where he is studying Persian in the Foreign Area Officer Program. He served on I Marine Expeditionary Force Forward headquarters staff in al Anbar Province in 2006 and early 2007. From 2008 to 2010 he was a prosecution trial counsel for the military commissions at Guantanamo Bay, Cuba.

120 Sham was an American thoroughbred race horse. Though he was one of the fastest race horses of his time, his career was overshadowed by Secretariat, an exceptionally fast race horse whose record breaking history is a statistical outlier.
Don’t Celebrate Just Yet

Jerry Guo

For Americans, the death of Osama Bin Laden was a satisfying emotional end to the story of the 21st century’s most famous terrorist leader, but it has not made the United States safer in the short run or the long run. Bin Laden’s death is an accomplishment to be celebrated, but in the short-term it has not ended the two wars America still fights, it has not destroyed the international terrorist networks that Bin Laden supported, and it has not reduced the threat of extremist terrorism that faces Americans at home and abroad. Bin Laden’s death, rather, demonstrates America’s prioritization of domestic security goals over international norms and laws, weakening its security in the long run. And the anger and political turmoil that now embroils Pakistan, along with the concurrent weakening of US-Pakistan relations, does little to help United States security.

What has changed with the death of Bin Laden? One way of thinking about how US security could be improved is to consider the number of attacks linked to Al-Qaeda and its allies, as well as their severity. It does not appear that Bin Laden’s death has led to a decrease in attacks or a decrease in severity. Attacks on Afghan government targets have continued, including a brazen attack in early July 2011 that killed two dozen police officers, allegedly supported by fighters from Pakistan.121122 And throughout May and June 2011 militants in Pakistan launched attacks on government targets there, including an attack on a naval base that destroyed several US-supplied surveillance aircraft and shocked Pakistanis and Americans alike.123 In the short-term, it does not appear that the ability of terrorist organizations to strike at sensitive targets has diminished.

While these attacks negatively impact United States security in a tangential way, it is possible that Americans could still be safer on net because Bin Laden was more active in planning attacks on the United States than against Pakistan or Afghanistan, meaning there would be little change in the frequency of attacks in that region after his death. Indeed, early reports after the raid on Abbottabad indicated that documents seized at Bin Laden’s compound suggested that Bin Laden “played a direct role for years in plotting terror attacks,” though they also noted “there was no evidence of a specific plot.”124 But long before his death, there was debate about how much influence Bin Laden had on directing attacks.125 And when President George W. Bush was questioned at a press conference six months after the September 11th attacks, he stated, “I truly am not that concerned about him.”126 It will be difficult to ever know whether Bin Laden’s death prevented a catastrophic attack against the United States, but the debate and evidence seem to point to the contrary.

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124 Mark Mazzetti and Scott Shane, “Bin Laden was active in planning attacks,” May 6, 2011, http://www.boston.com/news/nation/washington/articles/2011/05/06/bin_laden_was_active_in_planning_attacks/.
Perhaps Bin Laden’s death has scared terrorist leaders, sending them a message that the United States will not rest in its hunt for justice, thereby deterring them from launching further attacks and stemming the flow of new recruits. It is an overstatement to say that deterrence is of no use when combating terrorist organizations. However, academic research has shown that there is a limit extent to which deterrence is effective against terrorist groups. Trager and Zagorcheva report that when “adequate resources are devoted to deterrence, traditional targeting of nonpolitical ends can sometimes deter critical elements of terrorist networks.”127 However, they note that resources should be focused on targeting financiers and preventing groups from working with one another for sustainable results. In fact, they argue that it is possible that trying to deter terrorist groups could lead to negative ends. The attempt to deter often fails to achieve political objectives and could “radicalize the whole movement or some splinter faction.”128 Further, the use of force like this could create common interests among groups that drive them to cooperate.

A message that the raid on Abbottabad did send to terrorist groups, and also the international community, is that the United States is still willing to take unilateral action in pursuit of political and military goals, even against allies. Plans for the operation were not disclosed to the Pakistani government until after it had been completed. This indicates a lack of respect for norms of territorial sovereignty. It also indicates a lack of willingness to support allies. Despite Pakistan’s crucial support of United States military operations in Afghanistan for the last decade, the United States was willing to put such an important alliance at risk to pursue a single man. It is important to think about the message this sends to other US allies, particularly those who are weaker even relative to Pakistan, and the extent to which it damages US credibility for the future. While it could be argued that this was an extraordinary case requiring unusually unilateral action, the fact remains that the raid happened. It is conceivable that the US will continue to prosecute extraordinary cases in the future. Such actions provide fuel to the historical narrative that the United States pursues only its own interests without care for the rest of the world and they could, as Trager and Zagorcheva note, incite terrorism.

So far, the most visible effect of Bin Laden’s death has been instability in Pakistan. A scan of newspaper headlines on most days would yield reports of attacks similar to the ones referenced above, such as two bombs that struck a market in Peshawar, killing 39 on June 11, 2011.129 There are several separate issues here. First there is the issue of attacks on the Pakistani people and government. It is possible that such attacks could lead the Pakistani government to retrench from its obligations to the United States, whether that means denying land access to Afghanistan, no longer cooperating in drone strikes or the war against insurgents, or even openly supporting insurgent groups. Second, there is the issue of existing Pakistani support for insurgents. There have been allegations that Pakistan’s military and intelligence services have supported militant groups, tipping them off on impending raids or even providing material support.130 It is possible that Bin Laden’s death has emboldened these factions to support militant groups even further. Given that militants were still being tipped off to US and Pakistani operations after Bin Laden’s death, it seems that it did not have a major effect. If either of the two issues discussed are taken to their extreme, a

128 Ibid., 121.
government sympathetic to militants could emerge in Pakistan, which would clearly have negative implications for US security.

There are many such concerns with Pakistan and the effects of the raid, but a pressing issue in the short-term is the fallout with respect to US-Pakistan relations. For now, Pakistan tolerates US use of its territory for military actions, sometimes against its own people. And the United States tolerates occasional missteps by elements within Pakistan in support of the larger overall goal of combating terrorism. But the death of Bin Laden could create a permanent rift in US-Pakistan relations, as some US Senators have called for the US to no longer fund Pakistan’s military and Pakistanis are outraged over violation of sovereignty. This is not to say that these problems did not exist already, but the immediate effect of the death of Bin Laden has been to amplify these problems and make it harder for all sides to act rationally and cooperate in the face of a common threat.

Osama Bin Laden’s death was a military success. The men and women who planned and executed the mission deserve congratulations for what they accomplished. But Bin Laden’s death did not make the United States more secure. It launched a series of retaliation attacks in Pakistan that have weakened the Pakistani government, relations between the United States and Pakistan, and incited greater violence against the United States and its allies. Some suggest that the elimination of Bin Laden will prevent more attacks against the United States. They fail to recognize that not only does Al-Qaeda still exist, but that there are a multitude of other groups with the same objectives. Missions like the one to eliminate Bin Laden are masterpieces of operational success, and similarly daring missions are probably carried out often. But individual missions, no matter how important the mission, will not make the United States more secure on their own. In the absence of a coordinated counter-terrorism strategy with partners abroad, they are at best a neutral factor and at worst they make the United States less secure.

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