

NATIONAL  
AND INTERNATIONAL  
SECURITY  
IN CONTEMPORARY  
CHANGING  
REALITY

SECURITY SCIENCES FACULTY EDITORIAL SERIES SCIENTIFIC BOARD

ANDRZEJ FRYCZ MODRZEWSKI KRAKOW UNIVERSITY

NATIONAL  
AND INTERNATIONAL  
SECURITY  
IN CONTEMPORARY  
CHANGING  
REALITY

PART 1

ED BY MIECZYŚŁAW BIENIEK, SŁAWOMIR MAZUR

ANDRZEJ FRYCZ MODRZEWSKI  
KRAKOW UNIVERSITY  
SECURITY SCIENCES FACULTY

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“National and International Security in Contemporary Changing Reality” is a compelling, must-read work for those who study and try to gain a better understanding of today’s national and international security environment.

A collection of diverse views of Polish and international authors on military, security, international relations, new forms of warfare such as cyber-terrorism and challenges they bring about allows the reader not only to see the whole complexity and interdependencies of the current security network, but creates a solid foundation for any further studies, especially for those readers who wish to obtain a better understanding of the Polish and other former Warsaw Pact countries’ perspective on the current and future role of international organizations such as NATO and the EU.

While discussing security and defense from many different angles, authors – whose backgrounds are diverse and who jointly represent a vast and profound experience in defense-related matters – invite the reader to embark on a fascinating journey through the modern world of multifaceted security relations, links among sometime remote areas of defence-related studies, and challenges that not only NATO and its members but all the nations of the modern world must face and live up to.


I found it very rewarding and at the same time refreshing to read articles by so many respected luminaries of international security science.

To have the views of them in one volume is simply a treat for any and everyone who – like myself – endeavours to see and understand the global picture to a maximum possible extent.

The opportunity to learn the views and observations of people of such different background and experience, representing both military and civilian academia, administration and chain of command is indeed rare and worth careful study.

It greatly broadened my horizons, corrected or improved my understanding and I can with all honesty recommend it to all scholars and general readers who are interested in understanding the security environment of today.

Deputy Supreme Allied Commander Transformation

  
General Mieczysław BIENIEK, PhD





# FOREWORD

National and international security constitutes one of the principal domains of the undertakings involved as part of the research on educational conditions and specialties available in the Department of Security Studies at Andrzej Frycz Modrzewski Krakow University. This issue is also extremely important in the field of international relations existing in the contemporary world. The essence and character of security, both in the national and international dimension are being reflected in all functional aspects of contemporary society. It not only refers to military security, but also to security in various spheres of economic, social, cultural, political and ecological life. As regards the current globalization processes, security applies to any area of the globe, equally to each and every human being and to entire nations. The issue of safety is inseparably connected with threats and related challenges continually emerging in the reality around us. Such threats arise in specific geographical locations and can exhibit diversified dimensions. They can exert considerable impact on the sustainable development of countries, regions and areas. Ensuring a set of forward-thinking measures, which would lead to increasing security in all senses, will significantly contribute to the proper economic development of our country, making the Polish economy more innovative and competitive.

This study seeks to familiarize the reader with selected problems of conducting security-related research. Expanding this domain of knowledge is now of the utmost importance. Although security has constituted the subject matter of several publications, there are still no concise and well-structured studies concerning this area of human endeavor and activity, so important to our country.

Security is generally interpreted as the state of non-threat, peace and confidence. As was stated by Józef Kukuła, it is a state of confidence of the country and people's existence in the subjective, objective and processual dimension.<sup>1</sup> The National Security Dictionary defines it as "the state which gives a sense of confidence, a guarantee of maintaining this state and the opportunity for its enhancement. The situation in which there is no risk of losing what we cherish most, such as health, work, dignity, feelings and property, is one of the principal needs of every human being. Among different types of security, the following can be distinguished: global, regional and national security; military, political and public

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<sup>1</sup> J. Kukuła, *Narodziny koncepcji bezpieczeństwa (The origins of the security concept)* [in:] *Bezpieczeństwo międzynarodowe, teoria i praktyka (International security – theory and practice)*, ed. K. Żukrowska, M. Grącik, Warsaw 2006, p. 40

security; physical, psychological and social security; and also structural and personal security".<sup>2</sup> The diversity of definitions causes various entities to approach the issue of security selectively. One and the same dictionary proposes a number of different definitions related to security and defense. Referring to the dictionary cited above, the national security is "a state ensured through properly-organized defense and protection against external and internal threats, determined as the relationship of the defense potential to the threats scale".<sup>3</sup> The essence of national security in the narrow sense concerns the internal state and the international situation of a country, which effectively secure its independence, consistency and interests, at the same time excluding the real risk of internal destabilization and external threats. National security in a broader sense is understood as the whole set of internal and external conditions that guarantee the sustainable development of society and the protection of the national territory against internal and external threats, and that ensure the capability of a country to implement autonomous internal and external policies.

Although the definitions of security are varied, it should be noted that the safe functioning of a country, and the safe living conditions of every family and of each human being constitute the supreme value. The security-related need was already referred to in the 1930s by Abraham Maslow, the author of the classical theory of human needs. Maslow distinguished five levels of needs where first-level needs must be satisfied before the next level could become dominant. Safety was assigned to the second level, immediately following physiological needs. It manifests itself as the need for security, stability, order and care, combined with the lack of fear, chaos and threat.

It should be stressed that neither security nor favorable conditions for the development of civilization are given once and for all. They require an ongoing effort to project the emerging challenges and to promptly react to them. The 21<sup>st</sup> Century world has turned out more complicated and unforeseeable than it seemed at the end of the previous century. Therefore, we have to set new objectives on a daily basis, bearing in mind our strategic goals.

This publication is devoted to the new trends in research, especially in the field of security studies, including national and international security, in the evolving areas of contemporary reality.

This publication is addressed especially to national and internal security students, to all students undertaking research work in the widely-understood area of security, and also to the managerial staff of various units and institutions operating within the national security and defense system.

The publication contains a wide range of topics that are relevant to security, and includes the following articles: Mieczysław Bieniek – Global Common–Executive Summary, Bryk Andrzej – American Military Strategy and the Economic Crisis,

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<sup>2</sup> Słownik Bezpieczeństwa Narodowego (*National Security Dictionary*), Warsaw 2002, p. 13

<sup>3</sup> Słownik terminów z zakresu bezpieczeństwa narodowego (*Dictionary of national security terms*), Warsaw 2002, p. 15

Piotr Patalong – Fighting the illicit trade and trafficking of small arms and light weapons – a world priority for the 21<sup>st</sup> century, Janusz Kręcikij – Polish National Security And The New NATO Strategic Concept – Progress or Stagnation?, Erhard Cziomer – International Security Challenges and Difficulties at the Threshold of the Second Decade of the 21<sup>st</sup> Century from the Perspective of Germany, Piotr Patalong, Mariusz Skulimowski – Experience and conclusions regarding the functioning of the Special Forces within the Armed Forces of the Republic of Poland, Sławomir Mazur – International Aspects of Counteracting Terrorism, Monika Ostrowska – Cyber-terrorism as the new form of threat in the twenty-first century.

*Mieczysław Bieniek  
Sławomir M. Mazur*



Mieczysław Bieniek

## GLOBAL COMMONS – EXECUTIVE SUMMARY

The new Strategic Concept, which Secretary General Anders Fogh Rasmussen presented at the Lisbon Summit on 19 November 2010, shaped the central features of the security environment for a decade to come. Part of the concept emphasized the importance of assured access to the Global Commons, not only for NATO, but for the security and prosperity of partners, allies, and the world.

**In October 2010, ACT** directed a study of the Global Commons that would identify the challenges and vulnerabilities that affect assured access to and transit through the Commons for NATO. The goal of the study is to provide guidance and recommendations for appropriate policy and planning in the immediate and near terms. This interim report serves as an outline for the more detailed final report, which will be presented by SACT to the North Atlantic Council and Military Committee in early 2011.

To meet this mandate, a series of six workshops were held, both internally and externally to the Alliance. Building on the successful example of the Multiple Futures Project, the conduct of and output from these workshops was based on open dialogue, and facilitated discussion among Alliance members, partners, and interested nations on what they deemed the most important issues regarding the Global Commons.

Each workshop was organized around a theme, e.g., trans-Atlantic relations and views and perspectives from outside the Alliance, and each of the four domains: air, space, cyber and maritime. Analysts from ACT's Think Tank group (TTG) presented each assembly with a tailored read-ahead outlining the aim of the workshop, along with questions of interest that were designed to enhance understanding and elicit individual perceptions regarding the importance of the

Commons in a globalized world. Lastly, the workshops asked participants whether they saw a role for of NATO, and if so, what that role might be.

In addition to the free-flowing discussions that took place, the TTG designed a survey for participants and subject matter experts, which asked them to rank their concerns regarding many aspects of the Commons. These ranged from where further study might best focus, to the appropriate role for NATO in specific activities such as counter-piracy and non-proliferation. Over time, several common threads emerged which form part of the early analysis and draft conclusions of this report.

To be sure, the ideas presented here are clearly understood, and can become the basis of a common dialogue within the Alliance, this report begins by defining the four domains that make up the Global Commons, itself a matter of continuing debate among nations. It goes on to describe NATO's interests in the Commons, and outlines some of the known and evolving threats to those interests in each domain. The report then presents a case for why this is an appropriate and critical area of concern for NATO, and makes several draft recommendations for both immediate and more long-term actions the Alliance might undertake to secure the interests of its members and partners in assuring access to the Global Commons. These recommendations, based on the feedback received from nations and research conducted in the course of the past six months, are grounded in the hard contemporary reality of uncertainty, rapid change, and budget constrictions. Equally important, however, is the message that the member nations of the Alliance can and must take positive steps now, if we are to assure access to and security in the Global Commons.

## I. THE GLOBAL COMMONS IN AN UNCERTAIN WORLD

Discussions of the Commons, what they encompass, and who controls them are not new. In the past, scholars defined the Commons as Antarctica, the high seas, the atmosphere, and space.<sup>1</sup> In this report, the concept is modified to encompass the four domains of air, space, maritime, and cyberspace.<sup>2</sup> International prosperity, peace, and security rely upon the flow of goods, services, and information through these four domains, collectively known as the Global Commons.<sup>3</sup> Assured access to the Commons therefore is essential to the modern globalized system. Access, as conceived here, however, is not only, or even primarily, about

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<sup>1</sup> Susan J. Buck, *The Global Commons: An Introduction* (Island Press, Washington DC, 1998).

<sup>2</sup> Ungoverned, or minimally governed, terrestrial spaces, such as many border regions of South America, Africa, and Southeast Asia, are not Global Commons because they are sovereign territory under the jurisdiction and subject to the restrictions of national governments. Antarctica is technically a common territory governed by international treaty, but is not within the scope of NATO's interests.

<sup>3</sup> Dick Bedford and Paul Giarra, *RUSI Journal*, Vol. 155 no. 5 (October/November 2010): 18–23.

the movement of military forces or control of the four domains in what some strategists call the battle space. Described by some as the connective tissue of international security, these domains together constitute a global public good that serves as a crucial enabler of international security and trade. The Commons thus may best be understood as a system of systems: none of the functions of globalization as we know it, with its highly efficient system of just-in-time deliveries of resources, materials, and manufactured goods to and from every country in the world, can work without assured access to all four domains.

A large part of NATO's strength and success as a political-military alliance comes from its ability to transit and use the Global Commons in accordance with international law, whether to ship troops overseas into theatres of operation, maintain C4ISR<sup>4</sup> through the use of advanced information technologies in space and cyberspace, or control airspace in support of combat and rescue operations, and, increasingly, disaster relief.

The fundamental and enduring purpose of NATO is to safeguard the freedom and security of its members by political and military means. The threats of today and tomorrow, clearly described in NATO's new Strategic Concept, have become more diffuse, irregular, and unpredictable. As nations of the Alliance increasingly depend on access to the Commons, we also increase our vulnerability to adversaries that are always looking to exploit this global asset to their own benefit, deny access, and disrupt the free flow of information, goods, people, and capital.

## II. THE FOUR DOMAINS

The domains of air, maritime, space, and cyberspace have many similarities and are closely interwoven, yet each has its own distinct properties, and thus should be addressed both individually and holistically. A critical weakness of the global system is that space and cyberspace, the two newest and most ubiquitous domains to be exploited by humans, still have few regulations. As use has increased geometrically, the cost of potentially disruptive technology, and barriers to its acquisition, have declined rapidly. This inverse correlation allows potential adversaries to exploit new vulnerabilities and deny access to others at ever decreasing cost. The challenge for NATO will be to identify its interests in each domain, understand the implications and complexity of an increasingly inter-connected Commons, grasp the nature of the threats to those interests, and finally, in this age of austerity, apportion scarce resources as effectively as possible to best prevent adversaries from imposing their will on the Alliance. If there is a "key to the Commons," it lies in applying a comprehensive approach that draws on the knowledge and abilities of all stakeholders to help solve the problems of access, use, and security across the four domains.

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<sup>4</sup> C4ISR: Command, control, communications, computers, intelligence, surveillance, and reconnaissance.

## Maritime

*“The ocean is a mighty harmonist.”*

*William Wordsworth*

The maritime domain, the oldest and best understood of the Global Commons, is considered by many to be the circulatory system of the global supply chain. Ninety per cent of all raw commodities and merchandise travel by sea, with 75% transiting through international chokepoints such as canals or straits. From 1970 to 2006, the quantity of goods transported via the oceans of the world increased by over 284%. More than 50% of the world’s oil is transported across the maritime commons; both China and Japan receive 80% of their oil by sea.<sup>5</sup>

The maritime domain, a major source of food and other important resources, as well as the primary enabler of global trade, threatens to become a flashpoint for future conflict as increasing demand minimizes the incentive to cooperate, and intensifies both competition and the impulse to deny access to competitors. Maritime animal and plant life are a critical source of protein, medicines, and other common products. New technology allows deep-water drilling for oil, gas, and minerals in once remote sea beds. The accelerated melting of the Arctic ice pack is opening large stretches of formerly inaccessible sealanes and ocean floor to transit and exploitation, and the Arctic border nations are already staking competing claims under the 1982 United Nations Convention on the Law of the Sea (UNCLOS III) to these valuable regions.<sup>6</sup>

Modern use of the maritime domain depends on secure and unencumbered access to space and cyberspace. The transmission of information such as orders, inventories, and the tracking of assets utilizes a vast network of both intercontinental undersea cables and space-based satellite links, and is a critical enabler to today’s “just in time” business models. Redundancy is unaffordable, which means a disruption at a critical node such as a port or GPS constellation of satellites, whether intentional or unintentional, can send damaging ripples through the system.

The destruction of, or denial of access to, any portion of this dense web of trade and information could be catastrophic. The supply chain that is the heartbeat of deployed operations all over the world is equally globalized, and thus equally vulnerable to disruptions, as China’s recent embargo of essential mineral supplies to Japan over a territorial dispute has illustrated.<sup>7</sup> The combination of conventional weapons systems and irregular tactics by state or non-state actors has given opponents the ability to disrupt the global system of commerce

<sup>5</sup> Frank Hoffman, “The Maritime Commons in the Neo-Mahanian Era” in *Contested Commons: The Future of American Power in a Multipolar World*, Center for a New American Security, January 2010: [http://www.cnas.org/files/documents/publications/CNAS%20Contested%20Commons\\_1.pdf](http://www.cnas.org/files/documents/publications/CNAS%20Contested%20Commons_1.pdf).

<sup>6</sup> These nations, so far, include Russia, the United States, Canada, Norway, and Denmark.

<sup>7</sup> Keith Bradsher, “After China’s Rare Earth Embargo, a New Calculus,” *New York Times*, 30 October 2010: B1.



through ever cheaper anti-access capabilities. Russia and Iran, for instance, have become global suppliers of anti-ship missiles. One enterprising arms manufacturer recently commenced marketing “missiles-in-a-box” – four cruise missiles packaged in a normal CONEX shipping container, ready to launch by remote command. Such a system, according to one report, “gives any merchant vessel the capacity to sink an aircraft carrier or like vessel.”<sup>8</sup>

Denial and disruption are also occurring at the state level. China, for instance, has recently contended that, contrary to the provisions of UNCLOS III, foreign warships must now obtain permission prior to transiting its EEZ (exclusive economic zone).<sup>9</sup> Several states are expanding their territorial claims to waters in the South China Sea, which potentially will interfere with strategic sea lanes used by all sea-faring nations to transport goods and information to and from the Pacific and Indian Oceans. As trade between the East and West expands, the Indian Ocean will play an ever-increasing role in global maritime operations. India, however, has increased its procurement and development of naval weapon systems that can be used to support an anti-access strategy.<sup>10</sup> In the highly sensitive Gulf region, Iran has repeatedly experimented with smallboat swarming as a tactic to interfere with the movement of naval and commercial vessels in the Strait of Hormuz.<sup>11</sup>

Piracy, particularly in the Straits of Malacca and off Africa’s eastern coast, has burgeoned in a very short time from a nuisance for commercial shippers to a growing threat to free use of the maritime Commons. Globalization, inadequate governance, and limited security regimes have allowed modern pirates to exploit the maritime, space, and cyberspace domains by using a hybrid of high technologies, such as satellite phones and GPS-enabled navigation, coupled with low-tech, smallboat swarming tactics, to plan and execute attacks while avoiding interdiction.

The smuggling of humans and contraband is also changing, as criminals and adversaries adapt their techniques to both exploit and inhibit access to the Commons through the use of sophisticated technology. Not only are people increasingly being trafficked, willingly and unwillingly, across oceans in shipping containers, there are reports of terrorist groups using trans-ocean commercial shipping to move explosive weaponry into Europe and the Americas.<sup>12</sup> Tactical nuclear and radiological devices, along with dual-use materials, could be moved this same way.

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<sup>8</sup> “New Russian weapons system hides missiles in shipping container,” *Homeland Security Newswire*, 28 April 2010.

<sup>9</sup> The EEZ was introduced in UNCLOS III, 1982, with a 200-nautical mile limit to protect the fishing rights of coastal states.

<sup>10</sup> Hoffman, “The Maritime Commons,” 55.

<sup>11</sup> See “Strait of Hormuz,” Robert S. Strauss Center, University of Texas, Austin, 2007; <http://hormuz.robertstrausscenter.org>.

<sup>12</sup> Jack Izzard, “Italian police find smuggled explosives,” *BBC News Online*, 22 September 2010.

## Space

*“The massive bulk of the earth does indeed shrink to insignificance in comparison with the size of the heavens.”*

*Nicolaus Copernicus*

Several participants in the space workshop characterized space as a “center of gravity” for the Alliance as a whole, and certainly for its individual members who have invested heavily in space. Precise air power (manned and unmanned), missile guidance, troop movements, environmental reconnaissance, and communications all depend on information relayed by space assets. If NATO were to lose access to space, it would still be able to defend itself, but the ability to project power beyond the geographical limits of the Alliance would be curbed sharply, and the human and economic costs of fighting such a war would be staggering.<sup>13</sup> The just-in-time supply chain described above also depends on communications and data from satellite systems to manage its complex operations. Space, like the maritime domain, is a critical enabler of the globalized economy.

The present architecture of space assets is an amalgam of private and state-owned and – operated systems. In recent years NATO, along with most nations, has come to rely increasingly on commercially owned and operated space-based assets, while commercial operators depend on NATO and national militaries to protect their systems. In the past, space was a remote domain accessed, used, and threatened by only a few states. The past quarter century, however, has witnessed the rapid commercialization of space – a pell-mell race with little concern for rules or procedures. As the use of space to support and enable private, commercial, and military enterprises has increased, so have the vulnerabilities. One way to address stability and free access in the increasingly complex domain of space is through a comprehensive approach that brings together stakeholders from across the military, civil, and commercial sectors.

Civil and private enterprise are the largest users of the space commons. Despite the recent growth in commercial launch and operation centers, they still depend largely on the military for access and space situational awareness to launch and maneuver satellites, ships, and aircraft. Most satellites are in space to transmit and transfer information, e.g., television, meteorological imagery, surveillance, positioning, and timing, all of which have both commercial and security implications. While ground-based internet nodes using fiber optic cable and wireless transmission technologies can replace satellite communications, they are not ubiquitous, and the cost of access can be prohibitive for those in remote areas. Weather forecasting, global positioning, and the exact timing crucial for asynchronous systems in space are indispensable, and will remain so for decades to come. Given our collective reliance on such systems, both militarily

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<sup>13</sup> Militaries have conducted “A Day Without Space” exercises that indicated these outcomes. The commercial sector, including the U.S. Chamber of Commerce, has recently begun to study this scenario as well. Remarks at the Air and Space workshop, Kalkar, Germany, 15 October 2010.

and economically, we have to understand what damage, deliberate or not, to a commercial and/or military satellite will mean for the security of the Alliance.

The space domain is not solely limited to orbiting satellites. Access to space includes the security of ground facilities that receive and disseminate signals from space. These stations tend to be well-protected, but most communications stations are commercial enterprises that calculate risk to operations in criminal versus adversarial terms. NATO must have a clear understanding of its interests in helping nations secure these facilities, while nations must continue to develop public-private partnerships that share information and access to combined military and law enforcement capabilities, in order to prevent any attack on such critical infrastructure.

Though NATO depends on space to perform its tasks and missions, the Alliance itself has no space policy or force structure to sustain its space-based support. Hitherto, NATO has relied on space-faring nations to offer services on an as-required basis. The NATO mission in Afghanistan (ISAF) has experienced repeated difficulties coordinating “just-in-time” space-based systems to deliver critical communications, surveillance, and targeting information in Afghanistan. ISAF commanders routinely have urged NATO to draft and promulgate a space policy to address these needs and empower future planners and practitioners. When polled, experts from across the Alliance cited the need for a clear, coherent policy as their most pressing concern with regard to NATO’s future in the domain of space.

An effective policy will bring the space capabilities of member nations into an organized whole, so that the problems of coordinating different systems do not constrain NATO’s ability to execute in-area and out-of-area operations in support of the strategic interests of the Alliance. The space treaties of the 1960s and 1970s, which outline basic principles of freedom of use, non-appropriation, and state liability/responsibility, have served this domain well to date, but they are no longer sufficient by themselves.<sup>14</sup>

Increased activity in space by an ever-growing number of players has produced relative congestion and competition for frequencies and orbits, as well as dangerous levels of space debris that endanger satellite systems. Private and commercial actors are some of the newest to join the space arena, and are not subject to most treaties agreed among states. It is important to note, however, that although these new players make space more congested, it is the states themselves that have been the most egregious violators of accepted space conduct, especially when it comes to the deliberate and unintended generation of space debris. The Chinese anti-satellite test in January 2007 was in the upper altitude of LEO (low earth orbit, up to 2,000km), and the resulting debris will threaten assets in space for more than 20 years. According to the Air Force Space Command, the

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<sup>14</sup> The first is the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, known commonly as the Outer Space Treaty, which entered into force in 1967. Several others followed that focused on specific issues, such as registration of satellites (1975).

wreckage from that one event increased the collision risk for about 700 military and commercial spacecraft by 30 per cent.<sup>15</sup>

It does not require a specially designed weapon to destroy a satellite in space; any object with a guidance system can become a missile, and whether that collision is intentional or not, it is nearly impossible to prove intent. Jamming and spoofing methods, now within the reach of many non-state actors, make discerning intent and attributing destructive behavior even more difficult. Even the United States, with a formidable space situational awareness, and working in concert with the European Space Agency (ESA), lacks the ability to distinguish an attack from an accident. Not knowing the source of an attack produces instability in the system – instability creates uncertainty, and uncertainty in the international system triggers escalation. One of the key findings of the Schriever 2010 War game underscored that observation: the interweaving of civil, commercial, and national space capabilities had become so complex that it was difficult, if not impossible, to attribute an attack, or in some cases understand when, or even if, an attack had started, or whether it had ended.

Clearly, a retaliatory kinetic attack in space would be dangerously counter-productive. What is the appropriate response if the target is a commercial satellite? Can NATO's political and military power even play a useful role in such a situation? Since capability and intent in space are nearly impossible to assign, should we ignore capabilities and instead define a set of behaviors that are more important than others? If so, once they are identified, how do we incentivize good behavior and punish destructive behavior? Clearly, these are important questions that the Alliance must address.

## Air

*“There is the sky, which is all men’s together.”*  
Euripides

Although human access to the air domain is scarcely one hundred years old, air-space is second only to maritime in its levels of use; it is, however, more highly regulated and controlled than the oceans. Adding to the complexity of the air domain has been the rapid development of space and cyberspace capabilities, which have changed profoundly the way we use airspace and operate aircraft, both manned and unmanned. Operations in the air domain depend on access to space-based, cyber-enabled communications and information transfer for global positioning, timing, precision, environmental monitoring of real-time conditions, collision and missile warning capabilities, weapons guidance, coordination, and constant surveillance and reconnaissance.

Like the maritime domain, nations have sovereignty over their national airspace, while international airspace, as defined by treaty, is open to use by all.<sup>16</sup>

<sup>15</sup> Leonard David, “China’s Anti-Satellite Test,” *Space.com*, 2 February 2007.

<sup>16</sup> Rules for civil aircraft in international airspace are codified in the 1944 International Convention on Civil Aviation.

Also like the oceans, airspace that is not designated as international is divided into zones with varying levels of access, depending on proximity to land, altitudes, and aircraft capability and capacity. By far the heaviest users of this domain are commercial air carriers, which transported more than three billion people in 2009. Adding to these congested skies is a burgeoning air cargo industry that now transports over eight per cent of the world's high-value cargo. Add to this mix unmanned aerial systems (UAS), both micro and macro, whose use and destructive capacity have increased a thousand-fold in the past fifteen years, and an already complex system becomes even more so.<sup>17</sup>

Since the Cold War era, NATO has filled the crucial role of air policing, to ensure the sovereignty of European airspace against any unwanted incursion. Air policing, however, with its component C2 systems, tracking and identification capabilities, and interceptors, comes at a high cost to the Alliance because, on the one hand, some member states insist on keeping complete control of their own airspace and assets.<sup>18</sup> On the other hand, some new members have lacked critical capabilities required to meet Alliance standards, which has resulted in the creation of regional systems such as the Baltic Joint Airspace Surveillance Network (BALTNET, 1998). In other cases, individual states within these regional groups take on specific responsibilities, as Finland has for patrolling the airspace of its region rather than only Finnish territory.<sup>19</sup> The drawback to these arrangements for a mutual-security alliance like NATO is the devolution of purpose, or as one Ambassador lamented, the fracturing of the Alliance as regions adopt individual approaches to defense and security. History has proven that when grand alliances fracture along regional and economic lines, solidarity suffers, interoperability declines, and intra-regional command and control becomes increasingly difficult.

As both national and international airspace becomes more crowded, a critical question for NATO is how nations coordinate international air traffic. When Iceland's Eyjafjallajökull volcano erupted in 2010, an event that was both predictable and unstoppable, its ash clouds disrupted traffic across the vital trans-Atlantic corridor for two months. It took North American and European authorities a full four weeks to figure out how to achieve "almost real-time" procedures and delegate authority to route trans-Atlantic traffic in an efficient and effective manner.<sup>20</sup> This problem is solvable, and the creation of a coordinated system should not have to wait for another crisis to spur action.

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<sup>17</sup> From April to July 1995, allied forces managed to field three successful drones in Bosnia. In the present war in Afghanistan, drones are being deployed effectively at the rate of 100 a day.

<sup>18</sup> From "NATO's Air Policing Mission Challenges", read-ahead material for the JAPPC conference, Kalkar, Germany, 13–15 October 2010.

<sup>19</sup> Ibid.

<sup>20</sup> Maj. Gen. Mark Barrett, USAF, "Managing Global Commons in the 21st Century: A Challenge for NATO," forthcoming from ACUS, 2010.

## Cyberspace

*"It is not drawn on any map; true places never are."*

*Herman Melville*

Cyberspace is a unique domain in that it does not itself occupy physical space. It does, however, depend on physical nodes, servers, and terminals that are located in nations that exert control and sometimes ownership. The public good that travels the information highway is man-made and hard to categorize or locate. For example, a discrete transmission may start via cell tower (USA terrestrial), be converted to trans-Atlantic fiber optic signal (maritime), then be relayed via microwave tower (EU terrestrial) to a French satellite in space, ending as a SATCOM signal to a commercial Korean ship at sea. Transmissions like this occur millions of times each day, illustrating not only the ubiquitous nature of cyberspace, but also the complexity of these elaborate systems.

Until recently, most hackers were after the information that constitutes the payload of cyberspace, rather than its infrastructure; this however is changing. The infrastructure and information base of cyberspace is almost entirely in the hands of private and commercial enterprises, rather than governments or the military. To complicate things further, unlike the other domains, cyberspace does not depend primarily on state power for security; over 90% of networks are private and competitive in nature. In this environment, providers have been extremely resistant to regulation and security, preferring self-regulation and less assurance rather than accept limitations (and higher costs) that increase safety and reliability. One need look no further than the Russia–Georgia conflict in 2008. Georgia's reliance on its version of classified and unclassified networks was easily denied, and the system shutdown that occurred was predictable. In the 21st century, mission and the network have become intrinsically linked; without the network the mission will fail.

We know two things very clearly about cyberspace: the global economy and modern militaries are deeply dependent on assured access, and this access is increasingly threatened by hackers, malicious software ("malware"), and recently, by highly sophisticated, coordinated attacks on states and state-owned targets that some experts believe are state-sponsored. NATO for its part is constantly fending off attacks against its systems at all levels, ranging from the amateur to the extremely sophisticated. The denial-of-service attack on Estonia in 2007 is generally regarded as the first full-scale cyber-attack against a state, although it did no long-term damage and was arguably not state-sponsored. "Ghostnet", an espionage botnet<sup>21</sup> that forensics determined had originated from Asia, infected computers in the governments offices of 103 countries around the globe during

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<sup>21</sup> The term botnet, short for robot network, refers to any network of computers that runs autonomously. More commonly, however, it refers to a clandestine network of machines that have, unknown to their users, been infected with a virus that turns background control of the computers over to the hackers.

2008. Despite very strong circumstantial evidence, however, that attack cannot be officially attributed.<sup>22</sup>

On a very different level, the 2010 worm called W32.Stuxnet, which invaded the control systems for Iran's nearly completed Bushehr nuclear complex, did actual physical damage to the facility by turning the systems that control the enrichment process over to hackers. Unlike previous attacks, Stuxnet did not go after information, it went after infrastructure.<sup>23</sup>

Experts from around the world believe that such a sophisticated program took many months to develop, and many surmise that it could not have been created without state sponsorship. Nevertheless, it is impossible to attribute without doubt, and chances are no one will ever be held accountable for the Stuxnet worm.<sup>24</sup> Like space, attribution of attack is one of the most important, and most elusive, aspects of operating in the cyber domain. Lack of proof about who is responsible for an attack obviates the possibility of recrimination or retaliation. The question is, should the Alliance concentrate on behavior rather than capability? If so, how can NATO help the international community to establish training and education that sets codes for conduct and standards for interoperability?

NATO currently experiences dozens of cyber-attacks every day, primarily of the standard lone-hacker type. Given the trends of the last decade and the explosion of cyber-enabled functions, both commercial and military, we can assume that the occurrence of these and ever more sophisticated kinds of attacks will continue to grow not just steadily, but geometrically. Cyber defiance is a top-down process when setting policy and standards, but bottom-up in practice and governance, centering on resiliency and continuity more than physical protection and military strength. NATO has instituted a defense methodology called Detect, Respond, Recover, and Feedback, a constantly evolving process which, when followed properly, improves information assurance as each level incorporates data, checks for validity, generates continuous feedback, and promotes near instantaneous learning. In the coming decades, smart machines will do this without human intervention. Until that time, the most critical vulnerability to any cyber system is human activity, which means that constant training, modification of protocols and procedures, troubleshooting systems, and human learning will continue to be a critical part of any cyber defense.

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<sup>22</sup> John Markoff, "Vast Spy System Loots Computers in 103 Countries", *New York Times*, 28 March 2009.

<sup>23</sup> "W32.Stuxnet: A Tipping Point in Cyber Conflict?" published in October 2010 by NATO HQ Situation Centre, is a compilation of news releases and reports regarding the Stuxnet worm.

<sup>24</sup> "It is like nothing we have seen before – both in what it does and how it came to exist. ...Symantec experts estimate it took five to ten people to work on this project for six months ...along with access to [industrial control systems] to do quality assurance testing...." Symantec, 28 September 2010, quoted in NATO HQ, "W32.Stuxnet", p. 2.

### III. POTENTIAL ROLES FOR NATO IN THE COMMONS

Assured access to the Global Commons should be the goal of the Alliance in both the immediate and longer terms. This will be achieved through collective action – a comprehensive approach that promotes best practices, sets standards for behavior, and establishes layers of governance that broaden acceptance of the importance of rules and standards. NATO, along with its allies and partners, can prevent state and non-state actors and adversaries from exploiting the Commons through actions that deny access or otherwise disrupt access to and transit through them.

One of NATO's most important roles is as an advocate for policies and procedures that will further this goal. The Alliance should:

- Encourage nations to honor the right to explore and use the domains of the Commons without interference, while fully respecting the Commons' security, safety, and integrity.
- Advocate a state's inherent right of individual or collective self-defense in all domains of the Commons.
- Emphasize the responsibility of all nations to take all appropriate measures and cooperate in good faith to prevent disruptive interference in the Commons. NATO should become a leading advocate of the need for international codes of conduct and standards of behavior governing assured access to the Global Commons. Without rules there are no rule breakers, a truth that is particularly obvious in the domains of space and cyberspace. NATO should take the lead in defining appropriate behavior in the Commons where it is in its best interest, but norms are strengthened when nations agree to a comprehensive approach that by definition is greater than the Alliance. NATO should support the efforts of the private and public sectors to establish rules and standards that promote good and penalize ill behavior. One way the Alliance can do this is to invite nations external to the Alliance to participate in exercises and decision-making simulations. These can help promote collective behavior that protects the health of the system, while segregating the behavior of those that fall short. The best way to promote the stability of the Commons is by creating the conditions that make the system successful. There are several steps NATO can take to accomplish this goal:
  - Work with partners to increase situational awareness.
  - Enhance transparency through information sharing.
  - Understand and codify best practices in cooperation with partners and stakeholders.
  - Improve the attribution of disruptive activities, particularly in space and cyberspace. To do this, a comprehensive approach with industry, the private sector, and international organizations that set technical standards for governance is critical.
  - Deter misbehavior by codifying legal regimes, and supporting credible military and economic capabilities in cooperation with all stakeholders.



- Continue to develop and build partnerships of common interest.
- Create a framework and strategy to address specific issues and concerns in each.
- Commons domain.

### **Maritime**

Much that can be done to assure access to the maritime domain is already being done, but as actors and threats evolve, NATO will need to re-examine its roles and missions to support assured access. As in the other domains of the Commons, one of NATO's most important roles will be to advocate responsible behavior in the maritime domain. Another is to build consensus on shared interests, such as making the EEZ well understood and better managed; protecting deep seabed mapping and mining that limits environmental degradation; and preparing for the opening of the Arctic Circle to navigation and exploration. NATO can take additional important measures to enhance the integrity of the maritime domain:

- Continue to evolve the Alliance Maritime Strategy, the Maritime Security Operations Concepts, and the Maritime Situational Awareness Concept through the implementation of a comprehensive approach that takes into account the concerns of our partners and allies.
- Engage allies and partners to understand how their interests, vulnerabilities, and capabilities coincide with and/or complement NATO's in the maritime domain.
- Bring together experts and stakeholders to think about and help the Alliance prepare for non-traditional and asymmetric threats to the global supply chain.
- Embrace a global perspective with regard to the Commons. NATO has regional capabilities but global interests, which dictate a need for cooperation with non-NATO states and non-state actors.
- Enhance the existing NATO framework and strategy for the maritime domain, in part by influencing policy development among members, allies, and partners. Important aspects of this include procurement and the development of interoperable capabilities.
- Bring together best practices to enable individual states to better focus their maritime capabilities.

### **Space**

It is imperative that NATO develops a space policy for the Alliance that reflects the range of interests of all members. In 2009, a total of 78 orbital launches took place from over 17 spaceports around the world, carrying 111 payloads for militaries, civil governments, commercial entities, and universities. This brought the total number of satellites circling the earth in various types of orbits to 918.<sup>25</sup> Clearly the use of space has become an international activity. To continue a high

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<sup>25</sup> Space Foundation, "The Space Report 2010", pp. 62, 77.

level of space awareness will require close cooperation with the European Union and the United States, as the two chief space-faring entities.

One of the first steps NATO needs to take is to determine its own requirements in space over the medium-to-long term. Once a clear picture is in place, the Alliance can begin to match capabilities to needs, and answer some basic questions. For instance, does the Alliance need to fund and create its own space-based system, or can its needs be met through continued cooperation with and reliance on space-faring members and partners in industry? Does NATO need to develop a cadre of space experts and if so, how should they be deployed?

There are several other steps NATO can begin to take now, to enhance security and freedom of access in the space domain:

- Recruit and maintain space subject-matter experts. This is fundamental to all other efforts.
- Support the formation of expert groups to consider critical issues, including space debris, collision risks, interference, and counter-space activities.
- Work with appropriate partners, including in the commercial sector, to develop a standardized system architecture.
- Seek solutions to the problems of interoperability in space – make it a truly wide – based partnership with nations external to the Alliance.
- Improve shared space situational awareness, through data exchanges and the use of SSA systems.

## Air

NATO needs to support Alliance resiliency against disruptions in the free use of international airspace. Several possible measures support that goal:

- Engage partners and promote measures and best practices that will enhance resiliency. The EU’s “single sky” initiative is an example of such an approach.
- Share information to increase situational awareness of the global air picture.
- Understand and prepare for non-traditional threats such as the disruptive use of unmanned air systems.
- Address the issue of missile proliferation, and encourage members, partners, and allies to develop and support strong non-proliferation policies.
- Prepare for the evolution of anti-access systems that put NATO air dominance at risk. Micro UCAVs and viruses that attack our air platforms across the supply chain are technically possible, and pose an asymmetric response to aerial dominance.

Perhaps more than any other domain of the Commons, keeping cyberspace secure from attack and disruption, with open access to all participants, will require a comprehensive approach that draws in stakeholders from every level of society, including private industry, academia, government, and non-governmental organizations.

A credible strategy of deterrence must incorporate all aspects of cyber security, from enhanced training and education, to passive resiliency and redundancy,

to offensive counter-measures in the event of an attributed attack. NATO can leverage its position of leadership to:

- Work with nations to agree on a set of policies (in the form of a code of conduct or behavior) for the Alliance that, over time could be adopted by allies, partners, and others. This will require NATO to work with members on the need to delineate national responsibilities and burden sharing among them.
- Recruit and maintain cyberspace subject matter experts. Again, this is a first step in support of all others.
- Bring together best practices for cyber security, and rigorously train and educate all personnel in them.
- Establish a smart cyber policy, which should consider guidelines to actively respond to cyber offensives. Along with a comprehensive approach, such a policy should address the necessity of using offensive cyber capabilities, and the development of dedicated specialists in military units (similar to electronic warfare units of yesterday and today).
- Develop, or sponsor the development of, new research and development, ideas, and hardware/software that are encrypted or impregnable to cyber-attack. NATO must commit to the innovative use of technology and stay ahead of our adversaries.
- Work with partners from all sectors to improve the ability to attribute attacks, and punish and/or counter known bad actors.

#### IV. FINAL THOUGHTS

The evolving globalized economic and security systems of the modern world depend on unrestricted, safe access to all four domains of the Commons. Disruptions to the supply chain of goods, energy resources, and information will have serious, even catastrophic effects on nations' economies and the security of their citizens.

With innovation and new technologies come new vulnerabilities. Even as we become increasingly dependent on space and cyberspace for communications, commerce, and security, adversaries are looking for ways to use these same technologies to restrict our freedom to act, and do us harm. The proliferation of inexpensive missile technologies threatens use of the air and maritime Commons not only for commerce, but also for defense operations when and as they are needed. Climate change and the melting of the Arctic sea ice pose further questions of access to and sovereignty over newly available trade routes and valuable resources, among both Alliance members and other northern nations.

Given the importance of the Commons, and the seriousness of emerging threats to them, NATO should devote special attention in the coming years to assuring access to all four domains, and thus to protecting the global supply chain. The Alliance, working in partnership with the United Nations and the European Union, has an important role to play in this regard. It can help provide the

leadership needed to promote strong policies for space and cyberspace, two areas where policies that enhance partnership, interoperability, and a ruled-based system are lacking. Through a comprehensive approach, NATO is in a unique position to build partnerships of experts and innovators from both the public and private sectors, to meet the central challenge of the coming decades: assuring access to the Global Commons.

Andrzej Bryk

## AMERICAN MILITARY STRATEGY AND THE ECONOMIC CRISIS

Whatever derision was heaped on the so-called “end of history” thesis immediately after the collapse of the Soviet Bloc in 1989, international geopolitics initially reflected that conviction. Both the United States and the European Union, the name taken in 1992, assumed that the West was the most active and culture-setting part of the globalized world. They took it for granted that the West and liberal democracy had won. The differences revolved around the extent of this victory, the methods of forming the globalized world, and a definition of enemies. Political science, sociology, and economics studies focused on questions of transformation, democratization and the means of modernization along the lines of the liberal-democratic model, multicultural studies notwithstanding. Both the United States and the European Union assumed that they possessed cultural dynamism, economic superiority and the military means to provide a safety net for experiments with modernization outside of its own sphere. Although the differences between America and the European Union were real, they seemed superficial, with a clear understanding that the United States’ hegemonic status was not questioned.<sup>1</sup>

At the beginning of the 21<sup>st</sup> century such an optimism dissipated. The United States has not become the second Rome, which was to draw constantly into its orbit new provinces, thinking that its supremacy would be unchallenged. America has found itself in a psychological situation comparable to the one which Rome experienced after the battle in the Teutoburg Forest in 9 AD – a defeat which Augustus translated into a doctrine of the definite Roman *limes* beyond which

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<sup>1</sup> Andrew J. Bacevich, *American Empire*, Harvard University Press 2002.

it could not march any more, since it was not longer capable of it. Here and no further. The European Union realized in turn that it had no economic and military power or cultural stamina to sustain its external projects, masking its weakness with dreams of the Kantian peace, bureaucratic regulations and the euro political project, irrespective of economic rationality, while preaching magnanimity towards others. Europe has definitely lost its self-confidence and civilizational potential. But the United States has entered its own economic and identity crisis as well, including a weakening of the rock-solid traditional conviction that the military is still a *sine qua non* condition of its security in the global context of the new challengers, especially China.

This new geopolitical situation is menacing. Since the Second World War American power, and a corresponding dependence on it of the non-communist world, had no competitor until the end of the 20<sup>th</sup> century. Over large areas, American influence worked in many respects to the clear advantage of those who landed in its gravitational field after the Second World War. After the collapse of the Soviet Union the American world hegemony was for a decade or so unchallenged. This made international relations predictable, with a recognition of the basic fact that the United States whether it wants to or not is responsible for the global order. But the political, military, economic and cultural–ideological supremacy of the United States is no longer taken for granted.

An indispensable part of the American identity since the Declaration of Independence of 1776 has been its universal messianic project, and Americans have had a tendency to shape others in their own image, seeking their admiring and grateful recognition.<sup>2</sup> Since the Wilsonian project of making the world “safe for democracy” coming out of the First World War, this self-definition was translated into foreign policy strategy.<sup>3</sup> For this purpose Americans acted to uphold and gain recognition for ‘freedom and democracy’, sometimes making the world a better place *manu militari*. But behind this mission we can also see sometimes an identity-building obsession, with a firm conviction that the United States is in fact the only country which can, in case of claimed necessity, treat external rules, principles and agreements as non-binding.<sup>4</sup> As President George W. Bush put it, America need not “seek a permission slip from anyone”, simply because no one could effectively forbid it to do anything it wanted.<sup>5</sup> This is the ultimate meaning of the American, benevolent and reluctant, but nevertheless real hegemony.

By the end of the first decade of the 21<sup>th</sup> century this strategy was applied in the wake of the 9/11 attack by the incredibly imprecise non-political term the “War on Terror”. With this the American security concerns began changing

<sup>2</sup> See Walter Russell Mead, *Special Providence: American Foreign Policy and How it Changed the World*, Routledge, London 2002, esp. pp. 3–29, 310–334.

<sup>3</sup> See Richard Gamble, “The War for Righteousness: Progressive Christianity, the Great War, and the Rise of the Messianic Nation”, ISI, Wilmingdon, Del. 2003, pp. 209–232.

<sup>4</sup> Clauss Offe, *Reflections on America: Tocqueville, Weber and Adorno in the United States*, Polity Press, Malden, MA 2005, pp. 99–100.

<sup>5</sup> The State of the Union Address, 20 January 2004.

dramatically. This new situation was caused by several interrelated factors. The American economic crisis of 2008 together with its European Union counterpart in 2011, has revealed erroneous assumptions of the world financial system, some having clear political roots: the federal government guarantees for the risky credit activities of the banks.<sup>6</sup>

The crisis coincided with political changes in America and the world at large. The latter were connected with the effects of the G.W. Bush presidency of 2001–2009. American public opinion was increasingly tired of the both too widely and too narrowly planned Afghanistan and Iraq wars, forcing politicians to wind them down.<sup>7</sup> Then there was the nasty break in transatlantic relations with the European Union, with their liberal-left elites defining mutual differences not only in categories of policy differences, but as civilizational differences.<sup>8</sup>

There has been an additional factor which modified the geopolitical balance connected with the economic distribution of world resources with political implications. First it was the rise of China as a geopolitical player. China is connected with the United States by close economic ties excluding a possibility of both countries engaging today in an overt economic, let alone military conflict. There is here a certain imbalance of exchange, with the U.S. selling China in 2010 “goods” worth about 82 billion dollars, importing them for about 344 billion. For this reason China has the greatest reserve assets of dollars estimated at the level of 2.85

<sup>6</sup> See on that Viral V. Acharya, Matthew Richardson, Stijn van Nieuwerburgh, Lawrence White: *Guaranteed to Fail: Fannie Mae, Freddie Mac and the Debacle of Mortgage Finance*, Princeton University Press, Princeton, 2011, pp. 11–30.

<sup>7</sup> Some recent good accounts of all the issues relating to a question of winding down wars see Micheal E.O’ Hanlon and Hassina Sherjan (ed.) *Toughing it Out in Afghanistan*, Brookings Institution, Washington D.C. 2010, esp. pp. 79–112; Seth G. Jones, *In the Graveyard of Empires: America’s War in Afghanistan*, Norton & Company, New York 2009; Audrey Kurth Cronin “How Terrorism Ends: Understanding the Decline and Demise of Terrorist Campaigns”, Princeton University Press, Princeton 2009, esp. pp. 187–196.

<sup>8</sup> The United States was portrayed as an aggressive, neo-colonial power, a kind of dangerous anachronism in the modern world. Not only were the domestic and foreign policies of the United States considered from the European elites’ point of view as erroneous, but the very culture of America was increasingly defined as having a kind of inherent flaw, increasingly dangerous for the world order. This was then; now it cannot be treated seriously any more by such elites which observe their pet project of the European Union and its euro currency as having inherent, who knows if not incurable, flaws. This hubristic and, to a certain extent, racist, attitude towards the United States, translated to greeting Barack Obama, the liberal-left president since 2009, as a savior of America and the prospective architect of the new world order. See on that Andrzej Bryk “The United States, The European Union, Eastern Europe: Challenges and Different Responses to Modernity”, *Krakowskie Studia Międzynarodowe*, no 2, 2008, pp. 109–228; also his “Od Reagana do Obamy” (From Reagan to Obama) in Piotr Musiewicz (ed.) *Ronald Reagan: Nowa Odłona w 100-lecie urodzin*, Ośrodek Myśli Politycznej 2011, esp. pp. 290–313.

trillion.<sup>9</sup> Both sides keep thus each other at bay, with the huge US market next to the UE being the main export outlet for China, with the export of the American production to it treated also as the expanding internal market for the American companies.<sup>10</sup> China depreciates its currency, the *yuan* to facilitate its gargantuan export industry, and by some estimates might be ready to offer the *yuan* as an alternative currency.<sup>11</sup> The Chinese model is based essentially on the pro-export model and financing internal development by it, while locating imported technologies and factories in China; the low value of the *yuan* is a consequence of it, which makes the imbalance of trade between America and China natural. Americans are yet unable to convince China to appreciate its currency by 20–40%.<sup>12</sup>

The picture is yet not unequivocal. True, China is rising rapidly as a financial market and may dethrone the United States in the next decade or so. Its constantly improving universities may become a leading factor in keeping talent inside of China, and drawing it from outside. But research and creativity are still the main American assets and intellectual breakthroughs are likely to take place there.<sup>13</sup> The quality of life is still low in China in comparison to America and may

<sup>9</sup> According to the World Bank data, see <http://date.worldbank.org>.

<sup>10</sup> China has billions of reserves in American bonds, not only because the dollar still retains its prominence as the reserve world currency, especially with the failure of the euro as its quick alternative. Here the situation is nevertheless complicated. As a currency, the euro is an economic failure but not necessarily a political one, since it is guaranteed by EU governments, i.e. Germany. The European Union bureaucracy and elites will do everything to save it after the 2011 crisis and China knows this. That is why it tentatively decided to offer the EU 100 billions euros worth of help in February of 2012 to obtain the European bonds at a higher rate than the American ones. The latter have very low interests rates, in between 0.1-3.4 depending on the period of buying them out. But inflation results in the majority of the American obligations bringing losses. That is why China wants to buy Eurobonds which because of the crises are priced higher, betting on the fact that eurozone will not go bankrupt. China is still willing to buy continuously American bonds, because that allows them to keep the *yuan* underappreciated, thus facilitating its export. For a good overview of Chinese European economic expansion see Teresa Wojcik "Pekin zdobywa Brukselę?", *Gazeta Polska*, 2 listopada 2011, p. 21.

<sup>11</sup> Americans, of course, are strong enough to use this policy of a weak dollar against others, for instance Europe and weaker economies.

<sup>12</sup> When, during a meeting with politicians and businessmen in September 2010 in New York, prime minister Wen Jiabao was confronted with this expectation, he responded that such a move would cause enormous number of bankruptcies, and thus social unrest. He agreed that in many parts of China the standard of living is still very low without basic infrastructure, such as running water and electricity, adding that a conversion of China into a really modern society will still last several generations. Kazimierz Dadak "Złapał Chińczyk...", in "Gazeta Polska", 9 March 2011, p. 33.

<sup>13</sup> According to the OECD data, in 2007 the U.S. had 15,883 so-called "triadic patents", that is the ones registered at the same time in the U.S., the EU, and Japan, while China had only 587 of them. For every million people there are 4663 scientists in R&D institutions, as compared to 927, and the U.S. spend for R&D 2.7% of its GDP, when China only 1.5% as a symbolic success of this intellectual drive China produced in 2010, the fastest supercomputer in the world, a slap in the face for the Americans. But, to be



take generations, all things being equal, to catch up, with mistakes likely to be committed.<sup>14</sup> But although China is still far away and chasing America, what is clear is the dynamic of the process and the question whether America has still enough vitality to keep the distance from closing too quickly.

There is yet another, underappreciated role of China, this time detrimental to the “soft” American world influence, even if politically limited today. True, China’s Confucian tradition and long, uninterrupted cultural memory, might nudge the Chinese to look at the outside world as a periphery to be drawn to China, not as a terrain to be taken over. But China, whatever its regime, has always had a distinct way of dealing with the West based on subtlety, indirectness, and strategic positioning.<sup>15</sup> Some yet say, that the old ways of conducting politics might prove useless for the Chinese. They will have to adapt to the postmodern world quickly, if they do not want to face the limitations of their own culture and remain incapable of going beyond the initial stage of economic development.<sup>16</sup> But China’s politics might also be confrontational.<sup>17</sup> Today, the Chinese play their game conservatively, but their international policies are profoundly driven by the long memory of a debilitating humiliation by the West and a desire to get even.<sup>18</sup>

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precise, it was built from American components. Moreover the American research universities are the best and thousands of students write their doctorates there, and the large majority stays there for good; <http://stats.oecd.org/index.aspx>.

<sup>14</sup> One of the huge investment projects which is likely to fail is the fast transportation system between Chinese towns which consumed billions of dollars. But the project, hastily executed and with permanent failures, looks likely to be built too late. The Chinese are already dreaming about cars not fast trains. Here the number of cars for one thousand Chinese is 22 as compared with 451 in America, a consumption of electrical energy for one person is 2332KWh to 13 638 KWh, and access to internet for one hundred people is respectively 6.29 to 24.02. The infant mortality rate for each one thousand people is 17 to 7. And GDP per head, adjusting the differences in prices in China is 6890 to 45640 in America; <http://stats.oecd.org/index.aspx>.

<sup>15</sup> The Westerners allegedly play politics which resemble chess, a direct and confrontational game, the Chinese play politics like *wei qi* – an ancient game in which a player wins by positioning himself and surrounding his opponent. This is, for instance, the main line of argument of Henry Kissinger’s *On China*, Penguin, New York 2011, a book otherwise one sided and self-serving.

<sup>16</sup> See on that Charles Horner “Rising China and Its Postmodern Fate: Memories of Empire in a New Global Context”, University of Georgia Press, Athens, GA 2009; also the New Left perspective by Hui Wang “The End of Revolution: China and the Limits of Modernity”, Verso, London 2010; and Susan L. Shirk “China: Fragile Superpower”, Oxford University Press, New York, 2010.

<sup>17</sup> One may recall here the intervention in Korea in 1950s, or the surrounding of Taiwan with missiles in 1995 and 1996, or allowing the North Koreans to strike at South Korea whenever it wished. China’s brutality of dealing with internal political opponents or the destruction of Tibet as an example of its attitude towards internal minorities is also neither subtle or non-confrontational.

<sup>18</sup> See on that Yong Deng “China’s Struggle for Status: The Realignment of International Relations”, Cambridge University Press 2008.

When coming out of the debacle of the Cultural Revolution in the 1970s China was desperate to do business with the United States and the American “opening” to China by Nixon met them half way.<sup>19</sup> One can argue that the Americans did not drive a hard bargain then and in 1989 at the time of Tianamen square when the Chinese were still experimenting with the alternative way of Communist development combining monopoly of power and the efficiency of the market economy.<sup>20</sup> This process of Chinese-American collaboration had its own logic in the American fascination with the “knowledge” economy and financial markets, which caused a dismantling of their productive sector and transferring it to cheaper labor markets, including the huge market of China. Americans decided to rely on research, finance markets and consumerism as sources of economic growth.<sup>21</sup>

Such a strategic economic development entailed two underlying axioms. One was an assumption of a peaceful world market without any strategic conflicts. The other was an expectation of the American military world preeminence to guarantee such a world market, paying for international public goods like securing the sea lanes. Both axioms can not be taken for granted any more. American isolationist tendencies in the wake of weariness of the decade of wars and economic crisis, the Chinese strategic assertiveness, and the largely negative politics of Putin’s Russia, are all changing the equation. China has emerged as a huge producing and consuming market in relative terms and has understood well the value of proud elites, culturally identifying with their own tradition, probably the only modern nation which has no problems with self-identification, their culture of ancient heritage.<sup>22</sup>

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<sup>19</sup> China was afraid, however laughable such a fear might seem with hindsight, that Vietnam, despite being supported by China against America, might win the war against the United States, enter into an alliance with the Soviet Union and challenge China’s Asian hegemony. But with hindsight, due to Nixon’s obsession with the Soviet threat, China obtained more than it could have dreamed of: it deterred the Soviet attack, forced the US and essentially the world to de-recognize Taiwan, got a steady shipment of investment from America and demonstrated, by the punitive war of 1979 against Vietnam, that it would not cede its domination over East Asia to it.

<sup>20</sup> They studied here very carefully the lessons of the Polish transition, and the negative lessons of the Gorbachev reforms. The idea that the capitalist economy will automatically push China towards democracy is questioned in Kellee S. Tsai, *Capitalism Without Democracy*, Cornell University Press, Ithaca 2007.

<sup>21</sup> One of the very few highly developed countries which has not committed such a mistake was Germany, which in large measure retained and modernized, rather than transferred, its productive sector.

<sup>22</sup> The Chinese heavily invest in the university sector at the highest level, send students abroad to the best universities mainly to the U.S. confident that they may return. Private Chinese art collectors also buy out cultural historical artifacts at auctions all over the world, paying exorbitant prices. They elevate prices to astronomical levels through fictitious bids, probably sponsored by the government, to show that their cultural artifacts, once stolen by the colonizers, have no right to be outside China, auction moves which could be not tolerated or contemplated by anyone else.

There is another strategic, “soft politics” problem for the United States coming from China. China has become an alternative to the American, or the liberal-democratic model, at least for a while, of modernization. It constitutes an example of a non-democratic but economically successful country, a model which the Soviet Union could never provide, let alone export, and which the Russia of today is incapable of providing. For all non-democratic and non-liberal regimes China is functioning as a core around which a global coalition, which considers the United States a menace, might cluster.<sup>23</sup>

China, in contrast to the European Union, does not wave the flag of human rights, or prattle about “global warming”. It acts as a matter-of-fact, effective buyer and seller, both of goods and resources, no strings attached, for instance in Africa. It buys infrastructure and industries in America and Europe, also using, without fanfare, the Chinese diaspora to aid its economic, military and political aims. True, the success of China might be precarious. The social and cultural barriers to a more sophisticated development might bog China down. Ethnic problems might turn out to be intractable and repression in Tibet, against the Uighurs or Christians might backfire. The successful recruitment of the best Chinese talent to the communist elites and the wealth it controls might also break down under the weight of corruption, repression and the unintended consequences of unequal consumerism.<sup>24</sup> But that is a story for the future.

At present there is still the rising military expansion of China, aimed at taking control over Asia and its Pacific rim, with economic growth sucking the world into its orbit and a slowly successful bid to be a broker of economic international relations.<sup>25</sup> All this is happening in a situation in which America seems to be winding down. But the situation is equivocal. True, the difference in the economic potential between China and the United States has been radically reduced. According to the World Bank, total American GDP, taking into consideration the differences in prices, was in 2000 3–4 times higher than the Chinese at around 9.17 trillion \$, but in 2009 only 1.5 times higher at around 14 trillion \$.<sup>26</sup> But objective criteria do not necessarily define decline.

Decline may be a choice, and in case of America this winding down process is visible in two crucial spheres which have defined traditional American strength. One factor is measurable, the folding of its military presence, even if the Pacific theatre of operation is being upgraded. The second factor is cultural, the faltering

<sup>23</sup> See, for instance Eric C. Anderson *China Restored: The Middle Kingdom looks to 2020 and Beyond*, Praeger Press, New York 2010. Anderson argues, basing his research on extensive files in Chinese archives and contemporary institutions, that China is reluctant to challenge America directly taking a gradual 3 step policy as its goal: recognition in the international community, the rise and modernization of its military and the projection of the non-American political model as a point of reference to all considering American liberal democracy as unacceptable.

<sup>24</sup> Guy Sorman “The Empire of Lies. The Truth about China in the 21st century”, Encounter Books, New York 2008; Wang “The End of Revolution”, op. cit.

<sup>25</sup> A useful overview of this contest is in Randal Jordan Doyle “America and China: Hegemony in the Twenty First Century”, Lexington, Lanham, Md, 2007.

<sup>26</sup> All data taken from [www.worldbank.org](http://www.worldbank.org).

of confidence in the superiority of American civilization and the will to sustain its priority in the world. As St. Augustine said, nations fail because peoples fail, and peoples fail because they love the wrong things, change the objectives they follow and devote resources, physical as well as material, in a misconceived way. Any civilization defines itself by what it loves and how much it wants to sacrifice to defend what it loves and to sustain resources and institutions necessary for such a defense. America was created not simply by wealth or technical creativity but heroism, virtues rooted in a distinctive civil religion based on faith that the glory of America, this Lincolnian “last, best hope of man on earth”, is always in the future, not in the past. It is in the future because this was an injunction of the Covenant of “the chosen nation”.<sup>27</sup>

Such a virtue, irrespective whether it is understood in religious or purely secular terms, is resistant to any intellectual “disenchantment”. It constitutes a rock, on which one can lean at a time of crisis and overcome acedia. The Americans throughout their history have instinctively understood that theirs has been essentially a heroic, romantic civilization acting out of the first moral principles rightly understood and applied for the transformation of their individual, as well as collective life. A successful response of a robust, vital civilization facing gargantuan problems is not ultimately dependent on pragmatic, intellectual means, which at first sight might not be found by reason. It is a cultural response, which confronts problems in an instinctual way. The virtue of spiritual fortitude combined with hope to confront challenges is here the preeminent instinct. This virtue has to be madly inculcated, until it becomes part of the cultural code and then all apprehensions can be annihilated against acedia, this virus of any great, well off civilization.

A demolition of such a cultural code is the greatest danger to any great civilization, and it is an open question whether America is beginning to experience such a situation today. If so, this might be the greatest danger for its future, especially so because China, definitely not the European Union or Russia, seems to sing the first tunes of the classical script of such cultural daring and vitality. Today’s unprecedented problems of America, not easily defined, require a response which should refer to the great, thrilling myths of self-definition, without which any political order cannot regenerate.<sup>28</sup> If, to use Max Weber’s words, any civilizational

<sup>27</sup> The idea of “the chosen nation” was used for the first time by one of the New England assembly in a series of resolutions passed: “1. The Earth is the Lord’s and the fullness thereof. Voted. 2. The Lord may give the earth or any part of it to his chosen people. Voted. 3. We are his chosen people. Voted, Quoted in Garrett Mattingley “Renaissance Diplomacy”, Chapel Hill, North Carolina University Press, 1955, p. 290; the Lincoln quotation and its context see Paul Johnson “The Almost-Chosen People” *First Things*, January 2006, p. 17–22.

<sup>28</sup> It is fascinating to see how such a cultural code as a source of regeneration is appealed to in a commercial with Clint Eastwood shown after the first half of the Superbowl Game in January of 2012. The commercial, ostensibly showing the rebirth of the car industry after its catastrophe in 2008, may, in fact, be treated as a metaphor of American hope and daring. It elicited an enormous response. The commercial is available on the internet.

political order should be assessed through type of human being and culture which it defends and sustains, then America has for the last two hundred years created people worthy of the challenges confronting them. It may happen that China's vitality is precarious, and soon it will be hindered. The Communist Party has been pressed on many fronts. China is surrounded by nuclear-armed states, has no real friends in the world, their shrewd diplomats do not know yet how to built coalitions and sometimes its reach exceeds its grasp around the world.

Internally, rampant corruption, urban and rural disorder, economic speculative bubbles, capital flight, the accumulation of all the ills of rapid modernity with no high morale of the apparatchiks, all make high echelons of the party resemble more "a multifamily dynasty in which 'princelings' inherit their father's political power and access to money that goes with it. The [Chinese] strategy is thus driven by insecurities. The government wants and needs a world that is safe for one-party dictatorships, just as the United States wants and needs a world that is safe for constitutional democracies and free societies... [Some] fear that focusing on the nature of the [China] domestic regime will undermine peaceful relations... but [any idea] of a Pacific Community will remain chimerical as long as [China] is controlled by a Communist party that cannot abide even a discussion of the possibility of sharing power. This explains why no one in the United states agonizes over the rise of India. No American imagines that peace with democratic India is problematic. From this perspective, human rights and the rule of law are not mere preferences, they have profound strategic implications".<sup>29</sup>

But the emerging Asia is an unfamiliar terrain for Americans, existentially, economically and politically; the situation not dissimilar to the emergence of the Soviet Union during the Second World War. Americans responded then initially with categories of thought not suitable to the challenge. The road to success, which blossomed culturally in the Reagan years, came with the accumulation of teaching provided by scholars who came from Europe, especially Eastern Europe.<sup>30</sup> With the end of the Cold War, and the discrediting of official academic sovietology, as opposed to the one provided by the above thinkers and translated into political action by Reagan, the new strategic opponent China cannot yet be read by the same methods. It takes time to explain this civilization to Americans, as it will take time to explain Islam-based radical ideologies, the inadequacy of the latter effort so woefully visible in dealings with Islamic societies in Afghanistan

<sup>29</sup> Charles Horner "New World Order?", *The Claremont Review of Books*, Fall 2011, p. 27.

<sup>30</sup> They are represented by people like Adam Ulam (a graduate of the Polish Lvov high school), Richard Pipes (a graduate of the Polish Cieszyn high school), Zbigniew Brzezinski, Andrzej Korbonski, Madeleine Albright, and their students, not counting traditional anticommunist fugitives escaping from Communist Eastern Europe working in more obscure fields like philosophy, for instance Thomas Molnar, or fugitives from the radical camp such as Whittaker Chambers, William Kristol, Norman Podhoretz. They understood their enemy. For instance the nature of German Nazi totalitarianism was explained to Americans by fugitives from Germany like Hannah Arendt or the original Frankfurt School associated with the New School for Social Research in New York.

and Iraq since 2001. But radical Islamism is just a nuisance, although it may cause a lot of non-strategic trouble. China is a real challenger and America today has to learn about it the same way as it learned about the totalitarian powers of Europe. It seems that the Americans are responding to that need, which shows the wealth and flexibility of the American universities as well as the elasticity of their response.<sup>31</sup>

But the problems of intellectual, cultural categories to understand adversaries is one thing. The exorbitant self-inflicted problems of America are another. These include high unemployment by its standards at around 9%, the accelerating debt, military overextension slowly being scaled down, and the increasing confidence and expansion of its opponents. Other economic indicators also show problems. In 2011 America experienced the most dramatic decline in real estate market prices, a drop of roughly 33% in relation to the peak level prices. This means that they dropped 2% below the greatest decline during the Great Depression of the 30s. Unemployment under the Obama presidency is higher than the unemployment under F.D. Roosevelt.

The social cost for the federal budget of the entitlements per year is currently higher than the revenues which are flowing in, which means that a simple reduction of expenses will not reduce the growing deficit significantly. The number of employees in the federal and state bureaucracy is twice as big as the number of people working in the productive sector. Every sixth citizen is receiving government food assistance. The health plan which passed through Congress in an unprecedented situation of Congress sharply divided along party lines, a situation not known in America in generations and contrary to the tradition of political compromise, nationalized 16% of the American economy. It created an additional number of roughly 200 thousand bureaucrats, complicating the system and introducing into it inefficiency, arbitrariness and a negative impulse to medical research, causing widespread resistance to it also among the supporters of Obama.

Such fears might be exaggerated. America still has the largest economy in the world consuming the largest amount of other nations' exports, and the only global military power with the logistical means of response at every corner of the world. The preeminent position of the dollar as the only real reserve currency in the world has been defended, even if inflation might be a result of a huge printing of them. Its research universities are still the best and employing the most

<sup>31</sup> The list of the faculty catalogues of the American universities indicate that teaching about China in the United States is rapidly becoming "the province of people who, in one way or another are products of the Chinese world... [Their world ] is in the East and not in the West, and this cannot be inconsequential. Is there any way to compare how a product of the old European empires thinks about America's connection to his forebears' home to how a scion of the Manchu Empire thinks about the same thing?. In the 20<sup>th</sup> century, the European-Americans who developed [American] Atlantic strategy were determined to save Europe from itself. In the 21<sup>st</sup> century – the Pacific Century – the Americans who will help rescue China from the [People's Republic of China] may be those who, because of their own unique heritage, are best prepared for the task", Charles Horner "New World Order?", *The Claremont Review of Books*, Fall 2011, p. 27.

brilliant minds from all over the world, with the new technological frontiers defined still in America without any significant challenge from anyone else.<sup>32</sup> And so far it has had cultural resources to rebuild itself after every defeat, roughly every generation. The financial crisis of the American firms today might yet smoothly turn massive investments which will boost the economy and with it the prospects of the world.

Yet, the challenges are new and traditional responses to crises may turn out to be dubious and need experimentation. For some, the United States resembles the British Empire right before the First World War, or Greece during the Peloponnesian Wars or Rome in the third century A.D., when the empire seemed robust but economic and cultural exhaustion was beginning to be felt.<sup>33</sup> To reverse such a trend is difficult, since the causes may not be rectified by immediate political or economic means. They may be ultimately cultural, civilizational. Some of the causes, in addition to the ones mentioned above, are of course obvious: overextended American military *limes*, consumerism and credit mentality which drains away economic investment and makes a delayed gratification to catch a “deeper breath” difficult.

There is also a growing chasm between the rich and the poor and social mobility has stagnated. Different social ills corroborate this general strategic picture. The crime wave is not as high as in the 90s, but it is still substantial by European, let alone Asian standards, and its stabilization has causes connected with demographic aging. Wastefulness and gluttony increase social costs, and enormous resources applied to “green energy” seem to be driven not by reason but by the craziness of the new “religion” of humanity of which “global warming” is a sacrament. Americans are beginning to experience a state of uneasiness, which Jimmy Carter, in all his helplessness of not knowing what to do with it, called in the 70s a state of “malaise”. In general America’s problems have been multiplying, and the end result has been the inability of America to deliver the results it wanted to achieve.

The initial sign of imperial tiredness is usually a state of denial that the danger is real and needs a drastic response. The first challenger to the American empire was Great Britain, militarily defeated in the War of Independence between 1775–1781, economically at the turn of the 20<sup>th</sup> century. The second challenger was the Soviet Union. It was defeated not so much by military means, as by first defining it as a dangerous, morally illegitimate world power to be checked and demolished, a moral and character operation which horrified the conventional

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<sup>32</sup> The challenge of the euro to the dollar has, so far, turned out to be illusory. The euro crisis in 2011 caused a flight to the dollar. Only in the third quarter of 2011 the share of the dollar in the reserve assets of the central banks which publish such data has risen to 61.7% from 60.3 in comparison to the second quarter, when the share of the euro in the same period dropped to 25.7%, the lowest level since 2008. Data from the International Monetary Fund.

<sup>33</sup> A symbolic, popular novel published in 2011 in the United States by Victor Davis Hanson *The End of Sparta*, Bloomsbury Press 2011, analyzes this problem with a clear allusion to the American cultural predicament.

cognoscenti. Such a daring move was executed by Reagan, since he believed in America without hesitation. Moreover, he had the great support of Margaret Thatcher and John Paul II.<sup>34</sup> The transatlantic civilization under the leadership of the United States still existed then as a bloc with one enemy. This is not the case anymore today.

The European Union defines itself culturally increasingly in adversary terms, while craving the military help of the United States, waiting for America's civilizational change so it will eventually become like Europe.<sup>35</sup> The cultural fissure separating America and Europe might be yet real and irreparable in the long run, contributing to the weakening of both. Europeans, at least Western Europeans, no longer "grow up thinking of Americans as liberators, and Americans no longer grow up thinking of Europe as their spiritual home. Strong cultural and demographic forces are pulling the two continents in different directions".<sup>36</sup> The transatlantic relations might still be rebuilt, after all the economic ties between Europe and America constitute the nerve system of the global economy, but that would require political effort, abandoning resentments and dreams of utopian anti-American alternatives.<sup>37</sup>

The third challenger, China, is a long range one but real. China does not question the rules of the game. It participates in the world economy, without any overt military claims, trying not to elicit the ire of any great players, establishing a long range strategy of modernization, and thinking in terms of decades. But China's spectacular economic growth is accompanied by political clout. The fact that China has replaced the United States as the largest source of imports for Japan, South Korea and Europe will definitely limit the West's political maneuver, let alone any effective human rights pressure on China.

The United States definitely possesses assets which the old empires did not have and can contain China. It is a big, continental and potentially self-sufficient country. Here, the energy security of the United States is a matter of applying political will and priorities to its own largely self-sufficient reserves.<sup>38</sup> America,

<sup>34</sup> The best account of that triumvirate is John O'Sullivan *The President, The Pope and the Prime Minister: Three Who Changed the World*, Regnery, Washington D.C.2008.

<sup>35</sup> On the sources of such wishful thinking and the long tradition of European Anti-Americanism see James Caesar "The Philosophical Origins of Anti-Americanism in Europe in Paul Hollander (ed.) *Understanding Anti-Americanism: Its Origins and Impact at Home and Abroad*, Ivan R. Dee, Chicago 2004, pp. 45–64.

<sup>36</sup> "Wooing the World", *The Economist*, March 29, 2008, p. 14.

<sup>37</sup> See Fergusson "Colossus: The Rise and Fall of the American Empire", Penguin, New York 2005, pp. 227–257.

<sup>38</sup> Only 6–7 years ago the gas terminals in the American ports were equipped to import gas from outside. Now it exports the shale gas on an industrial basis, at a lower price, for instance, than the Russian gas sold to Europe. Moreover, the United States have just perfected the technology of extracting shale oil without significantly increasing traditional drilling offshore or in such places as Alaska, with prospects of being self sufficient in oil in the next decade or so. Shale oil extraction is more expensive than traditional drilling, and subject to cost-efficiency analysis. But shale oil is the best, "light" fuel and the point is that the reserves are there and extraction of it rapidly growing in the U.S.



unlike Britain in the beginning of the 20<sup>th</sup> century, has the advantage of being a strategic leader in new technologies.<sup>39</sup> One troubling change, analogous to the previous failing empires is a change from the producing sector to a financial sector, with the rising power of producers from other parts of the world.<sup>40</sup> Nevertheless the Americans decided recently to slowly rebuild their industrial, productive sector.<sup>41</sup> But this will take time. Still, nothing lasts forever, and the strategic correlation of forces might change.

In the meantime it was the financial sector which caused the present comprehensive crisis. The financial market, encouraged by governmental guarantees, created fictional, derivative products which began to feed their own demand causing an enormous bubble and speculative market assessments. The traditional ways of emerging from crisis, such as lowering interest rates to accelerate consumer drive and the building industry as the engine of investment are not effective and do not lower unemployment. Bankruptcies flooded the market with new, unused properties. The building industry collapsed for years, causing a drastic limitation of individual and corporate consumption and a danger of recession.<sup>42</sup> Moreover with high unemployment and low domestic consumption, the price of goods does not go down, since the demand for them is global. Asian consumption, especially in India and China, drives demand and raises prices.<sup>43</sup>

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<sup>39</sup> Great Britain at the beginning of the First War in 1914 was heavily dependent on coal, steel and shipping industries and missed the opportunity to invest heavily in between the wars in new technologies.

<sup>40</sup> As one of the observers noticed sarcastically, even if only partially accurately, America “lost... enthusiasm for the exploration of space. Faced with cheap labor offshore and coming across the borders, we failed to deploy our expertise in computers and robotics to meet the challenge with traditional innovation and mechanization. We have ceded manufacturing to China, orbital transportation to Russia, engineering to foreign nationals, energy independence to medieval dictatorships, the Panama canal to Panama, the automotive market to Japan, and the Big Board to Germany. Up to 30 ships, the largest ever constructed, each capable of carrying 18000 containers, will be launched in South Korea. We will neither build, own, nor man them. They will not even call at our ports, which will not be large enough to receive them”, Mark Helprin “Anchors Away”, *Claremont Review of Books*, Summer 2011, p. 94.

<sup>41</sup> For instance, the car industry, near bankrupt in 2008, and bailed out by the federal government, and in 2012 madly competitive and producing excellent cars, is just one such case.

<sup>42</sup> The tax breaks for the house owners who could not pay credit, guaranteed by the federal government do not work as usual, since the prices of the houses, in America, the most important wealth asset of the American family, went drastically down and they are worth much less than when the contracts for buying them were signed. This causes individual households to tighten their belts and reduce consumption.

<sup>43</sup> This explains the phenomenon of the high price of energy resources but first of all food which suddenly began to be a rare commodity and may cause hunger in some parts of the world, a situation caused in some measure by the conversion of land from producing food to bioenergy, eliminating at the same time atomic energy in the United States

Such a situation makes traditional macroeconomic policy, whether of Keynesian or Friedman's variety, unworkable. This in turn causes the nervous reactions of the politicians who seem (the case of Europe is here spectacularly visible), to have run out of ideas and policies, with an endless flow of summits of no palpable use. In case of America a response to a crisis has always been driven by a fear of the repetition of the 30s crisis.<sup>44</sup> This crisis was ended not by the New Deal reforms but by the economic production of the Second World War, the demand of a devastated Europe after the war and sending millions of returning soldiers into colleges, which gave the United States a productive, intellectual and technological boost and accelerated unprecedented consumption at home. But the crisis of the 30s was caused essentially by a deflation policy, activated by depression, caused in turn by the bursting of the stock market bubble.

Today the situation is different. The federal government instruments traditionally employed are not working since they essentially move within the circle of the financial market without being converted into the demand capabilities of individual consumers burdened with debts. This would require a drastic amnesty of debts in the property market (the ancient echo of the Athenian Solon is heard here), and an enormous breakthrough in R&D delineating new economic frontiers, a traditional American intellectual improvisation. The military sector might be one obvious possibility here.

There are two ways of approaching military spending during an economic crisis, depending essentially on the imagination and will of the political and military leadership. One way is to assume that military spending should follow the economy, in which case the military must wait for the economy to recover. This was the main line of Barack Obama's speech in the summer of 2010 at West Point when he said that at "no time in human history has a nation of diminished economic vitality maintained its military and political primacy".<sup>45</sup> But this is not necessarily so. The other way of approaching military spending during a time of economic crisis is the opposite of the above. The military does not have to wait for the economy to grow. Two examples of recent history testify to that. One is the Great Depression era, when the United States, severely economically crippled for the twelve years 1929–1941, with the economy cut nearly in half, became the engine of democracy, defeated Germany and Japan, helped Britain and the Soviet Union win the war, imposed its domination over the oceans, and freed half of Europe in World War II.<sup>46</sup>

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and Germany. The Western world was sold the utopia that it can run the 21<sup>st</sup> century economy, and consumption brought about by it, with medieval technology.

<sup>44</sup> As German response has always been conditioned by the fear of hyperinflation of the 20s.

<sup>45</sup> Quoted in Mark Helprin "The Common Defense", *The Claremont Review of Books*, Winter 2010 – Spring 2011, p. 118.

<sup>46</sup> Rearmament was an engine of production and a powerful organizing principle. Average GDP from 1931 to 1940 was close to 78 billion, and average unemployment 19%. By the end of the war in 1945, GDP increased 271% to 210 billion, with unemployment dropping to 1.2. In the meantime personal disposable income more than doubled, all

The other example is the military build-up of Ronald Reagan after 1981 at a time of the great economic slump of the 70s. Both efforts paid off economically, despite the fact of the initial, especially in the first case, huge deficits, because they were connected with a massive rehauling of the economy.<sup>47</sup> The peace benefit after it paid off handsomely. Thus both efforts paid off economically, despite the initial, especially in the first case, huge deficits, because they were connected with a massive rehauling of the economy. Thus the military does not necessarily have to wait until the economy recovers, but is itself an engine of recovery.

One may argue that the situation today is different and that the military does not remain in such a “positive” relation to the economic sector as was the case during the Second World War, or under Reagan, when there was no war but its threat was real. But that is not necessarily true. For the economy to follow the military one crucial moral, one economic and one political factor must be met. The moral is, that America as superpower has to have a sense of distinctive political mission coming from its cultural self-identity. Money follows vision and leadership, not the other way around. The economic factor to be met is that the intellectual and industrial basis for such a military recovery that is the military sector, must be the national one.

In comparison with its competitors only the United States has such a R&D basis and industrial potential of application.<sup>48</sup> The political factor must be the country’s democratic form, and the military is here necessary to guarantee the inviolability of the correlation of forces in the world, with the United States securing the democratic world.<sup>49</sup> Its military physical presence and potential provide a security zone to the entire world order, for instance by securing public international goods such as the sea trade lanes or shielding other countries from blackmailing

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that with GDP spending just slightly under 40% and 86% of the Federal Budget on defense, starting from a situation when marginal discretionary income was non-existent. The debt incurred during the war was quickly liquidated by the rebuilding of Europe and its defense for 50 years, with a massive expansion of the civil sector and consumption in the US. See on the Great Depression recovery Niall Fergusson *The War of the World*, Penguin, New York 2006, pp. 245–308.

<sup>47</sup> A good overview see W. Elliot Brownlee, Hugh Davis Graham (ed.) *The Reagan Presidency: Pragmatic Conservatism and Its Legacy*, University Press of Kansas, Lawrence 2003.

<sup>48</sup> Russia and China still have to rely heavily on imports. True, Russia is, next to the U.S., the main exporter of armaments, but in some strategic areas, as for instance tanks, specialized combat ships, or military software, its industry and R&D are lagging significantly behind. This forces Russians to switch from its own industry, expensive and inefficient, to imports, especially from Western Europe, like the Mistral assault ships from France, software for command centers from Siemens and now, possibly Leopard tanks from Germany, which are much better and cheaper than Russian T-90s exported in turn to India or other countries.

<sup>49</sup> This might be called “the imperialism of anti-imperialism”. See on that Niall Fergusson, *Colossus*, op. cit., pp. 61–104.

pressures and actions of the non-democratic countries. Such blackmailing or potential action might directly or indirectly cripple the United States economy.<sup>50</sup>

The United States is the regime which fulfills the above conditions. It has a self-contained potential, and it is democratic, guaranteeing the security of the democratic global zone and its economic security. Despite all complications and challenges America is still the pace-setting country of the world, meaning the history-setting country, unless it abdicates this position, the stability of which depends as ever on a large, modern and after all conventional military. But the understanding of this fact, and the will to act on it, is essentially a matter of self-perception and character, the values which precede decisions. They have little to do with intellectual, let alone economic calculations.<sup>51</sup> Thus, US defense spending in times of crisis might not be a threat to its economy, but a stimulus. It should be done not only because economic reason dictates it, but also because this is congruent with the defense needs of the United States, on which the economic well-being of the United States depends. A substantial military limitation of spending should not be a remedy for the United States economic crisis, let alone a response to a global threat.

Obama's response to such economic-military considerations is the new, official doctrine of the United States allowing for a drastic reduction in military costs. For the president it constitutes just a redefinition of principles sought in foreign and military policy areas more a matter of cutting down waste and redefining the military's role. In his inaugural address in January 2009, when the credit and banking crisis was already developing, Obama sounded fairly traditional, suggesting that the military would be at the very center of American strategic interests. He recalled "the founding fathers", an unusual statement from a very liberal-left president at the beginning of the 21st century and added that "we will not apologize for our way of life nor will we waver in its defense". He quoted Thomas Paine's words from his first tract written during the revolutionary crisis, the words which Washington, whom Obama termed "the father of our nation", allegedly read to his troops before leading his army across the Delaware on Christmas night in 1776: "Let it be told to the future world that in the depth

<sup>50</sup> The threat of Iran to block the Strait of Hormuz for shipping the transport of oil, the positioning for Arctic resources of Russia, the blackmail by China of Taiwan and South-East Asia are examples of such behavior.

<sup>51</sup> One can recall here a comment made by George Bush to one of his interviewers. Bush's "aide said that guys like [an interviewer] were in what we call the reality-based community. Which he defined as people who believe that solutions emerge from your judicious study of discernable reality'. I nodded and murmured something about enlightenment principles and empiricism. He cut me off.' that's not the way the world really works anymore' he continued. 'We're an empire now, and when we act, we create our own reality. And while you're studying that reality – judiciously, as you will – we'll act again, creating other new realities, which you can study too, and that's how things will sort out. We're history actors... and you, all of you, will be left to study what we do", Ron Suskind "Without a Doubt", *New York Times Magazine*, October 17, 2004; see also Fergusson *Colossus*, op. cit., p. VII.

of winter, when nothing but hope and virtue could survive, that the city and the country, alarmed at one common danger, came forth to meet it".<sup>52</sup> The words were reminiscent of those of Franklin Delano Roosevelt's words from the same Paine's pamphlet in his radio speech couple of months after the Japanese attack at Pearl Harbor in 1941.<sup>53</sup>

The speech was also reminiscent of Ronald Reagan's inaugural address of 1981 at the time of another economic crisis. It pushed the president on a re-orientation of the economy and a massive military build up. Conservatives and neoconservatives expected that Obama might change internal politics but that foreign policy would be backed by a strong military around the world, a return to robust cold war liberalism, abandoned in the wake of the Vietnam war when liberalism began to be conciliatory even towards the avowed enemies of the United States.<sup>54</sup>

Obamas policies soon changed, and his gestures towards the avowed enemies of the United States, like Russia, the Arab countries or even Iran, his acceptance of parity in the allegedly existing "community of nations" belied this idea, with suspicions that his liberalism would not be "a fighting faith, unapologetically patriotic and strong in defense of liberty".<sup>55</sup> He became heavily criticized from all quarters.<sup>56</sup> The economic crisis caused Obama to stimulate the economy

<sup>52</sup> Quoted in William Kristol "Will Obama Save Liberalism?", "The Weekly Standard", January 26, 2009.

<sup>53</sup> The president quoted the most famous of Paine's words: "These are times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from service of their country: but he that stands by it now, deserves the love and thanks of man and woman. Tyranny, like hell, is not easily conquered; yet we have this consolation with us, that the harder the conflict, the more glorious the triumph".

<sup>54</sup> As a Harvard political philosopher stated in 1978: "From having been the aggressive doctrine of vigorous, spirited men, liberalism has become hardly more than a trembling in the presence of illiberalism... Who today is called a liberal for strength and confidence in defense of liberty?"... Why do liberals have so much trouble defending themselves? Liberalism... implies a body of doctrine, a more or less consistent whole more or less closed to doctrines inconsistent with itself. But it is evident that liberalism, if it is a whole, is a whole that is afraid to be a whole—and therefore has difficulty in rousing partisans to its defense. To defend oneself it is necessary to recognize the enemy, and thus to have defined oneself against the enemy. Liberals, however, [have become] tolerant, and to show their tolerance they favor a large and various society in which all groups, even enemies, are encouraged to take an interest... Liberalism has a reasonable fear of being or becoming a whole. Liberal society not only thrives on variety, but requires it for survival... Yet it remains true that liberalism must defend itself as a whole, and hence collectively... Radicalism offers [yet] a view of liberal society as a whole which may be grasped and then defended as the true liberalism against the confused so-called liberals". Harvey Mansfield, Jr, *The Spirit of Liberalism*, Harvard University Press 1978, pp. Vii, 16–19.

<sup>55</sup> Kristol Kristol, "Will Obama Save Liberalism?", op. cit.

<sup>56</sup> The most intellectually influential Charles Krauthammer criticized Obama for a total lack of character in foreign policy decisions, and his need to ingratiate himself with

by essentially federal, non-productive, plans, which entailed an enlargement of bureaucracy, taxes and heavy cuts everywhere, including the military. This prompted one commentator to observe that “the strange suicidal conviction now fashionable among the elites is that the customary vast reserves of power with which America maneuvers in the international system and, in extremis, wields in its defense, have become irrelevant to security and detrimental to the economy... For a nation that has lost the unapologetic drive to defend itself cannot escape the consequences no matter how deft its self-deceptions or the extent to which, in contradiction of history and fact, error is ratified by common belief. What arguments, what savings, what economy can possibly offset the costs and heart-breaks of a war undeterred or a war lost?”<sup>57</sup>

The Obama administration decided to reduce dramatically American military power. There are several assumptions which underlay the American military doctrine presented in the Pentagon in January 2012, immediately after withdrawing American troops from Iraq, a move essentially supported by both the Republicans and the Democrats. Obama announced that the United States budget would still be higher than the budgets of the next ten countries which spent most on their military. Nevertheless, the main points of the reduction proposed by the plan are:

1. The Pentagon budget will be reduced within the next 10 years by 487 billion dollars. Additional reductions of 500 billion dollars will be applied automatically at the beginning of 2013, if the Democrats and Republicans do not make an agreement how to reduce deficit by other means.
2. The army will be reduced by 10–15%, roughly by around 100 thousand.
3. Cuts were announced in producing and commissioning some sophisticated armaments. This has been done gradually over the last years with, for instance, F-22 Raptor fighter strike cancelled altogether. The purchase of the latest F-35 fighter / Joint Fighter Strike / will be postponed. These cuts are deep. One should remember that the armored equipment of the US army, tanks and transporters, originating from the 80s, is obsolete by American standards.
4. One American brigade, roughly 4 thousand soldiers will be reduced in Europe in 2013, a strategy of the so-called “wide reorientation”. Another brigade will be reduced in 2014.<sup>58</sup>

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other people’s views, including world leaders: “Does anything he says remain operative beyond the fading of the audience applause?”, Jay Nordlinger “Critic-in-Chief”, *National Review*, November 23, 2009, pp. 28.

<sup>57</sup> Helprin “The Common Defense”, op. cit., p. 118.

<sup>58</sup> Announcing the reduction, Gen Raymond T. Odierno did not say which brigades but they turned out to be the 170th Infantry Brigade in Grafenwohr in Bavaria, and the 172<sup>nd</sup> Infantry Brigade in Baumholder in Nieder-Palatinate. These are so called “heavy brigades”, which despite officially being infantry brigades, have tanks, armored carriers and artillery units. Today Americans have four brigades in Europe, three in Germany, the third one in Vilseck in Bavaria and one in Vicenza, Italy. With other forces they count together 81 thousand soldiers, of which 41 thousand are the land forces. These units are roughly between 3–5 thousand strong, but with service personnel,

5. Obama stressed a development of modern, smart weapons and the adjustment of the arms to the exigencies of the modern military conflicts, with priorities centered around terrorism, the proliferation of nuclear weapons, and intelligence. But this talk of “smarter”, more “agile” weapons, that would “evolve” to meet military existing commitments across the globe are euphemisms for retreat [as many observers noticed, since] the problem with the country’s warriors is not that they lack technological sophistication, but that they are too few. The [American] combat mission in Iraq may be over, but the peace is fragile and violence continues. In Afghanistan, an accelerated withdrawal and negotiated peace with the Taliban are likely to create more national security threats than they eliminate. The Arab world remains a giant powder keg, and a destabilized North Korea, a radicalized Pakistan, a nuclear Iran, and even a suddenly unpredictable Russia could also pose serious threats.<sup>59</sup> The cuts will remove 27,000 soldiers and 20,000 Marines from active duty, taking force levels to the Clinton years.
6. Until Obama’s plan, the official doctrine of the United States had been based on an axiom of the military being able to fight and win the war with two enemies at the same time and a “brushfire” conflict. After the Cold War and the “peace dividend” the doctrine was even extended: two major theater wars and a series of “brushfire” conflicts, which stretched the American forces in places from Yemen, to air support in Libya in 2011, not counting Iraq and Afghanistan. The new strategy aims to engage and defeat one enemy, while merely disrupting another, a move from a “win-win” to “win-spoil” plan.

This is a radical change of strategy. As a visible disengagement of U.S. power this will definitely cause global actors to adjust their strategies and actions accordingly. But this will change American thinking as well, since such a decreased capacity tends to change behavior to match the capacity. The strategy was announced by Secretary of Defense Leon Panetta, who conceded that a reduction of the army and its potential will mean an inability of the U.S. to wage more than one ground war. Diplomacy, especially “soft power” diplomacy will be a tool to make up for that. Nevertheless Panetta expressed his fear that such a drastic reduction of the military budget in 2013 will be dangerous.

Panetta was right to note that debt was also a national-security issue, thus fiscal rectitude was necessary, especially by reducing bureaucracy. One commentator observed yet that “a bank looking to reduce overhead does not start by firing guards and cutting corners on vaults. When General Martin Dempsey, Chairman of the Joint Chiefs of Staff was asked how the United States would carry on as the world’s great power with a shrunken military as this one and incommensurate to

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civil personnel and families their real number is higher. For instance, in Baumholder, where the 172<sup>nd</sup> infantry brigade is located, there are 13 thousand Americans and only 4 thousand Germans. The decision caused economic panic in these German communities, both because the US Army is the biggest employer there, and the American spending power keeps the economy there going.

<sup>59</sup> “Indefensible” in *National Review*, February 6, 2012, p. 16.

this role, he avoided the question by answering that it would be commensurate, adding 'This is not a strategy of military decline'''.<sup>60</sup>

Several implications and inconsistencies of such a military policy are visible. The first is an assumption that the Americans will never face two major enemies at once. The second, that the era of conventional warfare is over, despite the fact that the American response to the insurgency has been mostly conventional. The third assumption is probably the most worrying. It claims that military spending is a proper reflection of American military might, and since the Americans spend the equivalent of the military budgets of the 10 next nations, there is nothing to worry about.

But the military spending by Americans can not be gauged just in relation to the others who spend less. By the very nature of American power it should take into account the nature of American responsibilities and commitments, the size of America, its geographic and geopolitical position and the needs of its economic security. It should also consider the fact that the military contributions of the allies are declining, at least in Europe. Nothing indicates that this situation will change, since the causes of such a lagging are essentially cultural, mental not economic. Even NATO in such a case is not a reliable point of reference. As Afghanistan showed, NATO is unsure what it wants to be.<sup>61</sup>

There are additional doubts about the new Obama military doctrine. The American army is a voluntary, professional army, conscription was ended after the Vietnam War, and will not return. The strength of the volunteer army depends thus even more on this army being perceived as a citizens' army in uniform by professional proxy. This is the condition of the army having legitimacy for its prolonged, strategic service from the society at large. Such a legitimacy under the conscription system broke down during the Vietnam War. Today the all-volunteer (AVF), professional army is having other problems during prolonged wars, without clearly defined aims, such the wars in Iraq and Afghanistan.<sup>62</sup> A total

<sup>60</sup> The data and facts from the Obama press conference are based on official press and internet releases; also "Indefensible", op. cit.

<sup>61</sup> For a good overview of this problem see Sarwar A. Kashmeri *NATO 2.0: Reboot or Delete?*, Free Press, New York 2011 and Gulnur Aybet, Rebecca Moore, Lawrence Freedman "NATO in Search of a Vision", Georgia University Press, Athens, GA 2011; Good arguments for stating that the future of NATO depends on a retention of a coherent cultural notion of the West, as against the onslaught of the multicultural, postmodernist ideologies are put forth in Stanley R. Sloan "Permanent Alliance: NATO and the Transatlantic Bargain from Truman to Obama", *Continuum*, New York 2010, pp. 267–291. For a conservative, Burkean argument to that effect, explaining that NATO is just another chapter of Western identity and its Grand Narrative, and thus its existence depends on a retention of both, see David Gress *From Plato to NATO: The Ideology of the West and its Opponents*, Free Press, New York 1998, esp. pp. 503–560.

<sup>62</sup> In Iraq there was a visible evolution of the changing rationale for the invasion. First it was the prevention of nuclear arms being used by Saddam Hussein, then there was "nation building", and "democracy nation building" especially, curiously supported more by the Republicans than the Democrats, who traditionally, since Woodrow Wilson, focused on a doctrine that was to "make the world safe for democracy". Then it



indifference might happen on the part of the American society living its own individual lives. More spending will not improve the situation here automatically, but more spending rightly located and explained might keep the army as one of the most important elements of creating the civil ethic.<sup>63</sup>

In addition, purchasing power parity is not a good criterion of assessing the spending level if treated without further qualifications. The sheer military spending is not an adequate measurement and might be outwardly misleading.<sup>64</sup> One may also add here the military trajectories of American rivals, for instance “masking effects of off-budget outlays and occult expenditures”, exchange rate distortions. Thus military spending is of limited utility to gauge a particular country’s military capabilities. They are nevertheless useful if they are taken as a measure of decline or progress in relation to its own wealth, and as a measure for comparison with other countries. The dynamic of such a relation might be rising or declining within the budget of a particular country, but it is only by examining this tendency as compared with similar tendencies in other countries that a general picture might be relevant. And here the American dynamic is relatively declining in relation to, for instance, China.<sup>65</sup>

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was simply stability, all that mixed with a rationale which might be the final and the only real one in terms of actual consequences, that is toppling a bloody dictator, with all other objectives coming to naught.

<sup>63</sup> See on that Suzanne C. Nielsen, Don M. Snider (ed.) “American Civil-Military Relations: The Soldier and the State in a New Era”, Johns Hopkins University Press, Baltimore 2011; also Bruce Fleming *Bridging the Military-Civilian Divide: What Each Side Must Know about the Other-and about Itself*, Potomac Books, Washington D.C. 2011.

<sup>64</sup> There are perennial problems of the American army paying exorbitant prices for army trivia. This is a universal army problem elsewhere, but what is exorbitant in America may not even be thought about, for instance, in Russia or China, or vice versa, what is exorbitant in Russia may be trivial for Americans. Of course, the Russians and Chinese might have a problem of exorbitant costs but they stem from corruption, in large measure supported by the safety net of the state over its heavily subsidized military industry. But even Russia recognized that problem as sapping the economy at large and in February 2002 decided to cut drastically the military budget, cut substantially state support for the inefficient home military sector, discarded its earlier commissioning of the French Mistral assault ships, and decided to rely more on imports. The last move was caused both by the efficiency of costs considerations, as well as the inability of the Soviet industry to match Western, mainly American sophistication, especially concerning electronics. For instance the Russian Sukhoi T-50 jet fighter officially shown at the air show in 2011, thought to be a match for American F-22 Raptor, might be more agile, carry more arms and have a longer range but is no match for its American counterpart in terms of electronics, which nullifies all its advantages.

<sup>65</sup> From 1940 to 2000 average American annual spending was 8.5% of GDP. In war and mobilization years 13.3%. Under Democrat administrations 9.4%, under Republican, 7.3%. In the peacetime 5.7%. Today Americans spend 4.6%, but less purely operational war costs, amount to 3.8% which means 66% traditional peacetime outlays. In 1929 GDP was 103 billion dollars, in 1933 55 billion \$, a decline of 46%. In 2007, GDP was 14.061 trillion dollars, in 2010, 14.870, Helprin *The Common Defense*, op. cit., p.118. One may argue that the GDP is incomparably higher, even if adjusting for inflation, but so it is higher than that of America’s adversaries.

China is here the main contender, although not exactly for reasons of it taking the lead in the world, which it is not capable of doing today, and probably will not be able to do so in the future. It has many severe internal problems and probably it will get old before it will get rich.<sup>66</sup> But China might contribute mightily to a diminishing of American power as no.1 in the world without substituting anything as an alternative. Nothing can replace the United States of today and in the foreseeable future in tasks it performs.

The European Union has attitudes rather than politics and is increasingly manipulated by its oligarchic bureaucracies orchestrated by Germany into believing that a paternalistic federal state is the best and the only solution to its economic, social and cultural problem with the nation states defined as obstacles to that aim.<sup>67</sup> This might cause yet a resistance of the nations concerned or a price paid for such a compliance in increased consumerism, which is unlikely. The only real harm which the European Union could do to the United States at the moment is to create an alternative currency, the euro. But the euro, being a response to a political desire of federal Europe, imploded in 2011 while at the same time it has so far showed its real economic nature of a financial tool of the stronger European economies to dominate the European Union peripheries.

Europe is experiencing its first wake-up call from a situation in which its cultural and political decline was not discernible which the new utopia devised by the generation of 1968 now governing the European Union was to stop. But such dreams could float around because the European Union had a false sense of security guaranteed by American power. This power was real and it could be perceived as paternalistic, thus the tremendous resentment of the old European Union elites. But it was not dangerous even if imperial. The United States was an empire, but paradoxically, a “non-imperial” empire; its legions did not pacify Europe but liberated it twice, its “colonial” legions did not exploit the colonized people like the old colonial powers.

America was for Europe like an older, stronger, streetwise brother who treated his younger brothers, Germany, Italy or even France as allies, as a precious gift under its protection. Europe got a tremendous, spectacular “free ride” for America

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<sup>66</sup> China’s policy of diminishing its population during the last decades, with its brutal and criminal abortion policy is responsible for more than the rising affluence of the young middle class. The Chinese leaders are realizing the dead end of it, but it might be too late. One can recall a response of one of the Singapore leaders in late 50s when meeting with the Western “experts” of population control, advising him how to get out of poverty by drastically reducing the population by aggressive techniques of all sorts. To that he smiled and responded: “You want us to be crippled by destroying our greatest asset. This is our gold mine, the most vital source of our possible wealth and development”. I owe this story to prof. Jeffrey Sachs during a discussion at Harvard University in August 1991 devoted to the strategy of modernization for Eastern Europe.

<sup>67</sup> See on this an excellent analysis by Pierre Manent *A World Beyond Politics: A Defence of the Nation-State*, Princeton University Press, Princeton 2006; also his *Democracy Without Nations? The Fate of Self-Government in Europe*, ISI Books Wilmington, De 2007.

money, while at the same time being for America, as at the end of the 19<sup>th</sup> century, or in the 20s of the 20<sup>th</sup> century, a dreamed about point of intellectual reference for the American university and media elites. For them, to paraphrase the memorable Groucho Marx, whatever America was for they were against it. The generation of such American intellectuals who came out of the 60s and its turmoil, who imbibed all contagious intellectual European fads revolving mainly around the mantra word of “deconstruction” translated to political “emancipation” in the name of equality, has become bent on changing American “exceptionalism”. And if the European “disease” is ravaging the character of European elites full of conceit and arrogance towards their own citizens sheepishly content with the welfare state as a price for it, this disease might contaminate the United States governing elites as well. They are yet, as of today, still partly immune to the longings of its cultural and media elites for centralization of the economy and governmentalization of individual liberty, treated as a gift from government, not an inherent right.

It might happen that such “europeization” of America will hasten the latter’s decline, a price paid for a mesmerization with the European way of development. American decline might be a long process but, as every civilizational decline, it starts with cultural exhaustion. This means that the virtues which are officially prided upon and inculcated and which created the greatness of a particular civilization are in fact less and less practiced and even less and less esteemed.<sup>68</sup> That is why the Obama presidency might constitute a real change. This is probably the first modern American president who is a cherished “child” of the new university and media elite expecting him to change America, defied by them as “problematic” civilizationally and morally. That is why the Obama presidency might be so crucial for the future course of the United States as a superpower and his military policy should be viewed from such a perspective.<sup>69</sup>

What the Americans are facing is a problem which Britain experienced after the Second World War., and which constituted the most visible corroboration of

<sup>68</sup> Such virtues as self-reliance, courage in face of unexpected challenges, individual initiative, moral responsibility for one’s choices in life, local self-government, reliance on voluntary associations, tolerance of difference and oddity, hard work, respect for religion and tradition while believing in material and moral progress, a deep and incessant suspicion of authority and with that treating the state as an outside entity subservient to the people, an intolerance of any paternalistic attitudes of the elites towards the people at large have been the American virtues. The best, and one of the first expositions of them, is the famous speech of Edmund Burke in the British parliament in 1775 on the eve of the American revolution, a warning and a plea to the British elites to make amends to the colonies, which, if they rebel, will never be defeated. Edmund Burke “Speech on Conciliation with America”, ed. Joseph Villiers Denney, Scott, Foresman, Chicago 1898, pp. 25–126.

<sup>69</sup> For an extended exposition of this argument see Andrzej Bryk “Konserwatyzm amerykański od Reagana do Obamy”, “American Conservatism from Reagan to Obama”, in Piotr Musiewicz (red.) *Ronald Reagan: Nowa odsłona w 100-lecie urodzin*, Ośrodek Myśli Politycznej, Kraków 2011, pp. 191–318.

its decline as an empire.<sup>70</sup> A global military securing strategic interests or Euro-sized entitlements is a real not a phony choice. You cannot have both at the same time for a simple reason that the size of the “sufficient enough” entitlements depends on psychological and comparative factors. The law of rising expectations exceeding the ability to deliver goods is one of the symptoms of decline and it rises from generation to generation.

But the global military is perceived at the same time as a given, something you have to be convinced about, the effort which depends largely on cultural factors, an understanding of human nature and the nature of international relations coming from that understanding, as well as of one’s self-perception. If these change, the global military might be considered a simple, wasteful burden and every conflict a “warmongering” adventure against people with just interests or peace loving and fighting aggressors. A government which cannot meet its promises, and cynical politicians, are in the liberal-democratic world today as Roman Caesars at the end of the empire, capable of winning the consumerist and corrupted *populus*

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<sup>70</sup> Between 1951 and 1997 the proportion of government expenditure on defense declined from 24% to 7%, while the proportion on health and welfare rose from 22 to 53%, in the period still before the Labor Government took power to change this proportion further at the expense of defense. But that went hand in hand with the psychological acceptance of decline, despite the fact that the British were “on the right side of all great conflicts of the last century [unlike] the German people [who] in two generations became just as obnoxiously pacifist as they once were menacing nationalist. ... You’d hardly be receptive to pitches for national greatness after half a century of Kaiser Bill, Weimar, the Third Reich, and the Holocaust... [But British] have been, in the scales of history, a force for good in the world. Even as their colonies advanced for independence, they retained the English language and English legal system, not to mention cricket and all kinds of other cultural ties. And even in imperial retreat there is no rational basis for late 20<sup>th</sup> century Britain’s conclusion that it had no future other than as an outlying province of a centralized Euro nanny state dominated by nations whose political, legal, and cultural traditions are entirely alien to its own. The embrace of such a fate is a psychological condition, not an economic one. Is America set for decline? It’s been a grand run. The country’s been the leading economic power since it overtook Britain in the 1880’s... Nevertheless..., Detroit went from the world’s industrial powerhouse to an urban wasteland, and the once-golden state of California atrophied into a land of government run by the government for the government. What happens when the policies that brought ruin to Detroit and sclerosis to California become the basis for the nation at large? Strictly on the numbers, the United States is in the express lane to Declinistan: unsustainable entitlements, the remorseless governmentalization of the economy and individual liberty, and a centralization of power that will cripple a nation of this size. Decline is the way to bet. But what will ensure it is if American people accept decline as a price worth paying for European social democracy. Is it hard to imagine? Every time I recall the latest indignity imposed upon the ‘citizen’ by some or other Continental apparatchik, I receive emails from the heartland pointing out, with much reference to the Second Amendment, that it couldn’t happen here because Americans aren’t Euro-weenies. But nor were Euro-weenies once upon a time” Mark Steyn “Welcome to Rome”, *National Review*, January 25, 2010, pp. 36, 38, 40.

by promising welfare, facing the dilemma whether to cut the costs of the “abstract” military or the costs of the “human needs” of ordinary people.<sup>71</sup>

Welfare and military spending are now moving along opposite trajectories and the point at which the former will overtake the latter does not depend so much on reasoned argument or interests. They will ultimately be based on political decisions dependent on the culture and character of a particular nation, and by implication on the cultural code which is being inculcated in a process of public education, the media, or academe. It is interesting to observe that war, the military, and the resulting expenditure, are incessantly being portrayed in the leading media and academia in the liberal-democratic world today as “problematic”, or “redundant” for a proper organization of the world. For instance in many American university history departments military history has been reduced drastically or eliminated altogether.<sup>72</sup> This touches also on subtle mechanisms

<sup>71</sup> The American entitlement programs today per year exceed the revenues of the federal government, which means that whatever the cuts in other spending, such as military, education, crime prevention or environment, they do not matter much. Two options are necessary. Either to cut drastically entitlements costs together with other expenditures, or to raise revenues by taxes, or by economic growth, possibly also by some technological breakthroughs. The division between Europe and the United States today is also along those lines, Europeans, by inclination favoring taxes, Americans growth. See R. Salam “Where Jobs Aren’t”, *National Review*, 18 April 2011, pp. 22–24.

<sup>72</sup> Moreover it is difficult to establish a chair of military history by solely private donations, as has been proved during the last years in many instances. Such a move is treated as teaching “violent” behavior, or getting students interested in a subject which should be progressively eliminated as part of a politically correct vision of the world. This is also connected with the post-1968 liberal left education as a means of inculcating not so much knowledge but attitudes like “gender equality” and eliminating wrong attitudes, for instance “manliness”, and the dominance of feminist education. On this fascinating topic see, for example, Christine Sommers *The War Against Boys: How Misguided Feminism is Harming Our Young Men*, Simon & Schuster, New York 2000, esp. pp. 207–214; also Harvey C. Mansfield “Manliness”, Harvard University Press, Cambridge, Mass. 2006, pp. pp. 72–78, 229–244 and F. Carolyn Graglia *Domestic Tranquility: A Brief Against feminism*, Spence Publishing Company, Dallas 1998, esp. pp. 55–59, 308–20. With that came a ubiquitous equation of power and violence with evil, as if desire to exercise violence was tantamount to committing evil, which meant the elimination of a thought that power, “the sword” might be for *something*. The other side of such negative teaching was of course a conclusion there is no *thing* worth fighting for any more. In other words the issue in general is connected with a decline of heroism as part of the Western cultural outlook, education of moral attitudes and sentiments instead of morality and character formation, and the elimination of the notion of sacrifice for anything, including military sacrifice, as culturally suspicious, limiting one’s self-realization. See on that Andrzej Bryk “Western jako amerykańska *Odyseja*” (Western as an American *Odyseja*), in Grzegorz Babinski, Maria Kapiszewska (ed.) “Zrozumieć Współczesność”, Kraków 2009, pp. 491–530. All in all, power and violence are increasingly defined as “obsolete” in the international context, the idea of negotiations, “soft power” and law has taken their place, with a taken for granted

of delegitimization, by treating, for instance, such concepts as “patriotic” as the equivalent of “nationalistic”, “nation” as the equivalent of “warring tribe”, and “war” as the equivalent of “ritual murder”.<sup>73</sup>

If America accepts the European Union’s internal cultural outlook and geopolitical disposition to withdraw, then a question has to be raised as to who will become the next America, in other words who will fill the geostrategic void? Europe prattling about its own military force and defense spending is strong economically and might yet take advantage of that long cushioning by America which contributed to what Europe is today, and provide for its own defense. But there is no one to cushion America if it abandons its defense as the leading world power. It is obvious that the US military is the strongest war making, and peace winning machine, and cannot be a peacekeeping nation-building force as it tried to do in Iraq or Afghanistan. But there will be no neutrality towards America even if it does not intervene. Resentments live for generations, being cultural codes of nations’ self-perception. This non-neutrality of the outside world will be a factual impossibility because of the sheer size, influence, efficiency and the values America cherishes. It will be hated by many not for what it does but for what it is. Ending the wars and withdrawing does not mean that the old good times will be back, with no effort and challenges, living a dream life out of humanitarian, socialist, libertarian or generally European textbooks.<sup>74</sup>

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attitude that a human being is essentially not a creature marred by nature by evil impulses, something which Christianity terms “original sin”, but a creature with the wrong education at every level of its action within a context of wrongly devised institutions, beginning with the family and ending with international institutions, the essentially Rousseauesque anthropology.

<sup>73</sup> The great English lexicographer and wit of the 18<sup>th</sup> century Samuel Johnson once said that “patriotism is the last refuge of the scoundrel”. But according his secretary who wrote down the story of Johnson’s life to Boswell he meant only false patriotism, jingoism. But his quote has been the standard argument of those who want to discredit patriotism. They would better read George Orwell. In fact, accusations against patriotism are too often the arguments of nihilists and self-serving egoists, who love usually just themselves. The essence of patriotism is also better visible within a context of a realization that there is also a community of duties with culture and history, the duties which we then offer for others outside this community. To equate thus patriotism with nationalism and confront it with allegedly universal cosmopolitan world community or humanity as such is a fiction masquerading as reality and manipulated by power holders, also using the concept of bastardized human rights ideology and international governance. To a certain extent this is a political and cultural equivalent of the old philosophical contest between universalists and nominalists. The essence of the argument is whether there is only a singular human being, or there is also a community of values. In the first case it may happen that that which is called usually progress of the world community is essentially a progress of the autonomous imperial Self, its moral autocreation, which means usually a desire.

<sup>74</sup> America cannot say like Greta Garbo: “I want to be [left] alone”. Even in steep, irreversible decline and global retreat, the United States would remain for the rest of the world and for a long time the biggest, the most cherished target, viewed with resentment and accused of everything as Britain has been. America cannot afford to

Who will be then number 1? The dreams about taking this role by world Islam are just that, dreams. Islam has a tremendous potential of getting into the midst of the declining cultures, for instance Europe, but has no capability of creating dynamic civilization attractive to others in such a way so its spread will be commensurate with the exigencies of a benign empire.<sup>75</sup> We do not know what the evolution of Islam will be, but the belief that the West can constitute a model for the Islamic world into which the Islamic world will mold itself willingly or with American help is highly doubtful, the result of the “Arab Spring” in 2011 testifies to that. The Islamic civilization of the Middle East has for centuries struggled with the West, but definitely lost its creative parity in the 16<sup>th</sup> century, having been unable to make up for scientific innovations, the battle of Lepanto of 1573 being the turning point. It lost also institutionally, unable to introduce into the political realm the *sacrum* and *profanum* distinction of Christianity. For over half a century Islam has controlled the world’s most valuable resources and operating within the context of the nation states. But after the colonial dominance it has dreamed of *revanche*. Finally the *revanche* has come but only in the form of a relative decline of the West, in the eyes of Islam a sign of corruption and decadence, but from here to any civilizational resurgence is a long way.<sup>76</sup>

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be isolationist, even if it wanted to. Thus “Luxembourg can vote for a quiet life, but not a nation of 300 million people whose cultural influence, for good or ill, is everywhere. To modify Trotsky, you may not be interested in the world, but the world is interested in you. And ‘America: Love us or leave us be’ is especially unpersuasive when your future’s mortgaged to foreigners, and everything in your house is made overseas. This is isolationist and libertarian narcissism... as banal as any other strain... Know-nothing parochial delusion is not the solution”. But at the same time it does not mean that “ten years of desultory, inconclusive, transnationally constrained warmongering is [not] a problem... Uncle Sam has now spent a decade running around the Hindu Kush building grade schools and shoveling taxpayer-funded Viagra to every elderly village headman with one too many child brides. According to the World Bank, the Western military/aid presence accounts for 97 percent of Afghanistan’s GDP. And within a week of the West’s departure, it will be as if that 97 percent had never been there, and all that remains will be the same old 3 percent tribal dump of mullahs, warlords, poppy barons, and pederasts, all as charmingly unspoiled as if the U.S. and its allies had quit 48 after toppling the Taliban in 2011. [True] it is two-thirds of a century since the alleged hyperpower last ambiguously won a war, and that ought to prompt a little serious consideration of the matter.[ But] instead we have [only critics saying that] all would be well if we stopped ‘endlessly bombing’ ‘these countries’”. Mark Steyn “Happy Warrior”, *National Review*, February 6, 2012, p. 52.

<sup>75</sup> See on that David P. Goldman “How Civilizations Die (And Why Islam is Dying Too)” Regnery, Washington D.C. 2011. One of the book’s thesis is that Muslim faith is waning and with that fertility rate, in contrast to Christian America.

<sup>76</sup> See on that works by probably the best and most realistic analyst of Islam today, Bernard Lewis. For instance his “Faith and Politics: Religion and Politics in the Middle East”, Oxford University Press, Oxford 2010; and “The Crisis of Islam: Holy War and Unholy Terror”, Modern Library, 2009. It is probably that a real dialog with such a civilization on the part of the West will not be possible until the West will come to

As far as Russia is concerned it has no chance of being a global player, except in negative terms. It is essentially posturing as a superpower, having four real assets: territory, energy resources, nuclear power and diplomacy. Russia still defines America as the number one enemy in the world in its official military doctrine. But it has no potential to take the lead or to create any lasting institutional, political or economic alternative. It can mess enormously in the American backyard, it can sabotage American interests successfully in the Middle East, in Southern Asia, or in the European Union but it can do nothing to be an active mover of world events. It has, of course, excellent diplomacy at least since the 18<sup>th</sup> century and a consistent application in its foreign policy of a reversal of the famous dictum of Clausewitz that the war is an extension of politics. For Russia politics has always been an extension of war.

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terms with its own aggressive, coming from the French Revolution, atheistic culture looking at religion, mainly Christianity as a threat to political freedom. This colossal intellectual blunder, coming from the prejudice of the secular, liberal mind of treating religion as synonymous with violence, prevents any dialogue with a culture which has violence as part of its religion, but nevertheless can negotiate its repeal only from the religious basis, not from the secular basis. The West has increasingly, more in Europe than in America, equated the liberal regime with the total separation of religion and the public sphere, instead of separating it from direct governance but, not the public sphere, which makes the Western regimes alien not only politically but fundamentally culturally with no chance of building bridges. See on that an excellent study by William T. Cavanaugh "The Myth of Religious Violence", Oxford University Press, New York 2009, esp. pp. 181–230; this is one of the reasons why the Republican administration that traditionally hated "nation building" adopted it after 2001 with "the zeal of the converted because it didn't know what else to do", it had no means of communicating with the Islamic world." Mark Helprin "The Central Proposition, The Claremont Review of Books, fall 2011, p. 12. This was an application of the old Wilsonian dream of making the world safe for democracy combined with Protestantism as a religion of democratization, with American Protestantism turning, in the wake of European biblical criticism, into liberal social gospel Protestantism, making its metaphysical aims converge with the aim of the liberal–democratic regime, and progressivism as the main ideology of that regime. See Richard M. Gamble *The War for Righteousness: Progressive Christianity, the Great War, and the Rise of the Messianic Nation*, ISI Books, Wilmington, Del. 2003, esp. pp. 25–68, 233–252; But such an application of "nation building" was possible towards devastated Europe in the aftermath of the First and Second World Wars., it was even possible towards the rest of the world at the turn of the 20<sup>th</sup> century, the very essence of successful colonialism, or neo-colonialism. The successful colonial policy benefited simply from luck and conditions inaccessible today. The Europeans in the 19<sup>th</sup> century, so Americans in the first half of the 20<sup>th</sup> century found themselves at the peak of their power within the world context of divided, decadent politics. Americans were disciplined, wealthy, organized, full of the zeal of an ascendant powerful nation, their energy "bursting outwards like solar energy", while the Islamic world at hand was stagnated and quetistically at rest, the situation, by the way, taken care off by Zionist settlement as well. Such a situation does not exist any more.



So we are left with China, a real heavyweight and recognized as such by the United States. Its role as the rising economic superpower, a financial caller of shots of sorts, has been recognized. The timing of American decline might be very much in Chinese hands, since they may determine when the dollar ceases to be the world reserve's currency. And this economic capability may become a potent changing element of the geomarket. But it has no chance to substitute for America's role in the global context. China, judging from what we know about its culture, even if politically liberal, will not be a benign "liberal" empire, like America is. It is a collective culture as opposed to individualistic, liberal American culture, which matters a great deal in contacts with the outside world. Affluence may change such a cultural code, but this would require a profound change of an incredibly old civilization, large enough to sustain its own regeneration.

China has also no willingness to play the role of a global player, unless it sheds its cultural isolationism stemming not from its parochialism, but exactly from the opposite feeling of being the center of the world. This will be a long, if possible, change, going into the very core of Chinese identity.<sup>77</sup> If China is thus not likely to play such a role of imposing the rules of global order, the likely outcome is that no one will, meaning order will give rise to no order, unpredictable and anarchistic, based on ad hoc coalitions of states, not unlike the Orwellian vision.<sup>78</sup> In such a "no-order" situation petty dictators will have a field of maneuver to develop nuclear armaments, and the wealthiest nations will have difficulties organizing their ad hoc defenses with helpless international, phony organizations. This will

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<sup>77</sup> It may be yet that the most potent cultural-religious influence which in the long run can change China's cultural code, at least enough to prompt it to be outward looking, is Christianity. Christianity's growth in China is a spectacular factor despite persecutions of Christians, the support for the "official" Catholic Church as against the one faithful to Rome. But this might be just a nuisance. It is estimated that Christianity "enters" Chinese culture easily, as it entered Korean culture, in comparison to the difficult to penetrate Hindu culture. We do not know how this conjunction will play out. What is promising is the anti-collectivist nature of Christianity essential to its self-understanding, a radical separation between *sacrum* and *profanum*, the corresponding individualistic rule of law and a conceptual destruction of the monistic concept of power, the very contribution of Christianity to the rise of effective human rights culture and constitutional government. This latter innovation might be nullified in the West by a gradual substitution for the Christian culture of the monistic concept of the jealous sovereign state from the 16<sup>th</sup> century. In other words Christian religious freedom might be crucial to the political freedom of the West as well. See on that Harold J. Berman *Law and Revolution: The Formation of the Western Legal Tradition*, Harvard University Press, Cambridge, Mass. 1983.; also Richard J. Neuhaus, *The Naked Public Square*, Eerdmans, Grand Rapids 1984. Looking from another angle, the Judeo-Christian concept of God, as translated to humanity in the First Commandment is based on a simple injunction that God exists so nothing else, or no one else could become god.

<sup>78</sup> It is usually forgotten that the Orwellian nightmare of "1984" was not only based on the internal totalitarian order, but on the international order of three endlessly fighting superpowers which divided the world. Such a warring situation may assume changing participants.

not prevent the United States from being the main target of hatred and resentments.

Such resentments last long and are directed against the most well off, since “imperial resentments linger long after imperial grandeur... The first victims of American retreat will be the many corners of the world that have benefited from an unusually benign hegemon. But the consequences of retreat will come home, too. In a more dangerous world, American decline will be steeper, faster, and more devastating than Britain’s – and something far closer to Rome’s. In the modern era, the two halves of ‘the West’ form a mirror image. ‘The Old World’ has thousand-year-old churches, medieval street plans and ancient hedgerows but has been distressingly susceptible to every insane political fad, from Communism to fascism to the European Union. ‘The New World’ has superficial novelty – you can have your macchiato tweeted directly to your iPod – but underneath the surface noise it has remained truer to old political ideas than ‘the Old World’ ever has. Economic dynamism and political continuity seem far more central to America’s sense of itself than they are to most nations’. Which is why it is easier to contemplate Spain or Germany as a backwater than America. In a fundamental sense, an America in eclipse would no longer be America... [But] ‘decline is a choice’ [and] ‘civilizations die from suicide not from murder... Permanence is an illusion... mighty nations can be [fast] entirely transformed. But more important, national decline is psychological – and therefore what matters is accepting the psychology of decline’.”<sup>79</sup>

This may yet happen, and that is why the military context of this challenge for the United States, and the world as well, is crucially important. Here there is another problem with the complications and tensions of the military-civil relations with the post-Cold War “unipolar moment” of American preeminence. Already Operation Desert Storm in 1991, romanticized in popular image as “the finest hour” of the American military after the Second World War, and prudent use of the military, indicated this. Tensions, of course, have always been there at least since the Korean War and General MacArthur’s dismissal by Truman or Dwight D. Eisenhower warning about the Military-Industrial Complex.<sup>80</sup> Since the Vietnam War, new problems have emerged, even if initially suppressed by the logic of the Cold War.<sup>81</sup>

<sup>79</sup> Mark Steyn “Welcome to Rome: Commit national suicide, shall we?”, *National Review*, January 25, 2010, p. 40. “Decline is a choice” is a phrase used by Charles Krauthammer, “civilizations die from suicide not from murder”, by Arnold Toynbee. One can recall here a statement of Cardinal Richelieu, the first minister of France under Louis XIII, that only God is eternal, France is always in danger.

<sup>80</sup> See Michael D. Pearlman, *Truman and MacArthur: Policy, Politics, and the Hunger for Honor and Renown*, Indiana University Press, Bloomington 2008; James Ledbetter *Unwarranted Influence: Dwight D. Eisenhower and the Military Industrial Complex*, Yale University Press, New Haven 2010.

<sup>81</sup> A useful account is H.R. McMaster *Dereliction of Duty: Lyndon Johnson, Robert McNamara, the Joint Chiefs of Staff, and the Lies That Led to Vietnam*, Harper Perennial, New York 1998.

The creation of the All-Volunteer Force after the Vietnam War introduced new problems. The AVF has turned out to be professional and flexible, reinventing itself also to all kinds of counterinsurgency exigencies increasingly felt, especially after 9/11 attack, as one of the priorities of the military, an ability lacked in Vietnam.<sup>82</sup>

Two things yet changed. One has political as well as constitutional implications. America has now a standing army, all volunteer, professional and “imperial”, not the temporary armies of the “citizens in uniforms”, a fact which would have terrified the American founders of the republic.<sup>83</sup> The U.S. forces are stationed, defending or establishing outposts along extended “frontiers”, eastward across Eurasia to the Hindu Kush, and then further across the Pacific to Korea and Japan, not counting the naval and the air forces. With its global mission it is a strikingly small force by traditional standards, based on less than 1% of the American population, even counting reserve forces. Such a situation worries today both the liberal-left and the right. Among the latter many treat it as part of the military-bureaucratic Leviathan, a worry intensified after the 9/11 attacks.<sup>84</sup>

<sup>82</sup> Beth Bailey *American Army: Making the All-Volunteer Force*, Harvard University Press, Cambridge, Mass. 2009.

<sup>83</sup> On the evolution of the American military see a good overview Russell F. Weigley “Armed Forces” in Jack P. Greene (ed.) *Encyclopedia of American Political History*, Charles Scribner’s Sons, New York 1984, pp. 69–82; also John Whiteclay Chambers *The Oxford Companion to American Military History*, many editions.

<sup>84</sup> The liberal-left would expand the bureaucratic Leviathan, although not exactly the military part of it. The liberal-left after the 60s revolution essentially has treated strong American power in defence of liberty, a stance of the post World War II American liberalism, as a liability, a drag on social progress inside. This concerns both the radical left, like Noam Chomski or the late Howard Zinn, as well as the moderate one. Few liberal left commentators, even after the 9/11 attack, supported strong military response as a permanent feature of American world presence, with the exception of intellectuals such as Paul Berman or Michael Walzer. See Paul Berman *Terror and Liberalism*, New York 2003. On the Right, including the conservative one, the situation is more complicated. The paleoconservatives oppose “the hunting of dragons overseas” to use John Adams’ phrase. The republic should not turn into empire using the military for managing it. See Patrick Buchanan *Where the Right went Wrong: How Neoconservatives Subverted the Reagan Revolution and Hijacked the Bush Presidency*, New York, Thomas Dunne Books 2004. The connection between the expansion of the bureaucratic state and the military as part of that expansion is explicated in books of such paleoconservatives as Claes G. Ryn *America the Virtuous: The Crisis of Democracy and the Quest for Empire*, Transaction Books, New Brunswick, N.J. 2003, also Edward Gottfried *After Liberalism: Mass Democracy in the Managerial State*, Princeton University Press, Princeton 1999; a libertarian critique is Michael D. Tanner “Leviathan on the Right: How Big Government Conservatism Brought Down the Republican Revolution”, Cato Institute, Washington D.C. 2007. The American “empire” has been criticized by such politicians as Buchanan and libertarians like Ron Paul. The main quarrel within the Right is between the traditional Right and the neoconservatives who allegedly took over Bush’s understanding of foreign policy as an effort to transform the dictatorial world by means of the American military into a “democratic” world, with not only attacking enemies and punishing them but with “nation building” by means of

The other thing which changed has been the tenuous relationship between the army and the civilians, between citizenship and the military.<sup>85</sup> The present “bargain” between the American society and the military cannot go forever. From its shaky beginnings it has been subjected to cultural changes connected with the increasing individualization of society itself and a gradual anti-militarization of consciousness. This bargain needs renegotiating, since in strategy and war, “the means of power are inseparable from the ends of power, and the principal tools of American statecraft – despite all the popular talk about ‘soft power’ and ‘smart power’ and ‘reticent power’ – are suffering from neglect: material neglect, as measured in aging weapons, insufficient manpower and budget restrictions, but especially the political neglect of the elite classes... The link between citizenship and military service is increasingly tenuous. With the end of the draft... “the United States military has assumed a character closer to that of the long-term enlistee on the Western American frontier or serving in China or the Philippines during the early twentieth century than to the true citizen-soldier who serves during an emergency and then returns to civilian life”.<sup>86</sup>

The current American volunteer army is different from the traditional image of the citizen-soldier ideal on several counts. The Army is advertised as a kind of institutionalized self-realization, “self-actualization therapy”. The message is not Shakespeare’s *Henry V* “comrades in arms” image but a highly individualized self-development cut off from the general aims of what an army is for and whom it ultimately serves. The old soldiers were either mercenaries seeking employment for life, as was the case for instance with John Wayne’s soldiers in his movies, like *Fort Apache*.

The soldiers of today are professionals expecting by law promotion, decent pay and lifetime benefits. It is a job like any other, subject to individual choices, career moves and connected more with bureaucratic considerations than with the concept of duty, honor, country, let alone God. These rewards may be definitely earned by service, potential sacrifice, even death. But they constitute also elements of “special interest” which, psychologically, are only tenuously connected with general national interest and duty.<sup>87</sup> Such a volunteer army, fully professional

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the military. See on that Andrzej Bryk “Neokonserwatyzm amerykański na przełomie XX/XXI wieku (American Neoconservatism at the turn of the 21<sup>st</sup> century) in Maria Borucka-Arctowa (red.) *Państwo – Władza – Społeczeństwo – Polityka*, Toruń 2006.

<sup>85</sup> See Peter D. Feaver, Richard H. Kohn (ed.) *Soldiers and Civilians: The Civil – Military Gap and American National Security*, MIT Press, Cambridge, Mass. 2001.

<sup>86</sup> Thomas M. Donnelly “The People’s Military”, *National Review*, May 2, 2011, p. 52.

<sup>87</sup> See on the fascinating problem of relations between the military and civilians Mackubin Thomas Owens “U.S. Civil-Military Relations After 9/11: Renegotiating the Civil-Military bargain”, *Continuum*, New York 2011; also Risa A. Brooks *Shaping Strategy: The Civil-Military Politics of Strategic Assessment*, Princeton University Press, Princeton 2008; as a comparison see a description of a different world view within which the civil-military relationships rested, two generations ago: Samuel P. Huntington *The Soldier and the State: The Theory and Politics of Civil-Military Relations*, Harvard University Press, Cambridge, Mass. 1957; also Arthur A. Ekirch Jr *The Civilian and the Mili-*

and bargaining for entitlements, becomes a lucrative profession, one of the reasons why groups which would never be willing to join before, like women and homosexuals, decided to do so waving a flag of “discrimination”.<sup>88</sup> That is why any discussion of cuts in the military today concerning troops and arms is connected also with hard bargaining with professional soldiers about entitlement spending and also many issues concerning social policy inside the military as for instance affirmative action thinking.

Moreover, the American army today is different from a traditional citizen-republican model still lingering in the mass consciousness and popular culture, also because “the notion that the military represents a true demographic cross-section of American society is fictitious, as the repeal of the “don’t-ask-don’t tell” law preventing open homosexuals from serving reveals. Harvard may, in turn, have repealed its ban on Reserve Officers’ Training Corps units on campus, but Ivy League universities are unlikely to be a major commissioning source in the near future; it has been generations since American elites believed they had an obligation to take up arms in service to their country. And the military will not be enthusiastic about investing precious recruiting dollars in the Northeast. It is much easier and more culturally congenial to look for young officer candidates in the South and Southwest”.<sup>89</sup>

This has another consequence of the army being staffed and supported predominantly along party lines in an uneven way, with particular voting patterns in it.<sup>90</sup> The All-Volunteer Force has also created a distinct, deeply ingrained identity among the soldiers and the officer corps, separating them physically, but also

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*tary: A History of the American Antimilitarist Tradition*, 1956, the latest edition by The Independent Institute, Washington D.C 2010.

<sup>88</sup> This is not to say that among those people there is no sense of duty or gallantry, as among anyone else, but the army which has traditionally been a tool of a nation bent on the most efficient defense becomes then a place of social experimentation subjected to the same sort of experimentation as in the civil sector, even to the point of compromising the efficiency of the army. This is definitely a case with women, who at the end are mainly concentrated in some sectors of the army at the expense of others, for instance in case of the battle units, thus making “discrimination” by other means tolerable. This is, some say, also a compromise of intimacy in case of homosexuals, accepted openly with a repeal of a policy ‘don’t ask, don’t tell’ by the executive order of President Obama in 2011, since the sexual tension between homosexual and heterosexual men and simple humiliating ogling on the part of the homosexuals towards heterosexuals would suggest separate quarters for both groups as is the case with women soldiers, including showering etc, which in itself is a kind of “discrimination” violently opposed by the homosexual lobby as “stigmatizing”. Women make up about 15% of the total force.

<sup>89</sup> Donnelly “The People’s Military”, op. cit. p.52. It is in the Northeast where the prominent universities, with the predominantly liberal-left leaning elites are located, such as Harvard, MIT, Yale, Princeton, Brown, Dartmouth College, Bowdoin College, Amherst College, Columbia, Williams College.

<sup>90</sup> A recent survey of the army officers found that self-identified Republicans outnumber Democrats in the officer corps by 60% to 18%. See Michael Nelson “Soldiers and Citizens”, *The Claremont Review of Books*, Winter 2011/12, p. 53.

psychologically from civilian life. The American ideal of the traditional citizen-soldier was provisional and temporal; at the same time he was part of innumerable households, a sign of communal duty towards the country, a role to be discarded once the war was over.<sup>91</sup> But after the AVF was introduced, not only has the professional identity become permanent, but it is often passed from father to son to grandson.<sup>92</sup>

The American way of war in many aspects remains the same, especially its aggressiveness, passing initiative to officers of lower ranks, self-confidence, technological intensity, placing one's opponent at a significant disadvantage in materiel. But the AVF changed the nature of mobilization and thus a relationship to society, strikingly visible after the 9/11 attacks. Since then, the United States went to war with "an army of champions and a population of spectators. There was no call to arms, no summoning of volunteers for the duration of the fight... no talk, much less consideration, of reintroducing conscription. The bureaucracies were staffed not by 'dollar a day men' but by the same civil servants as in the past".<sup>93</sup>

The Americans made thus a bargain between the military and society at large. They agreed to tolerate a standing, professional army, large by other nation's standards, so as to meet the needs of defending America, which today means more a defense of strategic interests around the world. But that was done with an expectation that this activity should be "clean", that is to say professionalized, efficient, cost-effective, and the least disruptive to society. As with the old people who should be taken care of by professional nursing homes, so wars and all such messy affairs as preventive strikes or counterinsurgency tactics, were to be dealt with by professional services, at minimal psychological and economic costs, let alone massive disruptions to the civilian "pursuit of happiness" declared to be the basic American right in the Declaration of Independence of 1776.<sup>94</sup>

Americans seem to believe that war is but "a small divergence from the norms of civilian life, and that the extraordinary activity required can be met by normal

<sup>91</sup> One can recall here a nearly total and quick demobilization of the millions of the American soldiers to civilian life after the Second World War, and a massive redirection of them to civilian life, part of which was the so-called GI Bill which awarded those who wanted to study a federal grant for this purpose.

<sup>92</sup> Thus the saying "Once a Marine, always a Marine".

<sup>93</sup> Eliot Cohen "The Military" in Peter H. Schuck, James Q. Wilson (ed.) *Understanding America: The Anatomy of An Exceptional Nation*, Public Affairs, New York 2008, pp. 271–272.

<sup>94</sup> Of course this isolation is not at the level of mass culture. The military is open to all fads, beginning with pop music and chocolate cookies, triumphal returns of soldiers in parades in little towns, lack of popular mass condemnation unacceptable actions on the part of soldiers, in contrast to politicians, and a widely popular genre of soldiers' memories, the fact used by them with alacrity to receive attention, especially after combat. In that sense, in comparison with the European military, the American military remains a popular force. During the wars the American flags on homes, or placards in frontyards proclaiming "We support our troops" are ubiquitous. But this is more a cheering of an audience in a theatre.

efforts. The government wages war, and citizens seem to think one exists, without any noticeable sacrifice, or indeed much more effort, other than the spending of a few hundred of billions of dollars, financed by deficits rather than tax increases or compulsory savings, than peace."<sup>95</sup>

Such an attitude was visible until the end of the first decade of the 21<sup>st</sup> century, and there is no guarantee that it will work indefinitely if the economic crisis lasts too long. It may not work if greater effort is required, both to wage war and to make greater military presence in the world a necessity for securing strategic US economic and political interests against, for instance, China, or Russia in the Arctic, or, who knows, Germany.<sup>96</sup>

Many other things changed in the art of conducting modern war, and complicated further this relationship between the civilian world and the military in the United States. The military has been professionalized, more independent from civilian life, but in other respects it has become more constrained. Economically the army is dependent on new weapons in a much more complicated and sophisticated way. In previous wars, the last such war being probably the Vietnam War of 1965–73, perhaps the Gulf War of 1991, the armaments delivered to the army were relatively easy to produce, lasted longer than the time needed for their technological and research input, and could be produced on a massive scale. The cost of armaments for the classical type of war was relatively lower, because of the effect of scale. Moreover, the ratio of technological research and time of use of such armaments was significantly longer. Today all that has changed, also under the impact of two events, the 9/11 attacks and American difficulties in dealing with the counterinsurgency in Iraq. The Americans declared a “War on Terror” with the army essentially unprepared for this role.<sup>97</sup>

<sup>95</sup> Cohen “The Military”, op. cit., p. 273.

<sup>96</sup> If Germany decides that the European Union ceases to be a political and economic zone commensurate to its ambitions and power potential, then it might abandon it and begin to act as a global player. Germany is preparing for such a role. President Kohler’s remark in 2010 that the German military should be a tool of securing German economic interests in the world was not a slip of the tongue, but a betrayal of strategy. German export to Asia, especially China, is rising spectacularly and the European market is no longer vital for its economic well-being. China will be the major export market of Germany in 2013. What Germany wanted to get from Europe it has gotten. The German army builds now huge transoceanic 7000 thousand tons frigates, an essentially strategic military buildup, to guard transatlantic sea lanes. See Andrzej Talaga “Niemcy rozkwitną i bez Europy (Germans will blossom even without Europe)”, *Rzeczpospolita*, 9–10 luty 2011.

<sup>97</sup> One can imagine no more inept a term for the tasks which faced Americans in military and strategic terms. The war should have been with terrorists who attacked America and countries which harbored them. In fact this war of terror tied Americans to all countries which were inimical to America and who fought their own terrorists or people defined by such countries as terrorists tying American hands and playing their own game. So the Chinese got a free hand to deal with Tibetan and Uighur “terrorists”, the Russians with Chechnya’s and all their Islamic “terrorists” etc.

Counterinsurgency changed the priorities in R&D, forcing Americans to reconsider traditional weapons.<sup>98</sup> The United States industry still continues, for instance, the production of tanks or armored vehicles which were designed thirty or forty years ago. New electronics systems have been put into them, but devising new concepts is extremely costly. A significantly different ratio of time and money to moving from concept to design is necessary today. It takes decades now, not years, to develop them. It is also dependent on the constantly changing ideas of what they are to be for, whether they should be at all, and who will pay for them, when a mistake setting priorities is more costly than ever and subject to fierce lobbying from all sides.<sup>99</sup>

Psychologically, cultural changes complicate the financing of the army. Heavy losses are no longer acceptable. The reasons for this change are many, but one is the exorbitant cost of qualified military personnel and also a middle-class military. Soldiers are now individuals, no longer anonymous “cannon fodder”. They are extremely expensive to train and equip, more powerful in the field despite their radically diminished numbers. Soldiers must be sophisticatedly trained and educated both in the army and in the civilian sector, being more like extremely expensive feudal knights, than the “cannon fodder” of the absolutist era.<sup>100</sup>

<sup>98</sup> This also caused a change of command in Iraq. In November 2006, after nearly four years of insurgency chaos in Baghdad and its environs, George Bush fired secretary of State Donald Rumsfeld and launched so-called “surge”. 20 thousand additional troops were sent on a newly defined counterinsurgency mission to clear and secure neighborhoods with the overreaching aim of protecting the population. Bush, in an unprecedented move, at least since Abraham Lincoln during the Civil War, assumed responsibility for the Iraq strategy and practical operations, nominating general David Petraeus as the commander of the forces in Iraq. Petraeus later would be charged by president Obama with bringing order in Afghanistan, with some, albeit lesser, success. See Nelson *Soldiers and Citizens*, op. cit. p. 53. Also Brooks *Shaping Strategy*, op. cit.; for an account of that situation seen from Rumsfeld’s perspective see *Known and Unknown: A Memoir*, Sentinel 2011, from Bush’s perspective see his *Decision Points*, Random House, New York 2010. When Petraeus became popular in the US, as MacArthur under Truman, Obama, paranoid that Petraeus might challenge him in the next election moved him to head the CIA. Petraeus also caused a small revolution in the military colleges in the U.S., retooling the methods of teaching, when he realized that the Afghan and Iraq wars had not greatly influenced the thinking of the military teachers and cadets.

<sup>99</sup> See on that Eliot A. Cohen *Supreme Command: Soldiers, Statesmen, and Leadership in Wartime*, Free Press, New York 2002.

<sup>100</sup> This idea of “cannon fodder” was confronted as insane during the 19<sup>th</sup> century with the development of the modern means of destruction, and resulted in the replacement of colorful uniforms by grey ones, development of international law of war, the Red Cross and modern military medicine with antiseptics introduced by the British doctor Lister and nursery care by Florence Nightingale. But the idea of “cannon fodder” compromised itself totally only after the butchery of the First World War, especially during the Somme battles in 1916. It was still visible in the Soviet Army in the Second World War, consciously acceptable to even Marshal Zhukow, with Rokossowski being one of the few honorable exceptions.



This costliness of soldiers, and middle class sensitivity, put pressure on the military not to go recklessly into wars or actions. The stress is more on safe armaments which raises costs, and on “smart” weapons without the need for humans to operate them. This creates great economic and political pressure.

The outsourcing of every feasible service beginning with maintenance, guard posts, training and ending with professional education is one outcome of such a cost-benefit analysis, but this also prevents the army from being an institution of social cohesion, limiting it further to a smaller and smaller part of professional life.<sup>101</sup>

This has not been, of course, an American phenomenon only. Nearly all modern militaries and their supporting industrial systems have become “dependent on a combination of sophisticated technologies, elaborate contractor organizations, and archaic development bureaucracies. The trend everywhere seems to be fewer platforms – whether they be tanks or fighter plans, destroyers or artillery tubes made more effective by information technology, ever more lethal munitions, and highly trained personnel. Such military organizations are suited to middling warfare: conventional contests that do not go on for more than a few weeks, albeit at high levels of intensity combat, on the one hand, or large-scale insurgency on the other. The debate about American troop levels in Iraq finally revolved, to a remarkable degree, on the question of what the army could stand without overstressing a professional force, not about what was needed”.<sup>102</sup>

Such cultural, economic and military considerations strain the relationship between the professional army and politicians, as the gatekeepers of money. The latter are hostages of political pressures from the electorate, as well as the media constraints subject to the new cultural fads, and a total lack of secrecy. This strain in civil-military relations has been visible in Iraq and Afghanistan. One such a case was the 2006 “revolt of the generals” calling for the-then defense

<sup>101</sup> On this outsourcing of services see P.W. Singer *Corporate Warriors: The Rise of the Privatized Military Industry* Cornell University Press 2003; Commenting on this trend Singer argues that, in fact, this dependence on privatized assistance is already a *sine qua* condition of executing any operation in the field. A consequence of the lack of adequate public and consequently congressional support, such dependency requires a total reconsideration of the original rationale of outsourcing services. In 2007 a Defense Department study showed that what seemed like 160 000 troops in Iraq, which looked a fairly small number for the tasks at hand, was much more, in fact 340 000 when contract employees were counted. After Obama pulled out the army from Iraq, there remained about 16 thousand Americans of which 2 000 were the state department employees, 14 000 contract employees. See Nelson *Soldiers and Citizens*, op. cit., p. 54. But the logic of specialization and separate skills is also influencing the flexibility of the troops in the field. For instance in the Polish army, a driver of an armored vehicle or a tank is also a mechanic, unless the task is too complicated to perform, in the American army where something happens to an armored vehicle the driver waits for the maintenance team. One may observe that this difference may stem from a conviction that the reliability and superiority on the part of the American side is never in doubt.

<sup>102</sup> Cohen “The Military”, op. cit., p. 273.

secretary Donald Rumsfeld to resign. The other, the generals' resistance to the Obama review methods, resulting in the multiple general-firing by Defense Secretary Robert Gates in 2009.<sup>103</sup>

An additional important factor here is the military strategic thinking which changes rapidly and is subject to new constraints not encountered before. The army fights with the people it gets from society. It is made up of the central slice of American life, but it is isolated. The military academies recruit from the same applicant pool as for instance the best Ivy League universities, but most of the officer corps come, not unexpectedly, from large, not-elitist state universities. The military in their situation might be also a good career move as contrasted with competition in the civilian labor market with a Harvard or Yale law graduate.

Some elite universities have, even if small, Reserve Officer Training Corps (ROTC) programs on campus. They have such programs also available to students, with additional courses on the various aspects of the military offered to all. But students of elite universities are not well represented in the officer corps. This means that the officer corps does not get candidates from the pool of the best people who rather prefer to enter the most prominent intellectual, economic, media or political elites. Such elites define the culture and language of public discourse, but they are not in the army any more. This is acutely reflected, for instance, in declining numbers of politicians who have had military experience which significantly influences their thinking related to military matters.

This split is reflected even more dramatically in the rank and file of the military. There is nearly no one in it from the elite population. The army is composed of the intellectually less sophisticated part of the society, much more, for instance, than was the case during the two World Wars, in the 50s and 60s; the sharp decline of the post Vietnam War years was nevertheless made up for in the 80s. Now this trend seems to be constant. This new social and intellectual composition of the army relates differently to American society at large, especially as far as the flow of mutual understanding between the population and the army and its prestige is concerned. But first of all it influences the possibility to recruit the best minds to devise strategies and tactics in the changing conditions of modern warfare, when a quick orientation in many fields not directly connected with the military requires an effort to get them.<sup>104</sup>

<sup>103</sup> See on that Owens "U.S. Civil-Military Relations after 9/11", op. cit.; Bob Woodward *Obamas's Wars*, Simon & Schuster, New York 2010. The Obama White House has been always paranoid about the political influence of the generals, particularly the "surge" general David Petraeus, and his possible bid, forcefully denied by the general, for the presidency.

<sup>104</sup> Kathy Roth-Douquet, Frank Schaeffer, *AWOL: The Unexcused Absence of America's Upper Classes from Military Service and How It Hurts Our Country*, Collins, New York 2006. The authors detail the liabilities of the present all-volunteer 'corporate' force: the impoverished policy-making ability of a civilian leadership without any real ties to the military, the weakening of the military itself because of it, and also "a sense of lost community". This already constitutes a threat to democracy, with society accepting such an inherently unfair situation as given. The authors propose some remedies: a lottery draft, more effort to convince young people to join and some form of national

What this underrepresentation in the military of a cross section of America signifies is not yet clear. Obviously, it has something to do “with the ability of the United States to tolerate casualties and the strains of prolonged expeditionary warfare abroad. The residents of the Upper East Side in Manhattan or the tonier suburbs of Boston, Chicago or Los Angeles do not, by and large, send their sons and daughters off to Afghanistan. Those who go are volunteers, and both they and their families, with few exceptions, have the kind of patriotic zeal, or at the very least stoicism, that gets them through such trials. Nor does the military draw, as some believe, from the deprived strata of society: it still recruits its enlisted personnel overwhelmingly from high school graduates of middling to high intelligence scores on the standard tests and recruits its officer corps from college graduates. But the tone, including the intellectual tone, is still largely that of middle America. The profile is certainly socially and politically more conservative than America’s elites, more religious, and less academic. Again, it is not clear what difference this makes in the end: the American military is a diverse organization, and includes officers of many different backgrounds and interests. But since 9/11 it has faced a world in which its previous routines and conceptions of war, molded largely in the period between Vietnam and the first Gulf War, have proven inadequate for a very different set of conflicts. The hard fact is that the American military leaders have not, with some notable exceptions, been able to articulate strategic issues and priorities nearly as well as their civilian counterparts. The issue is not, to repeat, differences in raw intelligence and certainly not ability, but rather the ability to move smoothly and effectively in the realm of debates that are, of their nature, often abstract and theoretical. It in some measure reflects the nature of the American military: a practical, workmanlike slice of American society; a good representation of a middle class that is intelligent, hardworking, and impatient with theory and theoreticians as well’.<sup>105</sup>

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civil service. Otherwise, they argue, American foreign policy will have no connection to the military with the latter stretched thin and increasingly employed in situations approaching breaking point, constantly being repeated. This proportional lack of the elite is visible in the behavior of G. Bush Senior as contrasted with his son G.W. Bush. After Pearl Harbor in 1941 Bush Senior informed his father that he did not want to stay in college to put off his draft. He argued that as a representative of the American elite he had a moral duty to enlist. Bush became a dive-bomber pilot, served honorably, was shot down over the Pacific and saved miraculously by a passing-by American submarine. His son served during the Vietnam war in the Home Guard and avoided service in the field. No one proved during the campaign that he was there hiding intentionally, but the difference is significant.

<sup>105</sup> Cohen *The Military*, op. cit. p. 270. It is thus a false impression that the American military is not ethnically representative. This was the case during the Vietnam war, but since it became professional the military is 75% white, 13% black, 87% non-Hispanic and 13% Hispanic. Minorities are underrepresented in the military, including the combat arms. Women, who are a majority, but treated as if they were minority, make up 15%. Ibid. 268. One may add that we enter here a very sensitive issue of affirmative action. One may argue that the military is a specific kind of a job based on the basis of interest, but on the other hand it may be treated as an institution having a task of

Strained civil-military relations, translated into successful lobbying to obtain a better hearing among politicians, have been also visible during the last years in the lower ranks, especially mid-level officers most heavily engaged for years in constant operations. They have been more distanced from domestic politics, and due to instant communication acutely aware that their effort has been taken for granted, an invisible task of mercenaries paid to do their dirty job. Subjected also to pressures of political correctness, they feel increasingly as being used in a game the rules of which are not clear.

This also results from time to time in nearly open resistance of the officer corps, convinced of their better professionalism trumping civilian amateurish posturing. This concerns not so much civilian choice of targets or combat operations planning, but setting the military's goals in a conquered country, the military being burdened with tasks which often have little to do with traditional duties of an occupation army but with a conversion of the army into an army of engineers, policemen, community leaders, teachers and what you will.<sup>106</sup>

This causes sense of a malaise, if not of moral decline, of the armed forces in general. The quality of senior officers, in contrast to senior non-commissioned officers advancing through exams, results from advancement via 'efficiency reports' that is "from pleasing superiors. It starts with generals and admirals chosen for compatibility with the ruling [elite] rather than for winning wars. Below that, the command and general staff colleges and the war colleges help filter out the warriors at the field-grade level. The fact that more officers who have finished their initial military obligations (Army and Marine captains, Navy lieutenants) now choose to leave the military than new officers choose to join is an accurate barometer of their discontent. They, and the military families that discourage their children from becoming officers, blame the top brass for designing operations that please politicians at the cost of wasted lives and lost wars. Endorsing the military nonsense of the War on Terror has become the prerequisite for successful military careers... [In the field] the occupation habituated the U.S. armed forces to regard it as normal to bleed without prospect of victory. Officers who commanded their troops to operate in replenished minefields and who enforced 'rules of engagement' that make troops vulnerable to un-uniformed enemies until these took action, profited by turning their backs on soldierly ethics that are as fundamental to the profession of arms as the Hippocratic oath is to the medical profession. At home, the occupation of Iraq became an occasion for bitter partisan warfare... more harmful yet [it] sapped the patriotic generosity with which the American people had supported the War on Terror".<sup>107</sup>

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integrating the communal sense of a society and for this reason alone the issue of more or less proportional representation might be important. See Andrzej Bryk "Akcja Afirmacyjna, doktryna różnorodności a plemienna koncepcja społeczeństwa liberalnego", *Krakowskie Studia Międzynarodowe* 2006, no 2.

<sup>106</sup> See Owens *US Civil-Military Relations After 9/11*, op. cit.

<sup>107</sup> Angelo M.Codevilla "The Lost Decade", *The Claremont Review of Books*, Fall 2011, p. 15, 17.

Today the mood in the military and in America in general is subdued but far from optimistic. True, the Americans officially withdrew from Iraq in December of 2011, finally ending the war without end but achieving limited accomplishments. But even if the Afghanistan war will be over soon, there is no end to the economic crisis and the crisis in foreign policy objectives. In the latter case they reflect the divisions within the foreign policy establishment as well as within the establishments of the major political parties. For a decade since 9/11, the American foreign policy has been focused as its main objective on the "War on Terror". In consequence the military has been converted into police, administrative and engineering type operations, with "democracy building" declared as the major aim of that war. Other objectives and dangers were neglected and traditional adversaries and enemies were classified according to a simplistic division along the line of fighting "terrorists".

Like the Soviet Union before, which incessantly "fought for peace", the Americans have not attained their objectives, while straining their finances, psychological resolve and the military's potential beyond anything imaginable. The world has not become even remotely safer, and a demand for American "cavalry" coming to rescue wherever there is a crisis, like in Libya in 2011, caught Americans unable to respond, with the European Union in fact helplessly waiting for them. During the decade after 9/11 attack U.S. military operations have resulted in about 6000 American soldiers killed and roughly 30 000 disabled, and hundreds of thousands of foreign casualties, with a cost, depending on the estimate, between 2–3 trillion dollars.

But the threat from the terrorists has not been eliminated, while the security restrictions on Americans imposed by the federal government turned out to be worrying even for its most lenient critics. Worse, after a decade of incessant, costly operations, with others gaining from them, such as Russia in Central Asia, or China in Tibet or the Uighur region, there has been a growing perception of America as a declining economic and military power, defined as an irreversible trend with profound political consequences.

What began during the Vietnam war and what has become dramatically visible in the decade which followed 2001, has been a gradual transformation of the American military into kind of a police force. Its aim was not to hit the enemy and defeat it, but to turn the military into in fact occupational forces which were to turn hostile people, of essentially alien culture incomprehensible to Americans, into friendly people. This was to be done in a process of "nation-building", without at the same time any ability or political will to seal off such territories from an incessant influx of fresh anti-American reinforcements in people or materiel, for instance from Pakistan or Iran, attempting to disrupt such an effort. Thus the American army in Iraq was constantly bleeding, the situation slowly taken for granted, without any prospect of winning the war with the final withdrawal and the country divided, in fact, into three zones.<sup>108</sup>

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<sup>108</sup> For a long time the Americans have accepted a division of Iraq into *de facto* Kurdistan in the North, the Shia rule from north of Bagdad to the Persian Gulf firmly tied to

The diversion of funds into such “nation building” operations lasting for a decade has not only been exorbitant, but also forced the American military to change its priorities and ask questions as to the kinds of arms needed in the growing deficits conditions, and finally the economic crisis which hit in 2008. Essentially it has been a change from a potential fight with the global players to fights with small, skillfully designed, sophisticated urban and counterinsurgency equipment. The United States let the logic of the “War on Terror” divert economic resources, R&D, tactics and strategy into not one of the possible wars, but the war which overshadows all other military considerations. This has crippled materially American ability to deal with any other kind of war and strategic enemy with traditional arms, if only for the purpose of preventing Americans from thwarting their economic or political goals.<sup>109</sup>

The end result have been both the dubious results of the “War on Terror” devised as a way of “nation building”, and a decline of the American military overall capacity for dealing with strategic enemies. Another pernicious effect of the wrongly devised “War on Terror”, has to do with taking for granted assumptions about the nature of the world order in 2001, and the goals to ensure the permanent existence of such a world order. The assumption in 2001 was that America was hit by terrorists as Rome was hit by, lets say, the pirates of the Mediterranean, a powerful disrupting force for all within the orbit of the *Pax*

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Iran, and the dispersed but well armed Sunni enclaves, all waiting for the Americans to withdraw so to start cutting their throats again. Americans were moving in that terrain hunting for “insurgents” and “terrorists”. The fabled “surge” stabilized the situation because the Americans began successfully to bribe the local clan elders to sort things out in between themselves. What was designed as “nation building” turned into a pragmatic move of “live and let live” with no clear aim in sight except withdrawing, leaving behind weak and divided government. In Afghanistan the situation has been even worse. It started as an operation to punish Arab terrorists with the Taliban hesitating to turn in Osama bin Laden because of the money they got from him to fight Uzbeks and Tajiks. But the Taliban was not anti-American at first, but after the invasion they switched to anti-Americanism and the protracted war started. American “nation-building” means economic aid which exceeds Afghanistan’s GDP, with millions of Afghans being anti-American, American money being used officially or unofficially to build the fortunes of different Afghan warlords, with the resentments of those who have not got on the bandwagon. There was even more resentment against the American crude tactics of response to hit and run tactics of the Taliban forces, let alone the presence among the Afghans of rich foreigners, consciously or subconsciously exhibiting a superiority complex towards the locals, unable to provide them either prosperity or security.

<sup>109</sup> The huge money spent on the “War on Terror” armaments, with a faulty logic behind it, was exemplified by just one of many items, the Mine Resistant Ambush Protected Vehicle (MRAP) of which 15 thousand were ordered at the cost of 20 billions dollars, so to make American troops safe from mines in Iraq and Afghanistan, where most of casualties came from such weapons of terror. But such MRAPs “don’t work against shaped charges designed to penetrate them... They cannot make sense out of the criminal nonsense of operating in perpetually replenished minefields. Codevilla “The Lost Decade”, p. 15.

*Romana*. So as Rome dispatched Pompey to restore order within the confines of the *Pax Romana*, so Americans dispatched its expeditionary force to restore order by “nation building” within (an assumption taken for granted) the world of the permanent post-Soviet *Pax Americana*, with terrorists disrupting its smooth operation. True, there were China and Russia on the horizon, which eventually might cause trouble, and the Muslim world which was anti-American by instinct and resentment, but these dangers were far off. It was exactly the aim of the “War on Terror” to engage in “nation building” so to prevent the dangers of such regimes as China or Russia from ever gaining the upper hand strategically in the world. This was a risky gamble uniting around it, due to fury, fear, and the desire for revenge after 9/11 of the American bipartisan elites, among them the State Department establishment, the foreign policy realistic schools analysts as well as “Young Turks” from the neoconservative movement.

The world a decade after 9/11 does not look as it was meant to. It is far more dangerous for Americans than in 2001, even if the Americans are not responsible for the majority of menaces threatening them. For one, China’s economic rise has translated into an overt political goal of challenging the post-1945 American imposed Peace of the Pacific. Its long-term goals of expelling the Americans from the Western Pacific and also to prevent Taiwan from gaining a measure of international political and military maneuver have now become clear and are supported by a strong military presence. There are warnings that the U.S. should not interfere with China’s pressure on other Pacific islands. China is beginning to exercise its veto on moves within its self-declared sphere of interest.<sup>110</sup>

Russia has emerged of the Yeltsin “smuta” with Putin, defined the United States in the neo-Soviet image as the enemy number one, and received numerous concessions from America in missile programs, with a removal of the anti-missile shield from Poland and the Czech Republic. It uses diplomacy well to put Americans on the defensive and exercises its veto in the UN to protect anti-American dictators. At the same time Russia is playing a successful game of pushing Americans out from Europe, thus aiming at making NATO to all practical purposes impotent, with the self-conceit of the politically corrupted and demoralized bureaucratic elites of the European Union.

In the meantime it cut off Ukraine and Bielorrussia from the European way of development forming in 2011 with others post-Soviet republics, like Kazakhstan, its own equivalent economic Euroasiatic union, and effectively showing in Georgia in 2008 that military action would not result in any serious retaliation. All such hesitations earned Americans, tied down in Iraq and Afghanistan, only the contempt of Russia, and the conviction that the United States was a declining superpower. Russian policy has always been one of contempt for an accommodating enemy, since, as mentioned earlier, diplomacy has been for it a reverse of Clausewitz’s dictum, that is the extension of war by other means.<sup>111</sup>

<sup>110</sup> See on that a comprehensive analysis Baogang Guo, Sujian Guo “Thirty Years of Chinese – U.S. Relations: Analytical Approaches and Contemporary Issues”, 2011.

<sup>111</sup> This attitude was shown towards the Polish government and its decision to grant Russia exclusive inquiry into the catastrophe in Smolensk in April 2010. What they got

The Islamic World is as divided and as anti-American as ever, with Iran an additional threat in the region. Saudi Arabia can be considered an ally only by a real stretch of imagination. The countries of the Arab Spring of 2011, nowhere turning closely to the image of American democracy, even after democratic elections will be Islamic. The Islamic world will be torn by its own dysfunctions inherent in its cultures and governments. It will not be subject willingly to the Hegelian law of history of modernization to emulate the West and its liberal-democratic system, let alone be subject to such a law by a measured compulsion from outside.

The events of the last decade were impossible to foresee in 2001 for Americans, even if they realized that *Pax Americana* would not last forever. But the Americans' undertaking of "nation-building" so as to make it a catalyst for change in the Arab world and then possibly in other non-democratic countries so they can become pro-American zones was as utopian as it was fateful in terms of cost, reorientation of priorities and endangerment of American interests. The consequences of trying to change the world instead of aiming to manage it by guarding vital US strategic interests, have turned out to be highly equivocal.

In that decade huge deficits have accumulated. In 2001 U.S. government expenditure was 1.86 trillion but in 2008, when the mortgage backed securities exploded, it was 2.9 trillion. Then Congress appropriated 800 billion in 2008 for the Treasury to buy up "toxic assets" and fix the problem. After that more was put into the banking system, and by the middle of the Obama administration the debt had risen to 3.7 trillion, which meant doubling federal expenses in a decade, and spiraling the American debt to a staggering 14 trillion, equal to America's GDP.<sup>112</sup>

The prolonged crisis which engulfed the American society over the last decade was deep because American elites mesmerized with its "War on Terror" constantly "doubled its bet" on the tried and failed policies, showing a spectacular example of a self-referential mindset. Such a policy has even been pursued more during the Obama presidency, which has engaged in a huge expansion of

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instead was a falsified report, with a message to the Western elites, including the NATO commanders to whom Polish generals died in the crash belonged, that one of the major causes of the accident was essentially the interference by a drunk Polish general in the cockpit. The message to the elites of the European Union was simple: see, those tribes in Eastern Europe cannot govern themselves in a civilized way, even their NATO generals are drunk and recklessly causing costly accidents. So, why don't we and you impose a civilized order on them together. What a nice *deja vu* of the old friendship of the gravediggers of Poland in the 18<sup>th</sup> century, Frederick II and Empress Catherine of Russia, the policy which at the economic and political level is probably a strategy of Germany as well.

<sup>112</sup> By 2011, out of every federal dollar spent 40% was borrowed. The 2010 census also reported that in 2009 the inflation-adjusted median family income was \$49,445, whereas in 2001 it was \$51,161. The official unemployment rate hovers around 9-9.1 but only 45.4% of Americans of working age are employed full time, which may amount to a handy definition of depression. See, for instance, a good overview of that problem in Angelo M. Codevilla, *The Ruling Class: How They Corrupted America and What We Can Do About It*, Beaufort Books, 2011; also Thomas L. Friedman, Michael Mandelbaum *That Used To Be Us*, Simon, Farrar, Giroux, New York 2011.



the federal government with no clue what to do next, except raising taxes and borrowing more money, exhibiting an arrogance of the highest order, unusual in America, permanent in the European Union, of treating people as ignorant.<sup>113</sup>

Wrongly defined priorities, exorbitant costs, and the wrong responses to the costs, resulted in the American military strategy of dramatically reducing traditional weapons needed to counter challenges by other strategic enemies of America, who in the meantime have gained the advantage. This practical situation have gone hand in hand with a colossal loss of self-confidence, a consequence of two generations' neglect of national interest. As many commentators observed during that time the American industrial base was exported abroad, mainly to China, space transportation in some measures to Russia, engineering delegated to foreign engineers bought from abroad, energy security to dictatorships and car production to Japan, with a dramatic decrease in incoming and outgoing ships, for some of which the American ports are too shallow now. This radical decrease in manufacturing and engineering capabilities coupled with the reduction of the number of American warships as well as warplanes created a situation in which America has become, in relative terms, strategically vulnerable to others.

If we take into consideration the fact that 95% of the U.S. and 90% of world foreign trade moves by sea, than we may conclude that America is essentially an inland nation. This means that the abdication of the sea lanes endangers strategic American interests. Maritime blockade or simply disruption of such lanes remains the quickest way of strangling any given nation, a situation which would require an immediate response. The United States has taken over from Great

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<sup>113</sup> When people rebel as in a populist movement like the Tea Party, there has been sometimes a tendency to treat them as terrorist or simply criminal or racist, standing in the way of the right policies. This was a comment with which Obama's vice-president Joe Biden labeled the Tea Party. To be sure such an attitude came much earlier, possibly with the post 9/11 legal-political security state with an image of the president as the commander in chief as having a mandate of unlimited power, and defining the war as about people's safety, a process essentially without end and without restrictions, limited only by what the government can get away with. Political power is then treated as a legitimate means to goals which do not have to be controlled since safety is the supreme law, with the people, as one of the political analysts observed, "becoming accustomed to being herded, while others have become accustomed to doing the herding. For all, it means suppressing the knowledge that terrorists have been almost exclusively Muslims, while indulging the politically correct fantasy that one's neighbor could be a terrorist. The facile misapplication of the term 'terrorist' leads naturally first to labeling and then to treating domestic political competitors as enemies. Thus does war prosecuted indefinitely and incompetently against foreign enemies make for real war among fellow citizens... 'Homeland security' grew into a quarter trillion dollar public-private industry that changed life in America so quickly, with so little debate, because it followed the template established a generation earlier by the Nixon Administration's response to the first aircraft hijacking. For the American people homeland security means badges and procedures, ritual humiliations of grandmothers and children at the hands of people who would melt at the sight of an actual terrorist. Confronting terrorists is not what [such] 'security ' people sign up for", Codevilla *The Lost Decade*, op. cit. pp. 18–19.

Britain the task of guaranteeing the freedom of the seas and, as one of the most perceptive military analysts observed, “the nature of this task demands a large blue–water fleet that cannot be ‘downsized’. With the loss of a large number of important bases worldwide, if and when the U.S. projects military power it must do so most of the time from its own territory or the sea. Immune to political cross currents, economically able to cover multiple areas, immune to restive populations, and safe from insurgencies, the fleets are instruments of undeniable utility in support of allies and in response to aggression. Forty percent of the world’s population lives within modern naval gunfire range of the sea, and more than two thirds within easy reach of carrier aircraft. Nothing is better than naval power and presence to preserve the often fragile reserve among nations, to protect American interests and those of [its] allies, and to prevent the wars attendant to imbalances of power and unrestrained adventurism”.<sup>114</sup>

America has now the smallest navy in a century which has shrunk from about 1000 ships of fifty years ago, to about 600 combat ships a decade ago and 284 in 2011. Of these even fewer are capable of controlling the open seas.<sup>115</sup> This might create a situation in which China will monopolize the Western Pacific Rim, without a U.S. fleet strong enough to contest them. At the same time the American surface fleet “can no longer venture confidently where the Russians don’t want it”.<sup>116</sup>

The reduction of the fleet is not only a result of the “peace dividend” and the expected sense of security, or the greater capacity of newer ships, allegedly, to perform the tasks of the older ones. The 17% reduction since 1998 has had nothing to do with the “peace dividend”. The technological upgrade of fewer and fewer ships to make up for reduced numbers might be for nothing, since a ship “could be in only one place at a time.” One may thus say that in relation to the rise of China’s navy and the decline of the American “not that far in the future the trajectories will cross. Rather than face this, [Americans] seduce [themselves] with redefinitions such as the vague concept that we can block with relative ease the straits through which the strategic materials upon which China depends must transit. But in one blink this would move us from the canonical British/American control of the sea to the insurgent model of lesser navies such as Germany’s in World War I and II. If [Americans] cast themselves as insurgents, China will be driven even faster to construct a navy that can dominate the oceans; a complete reversal of fortune”.<sup>117</sup>

<sup>114</sup> Mark Helprin “The Decline of U.S. Naval Power”, *The Wall Street Journal*, March 2, 2011; also his “Anchors Away”, *The Claremont Review of Books*, Summer 2011, p. 94.

<sup>115</sup> Some projects are downsized even if their technology does not match the Russian or Chinese technology, like Virginia-class submarines.

<sup>116</sup> Codevilla *The Lost Decade*, op. cit., p. 15; The Russians have also secured their *de facto* veto power on any NATO, let alone American installations, east of the Oder River, that is in the post-Soviet territory named by them as “the close borderlands” with a definition of their frontier as one with Germany.

<sup>117</sup> Helprin “Anchors Away”, op. cit., p. 94.

It may happen that the United States Navy may follow the Royal Navy's trajectory. The latter, after decommissioning its only aircraft carrier recently, will not have another one for another decade or so. But this is more a matter of choosing a pattern of decline for which the economic crisis is just an excuse. Americans have five times the population of Britain, six times its GDP and are not exhausted by the World Wars and their debts.

The United States does not depend, as Britain did, on an empire now lost. Deficit reduction may be here both a reason as well as an excuse for such a decline of the ocean fleet. Although deficit reduction is important, more important is "abdicated [America's] more than half-century stabilizing role on the oceans, neglecting the military balance, and relinquishing a position [Americans] are fully capable of holding [the change which] will bring tectonic realignments among nations and ultimately more expense, bloodletting, and heartbreak than the most furious deficit hawk is capable of imagining. A technological nation with a GDP of 14 trillion and an ancient and also the most advanced and innovative naval tradition can afford to build a fleet worthy of its past and sufficient to its future. Pity it, if it does not".<sup>118</sup>

The same apprehensions apply to drastic reduction of American airpower and self-propelled, remote-controlled artillery, all reduced as they are seen as unnecessary in the event of an urban, counterinsurgency fight with terror, according to the secretaries of state since Donald Rumsfeld at least. Thus, in 2009 Congress cancelled the F-22 Raptor, the world's best fighter-bomber plane with no more than 187 built, a reduction of the initial commission of over 700 hundred. The rationale for that was that the Chinese and Russians were slower than expected in building comparable planes.<sup>119</sup> When such comparable planes are built, so the logic of the argument goes, they will be opposed with the F-35, a cheaper and less capable plane. The strategy was that the sophisticated first class opponent will never be America's challenger, both in war as well as in strategic maneuvers and conflicts by proxy.<sup>120</sup>

Wars and hard times usually force elites to respond in ways which prove their abilities to govern according to the interests of their countries, or, to the contrary, their ineptitude in defining the dangers, means of response and time frame of their application. The American ruling elite, the perception is more or less visible everywhere, even if not stated clearly, have failed in this regard, and the Obama Presidency's wayward policies and haphazard moves have only corroborated that process. The "War on Terror" response was as decisive as it was, in the long run, probably counterproductive in its objectives, since the world in 2012 is, so it seems, even less congenial to America and Americans than a decade earlier. Here, the erosion of sympathy has been observed even in the countries which

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<sup>118</sup> *Ibidem*.

<sup>119</sup> That is technically true. The Russian T-50 Sukhoi fighter will not be ready for normal service earlier than in 6–8 years. The Chinese fighter even later. Both were shown in 2011 in public but their commissioning is a long way off.

<sup>120</sup> Codevilla *The Lost Decade*, p. 15.

traditionally, because of the Soviet dominance, have been very friendly towards America. East-Central Europe is here an obvious example.

There are presidencies which even if taking wrong decisions can avoid being detrimental to America's fate. 19<sup>th</sup> century presidencies were of that sort, with the possible exception of Buchanan's. There are good presidencies which prevent the consequences of a prolonged crisis from turning into a national catastrophe and which activate a great potential of rebirth dormant in the American *demos*. F.D. Roosevelt and Ronald Reagan, both in different times and employing different means, belonged to such a category. There are also great presidencies which find themselves at the fundamental crossroads of history and which save America. Lincoln was probably the greatest of them.

Obama's presidency might just as well be at such a juncture of history. This is possible, because not only is America facing today a fundamental strategic challenge, but also the large enough section of the American people may not care much about that. This means that cultural exhaustion might become the decisive factor blocking rebirth, a factor which cannot be modified by simple politics. This, of course, we do not know for sure. And it is for this very reason that Obama's behavior and politics have been for a large section of the American elites and society at large at least doubtful.

As every president, especially during a crisis, he is expected to be up to the job he holds. This requires first of all tapping the deepest American cultural resources so to activate them. This means either taking this treasure for granted, or seeing it as a challenge to be confronted. It might be strategically late for America to confront challenges, but Obama's behavior is perceived by many as if accepting decline as inevitable and acting to make it inevitable. This for many is deeply troubling. We do not know whether the American people chose him because he already represented them, in the deepest cultural sense, as people who subconsciously gave up, or as the people unsure of themselves who chose a leader who was to respond to their deepest longings about America and activate them.

Whatever the motives of the electorate, Obama behaves more as Aeschines than Demosthenes from the ancient story of the two famous Athenians orators debating the looming conflict with Philip of Macedon. The speech of Aeschines was thoughtful and well construed and he was persuading the Athenians to welcome the enemies to avoid a protracted and unpredictable war and make accommodation with them. The listeners applauded politely and the speech was reported: "How well he spoke". Demosthenes delivered a rousing call to arms, in defense of liberties and freedom, and it was he who moved the Greeks to action. When he finished speaking, the Athenians said, "Let us march".<sup>121</sup>

<sup>121</sup> The story is recalled by one of the observers in a context of the crucial 1976 presidential election, when the Republican National Convention nominated president Gerald Ford as a candidate, and at which the defeated contender Ronald Reagan gave a rousing speech which prompted many to conclude that the convention chose the wrong candidate. See Craig Shirley *Reagan's Revolution: The Untold Story of the Campaign That Started it All*, Nelson Current, Nashville, Tenn. 2005, p. XXIV.

Maybe Obama has it right and the Americans were waiting for such a stance as performed by Aeshines. Europe is full of such Aeschineses. This is a psychological stance which equates military with violence, and violence with evil by definition. In such a perspective the military or power as many commentators have observed are just for nothing. They are for nothing if nothing is believed in, if nothing is worth fighting for, as if America's conflicts have been by definition for nothing, and the American empire has been unanimously a force of evil in this world. True, often enough this power has been mismanaged and wrongly applied, if more by gross miscalculations or unlawful insubordination, than willful political action. But that power and the military has always been trained for *something*. It was created not to be aggressive or imperialistic, it was there to protect *something*. If that "*something*" is no longer believed in and if America is to decline, it is unlikely that someone else will take up the cause of that "*something*".

Nothing else reveals the perversity and decadence of the Western elites than the fact that they are increasingly incapable of defining clearly what that "*something*" is, and that they define power, and the ability and willingness to use it as being tantamount to evil. This might be the first generation of Europeans and possibly Americans when such an attitude, an attitude of essentially degraded and delegitimized "manhood", might be subconsciously circulating in the increasing number of people mesmerized with consumption and an acedic attitude towards character and values which created conditions for it. This acedic stance tends to have an image of power in the service of evil only. It is incapable of imagining it in the service of character and the good.

But perhaps this is too bleak a picture of contemporary Americans, and reading the eternal words of G.K. Chesterton they would understand what he was talking about. As he said, "a true soldier fights not for what is ahead of him, but for what is behind him, not for empire but for home". It might be that the survival of this Western home of freedom would require a sustenance and sacrifice of the American benign "empire", if for no other reason but a simple realization that there is no volunteer to take this role. And last but not least, such an attitude to possess power and to have a will to use it if need be, would require a resistance to the reigning modern liberal-left "metaphysics" or psychology of evil, or to put it differently, a lack thereof.

It would require a rejection of modern ideologies explaining the reality of evil not as an inevitable constant of human nature, but rather by substitution theories of social or psychological maladjustment. Such a maladjustment is projected not only at the personal, but also at the international level, another equivalent of the utopian dream of the Kantian peace and the world governance according to the principles of justice and human rights.<sup>122</sup>

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<sup>122</sup> See on this utopian liberal thought an excellent study Pierre Manent *A World Beyond Politics*, op. cit.; also Chantal Delsol *Unjust Justice: Against the Tyranny of International Law*, ISI Books, Wilmington, Del 2007; on a more practical level in connection with the U.S. foreign policy see Jeremy Rabkin, *Law without Nations? Why Constitutional Government Requires Sovereign States*, Princeton University Press, Princeton 2005.

Permanence is an illusion and wise people know that it is always later than we realize. Americans might be awakening to that mood as well. Or are they? For too long they have been living with the thought that only other nations have history, and their history has been one of incessant power and greatness. In other words, Americans have exhibited a subconscious reflection similar to how Arnold Toybee expressed his feelings as a child towards Victorian Britain. For him the British were comfortably sitting outside of history, that history which had been happening to other people with all the nasty things which could never happen to the Empire. Are the Americans still harboring that mental universe or are they already leaving it?

But there is one optimistic observation about the United States, which bodes well for the future. It is a growing impatience, the rising roar of a confused nation which does not yet know what to do with this new self-realization of its vulnerability and the menace from all sides, internally as well externally, but who wants a president to lead them to their inner strengths and convert them into great people of freedom again. America is a nation which does not tolerate mediocrities incapable of taking decisive action in times of crises, leaders who do not know what they believe in and what they are aiming at. This is the basic crisis of the Obama presidency, even if masked perfectly at the rhetorical level of this Harvard lawyer.

The last decade of wars has worn Americans out. But this is a weariness not similar to the Vietnam syndrome, after all there was 9/11 which provided sure legitimacy for all that effort. The weariness comes from a realization that these wars might come to naught, well short of the objectives they were to meet, with a drained economy, huge deficits and the incessant parting at home, while America – the Titanic, has been on a collision course. Thus disillusionment and isolationist tendencies mount among the ordinary people and a feeling of despondency is engulfing the American elites. Whether America will shake off this feeling, rebuild itself internally, decisively define its priorities, reassert its patriotism purified of hubristic jingoism and will lead the world, we do not know. Its military is still a potent tool of capable leadership. But this not a question posed alone for America. It is a question essentially for the civilized world, especially the Western one, which has nothing in stock ready to replace it.

Piotr Patalong

# FIGHTING THE ILLICIT TRADE AND TRAFFICKING OF SMALL ARMS AND LIGHT WEAPONS – A WORLD PRIORITY FOR THE 21ST CENTURY

## INTRODUCTION

One of the most important and least studied international security problems since the Cold War Era is the uncontrolled proliferation of small arms and light weapons (SA/LW). Throughout the twentieth century, our main focus has been concentrated on major and sophisticated weapon systems: aircraft, ships, missiles and tanks. But in the late 20<sup>th</sup> century the main instruments of war have changed.

The increasing number of local and civil wars, ethnic violence and global terrorism have shifted the demands for military equipment. Now assault rifles, machine guns, land mines and explosives, light mortars and hand grenades are the most wanted products in global trade. They are “cheap, widely available, lethal, simple to use, durable, portable, concealable, they have legitimate military, police, and civilian uses, making them easy to cross borders, legally and illicitly”.<sup>1</sup>

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<sup>1</sup> Jeffery Boutwell and Michael Klare *“Special Report: A Scourge of Small Arms”* (Scientific American: 2000), p. 30–35.

There is no one universal and fully accepted definition of small arms and light weapons (SALW). But the definition which has gained wide currency seems to be the OSCE SALW definition. According to it: "Small arms are broadly categorized as those weapons intended for use by individual members of armed or security forces. They include revolvers and self-loading pistols; rifles; sub-machine guns; assault rifles; and light machine guns. Light weapons are broadly categorized as those weapons intended for use by several members of armed or security forces serving as a crew. They include heavy machine guns; hand-held under-barrel and mounted grenade launchers; portable anti-aircraft guns; portable anti-tank guns; recoilless rifles; portable launchers of anti-tank missile and rocket systems; portable launchers of anti-aircraft missile systems; and mortars of calibres less than 100 mm."<sup>2</sup>

Simply stated, SALW are any weapon that can be carried by a single person or a small group of people, both military weapons as well as commercial firearms.

The scale of trade and direction of the global flow of SALW is sensitive to changes in the international system, depends also on demand, technological capacities and access to cash and credits. During the Cold War the United States and the Soviet Union competed in the SALW trade. The main flow of weapons went to their allies and clients in the so-called 'Third World'. That process generally was possible to trace and in several circumstances easy to stop. With the end of the Cold War most superpowers' subsidization of arms transfers were terminated. But at the same time new possibilities for arms trade and trafficking emerged. In some former Warsaw Pact countries large stockpiles of SALW became no longer necessary. As a result, arms firms newly privatized and uncontrolled by states, opened new SALW markets with a significant increase in the illicit trade and flow of firearms into the black market.<sup>3</sup> Because of increasing demand for cheap weaponry from the newly created states (e.g. Former Yugoslavian countries), and from countries where conflicts were fought mainly by irregular forces and militias (e.g. Bosnia, Nagorno-Karabakh, Rwanda, Sudan etc.) the proliferation of SALW rose hugely. So the Cold War stockpiles of SALW became ready for legal and illicit trade<sup>4</sup>, attracting organized crime groups and easy to possess by terrorist organizations. Due to this, many international organizations see "the proliferation, widespread availability and illicit trafficking of (SALW) and their ammunition as one of the most dangerous challenges and threats to global stability and security, as well as to economic and social development and prosperity. The easy availability of SALW, their associated ammunition and explosives is a fuelling factor for the vast majority of conflicts"<sup>5</sup>.

<sup>2</sup> OSCE "Best Practise Guide on National Controls over Manufacture of SALW", (2003), p. 2.

<sup>3</sup> Michel T. Klare "The Global Trade in Light Weapons and the International System in the Post-Cold War Era", (1995), p. 36.

<sup>4</sup> SAIS Review Rachel Stohl "Fighting the Illicit Trafficking of Small Arms" (2005), p. 60.

<sup>5</sup> UNSC "Open debate on SALW, Statement on behalf of the EU" (2008), p. 1.



This paper will show that the illegal trade, transfer and use of Small Arms and Light Weapons (SALW) has become one of the world's main security issues for the next century. It examines different kinds of SALW trade and transfer, its impact on four military conflicts from different parts of the world, and the international legal response to this phenomenon. Possible links between illicit SALW transfer and the rise of terror and organized crime activities will be examined as well.

## 1. SMALL ARMS AND LIGHT WEAPONS PRODUCTION, TRADE, TRANSFER; BENEFICIARIES AND CUSTOMERS

The world's military expenditure is estimated to have been \$1339 billion in 2007 and it has increased since 1998 by 45 percent.<sup>6</sup> Following military expenditure, global arms production has increased too. Arms sales by the major arms producing companies in the world (so called SIPRI Top 100<sup>7</sup>) amounted to approximately 315 billion dollars in 2006.

The total value of the authorized SALW trade is estimated to be at least 4–6 billion USD a year<sup>8</sup> and is still growing. The United States, European Union, Brazil, China, Canada, Japan and the Russian Federation are the main producers of SALW. The illicit small arms sales are almost impossible to assess. That number could reach 20 percent of all the world SALW trade<sup>9</sup>, from 2–10 billion USD a year<sup>10</sup>.

Small arms and light weapons are traded and transferred through a variety of international channels. *Government to government transfers* are sales or gifts of light weapons by one government to another. Another channel is *commercial sales*, the legal sales of SALW by governmental or private commercial firms in one country to such agencies in another country. Such sales are usually regulated by the government of the supplying country. Both those channels are recognized as legal transfers.

*Clandestine operations* cover the transfer of light weapons by the government of one country to the military or separatist forces in another country to enhance their capabilities. Different state organizations, private agencies or brokers are employed to make the transfer unrecognizable or to conceal the origin of the weaponry. Those transfers are usually motivated by political, ideological, religious or other considerations and sometimes called illicit grey market transfers.

One of the most dangerous channels of SALW transfer are *black market sales*, by criminal or corrupt organizations from one country to unauthorized recipients in another. These include sales of SALW without legal and licensing requirements usually to a country under UN arms embargo, to terrorists, organized crime or

<sup>6</sup> Peter Stalenheim, Catarina Perdomo, Elizabeth Skons "Military Expenditure" SIPRI "Yearbook 2008".

<sup>7</sup> Those dates do not include Chinese arms companies.

<sup>8</sup> Small Arms Survey 2005, "An upgrade on Small Arms Transfers", Chapter 4.

<sup>9</sup> Small Arms Survey 2001, p. 167–168.

<sup>10</sup> <http://www.iansa.org> "Small arms are the weapons of mass destruction".

separatist organizations. Clandestine operations and black market transfers are the main cause of Small Arms and Light Weapons' proliferation worldwide. Tracing the flow of illegally sold weapons is extremely difficult, and requires international cooperation.

One important difference between Small Arms and Light Weapons and other conventional armaments is that the armed forces of states are only one of a variety of types of SALW holders and users. Besides state security services such as the police, border and coast guards, many categories of Non-State Actor (NSA) legitimately possess firearms. The growing privatization of security, the rise of private security and military companies, is contributing to a huge demand for light weapons, not always legal. Social, political and economic disorder within many states has even led individuals to acquire firearms for their own and their family's protection<sup>11</sup>.

Another factor which dramatically increases the black market and proliferation of SALW within such a NSA as organized crime groups and arms traders is globalization and the global underground economy. SALW are a major international crime business, generating billions of dollars every year.<sup>12</sup> Terrorists and terrorist organizations are other Non-State Actors for whom Small Arms and Light Weapons became the favorite weapon of choice. It is estimated by US State Department that in recent years, half of the 175 identified terrorist attacks were committed with small arms or light weapons.<sup>13</sup>

In our century small arms and light weapons are tools of war and crime. The huge demand for SALW for different 'customers' makes their production and transfer very profitable. The human cost of this proliferation of SALW is never taken into account.

## 2. SA/LW IMPACT ON CIVIL WARS, REGIONAL CONFLICTS, ETHNIC CLASHES, INTERNATIONAL TERRORISM AND ORGANIZED CRIME

About 640 million SALW are estimated to be in circulation worldwide<sup>14</sup>. Their impact differs, depending on the type of conflict, its length, and methods of fighting. But they were always the 'fuel' which kept the conflict 'engine' going.

### **Light weapons in South America – Internal conflict in Colombia**

Very few internal conflicts around the world have the longevity, complexity and intensity of the conflict in Colombia, one of Latin America's oldest in which

<sup>11</sup> Chistopher Lousise "The Social Impact of Light Weapons Availability and Proliferation" (United Nations Research Institute for Social Development: 1995), p. 18–22.

<sup>12</sup> Michel T. Klare "The Global Trade...", p. 39.

<sup>13</sup> Federation of American Scientist "The Illicit Arms Trade" briefing paper p. 1, <http://www.fas.org/asmp/campaign/smallarms>.

<sup>14</sup> Barbara A. Frey "Small arms and light weapons: the tools to violate human rights" (2004), p. 37, <http://www.unidir.org>.

a historically weak and corrupt state has faced a variety of powerful and illegal armed organizations. Conflict shows how the illicit transfer of SALW can stimulate its intensity.

The civil war at the end of the 1940s and the beginning of the 50s between the two main political parties – the Conservatives and the Liberals – started endemic political violence in Colombia, followed by leftist guerrillas rising up against the state at the beginning of 1960s. Both conflicts enjoyed relatively little “outside” support particularly concerning the supply of weapons.

That situation has changed radically, particularly after the end of Cold War. The flow of weapons in the 1980s from South Asia, Africa and Eastern Europe to the black markets in Central America<sup>15</sup> opened an easy access to illegal arms for Colombian guerrillas. It is estimated that about 80 % of arms which enter the country illegally went to guerrilla groups like the Armed Forces of Colombia (FARC), the National Liberation Army (ELN) or the paramilitary groups such as the United Self-Defense Group of Colombia<sup>16</sup>.

The diverse sources of illegal weapons’ supply and different operational requirements are reflected in the various types of arms used in combat by the guerrillas and paramilitary groups. The most common weapons remain G3s, Galils, Uzis and M-60s. But more and more frequently Russian AK-47, PKM machine guns, US-made M16 and AR-15s are used, and also Russian-made RPG rocket grenade launchers, US M-72 light area weapons LAW, Man Portable Air Defense Systems (MANPADs), sniper rifles and light mortars.

The illegal weapon supply network has reached not only rebel groups in Colombia but also drugs producers, narcotics dealers and other crime organizations. To defend their interests crime organizations acquire expensive and technologically advanced small automatic weapons<sup>17</sup> for bodyguards and urban fighting, machine and assault rifles to protect processing plants and airstrips in remote regions. The growth and power of narcotic dealers make them significant importers of illicit arms. After reaching Colombia,<sup>18</sup> illegal weapons due to regional interests often change owners. In some parts of the country guerrilla insurgents join the well-financed drug producers, while in others narcotic lords become sponsors of paramilitary groups by sending equipment (mainly weapons) to fight the rebels. To confuse the picture even further there are approximately one million firearms in the hands of private citizens

<sup>15</sup> Weapon was transfer to such countries as Nicaragua, El Salvador, Honduras and Panama.

<sup>16</sup> United Nations Office on Drug and Crime “*Violence, Crime and Illegal Arms Trafficking in Colombia*” (Bogota: 2006), p. 26.

<sup>17</sup> The favourite submachine gun is the German made MP-5.

<sup>18</sup> It is estimated that around 50% of the air shipment of illicit arms come across the Colombia–Brazil border. Rivers are used mainly in the Orinoquio region, in the southern portion of Colombia–Venezuela border, along the border with Brazil, and to the lesser extent along the borders with Peru and Ecuador United Nations Office on Drug and Crime “*Violence, Crime and Illegal Arms Trafficking in Colombia*” (Bogota: 2006), p. 35.

Colombia has one of the highest homicide rates in the world. Most of these killings (80 percent) involved firearms, and close to 90 percent of those were at short range – less than one meter – where light arms are most lethal. “Between 1988 and 1993, there were approximately 150,000 murders in Colombia... Although 16,000 of these were thought to be politically related, and an additional 7,000 occurred during combat between government forces and guerrillas, the vast majority – 85 percent – were due to social violence, delinquency, and petty crime”.<sup>19</sup> In addition more people are killed by guerrillas’ indiscriminate attacks on civilians, extrajudicial executions and kidnappings. Drug dealers and paramilitary groups murder their civilian opponents. Attacks on non-military targets such as electricity plants and oil pipelines and the widespread use of mines also have a huge impact on the civilian population.

The biggest problem which Columbia is facing today is that the State does not have a monopoly on the use of force. The main task of the Government in Bogota seems to be to reduce violence by the disarmament of rebels and organized crime structures. Due to this task Colombia has initiated the most profound process of political, economic, and cultural change, rewriting its Constitution, seeking to strengthen its judicial system and has begun to negotiate peace settlements with several guerrilla groups. The armed forces and the police have been reconstructed in order to fight drug dealers and other criminal organizations. The special program which has been launched to seize and confiscate illegal firearms seems to be very effective.<sup>20</sup>

### **Small arms and light weapons in Europe – Wars and conflicts in Former Yugoslavia (1991–2001)**

One of the major events which had a worldwide impact on small arms and light weapons’ proliferation after the Cold War Era were the 1991–2001 wars and conflicts in the Federal Republic of Yugoslavia. After the Second World War the former State of Yugoslavia had become a global weapons producer. The combination of the developed arms industry, the high level of demand for arms and the huge profits to be made, encouraged the country to expand its domestic weapons production. The Golden Era of weapons production even increased after the Berlin Wall collapsed.

Before the wars of secession the different republics produced many civilian and military goods jointly. But when tensions erupted, arms production and strategic stockpiles began to be consolidated in Serbia.<sup>21</sup> In addition to large weap-

<sup>19</sup> D. Garcia and P. Jaramillo “*Light Weapons and Internal Conflict in Colombia*” (American Academy of Arts and Science: 1995).

<sup>20</sup> According to Colombia Department for the Arm Trade – only in year 2005 over 17000 of illegal guns were seized or confiscated.

<sup>21</sup> Priority was given to setting up production lines for battlefield equipment at four locations in Serbia Morava Valley: Cocac, Lucani, Trstenic, Uzice, Valjevo. Ian Davis “Small arms and light weapons in the Federal Republic of Yugoslavia, The nature of the problem” (Safeworld: 2002), p. 46.

only production it is “estimated that before conflict in 1989 more than 6 million small arms were available to Yugoslav citizens, the equivalent of every third citizen being able to carry arms in the war”.<sup>22</sup>

The Yugoslavian war had its roots in the country’s multi-ethnic makeup, and long-lasting political and demographic domination by the Serbs. Fundamental to the tensions were the oppression and human rights abuses by the Serbs after the First World War, followed by the genocide of the Serbian and Bosnian population during the Second World War by the Croatian Ustasha Groups.<sup>23</sup> After the Second World War the communist-led antifascists created the Socialist Federal Republic of Yugoslavia (SFRY), composed of all the ethnic groups in the area. Despite the federal structure of the new Yugoslavia, there was still tension between Croats, Slovenes (who argued for greater autonomy) and Serbs.

The Yugoslav Wars between 1991 and 2001 can be split into three groups. The first wars took place during the break down of the Socialist Republic of Yugoslavia which included: the War in Slovenia (1991), the Croatian War of Independence (1991–1995), the Bosnian War (1992–1995). Secondly were the wars in Albanian populated areas: the Kosovo War (1996–1999), the Southern Serbia conflict (2000–2001) and the Macedonia conflict (2001). Beside the UN and NATO involvement in peace keeping operations in that region, NATO launched two campaigns against Serbia (third group): the NATO bombing of Republika Srpska (1995–1996) and the bombing of Yugoslavia in 1999.

Ten years of conflict in the Balkans accumulated an enormous number of small arms and light weapons in the region, large domestic weapon production was multiplied by the illicit trafficking of SALW to fighting factions. New states, most being quite poor, chose to concentrate on the acquisition of light weapons.<sup>24</sup>

In addition, large numbers of weapons had been illegally transferred through new and weakly protected borders to neighboring countries to equip minorities in the paramilitary and militia forces.

Large quantities of arms reached the Balkans from far away countries. Iran was the main arms supplier to the Bosnian Muslim Military forces. Outside the United Nations arms embargo, from only May 1994 to January, 1996 Teheran transported over 5,000 tons of weapons and military equipment to Bosnia with the United States ‘green light’ policy.<sup>25</sup>

Because of the amount of SALW in the Balkans and border relaxation after the Civil Wars, Former Yugoslavian countries became the main source of small arms

<sup>22</sup> Ian Davis “Small arms...”, p. 50.

<sup>23</sup> Due to differing views and lack of documentation, estimates for the number of Serbian victims in Croatia range widely, from 25,000 to more than one million. The estimated number of Serbs killed in Jasenovac ranges from 25,000 to 700,000. The most reliable figures place the number of Serbs killed by the Ustaša between 330,000 and 390,000, with 45,000 to 52,000 Serbs murdered in Jasenovac. *From the website of the United States Holocaust Memorial Museum.*

<sup>24</sup> SIPRI Yearbook 1993, pp. 150–55.

<sup>25</sup> Cees Wiebes “*Intelligence and the War in Bosnia: 1992–1995*” (Lit Verlag: 2003), pp. 178, 196–97.

and light weapons smuggled into and outside the European Union. As a result cheap light weaponry were traced to the hands of criminals in the Netherlands, Germany, Austria and the Czech Republic. Moreover AKs, RPG rocket launchers and explosives were obtained by such terrorist organizations as the Real IRA in Northern Ireland, ETA in Spain, and Italian mafia organizations like Cosa Nostra, Sacra Corona Unita and Camorra.<sup>26</sup>

But SALW also created huge domestic problems inside the new countries. The amount of privately owned illicit, unregistered weapons of unknown origin is estimated in Serbia to be almost 950,000. Such arms fuel organized crime and acts of armed robberies and homicides in which weapons used have increased greatly.<sup>27</sup>

In Croatian society the widespread availability of SALW, both legal and illegal arms and ammunition, has created a danger to public health, safety and security. The illegal possession and gun trafficking by criminal organizations, presents a problem for law enforcement and border control. Approximately twenty percent of Croatian citizens possess legal weapons, which makes Croatia (with the addition of illegal arms) one of the most heavily armed countries in South Eastern Europe.<sup>28</sup> Comparable problems can be seen in FYR Macedonia, Bosnia and in Kosovo. Each government launches campaigns to tackle the illegal SALW by amnesty programs, law enforcement, preventing and combating illicit arms trafficking.

### **Small arms and light weapons in South Asia – Conflicts in Afghanistan**

One of the biggest illicit small arms markets remains in South Asia, in the area from Afghanistan through Pakistan to India. The first major flow of illegal weapons to that region took place during the years of war and military clashes between India and Pakistan. But the Soviet invasion of Afghanistan in December 1979 opened a new era in the light weapons trade in South Asia.

In response to the Soviet invasion and occupation, millions of tons of military equipment were imported into the region, mainly small arms and light weapons. The United States began the concept of indirect military assistance to the Afghan rebels. By the mid-1980s American intelligence services were coordinating a massive covert operation, transferring enormous quantities of arms and ammunition to Mujahedeen leaders and commanders in the field. The Afghan rebels were also supported by China – with weaponry – and by Saudi Arabia – with finances. Because of its geographic location and political links, Pakistan became the main transit country.<sup>29</sup>

<sup>26</sup> Domitilla Sagramoso *“The proliferation of illegal small arms and light weapons in and around the European Union: Instability, organized crime and terrorists groups”* (Safe-world: 2001), pp. 22, 45–46.

<sup>27</sup> South Eastern Europe SALW Monitor 2006 (2006) p. 92.

<sup>28</sup> *ibid.*, p. 45.

<sup>29</sup> International Action Network on Small Arms Transfers (IANSA) *“South and Central Asia”*.

To cover the operation CIA procured a large number of SALW and ammunition in such countries as China, Egypt, Turkey, India, Israel and Great Britain.<sup>30</sup> The major turning point regarding the supply of weapons by the CIA came in 1986, when the decision was taken to supply the Mujahedeen with a most sophisticated anti-aircraft system – Stinger missiles. The American arms shipment had a fundamental impact on the war in Afghanistan but also had a profound effect on subsequent security conditions in the region.<sup>31</sup>

Another era of weaponry supply followed the Taliban military operation in early 1994. After two years of bloody fighting the Taliban forced President Burhanudin Rabbani and the government to escape from Kabul in September 1996. The Afghan president joined an opposition alliance, the United Islamic Front for the Salvation of Afghanistan, also known as the Northern Alliance.

During the time of war and insurgency fighting, the Soviet Union (Russia) became the main actor fuelling the government of Afghanistan and, after its collapse, the Northern Alliance rebels with a massive quantity of arms and ammunition.<sup>32</sup>

It has been suggested that “the two former superpowers spent nearly 50 times as much on arms in the conflict in Afghanistan than they ever have for development”.<sup>33</sup>

The last war in Afghanistan began on October 7, 2001. The United States and the United Kingdom launched a military operation (Operation Enduring Freedom) in response to the September 11, 2001 Al Qaeda attack. The stated purpose of the invasion was to capture Osama bin Laden, destroy al Qaeda, and remove the Taliban regime, which had provided support and safe harbor to terrorists. The U.S. and the UK aerial bombing campaign was followed by ground forces, supplied primarily by the Afghan Northern Alliance. In 2002, American, British and Canadian infantry were committed, along with Special Forces from several allied nations. The initial attack removed the Taliban from power. The war has been less successful in achieving the goal of restricting al-Qaeda’s movement. Since 2006, Afghanistan has seen threats to its stability from increased Taliban-led insurgency.

Two military operations in Afghanistan seek to establish control over the country. Operation Enduring Freedom (OEF) is a United States’ combat operation involving some coalition partners and currently operating primarily in the eastern and southern parts of the country along the Pakistan border. The second

<sup>30</sup> M. Yousaf and M. Adkin, *“The Bear Trap: Afghanistan Untold Story”* (London, Leo Cooper: 1992), p. 84.

<sup>31</sup> Washington policy (so called “hands off”) was to allow Pakistan ISI to control the arm pipeline. So up to now the amount of weapons leaked out of the pipeline and never reach Afghan border (left in Pakistan) is unknown.

<sup>32</sup> Elizabeth Kirkham and Catherine Flew *“Strengthening Embargoes and Enhancing Human Security”* (Saferworld and the University of Bradford: 2003), p. 24.

<sup>33</sup> Chris Smith *“Light Weapons and Ethnic Conflict in South Asia”* (American Academy of Arts and Science: 1995).

operation is the International Security Assistance Force (ISAF), initially established by the UN Security Council at the end of December 2001 to secure the capital city, Kabul and its surroundings. NATO assumed control of ISAF in 2003. Both operations caused additional flows (legal and illegal) of SALW into the region. Afghanistan has become one of the most heavily armed countries in the world. It is estimated<sup>34</sup> that at present, there are 10 million automatic rifles of the AK family (the world's most ubiquitous assault rifle, of which 40 to 70 million have been manufactured since 1947). That number is still increasing due to sales and donations of weaponry (to re-arm Afghan Security Forces). "Almost 54,000 items of small arms and light weapons have been reported to have been donated to the Afghanistan government by members states of NATO and their "Partnership of Peace" allies between 2002–2007, and the delivery of another nearly 48,000 small arms and light weapons is pending".<sup>35</sup>

Because of international and internal conflicts Afghanistan became one of the most seriously affected nations because of the availability of small arms.<sup>36</sup> Due to that enormous access to light weapons systems and "safe havens" the gravity of international terrorism has shifted from the Middle East to Asia. "Afghanistan of the 1990s replaced Syria – it controlled the Bekaa Valley of the 1970s and 1980s as the main center for training several dozen terrorists groups."<sup>37</sup> With the Soviet Union's withdrawal well equipped and professionally trained Mujahedeen became available as warriors for other conflicts seen as Islamic holy wars (Yemen, Chechnya etc.). What made the case of Afghanistan even worse was that the Taliban forces became aligned with the Al Qaeda terrorist group, and the land became the training ground and launching pad for international terrorist activities.

To reduce the quantity of SALW in Afghanistan, in 2003 the United Nation together with the Afghan Government launched a disarmament program<sup>38</sup>. By 2006 the program had ended, disarming 63,000 soldiers and 750,000 civilians. The successor of the UN DDR program, the Disbandment of Illegally Armed Forces (started on 11 June 2005) aims to disarm some of the 1,800 armed groups existing across the country. Up to 2008 the UN supervised program collected over 30,000 small arms and light weapons.

Despite countrywide disarmament efforts by the government and the international community, many Afghans are still armed with small arms. Afghanistan through its history has been an ungovernable land of strong tribes where

<sup>34</sup> A.F. Musah and N. Thompson, "Over a Barrel: Light Weapons and Human Rights in the Commonwealth", 1999, p. 38.

<sup>35</sup> Amnesty International "Afghanistan – Arms Proliferation Fuels Further Abuse" (2008), p. 2.

<sup>36</sup> Ambassador Mitsuro Donowaki, "Small Arms and Light Weapons and the Challenge of Terrorism" 2002.

<sup>37</sup> Rohan Gunaratna "Terrorism and Small Arms and Light Weapons" (New York: 2001), p. 4.

<sup>38</sup> United Nations Disarmament, Demobilization and Reintegration (DDR) Program, Afghanistan New Beginnings Program (ANBP), Amnesty International "Afghanistan – Arms Proliferation Fuels Further Abuse" (2008), p. 5.



traditional law was maintained by village courts and the use of guns. After the Soviet invasion and the ten year long brutal conflict, the number of SALW held among the population rose. As a result, a huge number of local, powerful commanders with hundreds of militia members had emerged. They fought the Soviets and are now fighting the anti-coalition insurgency. In addition, the “new nationwide business” of opium production and the armed factions infiltrating the country from Pakistan are the increasing destabilization factors in the region.<sup>39</sup>

The main price of the decades of lasting conflicts, and the general access to weaponry and huge number of land mines was paid by the Afghan civil population. The Soviet conflict, followed by civil war had cost over million (1,000,000–1,800,000) non-combatant deaths, and another three million were maimed or wounded.<sup>40</sup> Another 2 million were displaced within the country and 5 million fled to Pakistan and Iran. The United Nation’s sources have indicated a massive percentage of civilian casualties in the present war. Over 2,118 civilians died in 2008, 55 percent originated from insurgent attacks, 39 percent were caused by the Afghan government and NATO coalition forces (6 remaining percent because of crossfire). Over 80 percent of all those deaths were caused by small arms and light weapons.

### **Small arms and light weapons in Africa – The Democratic Republic of Congo**

None of the world’s continents have suffered more because of small arms and light weapons proliferation than Africa. Since the advent of colonialism, African citizens have experienced an enormous number of armed conflicts. One of the countries in which armed conflicts almost stopped human development and brought mass poverty is located in the Central African sub-region, The Democratic Republic of Congo (DRC).<sup>41</sup>

“There are so many weapons here that each person makes his own law. There is practically complete impunity. Anyone who holds a weapon has authority over anyone and can threaten anyone”<sup>42</sup>

The conflict over the past ten years in the DRC has been described as the worst humanitarian disaster since the Second World War. But in the DRC conflict up to 90% of violent deaths were caused by small arms and light weapons.<sup>43</sup>

<sup>39</sup> United Nations Office for the Coordination of Humanitarian Affairs, “*AFGHANISTAN: Violence fuels disillusionment and threatens reconstruction – UN*” (07 December 2006).

<sup>40</sup> “Death Tolls for the Major Wars and Atrocities of the Twentieth Century”, <http://users.erols.com/mwhite28/warstat2.htm#Afghanistan>.

<sup>41</sup> Two other States in that region are Central Africa Republic and Chad.

<sup>42</sup> Jean Charles – Humanitarian Officer in the DRC since 2001, Bukavu. Amelia Bookstein “*The call for tough arms control, Voices from the Democratic Republic of the Congo*” (Amnesty International, IANSA and Oxfam Quebec 2006), p. 2.

<sup>43</sup> Small Arms Survey 2005, p. 248.

European countries exploration of Congo in the nineteenth century, national movement and fighting for independence, fighting between political parties and their leaders for political power in the newly created state, cold war era military support versus post-Cold War lack of support and the huge number of natural resources are only a few of the factors on which the DRC conflicts were based.

On 30 July 1960 Congo achieved its independence followed by five years of instability and conflicts between the two ruling parties. In the 1965 coup, the chief of staff of the new Congo army, Lieutenant General Joseph-Desire Mobutu overthrew President Kasavubu. Having strong support from the United States (because of his staunch opposition to the Communists) he had ruled the country till 1997.<sup>44</sup> The end of Mobutu's rule escalated the DRC conflict into "Africa's First World War".<sup>45</sup>

By 1996 tensions from neighboring Rwanda and the genocide of the Tutsis had spilled over to Congo (at that time called Zaire). The Tutsis formed a militia joined by various opposition groups (led by Laurent-Desire Kabila) and supported by Rwanda, Uganda, Angola, Burundi and Eritrea and they toppled Mobutu in May 1997. Kabila declared himself the state President and reverted the name of the country to the Democratic Republic of Congo.

In 1998 a new conflict, with the aim of overwhelming Laurent Kabila was launched (the so-called Second Congo War). The neighboring countries of Uganda, Burundi and Rwanda supported the rebels while President Kabila obtained assistance from Angola, Zimbabwe and Namibia. In 1999 many of the warring parties signed the Lusaka Accord Agreement which called for a ceasefire on all sides and an end to the supply of weapons. After the agreement in February 2000 the United Nations peacekeeping mission (MONUC<sup>46</sup>) was established, but the war continued.

While armed groups continued to operate in the country, some warring parties resumed peace talks which resulted in the Pretoria Peace Agreement of December 2002.<sup>47</sup> The document declared the end to hostilities among the main parties and set up a power-sharing government in June 2003.

The formal end to war and the start of the transitional government led by Joseph Kabila did not bring the conflict to an end. Even the withdrawal of foreign troops from Congo, the presence of UN peacekeepers and the UN arms embargo could not stop militia rebel groups operating in many provinces of the country.<sup>48</sup>

<sup>44</sup> "The U.S. prolonged the rule of Zairian dictator Mobutu... by providing more than \$300 million in weapons and \$100 million in military training." W Hartung and B Moix, *Deadly Legacy: U.S. Arms to the Congo War*.

<sup>45</sup> Norimitsu Onishi, *Remembering How Africa's First World War Begun*.

<sup>46</sup> Mission de l'Organisation des Nations Unies en République Démocratique du Congo.

<sup>47</sup> Formal name: The Global and Inclusive Agreement on the Transition in the Democratic Republic of the Congo (GIAT).

<sup>48</sup> As example – According to Amnesty International (2005) – in May 2004 two rebel groups laid siege and then occupied the city of Bukavu, killed more than a hundred of people, and raped women and girls as young as three years old.

The wars in the DRC have cost millions of lives. The human cost of the small arms and light weapon trade and trafficking is enormous. Just between January 2003 and April 2004 almost 400,000 people were killed in the eastern DCR and more than 85% of those living near one of the front lines have been affected by violence.<sup>49</sup> But the highest cost in human lives is the indirect impact of the SALW presence. Arms acquisition and disposal have become a common phenomenon in daily lives. Guerrilla groups equipped with SALW have broken the government safety and social net. A health service, food supply and financial support for families in most of the country's regions simply do not exist. More than 3.8 million people had died as a result of wars up to 2004. The vast majority of deaths were caused by the destruction of the country's health infrastructure and food supply. More than 31,000 civilians continued to die every month as a result of the conflicts.<sup>50 51</sup>

Fifty to sixty percent of the weapons used in DCR are AK-47s, manufactured in Russia, China, Egypt, Romania, Bulgaria and Serbia. But guns from U.S., Germany, France and many other European countries are in common use as well.<sup>52</sup>

Despite the UN resolutions which imposed an embargo on weapons entering the DRC many countries and arms traffickers have violated it. With 350–400 secret airfields (UN MONUC reports) and an eastern border which includes a huge number of lakes smuggling seems easy.

The main victims of the Congo wars are women and children (the highest numbers of deaths). Because of that the conflict has been named a "war against women". The UN has charged the various rebel groups, which used rape, cannibalism and other atrocities as "the arms of war".<sup>53</sup>

Children (boys and girls) were abducted or coerced to join military groups. The simplicity of armament (SALW) made it possible to train and to use them in combat. It is estimated that over the past decade, about 30,000 to 35,000 children have been recruited for military service.<sup>54</sup>

### 3. FIGHTING THE ILLICIT TRADE AND TRAFFICKING OF SALW, AN INTERNATIONAL AND DOMESTIC STRUGGLE

There are several ways in which the trade of light weapons and small arms can be controlled and their proliferation reduced. The first of these aims to strengthen existing laws and establish new international and domestic legislations which

<sup>49</sup> Amelia Bookstein "The call for tough arms control, *Voices from the Democratic Republic of the Congo*" (Amnesty International, IANSA and Oxfam Quebec 2006), p. 2.

<sup>50</sup> Thomas Turner "The Congo wars: conflict, myth and reality" (2007), p. 2.

<sup>51</sup> Other sources brings even higher numbers "War, disease and malnutrition are killing 45,000 Congolese every month... and 5.4 million victims in nearly a decade" Reuter 22 January 2008.

<sup>52</sup> Amelia Bookstein "The call...", p. 11–12.

<sup>53</sup> Thomas Turner "The Congo...", p. 3.

<sup>54</sup> Amelia Bookstein "The call...", p. 7.

could control and in many cases, stop or deter the trade and supply of weapons, their spare parts and ammunition. The second approach focuses on the causes of weapons' proliferation and their demands.<sup>55</sup>

Today's wars, which are overwhelmingly intra-state combats, are fought primarily with small arms rather than heavy conventional weapons. That is why SALW have received increased prominence on the international policy agenda in recent years. Up to the year 1990 there were no international regulations dealing with small arms, only some national measures and non-governmental organizations' efforts to address that issue. The United Nations became involved in the mid – 1990's. The Panel of Governmental Experts was established (1996–1997) to develop the UN agenda on SALW. As a result of its work the UN Panel recommended further UN action on small arms and suggested an international conference to cover the issue. The Panel was followed by UN Group of Governmental Experts (1999) which prepared the path for the UN SALW conference.

At the same time the International Action Network on Small Arms (IANSA) was established to unite 500 NGO groups from more than 100 countries' actions on the subject of SALW.<sup>56</sup> As a result of those efforts in July 2001 in New York the *UN Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects* was held. No treaty on SALW was signed but the Conference consolidated global SALW actions and set an agenda for further national, regional and global SALW initiatives. One of the most important outcomes of this Conference was the adoption of the *UN Program of Action (PoA)*.<sup>57</sup>

Since that time the PoA has provided a framework for state action on SALW. To report on the implementation of the PoA, states agreed to meet biennially (the Biennial Meeting of States – BMS). Up till now three such meetings have been held (First, Second and Third BMS to Consider the Implementation of the PoA – July 2003, 2005 and 2008).<sup>58</sup> The PoA has ten pillars of action for states to pursue in developing small arms policies and developing steps to combat the proliferation and misuse of SALW. These are:

- Establishment of national points of contact and national coordination agencies;
- Legislation, regulations and administrative procedures;
- Criminalization of illicit activity;
- Stockpile management and security;
- Weapons collection and disposal;
- Export, import, and transfer controls and regulations;
- Brokering;
- Marking, record-keeping, and tracing;
- Disarmament, demobilization and reintegration of ex-combatants;

<sup>55</sup> Christopher Louise *"The Social Impact..."*, p. 21, 22.

<sup>56</sup> In 2009 IANSA is a network of 800 civil society organizations working in 120 countries to stop the proliferation and misuse of SALW, <http://www.iansa.org/about.htm>.

<sup>57</sup> United Nations Document A/CONF.192/15 (New York 2001).

<sup>58</sup> UN PoA Implementation Support System: PoA-ISS – <http://www.poa-iss.org>.

- Assistance and international cooperation in tackling different aspects and consequences of the illicit SALW trade in all its aspects.

The UN Department for Disarmament Affairs (UNDDA) collects the information provided by states to PoA. NGOs and other civil society organizations such as academic research institutes have the task of analyzing the states' implementation of the PoA. To fulfill that obligation in 2003 the Biting the Bullet Project (BTB) was established<sup>59</sup> and together with IANSA the first comprehensive and detailed examination of progress towards implementation of PoA was published – the so called “Red Book”.

In addition to PoA two other global small arms' instruments were established. The first is the *UN Firearms Protocol*, and the second is the *Best Practice Guidelines* and the *Initial Elements* of the Wassenaar Arrangement.

The purpose of the *Firearms Protocol* is to “promote, facilitate and strengthen cooperation among States Parties in order to prevent, combat and eradicate the illicit manufacturing and trafficking in firearms, their parts and components and ammunition”.<sup>60</sup> The Protocol provides for a series of control measures and normative provisions covering the aspect of the small arms issue.

The Wassenaar Arrangement was established “in order to contribute to regional and international security and stability, by promoting transparency and greater responsibility in transfers of conventional arms and dual-use goods and technologies, thus preventing destabilizing accumulations”.<sup>61</sup> The decision to transfer any item mentioned in the Arrangement is the single responsibility of each participating state. And it is the states' responsibility, through their national policies, to act in accordance with the Arrangement principles.

Besides all those protocols and agreements no single treaty was signed to clearly define state obligations and international requirements and standards of SALW transfer. To cover that gap a number of initiatives were launched. One of them is UK Transfer Control Initiative (TCI) which “sought to secure international agreement to control standards on SALW transfers at the UN PoA Review Conference in 2006”.<sup>62</sup> The main TCI effort is focused on gathering information about states' SALW transfer control capabilities in order to strengthen them. The second of the global initiatives is the Consultative Group Process (CGP). CGP has involved over 30 governments from Europe, Africa, Asia and Americas, as well as international experts from different NGOs and UN Agencies. In 2004, the CGP published a “chair's report” to build common understanding on transfer control guidelines, but what was most important was to restrict SALW transfer to Non-State Actors.<sup>63</sup> The third of the current initiatives is the effort to establish an In-

<sup>59</sup> Three major organizations had established Biting the Bullet Initiative – International Alert, Saferworld and the University of Bradford – <http://www.iansa.org/un/review2006>.

<sup>60</sup> UNGA 55/255 Protocol against... (2001) Article 2, p. 3.

<sup>61</sup> <http://www.wassenaar.org/introduction/index.html>.

<sup>62</sup> Kimberley Thachuk “*Transnational Threats Smuggling and Trafficking in Arms, Drugs and Human Life*” (Greenwood Publishing Group: 2007), p. 70.

<sup>63</sup> Kimberley Thachuk “*Transnational...*”, p. 70.

ternational Arms Trade Treaty (ATT). That proposal was put forward by a group of NGOs. The ATT idea is to build an international agreement to control the arms trade in connection with humanitarian law, principles of human rights and peaceful international relations. The growing numbers of countries (23 countries in 2005) have expressed their support for the ATT principles. Together with over 600 civil society organizations worldwide.

The establishment of SALW transfer control system has been much more successful at the regional and sub-regional levels. In Europe the Organization for Security and Cooperation in Europe (OSCE) published *Document on Small Arms and Light Weapons* (2000) which has provided information exchange on such things as SALW imports, exports, destruction, surpluses, seizures, and stockpile management and security procedures. That document was followed by development (through the Forum of Security Co-operation) of *Best Practice Guides on Small Arms and Light Weapons*.<sup>64</sup> The European Union adopted the *EU Code of Conduct on Arms Export* (1998) as a political agreement between Member States with the aim of setting high common standards for the management of conventional arms transfers.<sup>65</sup>

In the Western Hemisphere the Organization of American States (OAS) took a significant step toward reducing the proliferation of SALW by adopting (1997) the *Inter-American Convention Against Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials*. The aim of the Firearms Convention was to prevent arms from entering the black market, by establishing basic controls over the manufacture, import, transit and export of firearms in each member state.<sup>66</sup> To control the smuggling of weapons and explosives, and to examine the links between arms smuggling and drug trafficking in the Americas, *Model Regulations* were drawn up and approved by the OAS General Assembly in 1998.<sup>67</sup>

One of the most encouraging regional progresses on SALW transfer control has been made recently in Africa. In October 1998, 16 African nations voluntarily signed the Three Year Memorandum (extended in 2001) to coordinate a regional approach for SALW proliferation reduction. *Economic Community of West Africa States Memorandum* (ECOWAS Memorandum) was a vital instrument for micro-disarmament and became a model for other sub-regions.<sup>68</sup> In 2001 the Southern African Development Community (SADC) adopted a *Protocol on Control of Firearms, Ammunition and other related materials*. To control the flow of weapons in

<sup>64</sup> The Organization for Security and Co-operation in Europe "Handbook of the Best Practices on Small Arms and Light Weapons" (Vienna, Austria 2003).

<sup>65</sup> European Commission "Small Arms and Light Weapons. The response of the European Union" (Belgium: 2001), p. 10, 11.

<sup>66</sup> Matthew Schroeder "Small Arms, Terrorism and the OAS Firearms Convention" (FAS: 2004), p. 19, <http://www.fas.org>.

<sup>67</sup> Mats R. Berdal and Monica Serrano "Transnational organized crime and international security: business as usual?" (Lynne Rienner Publishers, London 2002), p. 100, 101.

<sup>68</sup> <http://www.iansa.org/regions/wafrica/ecowas.htm>.

the region, prevent and combat illicit manufacturing, regulate and harmonize the import, export and transit of SALW.<sup>69</sup> Another initiative is *The Nairobi Protocol for the Prevention, Control and Reduction of Small Arms Light Weapons in the Great Lake Region and the Horn of Africa*.<sup>70</sup> The Protocol was signed in 2004 by eleven countries from that region.

All international and regional regulations which cover the proliferation of SALW depend on sovereign states' laws. Only strong, strict and transparent national legislations and administrative procedures (which are relevant to international directives) can exercise effective control over small arms and light weapons. Beside that a little progress in small weapons control has been monitored. It is clear that the most severely affected SALW proliferation counties, are usually the least able to take substantial steps towards resolving the problem. On the other side, many governments are reluctant to follow the international obligations (sign or ratify certain agreements) due to consequent restrictions in SALW export or import, which in many cases is the hidden tool of its foreign policy or can help to achieve its national interests. That is why global and regional actions on many small arms issues still remain weak.

What seems to be needed is the establishment of a regime which could cover the international transfer of small arms and light weapons, similar to the existing regimes covering nuclear, biological and chemical weapons. It should have national, regional and global control measures – “acting like a series of dams and filters”<sup>71</sup> – to stop illegal sales and drastically reduce legal transfers. But the first and most urgent step is the adoption of international norms against the transfer of SALW to areas of tension and conflict.<sup>72</sup> Intergovernmental and public transparency in the international transfer of small arms nowadays is very weak and “lags behind transparency levels for other conventional weapons”.<sup>73</sup>

The second approach, by which the trade of light weapons and small arms can be controlled and its proliferation reduced is to restrain the demand for such weaponry. Chris Smith named this approach the “big solution”.<sup>74</sup> The level of firearms demand is almost equal to the level of social violence, which is determined by degrees of social stability, the strength of democratic institutions and the level of human development. The “big solution” requires the major world powers to look at the international system not only through their national interest and the traditional concept of foreign policy but as a “human security collective concern”.<sup>75</sup> It also requires the development of a comprehensive strategy

<sup>69</sup> <http://www.sadc.int/index/browse>.

<sup>70</sup> <http://www.safeafrica.org/DocumentsCentre/Books/NairobiProtocol>.

<sup>71</sup> Jeffery Boutwell, Michael T. Klare “*Light weapons and civil conflict: controlling the tools of violence*” (Rowman & Littlefield: 1999), p. 221.

<sup>72</sup> *Ibid*, p. 222.

<sup>73</sup> Paul Holtom “*Transparency in Transfer o Small Arms and Light Weapons. Report to the United Nation Register of Conventional Arms, 2003–2006*” (SIPRI: 2008) Summary.

<sup>74</sup> Christopher Louise “*The Social Impact of Light Weapons Availability and Proliferation*” (United Nations Research Institute for Social Development: 1995), p. 18.

<sup>75</sup> *Ibid*, p. 19.

to prevent conflicts, and by that the demand for small arms and light weapons. Unfortunately, it demands political will at the highest level to be effective, which makes “big solution” seem a little naive and unrealistic.

There are still some practical causes of action which can be considered as a part of SALW proliferation reduction. The disarmament of ex-combatants and/or the collection of illicit weapons in communities’ control over weapons’ spare parts and ammunition production and shipment could drastically eliminate firearms from markets. For many countries it is the starting point for SALW control. Such programs as United Nations Disarmament, Demobilization, and Reintegration (DDR) and United Nations Development Program (UNDP), have collected an enormous quantity of firearms and have created conditions for building stable states in many parts of the world. Another initiative is the “buy-back” program. It suggests that SALW should be bought from their owners by offering prices for guns just above the black market rate, and full amnesty should be offered for those who return their weapons. The experience of Angola, Chad, Mozambique, Uganda, Zimbabwe, Nicaragua and Panama suggests that the program can only be successful within the context of a broader settlement. People have to feel secure, otherwise they will either hold on to weapons or use the money to buy new and better guns.<sup>76</sup>

The effectiveness of SALW is dependent on ammunition and spare parts supply. Many countries produce ammunition and weapons’ spare parts under license. The initiative to tackle such procedures and cover the whole spectrum of ammunition and spare parts’ delivery can vacuum up a huge number of existing SALW.

Reducing legal and fighting illegal small arms and light weapons production, trade and transfer is a long term endeavor. But steps must be made at local, national, regional and global levels to address certain aspects of the fire arms issue.

## CONCLUSION

Small arms and light weapons are the world’s authentic “*weapon of mass destruction*”. SALW have a wide range of effects on human lives and suffering. Every day they cause over 1,300 deaths and it is estimated that at least 500,000 people are killed by SALW every year. For every person killed by guns, three more were injured, with a very small chance of survival.

Widespread proliferation has often led to acceptance of weapons as a normal part of life and violent conflict as an everyday occurrence. SALW polarize communal groups and cause the erosion of respect for human rights with the breaking down of traditional values.

The spread of SALW damages the prospects for development, as human and social capital is destroyed and investors take their money elsewhere. Armed

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<sup>76</sup> Ibid, p. 19.



violence in Latin America in the 1990s caused a decrease of their countries GDP of over 12 per cent.

But small arms and light weapons' production and trade is a global business. The number of legal manufactories reached a total of over 600 in early 2000 and is spread among at least 95 countries. Annual global average SALW production is almost 6.3 million guns and it is estimated that over 650 million firearms are spread all over the world today. Approximately 80 to 90 percent of the small arms trade runs through legal transactions. Nevertheless even SALW with a legal origin are often found in the hands of criminals, terrorists, insurgent groups, sanctioned governments and other prohibited recipients. Legal trade procedures are respected by at least 60 of the 95 small arms producing countries. All the rest do not provide any public information on their small arms export.

Brokers and other intermediaries are critical of the legal and illegal trade in SALW. In many the causes are to multiply their personal profits, as inadequacies in national regulations are exploited, and state officials are corrupted. Arms' brokers are able to work with very little state supervision. They fuel the illicit arms trade to sustain conflicts, often creating relationships with traders smuggling such goods as diamonds, minerals and timber. From all firearms' exporting countries, only the United States requires official authorization for all brokering.

It is evident that the illicit trade in small arms, more than any other aspect of the global arms' trade, aggravates civil conflicts, organized crime, terrorists' activities and violence itself. The problem includes both the black market – where the law is simply violated and, technically, the legal grey market, where states support covert transfers. The grey market is much bigger than the black one, and is usually serving sanctioned governments and non-state actors. Weapons running through the grey market often fuel black illicit trade which is more concentrated to support organized crime, terrorist organizations and individual demands.

In order to act against all negative aspects of small arms and light weapons proliferation immediate steps should be taken.

Firstly, a common international system for the marking and tracing of firearms, which requires every country to adopt the same standards, must be developed.

Secondly, international and regional arms embargoes must be enforced and closely monitored. The creation of a United Nation Arms Embargo Monitoring Unit could provide the infrastructure to control embargos, and which in close cooperation with other international security organizations (like Interpol and Europol and others), could fight the illicit arms trade or suggest consequences for law violation.

Next, an international legal procedure on the practices of arms brokers is necessary. With such regulations, brokers would not be able to move weapons from conflict to conflict and avoid prosecution in one country by doing business in another.

Also, national end-use monitoring (EUM) for arms exporting states has to be strengthened. An end-use check must be conducted regularly and must cover the entire transfer process as well as future weaponry usage.

All major world small arms stockpiles must be registered, adequately secured and managed with properly equipped and trained stockpiles security forces.

States must eliminate illicit arms production within their borders, eliminating large number of firearms from the black market.

States must reconsider their private weapon owner regulations (in order to limit privately owned guns) and improve collection of illegally owned firearms by amnesty or pay-back programs.

In war zones, countries could make attempts to gather illegal weapons which are used by a number of militia groups, by integrating them into the national army or legal state security forces.

In post conflict countries, international and national disarmament, demobilization and reintegration programs are essential to stop SALW proliferation into another conflict zone and to ensure and strengthen the fragile peace progress.

The proliferation of small arms and light weapons is a problem too severe to be ignored any longer. Fire arms trafficking in the 21<sup>st</sup> century is nothing if not a global operation and trans-national phenomenon. It fuels civil wars and conflicts, contributes to crime activities and feeds terrorists all over the world. Stemming the flow of these weapons is extremely difficult, but because of this, and because of their impact on world security, extreme international, regional and domestic efforts to manage this problem are needed.

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Janusz Kręcikij

## POLISH NATIONAL SECURITY AND THE NEW NATO STRATEGIC CONCEPT – PROGRESS OR STAGNATION?

Formally adopted in November 2010, a new NATO Strategic Concept was a long-awaited document. The previous one, dating from 1999 was seriously criticized by both the Allies and many experts (though of course there were also the votes negating the need to develop and implement a new concept<sup>1</sup>). There was nothing strange in that. Over the past 11 years many aspects of security have been changed and re-evaluated. At the same time, the lack of updated NATO doctrinal perception of new threats, and the vision of the opposition to them did not increase the credibility of NATO and the feeling of security of Alliance signatories. Thus, many member states, including Poland, eagerly awaited a new Strategic Concept. After the formal announcement of its adoption, the topic fairly quickly ceased to be an area of interest of the Polish media, which moreover did not pay much attention to it, apart from some official comments of NATO and Polish representatives. Interestingly, outside the realm of experts, knowledge of Polish society on the new concept content was and still is very limited. Meanwhile one should remember that Polish officials went to the NATO Summit in Lisbon with specific expectations, which they expressed in numerous public appearances.

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<sup>1</sup> Like for example David S. Yost, Professor at the Naval Postgraduate School in Monterey. See *NATO Review*, Autumn 2005 r.

Since the essence of this material is an attempt to resolve the issue presented in the title, reflection and research results are arranged in a manner designed to answer four specific problems, formulated as the following questions:

1. What in essence is the NATO Strategic Concept?
2. What the main contents are included in the new concept, adopted in Lisbon on November 20<sup>th</sup>, 2010?
3. What national interests Poland wished to secure in the new concept and was it successful?
4. Does the adoption of the new concept significantly change the perception of Polish national security?

### What in essence is a NATO Strategic Concept?

Historically, the first, very brief record of a NATO Strategic Concept dates back to December 1949. It was taken directly from the paragraphs of the Washington Treaty, and emphasized the key operating principles of the defense agreement, later refined in subsequent phases of the development of NATO. The document stressed issues such as the defensive nature of the Alliance, the importance of armed conflict prevention, cooperation between allies, the deterrent role of nuclear weapons and the rule of solidarity in the face of armed aggression.<sup>2</sup>

The first real and full Strategic Concept the so-called *Strategy of massive response* – was developed by U.S. Secretary of State John Foster Dulles. Adopted by the U.S. Department of Defense, it was officially accepted by NATO in 1957. It assumed massive retaliation by NATO countries, including the use of nuclear weapon in response to any serious military attack of the Warsaw Pact. Regardless of the outlined assumptions it was a defensive strategy in essence, whose primary goal was to keep the peace, by making a nuclear war impossible to win and too destructive to undertake.<sup>3</sup> Its basic weak point was, however, lack of the necessary flexibility, because in the case of any act of aggression NATO could only do nothing, or to decide to respond against the Soviet Union with nuclear weapons. In addition, literal adherence to such a strategy meant that the Allies were not able to deal with limited challenges often presented by the policy of the Eastern Bloc countries.

Another concept – known as *Strategy of flexible response* – was developed in 1961 and adopted officially by NATO in 1967. It accepted the use of strategic nuclear weapon only as a last resort, emphasizing the availability of adequate conventional means which could control the escalation of the crisis. The aim was to increase the reliability of deterrence, as well as to strengthen the position of the United States as a security guarantor of Western democracies. The flexible response concept implied three phases of conflict development – the direct defense, deliberate escalation and the massive nuclear response. Accordingly,

<sup>2</sup> Robert Kupiecki, "NATO 1949–2002 – zarys problematyki", w: *Polska w NATO*, ed. R. Kupiecki, M. Sielatycki, CODN, Warszawa 2002, pp. 9–36.

<sup>3</sup> John W. Jenson, "Nuclear Strategy – differences in Soviet and American thinking", *Air University Review*, Vol. 30, No. 3, March-April 1979.



it adopted a need to have three measures of using strategic nuclear weapon (the so-called *strategic triad*) – intercontinental ballistic missiles, submarines equipped with nuclear warheads and strategic bombers. Each of these measures was to be able to carry out an attack independently, even if the other two had been destroyed by the anticipated enemy strike.

The events connected with the fall of the communist system, democratization of Central and Eastern Europe and the qualitatively new international security challenges the world faced at the end of the twentieth century, again forced the Alliance to change strategy. The competent political agreement on this subject was adopted in 1991 in Rome, during a meeting of Heads of State and Government of NATO, and then converted into the new Strategic Concept during the Washington Summit in 1999. This concept perceived new threats and security challenges, without questioning the fundamental tasks and objectives of the Alliance. Despite the reduction in military spending, it reaffirmed the need of maintain sufficient military forces, both conventional and nuclear, capable to deter potential aggression and to ensure the security of the member states<sup>4</sup>.

It could be certainly say that NATO's Strategic Concept in general is more than just a military strategy. NATO is a political-military alliance, so the document discussed cannot cover only the military aspects, but should be an expression of a comprehensive approach to this crucial problem, which is the security of NATO members. For the purpose of further consideration the author assumes that this Strategic Concept (strategy) had to and has to define goals and objectives of the Alliance and set a strategic perspective and approach to security in the foreseeable future.

It is difficult, however, to discuss NATO's Strategic Concept, or assess it from a scientific point of view, without previously known and applied attempts to describe or define a strategy as a "strategy" (keeping in mind of course the approach of dealing with the problem through security matters).

From this scientific point of view, the strategy can include:

- a complete plan, which determines what decisions will be taken in any given situation<sup>5</sup>,
- the process of long-term determining organization goals and the adoption of policies, as well as the allocation of resources necessary to accomplish these objectives,<sup>6</sup>
- a parent and integrated plan describing the associated benefits in relation to the expectations and challenges of the environment,<sup>7</sup>

<sup>4</sup> Robert Kupiecki, *NATO u progu XXI wieku*, Wydawnictwo Akson, Warszawa 2000, pp. 13–32.

<sup>5</sup> J. Neuman, O. Morgenstern, *The Theory of Games and Economic Behavior*, Princeton University Press, New York 1944, p. 79.

<sup>6</sup> A.D. Chandler, *Strategy and Structure*, Cambridge 1962, cyt. za: W.M. Grudzewski, I.K. Hejduk, *Projektowanie systemów zarządzania*, PWE, Warszawa 2001, p. 69.

<sup>7</sup> W.F. Glueck, *Business Policy and Strategic Management*, McGraw-Hill, New York 1980.

- the term “strategy” refers to the formulation of the main missions, goals and organizational objectives, policies and programs to achieve them, the methods required to implement strategies to achieve organizational goals,<sup>8</sup>
- a broad program of setting and achieving the organization goals; organization (in time) of response to environment influence.<sup>9</sup>

The results of the literature analysis (economics and theory of organization and management) allow us to conclude that a reasonable strategy focuses on certain factors, from which essential are:<sup>10</sup>

1. Range of strategy – the band of markets in which the organization will compete.
2. Distribution of the resources – the way in which an organization divides its resources between different applications.
3. Distinctive Competence – what the organization is doing particularly well.
4. Synergy – how the various business areas are complementary or supportive.

The results of such targeted research also offer the articulating of some fixed strategy elements, among which can be identified:<sup>11</sup>

1. Domain of action (which is directly related to the definition of the mission).
2. Strategic advantage (strong point – attractiveness).
3. Objectives to be achieved.
4. Functional action programs.

These brief considerations finally allow us to guide the main features of the strategy, which typically include:<sup>12</sup>

1. Time horizon.
2. The focus of effort on the designated task to achieve the following objectives.
3. The system of consistent decisions.
4. Ubiquity – the impact in different areas simultaneously (broad spectrum of activities and types of targets).
5. The strategy is assessed by the use of specific indicators.
6. Taking into account the potential risks.

So, it must be seen the strategy itself was and is an object of scientific inquiry, and under the term *strategy* there are relatively accurately plotted rules. It is important for further considerations that such a claim is true also with regard to security strategy, and yet a NATO Strategic Concept is nothing but a kind of NATO security strategy – having already checked the assumption that it cannot be in any way restricted to the purely military aspects.

<sup>8</sup> G.A. Steiner, J. Miner, E. Gray, *Management policy and strategy*, Macmillan, New York 1986, p. 5.

<sup>9</sup> A.F. Stoner, E. R. Freeman, D. R. Gilbert jr., *Kierowanie*, PWE, Warszawa 1997.

<sup>10</sup> R.W. Griffin, *Podstawy zarządzania organizacjami*, Wydawnictwo Naukowe PWN, Warszawa 1996, p. 245.

<sup>11</sup> A. Koźmiński, W. Piotrkowski (red.), *Zarządzanie. Teoria i praktyka*, PWN, Warszawa 2000, p. 128.

<sup>12</sup> A. Antczak, *Projektowanie strategii bezpieczeństwa Unii Europejskiej*, Wydawnictwo Wyższej Szkoły Gospodarki Euroregionalnej, Józefów 2010, p. 21.

So we know that security strategy is defined in order to defend against threats on the one hand, and create the best conditions for the development and benefits for the country (a region, an organization – depends on what is to be discussed). The most important from a structural point of view are: *the objective of the strategy* (end state result) and *time horizon*.

Finally, using the achievements of theory (in security science) a few essential elements of “a collection of facts and assumptions” called the strategy should also be seen, namely:

1. The overall program of state plans and intentions defining and implementation.
2. The real activities of the state as the reactions to the influence of the environment.
3. The role of the state definition and its place among the international community.
4. The mission of the state definition (distinguishing element in the international scene, to prejudice the state exclusivity and uniqueness).
5. The formulating of the tasks to be done to achieve the objectives.<sup>13</sup>

Of course, it can be said that all the matters mentioned above concern the state, while in the present case we are dealing with a clear multinational structure. However, we should agree with the assumption that these findings remain true also with regard to NATO as an organization – a truly multinational one – having its leaders and guided by (at least in concept) the common good of the member states. So it is not an error to transfer this kind of state property into one of the alliance.

Thus, if the Alliance Strategic Concept is, as mentioned, essentially the NATO security strategy, from a scientific point of view it should be for NATO the described method to achieve the final objective at the relatively shortest possible time. Furthermore, this means achieving the following specific, detailed goals including internal and external positive and negative stimulators and destimulators and planning specific actions to achieve each specific goal.

### **What main contents are included in the new concept, adopted in Lisbon on November 20th, 2010?**

The new Concept is a relatively short document, numbering 11 pages of original text. Mindful of the importance of this document – the strategy of the biggest political-military alliance in the world, its order, not entirely clear, may look a little bit strange. Concept contents are grouped as follows:

- Preface,
- Core Tasks and Principles,
- The Security Environment,
- Defense and Deterrence,
- Security through Crisis Management,
- Promoting International Security through Cooperation,

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<sup>13</sup> Ibidem, p. 26.

- Arms Control, Disarmament, and Non-Proliferation,
- Open Door,
- Partnerships,
- Reform and Transformation,
- An Alliance for the 21st Century.

In the *preface* it is stressed that NATO continues to play a unique and essential role in ensuring common defense and security, and that the new Strategic Concept sets the direction for the next phase of NATO's evolution in a changing world, in the face of new threats, with new capabilities and new partners.

The commitment of mutual defense against attack was confirmed, as well as the requirement to prevent crises, to control conflicts and stabilize post-conflict situations, including closer cooperation with the United Nations and the European Union. NATO was obliged to promote the creation of conditions for a world without nuclear weapons, while nevertheless clearly indicating that as long as nuclear weapons exist, NATO will remain a nuclear alliance. The document also highlighted the commitment to maintain an "open door" for NATO to all European democracies that meet the standards of membership. In addition, the Alliance is committed to ongoing reform towards a more effective, efficient and flexible political-military body. Finally, it stressed that the essential mission of NATO remains the same, namely that the Alliance is a community of freedom, peace, security and common values.<sup>14</sup>

*Core tasks and principles* emphasize that the fundamental and lasting objective of NATO is to ensure freedom and security of all members by the use of both political and military means. NATO member states create a unique community of values, with principles of individual freedom, democracy, human rights and the rule of law. It emphasizes that the transatlantic relationship is strong and important to preserve Euro-Atlantic peace and security, and NATO members' security on both sides of the Atlantic is indivisible. It was stressed that the Alliance must and will effectively continue to pursue its three main tasks, namely:

- collective defense under Article 5 of the Washington Treaty,
- crisis management, using the right combination of political and military tools to assist developing countries in tackling crises,
- cooperative security by actively engaging in efforts to strengthen international security.

It also noted that for the effective and efficient implementation of the NATO mission, the Allies will engage in a continuous process of Alliance reforms, modernization and transformation.<sup>15</sup>

In terms of *the security environment* in the document stated that the Euro-Atlantic area is quiet and the threat of conventional attack against NATO territory is low. At the same time it emphasized the specificity and significance of selected threats, stressing that:

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<sup>14</sup> *Active Engagement, Modern Defence – Strategic Concept for the Defence and Security of The Members of the North Atlantic Treaty Organisation* adopted by Heads of State and Government in Lisbon, Lisbon 2010, p. 1.

<sup>15</sup> *Ibidem*, pp. 2–3.

- conventional threats still cannot be ignored,
- proliferation of nuclear weapon and other weapon of mass destruction and their means of delivery continues to threaten incalculable consequences for global stability,
- terrorism poses a direct threat to the security of the citizens of NATO countries and more broadly for international stability and security,
- instability or conflict beyond NATO borders can directly threaten the security of the Alliance,
- cyber-attacks are becoming more frequent, better organized and more expensive, taking into account the damage they inflict on government administrations, the economy, transport and other critical infrastructure,
- all countries are increasingly dependent on transit routes, which require international efforts to ensure their resistance to attack or disruption.<sup>16</sup>

Characterizing *defense and deterrence*, it emphasized that the Alliance bears the greatest responsibility for protecting and defending the territory and population against attacks, as stated in Article 5 of Washington Treaty. However there is no country the Alliance treats as an enemy. At the same time it stressed that no one should doubt NATO's resolve in if the safety of its members was endangered. It recalled the importance of nuclear forces in deterrence and the fact that as long as there are nuclear weapon, NATO will remain a nuclear alliance.

The concept has also declared a number of projects to be implemented to ensure NATO's ability to deter and defend against any security threats:

- maintain the right combination of nuclear and conventional forces,
- maintain the ability to simultaneously conduct large scale joint operations and a number of smaller operations of collective defense and crisis management, including operations in distant strategic areas,
- developing and maintaining strong, mobile conventional forces,
- the necessary training, exercises, contingency planning and information exchange,
- participation of allies in collective defense planning,
- developing the capacities to defend against ballistic missiles attack (including the desire to cooperate with Russia and other Euro-Atlantic partners in the field of missile defense),
- developing the capacities to defend against the threat of weapon of mass destruction: chemical, biological, radiological and nuclear,
- developing the capacities to prevent, detect and defend against cyber-attacks,
- defense against international terrorism,
- contribute to energy security,
- maintain the necessary level of defense spending.<sup>17</sup>

In terms of *security through crisis management* it stated that the crises and conflicts outside the NATO may pose a direct threat to the security of Alliance territory and populations, so NATO will be involved where possible and necessary

<sup>16</sup> Ibidem, pp. 3–4.

<sup>17</sup> Ibidem, pp. 4–6.

to prevent crises, to control them, to stabilize post-conflict situations and support the processes of reconstruction. Based on experience from Afghanistan and the Balkans, it was found that a comprehensive political, civil and military approach is necessary for effective crisis management. The paper stressed that NATO has *unique capabilities* in the field of mastering the conflicts, and operations under the aegis of NATO show that the Alliance can make a significant contribution to international efforts in tackling conflicts. Under the new approach to ensure the effectiveness of crisis management, the Alliance will:

- enhance the sharing of intelligence data within NATO,
- develop doctrine and military capabilities of expeditionary operations,
- create civilian crisis management capabilities in order to interact more effectively with civilian partners, drawing on the experience of operations conducted under the aegis of NATO,
- strengthen integrated civilian-military planning over the whole spectrum of crisis management,
- develop capacity for training and building of local forces in crisis zones,
- train civilian experts from member states, to be ready to quickly take part in different missions,
- expand and intensify political consultations among the allies and partners.<sup>18</sup>

In the area of *Arms Control, Disarmament, and Non-Proliferation*, it was assumed that NATO will seek to ensure its security while maintaining the lowest numerical level of the armed forces. The Alliance continues to contribute to projects associated with the strengthening of arms control and promoting disarmament, both in terms of conventional weapons and weapons of mass destruction, having regard in particular to:

- objectives of the Nuclear Non-Proliferation Treaty,
- further reduction of nuclear weapons stationed in Europe and the importance of these weapons in NATO strategy,
- desire to gain Russian agreement to increase transparency about its nuclear weapon in Europe and move the weapon away from the territory of NATO countries,
- conventional arms control and keeping them at the lowest possible level,
- fight against proliferation.<sup>19</sup>

As part of its *“open door”* it was stated that NATO enlargement has contributed substantially to the safety of the member states. The prospect of further enlargement of the organization and the spirit of collective security have led to greater stability in Europe, and NATO membership remains fully viable for all European democracies which share the values of the Alliance.<sup>20</sup>

Much attention is devoted to the concept of broadly understood *partnership*, noting that the promotion of Euro-Atlantic security provides a broad network of partnerships with countries and organizations around the world. It is assumed

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<sup>18</sup> Ibidem, pp. 6–7.

<sup>19</sup> Ibidem, pp. 7–8.

<sup>20</sup> Ibidem, p. 8.

that dialogue and collaboration with partners can make a concrete contribution to the strengthening of international security and relations will be based on the principle of reciprocity, mutual benefit and mutual respect. Therefore it assumed:

- development of political dialogue and practical cooperation with all countries, and such organizations around the world who are interested in maintaining a peaceful international relations,
- consultation with each partner country the issues of security,
- an important role of Alliance partners in shaping the strategies and decisions concerning the activities conducted under the aegis of NATO,
- development of the already existing partnership.

It clearly highlighted the cooperation between NATO and the United Nations by:

- improving exchange of information between the heads of both organizations,
- more regular political consultations,
- improvement of practical cooperation on crisis management the two structures are involved in.

According to the Alliance's strategic assumptions an active and effective European Union contributes to the safety of the whole Euro-Atlantic area, hence the statement that the EU is a unique and important partner for NATO. It declared that NATO and the EU can and should play a complementary and mutually reinforcing role in promoting international peace and security. Thus, its declared aim is to:

- strengthen the strategic partnership with the EU,
- improve practical cooperation in crisis management operations,
- expand political consultations on all issues of common interest, in order to reach common conclusions, evaluation and intentions,
- cooperate fully in capacity building efforts to minimize duplication of effort and reduce costs.

A significant role was also attributed to NATO-Russia cooperation, stressing that NATO poses no threat to this country. The document emphasized the pursuit of a genuine strategic partnership, based on the NATO-Russia Founding Act and the Rome Declaration, by:

- deepening of political consultations and practical cooperation with Russia,
- using the potential of the existing NATO-Russia Council.

Among other subjects and areas of cooperation it identified Euro-Atlantic Partnership Council and Partnership for Peace, further development of Mediterranean Dialogue, the importance of peace and stability in the Gulf region, as well as strengthening cooperation within the Istanbul Cooperation Initiative. The expected direction of NATO's activities include:

- intensifying consultation and practical military cooperation within the Euro-Atlantic Partnership Council,
- continuing the partnership with Ukraine and Georgia in the NATO-Ukraine Commission and NATO-Georgia Commission,

- facilitating the Euro-Atlantic integration of Western Balkans,
- deepening cooperation with the current members of the Mediterranean Dialogue,
- developing a deeper partnership on security with partners from the Gulf.<sup>21</sup>

Relatively little space in the concept in comparison to other areas devoted to *reform and transformation* (of the Alliance). It was optimistically pointed out that NATO is the *only Security Alliance in the history*, which holds the military forces able to act together in any environment, that can conduct military operations at any location, using the integrated command and control structure, and which has at its disposal such capacity, which few allies could afford individually.

In order to provide all the resources necessary for performance and security of the Alliance, priorities were:

- improving the deployability of their forces and to the conduct of operations,
- ensuring maximum consistency of defense planning,
- developing and using their abilities in a systematic way,
- preservation and strengthening of joint capabilities, standards, structures and funding, as part of integrating the Alliance,
- engaging in a continuous process of reforms to improve existing structures, improve methods of operation and maximize their effectiveness.<sup>22</sup>

The summary (*an Alliance for the 21st Century*) is an indication of NATO's determination regarding the renewal of the Alliance and to maintain its effectiveness as the most effective political and military alliance on the globe.

"...Our Alliance thrives as a source of hope because it is based on common values of individual liberty, democracy, human rights and the rule of law, and because our common essential and enduring purpose is to safeguard the freedom and security of its members. These values and objectives are universal and perpetual, and we are determined to defend them through unity, solidarity, strength and resolve..."<sup>23</sup>.

Having the necessary knowledge about strategy in general and the new NATO Strategic Concept in details, it is worth asking whether the above Concept actually covers specific elements of the strategy in terms of security science. Thus:

- Did it present a program for defining and implementing plans and objectives? It can be concluded that in principle it did not, because what has been formulated has been so in a very general way.
- Is it possible to identify the system of reaction to the environment? This is extremely difficult, almost impossible.
- Did it clarify the role and place among the international community? Yes, even though in a very general way.
- Was the mission defined (the element that determines its uniqueness in the international arena)? Yes, but even here the level of generalization is very large.

<sup>21</sup> Ibidem, pp. 8–10.

<sup>22</sup> Ibidem, p. 11.

<sup>23</sup> Ibidem, par. 38, p. 11.



- Were the tasks to be done to achieve the objectives formulated? –The task was indeed formulated but the objectives were not specified (sic!).

Based on the results of this analysis it can be stated that the document does not meet the guidelines or requirements of the strategy in terms of science. In addition, the science of security indicates that in a document of this magnitude (the political-strategic level) the following should at least be articulated:

- environmental (threats) assessment,
- interests and purposes,
- forces and resources engaged,
- tasks for subordinates,
- basic methods and procedures.<sup>24</sup>

In the assessed Concept it is extremely difficult to say that it was based on an up-to date and full analysis of the security environment. It is true that it identifies the main threats to security in the political and military spheres. At the same time, however, it completely omitted the social sphere. The Strategy also avoids the hazard identification included the classification of entities (sources of risk). It is also extremely difficult to see the real interests of the Alliance or its purposes. The mentioned purposes, if indeed appear, are not a separate, accentuated whole, and are only mentioned “accidentally” to examine other problem areas. The tasks have been formulated in some details, but without links to forces and resources engaged for their implementation. A defect is also the lack of any time frame for their implementation, which means that they are largely (according to the author – excessively) “universal”, as the task “to do” within the Alliance.

Results of research allow the conclusion that the content of the new NATO Strategic Concept is much more akin to some kind of political declaration, not a strategic document of such importance. It contains relatively few specifics and there are no tasks for member states, giving them no clearly defined obligations. The lack of describing NATO interests and the projection of NATO purposes, and essentially the same set of tasks (like in a previous Concept) leads to the conclusion of a lack of consensus among NATO countries on the true direction of NATO transformation.

It is possible to say that in comparison to the NATO Strategic Concept from 1999 there has been no real significant change in the tasks which NATO pursues and finally even a perceived overvaluation of the center of gravity. But if we “must” indicate the new values, we can stress in principle only:

- a noticeable emphasis on arms control and non-proliferation,
- relations with Russia,
- proposal to construct a missile defense system (but without any real clarification), and a centralized of NATO cyber security,
- seeing the need for a civilian capability to respond to crises,
- enhanced intelligence cooperation (i.e., the sharing of information from intelligence among NATO members),

<sup>24</sup> B. Balcerowicz, “Strategia obronna Unii Europejskiej a strategię narodowe państw członkowskich”, [w:] E. Haliżak, *Polityka zagraniczna i wewnętrzna państwa w procesie integracji europejskiej*, Oficyna Wydawnicza Branta, Bydgoszcz–Warszawa 2004, p. 54.

- full sanction for preventive operations, which is nothing more than logical and necessary activities that were perceived earlier, and some of them were carried out earlier.

### **What national interests did Poland wish to secure in a new concept and was it successful?**

- The results of analysis of Polish representatives' public appearances before the summit in Lisbon has previously allowed the expectations of our country towards a new Strategic Concept of NATO to be clarified. Those expectations articulated by the President, Minister of Defense and Minister of Foreign Affairs concerned, apart from some minor aspects<sup>25</sup>, the two main problem areas:
- providing "automatic" operations based on Article 5 of the Washington Treaty and clearly emphasizing the defense (military) importance of the Alliance,
- preparation of NATO contingency plans, providing specific Alliance forces in the event of aggression against Poland.

Following the adoption of a new Concept, the decision-makers of our country have confirmed that these expectations were fully achieved in the two issues highlighted above (as well as others not considered here). Therefore, it seems expedient to examine whether in fact the document adopted in Lisbon makes real qualitative changes in the particularly interesting problem areas of our country. In other words, as has been stated publically *is Article 5 of the Washington Treaty more automatic in comparison with the record of 1949?*

The concept analysis results show that the reference to Article 5. appears three times. For the first time in paragraph 4.a:<sup>26</sup>

"...Collective defence. NATO members will always assist each other against attack, in accordance with Article 5 of the Washington Treaty. That commitment remains firm and binding. NATO will deter and defend against any threat of aggression, and against emerging security challenges where they threaten the fundamental security of individual Allies or the Alliance as a whole..."

Once again, in paragraph 16:<sup>27</sup>

"...The greatest responsibility of the Alliance is to protect and defend our territory and our populations against attack, as set out in Article 5 of the Washington Treaty. The Alliance does not consider any country to be its adversary. However, no one should doubt NATO's resolve if the security of any of its members were to be threatened..."

Finally, in paragraph 19, sub-paragraph 3:<sup>28</sup>

<sup>25</sup> For example, the need to maintain a balance between the geographical dimensions of the Alliance in the era of global engagement. The author deliberately makes no mention of issues such as missile defense and NATO's defense against cyber-terrorism, because they are allied and general issues of concern not only to Polish security.

<sup>26</sup> *Active Engagement, Modern Defence...*, p. 2.

<sup>27</sup> *Ibidem*, p. 4.

<sup>28</sup> *Ibidem*, p. 5.

“...develop and maintain robust, mobile and deployable conventional forces to carry out both our Article 5 responsibilities and the Alliance’s expeditionary operations, including with the NATO Response Force...”.

The results of the quoted passages empower to bring the thesis that the concept only recalls that Article 5 of Washington Treaty, is one of the foundations of the Alliance in its military aspect. However, it is worth noting that this article has never been canceled or altered. There has not as yet appeared any official NATO document suggesting that it has been revoked or suspended. Its content since 1949 is *still the same* and the new NATO Strategic Concept *changes nothing* in this field:<sup>29</sup>

“...The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defence recognised by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area. Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security...”.

In this situation it is extremely difficult, if not impossible, to defend the claim that in the 2010 Concept there appeared a new commitment from the Alliance to Poland at the area of the merits and understanding of Article 5, or its operation has become more automatic. This article, in that and not another version, was and remained an important part of the Washington Treaty and the new Concept did not, in this respect, add anything new to pre-existing arrangements.

Another achievement declared by Polish authorities is a statement that *for the first time (during nine years of our NATO membership) NATO contingency plan to defend Poland have been prepared.*

The New Concept mentions contingency planning in paragraph 19, sub-paragraph 4:<sup>30</sup>

“...carry out the necessary training, exercises, contingency planning and information exchange for assuring our defence against the full range of conventional and emerging security challenges, and provide appropriate visible assurance and reinforcement for all Allies...”

Due to the nature of military planning, it is not possible to explore exactly new operational plans and it is necessary to believe that they exist, in accordance with the assurances of the Alliance. But remember that these plans *in no way are the consequence of a new concept*. They are the result of the logical and successful efforts of the Polish authorities over many years to incorporate our country by NATO operational planning, to preplan precisely how and with which forces NATO

<sup>29</sup> *Washington Treaty*, Washington 1949.

<sup>30</sup> *Active Engagement, Modern Defence...*, p. 5.

would react if Poland becomes the object of aggression. In turn, including the record about mentioned planning in section 19 of Concept is hardly a revolutionary change, because the *contingency planning is from years one of two broad categories of operational planning in NATO* (contingency and crisis response planning<sup>31</sup>), and the record exists for all Allies, not especially for our country. It can therefore be said that the creation of new plans is strongly positive for the Poland and its security, however, it is absolutely not a result of the Concept adopted in Lisbon, as some of Polish authorities would like it to be.

It is also worth remembering a seemingly minor detail of terminology. According to NATO military terminology, a category of plans associated with defense against aggression on NATO countries are known as Standing Defense Plans – SDPs.<sup>32</sup> This term does not appear either in the body of the new Concept or in the announcement that NATO's defense planning for Poland was accomplished. The author hopes that this is the result of disorder or confusion of terminology, because each SDP is a COP, but not every COP is SDP and up to now we know only about COP for Poland what can essentially change the character of things.

To sum up, from the perspective of Poland's security interests, regardless of declarations and officials statements, *the new Strategic Concept does not make any changes for the functioning of the famous Article 5*. It is true of course that military plans to support our country in case of an aggression are important, but they cannot be considered to be a result of the adoption of a new document.

### **Does the adoption of a new concept significantly change the perception of Polish national security?**

If the change would directly result from the adoption of the new document, we should answered absolutely negatively. The argument of this thesis is presented in part concerning the nature and content of the new Concept. Similarly, it is difficult to talk about a major change, if our point of reference is Polish expectations of the new document, and the results of these expectations – of course, if the analysis is based on facts, not on the official statements and assumptions. Thus, referring to the topic: is there progress or stagnation in the area of Polish national security?

Even taking into account all the previously mentioned concerns, it is difficult to talk about stagnation, which in modern times, especially in the area of security means in fact a regress. The Alliance, including Poland, can see new threats and understands the need to oppose them. The importance of military strength is happily understood, as well conventional and nuclear weapons. There is a noticeable concern about energetic security, the risks arising from new technologies (cyber-terrorism), relations with Russia and other partners and the need for an

<sup>31</sup> NATO operational planning consists of two planning categories: *Advance Planning* and *Crisis Response Planning*. The first one results are contingency plans (COPs) and Standing Defence Plans (SDPs). J. Kręcikij, *Wybrane aspekty procesu planowania działań NATO*, Warszawa, Akademia Obrony Narodowej 2000, p. 10.

<sup>32</sup> *Ibidem*, pp. 10–11.

integrated missile defense. It is emphasized, finally, that Article 5 of the Washington Treaty still exists. But do all these records of the new document indeed create a completely new value, which opens a qualitatively new stage of transformation of the Alliance? It is difficult, based on scientific facts, defend this thesis. Thus, if the “new” NATO, after the summit in Lisbon has not obviously created such a new value, it is frankly impossible to say that the adoption of a new NATO Strategic Concept has led to revolutionary, or even seriously significant progress in Polish national security.

To conclude, regarding the above, the final answer to the question as to who was right: Lionel Ponsard, Vice-President of Academic Research Department of the NATO Defense College in Rome, an ardent advocate of the early adoption of a new concept, or the already mentioned David S. Yost, professor at Naval Postgraduate School Monterey, and a resolute opponent of the same, still seems to be worth a fair and thorough discussion.

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Erhard Cziomer

INTERNATIONAL SECURITY  
CHALLENGES AND DIFFICULTIES  
AT THE THRESHOLD  
OF THE SECOND DECADE  
OF THE 21<sup>ST</sup> CENTURY  
FROM THE PERSPECTIVE  
OF GERMANY

INTRODUCTION

The aim of this article is to present a synthesis of new challenges for international security at the threshold of the second decade of the 21<sup>st</sup> century, from the perspective of a leading European country – Germany. The attempt was made mainly to signalize Germany's standpoint on focal international security problems, rather than analyze their scope in detail. The essence of the issue is that since Germany's reunification in 1990, the country has been undergoing a permanent process of adjusting its interests, aims and security principles to the changes taking place on the international arena, which has significantly changed at the threshold of the first and second decades of the 21<sup>st</sup> century. The related broadly-understood safety-related issues are thus, in the interior aspect, an element which is necessary to guarantee autonomy of development, which significantly impacts on

Germany's position on the transnational arena in accordance with the country's economic potential, as well as its beneficial role and international position.

Due to the predefined scope and purpose of the article, the author shall focus mainly on a presentation of the determinants, interests, objectives and chosen problems of the development of Germany's strategy and tactics concerning focal issues linked with international security at the threshold of the second decade of the 21<sup>st</sup> century. The analysis will be based on available source materials<sup>1</sup> and broad literature on the subject.<sup>2</sup> The author's research is based both on the latest publications and his own writings on the topic.<sup>3</sup>

## 1. GENERAL INDICATORS OF ECONOMIC AND SOCIAL SECURITY IN GERMANY

Germany's external security is determined by such objective determinants as: the status of a medium-sized country, with deep roots in the European Union (EU) and the North Atlantic Treaty Organization (NATO), with extensive global, principally economic, interests. To illustrate the above thesis I shall limit myself to an outline of Germany's focal economic and social determinants, which largely impact on its international role and position. These form the foundations

<sup>1</sup> Cf. Broad documentation of Germany's current security policy: Stichworte zur Sicherheitspolitik [in:] <http://www.bundesregierung.de/Webs/Breg/DE/Nachrichten/Journale/StichwortezurSicherheitspolitik/stichw> as well as government websites: Chancellery (Bundeskanzleramt) – <http://www.bundesregierung.de/Webs/Breg/DE/Bundesregierung/bundesregierung.html> as well as various government resorts concerned with the problem – Federal Office of Foreign Affairs (Austwaertiges Amt) – [http://www.auswaertiges-amt.de/DE/AAmt/Uebersicht\\_node.html](http://www.auswaertiges-amt.de/DE/AAmt/Uebersicht_node.html), Federal Ministry of Defense (Bundesministerium fuer Verteidigung) <http://www.bmvg.de/portal/a/bmvg> and Federal Ministry of Internal Affairs (Bundesministerium des Innern) – <http://www.google.pl/search?client=firefox-a&rls=org.mozilla%3Apl%3Aofficial&channel=s&hl=pl&source=hp&>

<sup>2</sup> See: in recent German literature: S. Boeckenfoerde (Hg.), *Deutsche Sicherheitspolitik. Herausforderungen, Akteure und Prozesse*, Opladen 2010, Für eine neue Ausrichtung deutscher Sicherheitspolitik. Herg. von der Friedrich-Ebert-Stiftung, [in:] *Internationale Politikanalyse* – [www.fes.de](http://www.fes.de), and Stiftung Wissenschaft und Politik, Institut für Internationale Politik und Sicherheit (Foundation of Science and Politics – Institute of International Politics and Security) Berlin, [in:] [www.swp.berlin.org](http://www.swp.berlin.org), including an overview of research topics concerning the subject 2011/12 – *Orientierungsrahmen für die Forschung 2011/12*, [in:] [http://www.swp-berlin.org/fileadmin/contents/products/sonstiges/OR\\_2011\\_12\\_Stiftungsrat\\_final.pdf](http://www.swp-berlin.org/fileadmin/contents/products/sonstiges/OR_2011_12_Stiftungsrat_final.pdf), and in Polish literature – K. Malinowski, *Przemiany niemieckiej polityki bezpieczeństwa 1990–2005*, Poznań 2009, R. Zięba Red., *Bezpieczeństwo międzynarodowe po zimnej wojnie*, Warszawa 2008, K. Żukrowska, Red. *Bezpieczeństwo międzynarodowe*. Warszawa 2011.

<sup>3</sup> See: the latest publication with broad quoted bibliography: E. Cziomer, *Polityka zagraniczna Niemiec w dobie nowych wyzwań globalizacji, bezpieczeństwa międzynarodowego oraz integracji europejskiej po 2005 roku*, Warszawa–Kraków 2010.



of the country's stability as well as its internal and external security. Thanks to the country's high economic potential, at the end of the first decade of the 21<sup>st</sup> century, a united Germany is considered a leader among developed western countries. The following selected economic and social factors have impacted on this potential:

- The value of Germany's gross domestic product (GDP) is 3,316.143 billion USD, and the country ranks as third on the global scale, following the USA (13,807.550 billion USD) and Japan (4,280.361 billion USD), ranking slightly ahead of the People's Republic of China (3,205.507 billion USD), with simultaneous economic growth oscillating from 0.8 % in 2005, to 3.0 % in 2006, 2.5% in 2007 and 1.3% in 2008, and its forecasted decline during the global economic recession to -6.0% in 2009. An economic recovery is predicted starting in 2010, which should lessen the GDP's decline to -0.5%. Germany's GDP was shaped in 2008 mainly by: services (69%), industry (30%) and agriculture (1%). Germany also ranks among leading developed countries, with a GDP of 40,415 USD per resident (2008).
- During the abovementioned period Germany held second place in the general global trade balance, following the US. Until the year 2008 it held the leading position in global export, lost in mid-2009 to the People's Republic of China. In 2008 Germany exported goods valued at 992.7 billion EUR, and imported goods valued at 814.5 billion EUR. This was an increase in export of 2.8%, and import of 5.8%, compared with the year 2007. This resulted in a balance of foreign trade of 178.2 billion EUR (2008), compared with 195.3 billion EUR in 2007. Germany's general balance of payments in 2008 – with added value of balance of foreign trade – was 178.2 billion EUR, payments and foreign capital at a level of +39.7 billion EUR, and, after subtracting the value of current benefits (-30.2 billion EUR) and foreign trade services, gave a result, due to a decrease of export, of 162.2 billion EUR. In 2007 Germany's active balance of payments was 180.8 billion EUR. The nature of Germany's regional import and export ties are illustrated in detail in Table 1 and Table 2. We must underline that the requirements of accelerating globalization have caused Germany to clearly broaden its international trade of goods with China, India and Brazil on the threshold of the first and second decades of the 21<sup>st</sup> century; these three countries, along with Russia, comprise the BRIC association. This is important as excessive concentration of German trade with European countries, especially the EU, Poland included, leads to a series of dependencies and challenges, especially during the times of the global recession. Transferring trade outside of Europe, however, increases numerous threats to its safety, especially linked with piracy and other forms of international organized crime.
- A systematic increase of the value of Germany's direct foreign investments had taken place, from 541.861 billion USD (in 2000) to 997.459 (2005) and 1,235.989 (2007), with lower participation of cumulated foreign investments in Germany (629.711 billion USD in 2007).

- Germany maintained significant balance of payments surplus abroad. This was due to general assets valued at (in millions of EUR): 5,004,342, including those belonging to companies and private individuals: 1,151,014; as well as liabilities to the sum of 4,359,722, including those of companies and private individuals: 1,570,076, which jointly gave a positive balance of +644,620, (+780,828 for companies and private individuals).
- Average salaries per hour of labor in Germany were among the highest in the world in 2007 (30.1 USD); wages were higher only in Norway (39.6 USD) and Switzerland (32.9 USD).
- German citizens also ranked at top positions on the scale of persons whose capital exceeded 1 billion USD. In 2007 Germany was third: 833 persons, after America (3019) and Japan (1517), and outclassed Great Britain (491), France and the People's Republic of China (413). The global financial crisis that took place in 2008 affected the above statistics quite significantly, and the number of millionaires dropped. In Germany this drop was relatively small (to 810 persons), when compared with the US (2460) and Japan (1366). The world's wealthiest persons lost an average of 1/5 of their capital on the stock market and in banks, mainly American banks (without factoring in losses on the real estate market).
- Comprehensive environmental protection actions play a central role in Germany, as well as the ecological modernization of various branches of the economy and of social life. Due to this Germany is a leader among developed countries and its international activities in this field are not without impact.
- The level and quality of life in Germany is among the highest in the world due to a low inflation rate (2.8% in 2008) and high earnings combined with a shortened workday (to an average of 36 hours a week). Evidence of this can be found in the fact that Germans participate in international tourism more than any other nation; 83.0 billion USD, an average of 1009 USD per resident. Germany has outclassed America in this field – Americans spend a total of 81.1 billion USD on international travel and only 269 USD per resident.

Among the more serious shortages and challenges faced by Germany's social and economic development at the end of the first decade of the 21<sup>st</sup> century are:

- Germany is having problems with boosting its own competitive advantage in the western economy. Out of 54 highly developed countries, Germany has ranked low in the years 2008–2009. According to the Growth Competitiveness Index – 9<sup>th</sup> place, after the US, Switzerland, Denmark, Sweden, Singapore and Finland.
- Germany is dependent on the supply of numerous resources, especially energy resources, which makes the country sensitive to all price variations on the global markets.
- Germany has maintained a high rate of structural unemployment, which has not undergone significant changes in the period we are discussing – 10.7% in 2005; 9.8% in 2006; 8.4% in 2007 and 7.3% in 2008. There was a decrease

only from 4.8 million unemployed in 2005 to 3.2 million in 2008. The average unemployment rate among new EU members was higher (13.1% in 2008).

- Despite high unemployment in Germany, during the late 1990s the country noted a deficit of approximately 70,000 high-class specialists, mainly in the field of information technology (according to estimates this deficit may increase by a couple of hundred thousand within the next ten years).
- Germany's budget expenditures on social benefits are among the highest in the world. In the year 2008, out of a federal budget of 283.2 billion EUR, the government spent 45.7% on social benefits and counteracting unemployment, and 15.1% (1.5 billion EUR) on the Federation's deficit. Further expenditures included: national defense (8.7%), construction and municipal development (9.0%), education and research (3.2%).<sup>4</sup>

As a side note to the above economic and social determinants we must underline that despite many difficulties and complex internal development issues, Germany has overcome the negative consequences of the financial crisis of 2007–2009 relatively quickly and with relative ease, in comparison with the economies of many other highly developed western countries, including the USA.<sup>5</sup> All in all we can state that at the threshold of the second decade of the 21<sup>st</sup> century Germany, as a medium-sized European country, has not only played a leading role in the EU, but also as a global power in trade is strictly bound up with the global economy and trade. Maintaining this leading position guarantees, on the one hand, good life quality for its residence, but, on the other, requires that the country maintains a high level of international security and stability. It is also linked with the necessity for Germany to take on greater responsibility for safety on the European and global levels.

## 2. GERMANY'S ROLE IN TRANSATLANTIC COOPERATION

Taking into account the entirety of Germany's security concerns as part of transatlantic cooperation, especially with NATO, we can – at the end of the first decade of the 21<sup>st</sup> century – pinpoint the following main directions of interest and priorities:

- a) Improvement of NATO's stabilization missions in Afghanistan and Kosovo;
- b) Determining NATO's relationship with other large international organizations, especially the UN and the EU;
- c) Maintaining friendly and close relations with the USA;
- d) Supporting NATO-Russia cooperation along with all political and strategic implications resulting thereof.<sup>6</sup>

<sup>4</sup> More on the subject: Cziomer, *Polityka zagraniczna Niemiec w dobie nowych wyzwań globalizacji*, op. cit., pg. 30 and following.

<sup>5</sup> More on the subject: E.Cziomer, *Wyzwania światowego kryzysu finansowo-gospodarczego dla polityki Niemiec*, (in:) *Między kryzysem a współpracą gospodarczą*, red. M. Lasoń, Oficyna Wydawnicza KAAF, Kraków 2010, pgs. 51–68.

<sup>6</sup> More on the subject: Cziomer, *Polityka zagraniczna Niemiec w dobie nowych wyzwań...*, op. cit., 172 and following, *passim*.

As far as priorities b and c are concerned, with the CDU/CSU/FDP government in power since the autumn of 2009, no serious changes have been implemented in this field, and Germany's security policy is largely a continuation of the policy in force in the period between 2005 and 2009, when the Grand Coalition (CDU/CSU/SPD) was in power. This also pertained to cooperation with Russia, seen as a "strategic partnership".<sup>7</sup> The Bundeswehr maintained its participation in NATO military operations, of which the most important (towards the end of 2009), included:

- Participation in the ISAF operation in Afghanistan, where – along with 43 countries – 3,500 German soldiers and officers were located,
- The KFOR stabilization mission in Kosovo, where among 32 countries and 12,300 soldiers, Germany held command of the Pizren region (since the year 1999), sending the largest contingent of troops, counting 2,100 soldiers,
- Participation in the patrolling of the Mediterranean Sea (the Active Endeavor operation), employing a frigate or underwater vessel,
- Training approximately 175 soldiers outside of Iraq (the NTM-I Iraq mission, starting in 2004),
- The Bremen frigate, with a staff of approx. 240 (Rheinland-Pfalz) participated in the Ocean Shield operation to counteract piracy in East Africa until the end of the year 2010 (primarily until 2008, later prolonged until the end of 2010).

Since the beginning of 2008, the situation of Germany's ISAF military contingent in Kunduz grew increasingly complicated. A hitherto relatively peaceful province in the north of Afghanistan was more and more often the target of Taliban attacks, which required greater involvement of German units in direct armed operations. These units had thus less time to build roads, schools or other facilities for the Afghani civilians. The German contingent was additionally heavily criticized by ISAF allies from southern Afghanistan, as the units denied them assistance and aid on many occasions during armed operations against the Taliban, which have been underway for quite some time. German politicians and commanders strived to emphasize the civilian-military nature of ISAF operations in Kunduz and defend the greater effectiveness of their own strategy for the stabilization of Afghanistan. An event that had impact of further developments was the immobilization by the Taliban of an ISAF convoy with two fuel cisterns near Kunduz. These were used as a source of fuel by Afghani civilians in the area. German Colonel Georg Klein, without a necessary and in-depth military evaluation of the situation, interpreted it as a direct threat to German units stationed nearby. He called in American bombers for additional support and bombed the cisterns. The bombing led to 142 casualties, mainly Afghani civilians, including many women and children. In addition military commanders and the Ministry of Defense's

<sup>7</sup> Cf. *ibidem*, *Międzynarodowe implikacje partnerstwa strategicznego Niemcy–Rosja w XXI wieku*, (in:) *Zrozumieć współczesność. Księga Pamiątkowa w 75 rocznicę urodzin prof. Hieronima Kubiaka*, pod red. G. Babińskiego i M. Kapiszewskiej, Oficyna Wydawnicza AFM, Kraków 2009, pgs. 240–249.

officials did not thoroughly inform the Minister of Defense, then Franz Josef Jung from the CDU, about the course of events. Jung maintained for several weeks that the victims of the bombing were almost solely members of the Taliban, dismissed an initial assessment of ISAF's commanders and ignored the protests of the families of the victims and officials in Afghanistan, calling it a flawed assessment of the Bundeswehr's commanders. His successor, von Guttenberg, initially believed the above version of events promoted by Jung, but soon distanced himself from it – after receiving information from other sources. He further precipitated the demission of the Chief of the General Staff and Deputy Minister of Defense, who misinformed their superior, Minister Jung, and did not provide reliable information about the event to the new minister. The Bundestag created a special investigation committee to explain the event in detail. Their work indicated a series of defects in the operations of the Bundeswehr in Afghanistan, but the state's attorney discontinued the criminal proceedings. The federal government had to spend over 3 million EUR on compensation for the Afghani victims, killed during the cistern bombing.

The above – necessarily brief – description of the event had certain consequences for Germany's security policy. Hitherto most German politicians and media suggested that the Bundeswehr ISAF mission was limited only to stabilization operations. Publicity surrounding the event that had taken place on the 4<sup>th</sup> of September 2009 near Kunduz proved the opposite to be true; that stabilization operations had developed into a civil war with the use of force and weapons. In addition, these weapons are not used only to fight the Taliban, but more and more often the victims are civilians, who are formally protected by the provisions of the Hague Convention from 1907 on the Laws and Customs of War on Land. The events additionally increased civilian resistance against the ISAF units in Afghanistan. German public opinion also did not support the matter. The federal government had to take responsibility for human lives and material damages, and was obligated to compensate the families of the Afghani victims. It became increasingly harder for the Bundestag to gain support for an extension of the ISAF mission in Afghanistan; the final decision had to be made by February of 2010. The matter was also a sensitive one for Chancellor Merkel, who had – in November of 2009 – paid a visit to Washington, where she not only spoke with President Obama but also gave a speech before both houses of Congress. In 2009/2010 Merkel supported Obama's efforts to increase ISAF units in order to avoid the difficulties forecasted by the media, including even the hypothetical failure of the USA and ISAF units in Afghanistan. Obama had expected, in this situation, a greater amount of commitment from Germany in Afghanistan. This commitment had not pertained to a larger ISAF military contingent – which was then critically viewed in German – but to greater financial and material help in rebuilding Afghanistan.

The US had consequently petitioned its allies for more staff and financial support for NATO stabilization missions. Despite the financial crisis, greater engagement in Afghanistan was to be the first test of Germany's credibility. To attain this towards the end of 2009 Obama proposed to increase the US contingent in

Afghanistan by 30,000 soldiers, expecting similar declarations from the remaining allies, Germany included. The US was not eager to bear responsibility for global safety by itself. In other words, in contrast to his predecessor, George Bush Jr., Obama's new staff preferred to create not a "coalition of willing" (as in, e.g. Iraq 2003), but a "coalition of capable"<sup>8</sup> (as in, e.g. currently in Afghanistan), to undertake stabilization missions in the form of military operations, linked with a systematic increase of costs and other material support on the part of each ally. This was also linked with the allies being prepared to bear greater responsibility, along with the US, for individual decisions. Despite the German public opinion's negative approach to greater commitment in Afghanistan, the CDU/CSU/FDP government, led by the Chancellor, was forced – due to the abovementioned incident that took place on the 4<sup>th</sup> of September 2010 – to launch a wide-scale informative campaign regarding the ISAF stabilization mission in Afghanistan. This was important in order to, on the one hand, maintain and develop further good relations with the Obama Administration, and, on the other, strengthen Germany's position in NATO. The armed nature of the stabilization mission was no longer held secret, as Minister of Defense von Guttenberg termed it "an operation similar to war operations", while Minister of Foreign Affairs Westerwelle called the Bundeswehr's operations in Afghanistan simply "armed conflict". At the beginning of 2009 an experienced diplomat, Bernd Muetzelburg, was chosen as a special representative of the federal government in matters concerning Afghanistan and Pakistan, whose task was, inter alia, to maintain close contacts with his American equivalent, Ambassador Richard Hobrook, as well as with NATO, and to coordinate Germany's preparation for a conference concerning Afghanistan. The conference, at the request of the French, German and British governments, was planned for the 28<sup>th</sup> of January 2010 in London.

During a conference of NATO's ministers of foreign affairs held in Brussels on the 4<sup>th</sup> of December 2009, the German Minister of Foreign Affairs, Westerwelle, confirmed Germany's intensive actions for the stabilization of the situation in Afghanistan, postulating to talk more about the strategy concerning Afghanistan's future during the planned conference, and not only about increasing the number of military contingents by the allies. The Afghani government, especially President Karzai, should take greater responsibility for their own country. He also declared greater German commitment and assistance, especially in the development and modernization of the police force [see: Westerwelle bei NATO – Treffen in Bruesel, 4 Dezember 2009]. Due to the police force's difficult financial situation, the CDU/CSU/FDP government gave an additional 13 million EUR for the UN's LOTEA Fund (Law and Order Trust Fund Afghanistan) towards the end of 2009. Its annual volume, since 2002, is approximately 200 million. The largest donations are made by the US, Japan and the European Commission. Germany's input in 2009 was 50.3 million EUR in total. Germany's strategy concerning Afghanistan was elaborated by a group of experts – military and diplomats – from the Chancellery, foreign affair and defense departments. The strategy was called Transferring

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<sup>8</sup> The terms are my own – E.C.

Responsibility (Uebergabe in Verantwortung). Following remarks from all interested departments and following the federal government's approval (on the 25<sup>th</sup> of January 2010), a comprehensive document was elaborated, meant to be an interdepartmental legal basis for prolonging the Bundeswehr's mandate until 2010, and Germany's standpoint during the conference in London was entitled Afghanistan. On the Road to "Transferring Responsibility". The main elements and theses of the above documents were restated by Chancellor Merkel on the 27<sup>th</sup> of January 2010, where she declared, inter alia, that the federal government's strategy regarding Afghanistan is – for the Afghans to take on greater responsibility for their country, for Germany to provide greater development aid and to train Afghani police and military as well as to strengthen the German ISAF contingent. During the Afghanistan conference on the 29<sup>th</sup> of January in London the federal government was represented by Minister of Foreign Affairs Westerwelle, who declared that an additional military contingent of 500 soldiers would be sent to Afghanistan. This took place in February of 2010, after the Bundestag's approval, given the same month. Additionally, Germany declared that it would allot an additional 50 million EUR in total for parliamentary elections in Afghanistan. The realistic period that the Bundeswehr's units would begin leaving Afghanistan was set for the threshold of 2014/2015.

In general we can state, based on the above outline of Germany's strategy regarding Afghanistan, that Chancellor Merkel's speech in Bundestag the day before the London conference and her meeting with H. Karzai, the president of Afghanistan, who was on that day paying a short visit to Berlin, as well as the various statements made by Minister of Foreign Affairs G. Westerwelle and Minister of Defense T. zu Guttenberg that the CDU/CSU/FDP government's role and standpoint had a significant impact on the elaboration of the final document and the results of the London conference. This is confirmed by a special communication issued by the federal government on the 29<sup>th</sup> of January 2010, which emphasizes, inter alia, the following chief achievements of the conference:

- The Afghani government's obligation to establish full safety in the country by 2014, enabling ISAF armies to withdraw from Afghanistan.
- Germany had decided to send an additional military contingent to north Afghanistan, counting 500 soldiers, leaving an additional 350 soldiers, trained for special missions, in "strategic" reserve.
- Germany would also increase the number of instructors to train the Afghani police, from 123 to 200 persons.
- Establishing a point of emphasis: striving to quicken the training of Afghani military and police forces, in which Germany will be greatly engaged.
- Germany is also ready to quicken the reconstruction of road infrastructure and the construction of new schools; to obtain this objective Germany shall double its annual support to the sum of 430 million EUR.
- Germany strongly supports the concept of "national unification", which will enable discussions with moderate members of the Taliban, especially young members who want to sever their ties with terrorism and return to their own homes.

- Germany fully supports calling the so-called Peace Jurga which will oversee the Afghani national unification process and support it with the sum of 10 million a year during the years 2010–2014.<sup>9</sup>

In 2010 Germany preliminarily assumed a new program to replace the general defense obligation with a professional army. The matter has sparked a series of controversies, but the CDU/CSU/FDP government wants not only to decrease number of the Bundeswehr's soldiers to approximately 185,000, but also to bridge the gap in military modernization, in relation to the level of the British or French armies.

Germany, along with France, as the cohosts of the NATO summit in Kehl-Strasbourg held at the beginning of 2009, made a significant input to the preparation of NATO's new strategic concept, subsequent to consultations during the Lisbon Summit, held on the 19<sup>th</sup>–20<sup>th</sup> of November 2010. German specialists cannot agree on the significance of the above concept for NATO's future. The Konrad Adenauer Foundation's experts, associated with the CDU, gave a positive assessment of NATO's new strategic concept, viewing the discussion regarding the final version of Article 5 as a rational compromise between countries who favor allied operations in the defense of their own territory and tendencies to assign greater meaning to stabilization and prevention operations outside of NATO's territory. Simultaneously there were opinions that there is a need to elaborate a concept for the construction of a common missile defense system for all of NATO and to intensify NATO-Russia cooperation.<sup>10</sup> Left-wing experts, on the other hand, severely criticized the aggressive and provocative nature of NATO's new strategic concept, which in essence does not stand for international stabilization, but is rather a list of guidelines for further "improvement of future wars".<sup>11</sup>

### 3. THE INTEREST AND AIMS OF GERMANY'S SECURITY POLICY IN THE CONTEXT OF NEW INTERNATIONAL CHALLENGES AND THREATS ON THE THRESHOLD OF THE SECOND DECADE OF THE 21<sup>ST</sup> CENTURY

Due to its geo-political location in the heart of Europe, the country's economic potential and the abovementioned interests and global ties associated with this potential, Germany did not experience – after the reunification in 1990 – a direct military threat. In its current, though partially outdated, security strategy, elaborated in 2006, non-military threats to external safety are awarded more signifi-

<sup>9</sup> Ibidem, pgs. 180–186.

<sup>10</sup> Cf. P.Keller, Die Selbstvergewisserung der NATO: Das neue Strategische Konzept, [in:] *Analysen und Argumente der Konrad Adenauer Stiftung*, Berlin 2010.

<sup>11</sup> See: C.Schreer, Das neue Strategische Konzept der NATO: Das Kursbuch zur Perfektionierung zukünftiger Kriege, [in:] *isw- Institut für sozial-ökologische Wirtschaftsforschung e. V.* – <http://isw-muenchen.de/download/nato-cls-201011.pdf>.



cance.<sup>12</sup> These threats have been specified in detail in the latest political-military guidelines issued by the Ministry of Defense on the 27<sup>th</sup> of May 2011, which will remain in force until a new security strategy is enacted for the entire Federal Republic.

The second subchapter of this document has been fully devoted to an exploration of the external security threats and risks to Germany – the strategic security environment (Das strategische Sicherheitsumfeld). The essence and focal elements of the threats and risks for Germany formulated therein can be presented as follows:

- Germany's strategic security environment has undergone further changes following the consequences of globalization which had led to a change in the balance of forces between groups of countries and the development of new regional great powers,
- Threats to security arise today mainly due to fallen or splitting countries or groups of countries,
- This situation has led to an intensification of international terrorism as well as the development of dictatorial regimes as well as other networks of organized international crime,
- Additional threats are the outcome of ecological and climate-related catastrophes and intensification of international migration,
- Huge challenges are posed by difficulties in obtaining and insufficiencies of natural goods and raw materials, as well as the rapid spread of infectious diseases, epidemics, etc.,
- Serious threats are also posed by the destruction of IT infrastructure and related techniques, inter alia due to so-called cyber-attacks and a series of other attacks.<sup>13</sup>

The above guidelines also additionally indicate the intensification of an accumulation of the abovementioned threats, which often take place far from Germany's borders, but impact on the safety of trade routes and the supply of raw materials (e.g. sea piracy off the shores of Somalia and the Indian Ocean), as well as the relatively potential threat of weapons of mass destruction used by terrorists and other groups of organized crime (e.g. in Pakistan). These threats create the necessity to modify the interests and objectives of Germany's external security policy. The abovementioned guidelines formulate Germany's interests related with security policy in this context as follows:

- Counteracting crises and striving to counteract international conflicts which impact on the safety of Germany and its allies,
- Improving transatlantic security and cooperation,
- Offering support to human rights and principles of democracy in international relations, striving simultaneously to gradually limit the developmental disproportions between the poor and wealthy regions of the world,

<sup>12</sup> Cf. Weißbuch. zur Sicherheitspolitik Deutschlands und zur Zukunft der Bundeswehr. Hrsg. vom Bundesministerium für Verteidigung, Berlin 2006.

<sup>13</sup> See: Verteidigungspolitische Richtlinien vom 17. Mai 2011 [in:] <http://www.bmvg.de/portal/a/bmvg>, pgs. 1–3.

- Ensuring free trade and access to seas and oceans as well as natural raw materials.

The following objectives and tasks of German security policy are derived from the interests listed above:

- Ensuring safety and protection for the country's own citizens,
- Protection of Germany's territorial integrity and the territorial integrity of its allies,
- Continuing the battle against international terrorism,
- Further development of development assistance and providing humanitarian aid,
- Accepting greater international responsibility,
- Support for abiding by the norms of the international legal system,
- The need for strict cooperation between Germany as part of NATO, the EU and the UN, including participation in peace and stabilization missions and rescue and evacuation missions, which have to, however, be within the norms set by German and international law.<sup>14</sup>

This requires Germany to be more engaged in international security and stabilization, not only within the frames of general political declarations, but also in specific allied operations. Towards the end of the first decade of the 21<sup>st</sup> century, the German Chancellery took a leading role in the coordination of external security policies. Politicians comprising the main ruling party – the Christian Democratic Party – additionally administered focal security departments, the Department of Defense and Department of Interior Affairs, while the coalition (SPD; 2005–2009 and FDP; after 2009), administered only the Department of the Exterior.

The abovementioned interests and objectives of Germany's security policy unequivocally indicate that, as a great power in Europe with global interests, the country must – at the threshold of the second decade of the 21<sup>st</sup> century – face various new international challenges and threats. This requires the country to engage seriously in solving these problems, in coordination with allies. The main difficulty, however, is that in 2010/2011 the ruling liberal-conservative party led by A. Merkel lost its majority in the German Bundesrat, and was thus forced to seek alliance with the opposition in certain matters concerning security policy, among which – especially among the Alliance '90/The Greens – pacifistic tendencies materialized. It was thus harder to gain required support for the Bundeswehr's NATO stabilization missions in the Bundestag. For the Bundeswehr to be sent to operate an outside mission, a series of important requirements and legal-political criteria have to be fulfilled, of which the most important are:

- Does the mission have a legal and international mandate?
- As part of which missions is the mandate to be executed?
- Does the mandate take under consideration German values, principles and interests?
- To what extent does the mandate harmonize with the general political concept and its various instruments?

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<sup>14</sup> Ibidem, pgs. 4–6.

- What are the chances of solving the conflict as part of the mandate, or create circumstances for discontinuing the use of force?<sup>15</sup>

In the context of lessening parliamentary support for the liberal-conservative party and intensification of a series of interior political controversies since the beginning of 2011, Germans must take a stand concerning new international and national security threats and challenges, of which the following are of focal importance:

- Adequate response to the civil war in Libya in the context of democratic transformations taking place in the Arab world and NATO's role,
- Accelerating the Bundeswehr reform and counteracting new internal and external threats to Germany.

The framework of this article allows the author to only indicate the most important elements of the above issues and their individual scope.

Since the country's reunification in 1990, Germany has been endeavoring to secure permanent membership in the United Nation's Security Council (UNSC), aspiring to augment its responsibility for international security. Required diplomatic initiatives have brought no success, but the Federal Republic's role on the UN forum has been an active one – although the country prefers peace support operations.

At the beginning of 2011 Germany became a nonpermanent member of the UNSC for a period of two years, to face the problem of taking proper actions with regard to democratic changes taking place in Arab countries in North Africa. The effects of these actions were, *inter alia*, the overthrow of the dictatorships in Egypt and Tunisia and a civil war in Libya.<sup>16</sup> The CDU/CSU/FDP government generally supported the transformations taking place in the Arab world, but at the beginning of 2011 it refrained from voting for the UNSC's resolution concerning NATO's authority to control the flights of M. Gaddafi against Libyan rebels, along with Russia, the People's Republic of China and Brazil. Germany's stance obviously was in opposition to that of its western allies – the USA, France and Great Britain – who, as permanent UNSC members, supported resolution no. 1973 and were actively engaged in the aforementioned operation in Libya.<sup>17</sup> Without going into details of such a decision, we should look for the answer to the following question: why did the CDU/CSU/FDP government, and Chancellor Merkel, decide to take this step and face criticism from the media, including German media, as well as from its allies? It was possible to formally vote at the UNSC for the resolution, and refrain from participating in the armed operations against Gaddafi's regime, as many NATO member countries had done, including Poland.

We can try outlining Germany's objectives and reasoning concerning NATO's intervention against Gaddafi's regime in Libya in the following manner:

<sup>15</sup> Cf. Für eine neue Ausrichtung deutscher Sicherheitspolitik, *op. cit.* p.7 Sicherheitspolitik.

<sup>16</sup> Cf. More on Germany's standpoint – Aufstand in Arabien, [in:] Internationale Politik Nr 2 Maerz/ April, Berlin 2011, pgs.10–45.

<sup>17</sup> See: Nach der UN-Resolution, [in:] FAZ.NET from the 18th of March 2011.

- It was a function of the country's internal policies resulting from pacifistic tendencies in Germany, and to an even greater extent dictated by the upcoming national elections in Baden-Württemberg and Rhineland-Palatinate on the 27<sup>th</sup> of March 2011, where the Christian Democratic Party and the Liberal Party were on the defensive. The step – just like the moratorium on work on selected nuclear reactors as an outcome of the catastrophe in Fukushima – did not bring positive results. The elections were won by the Alliance '90/The Greens and the SPD, further complicating the rule of the CDU/CSU/FDP on the federal level.
- Germany decided to completely withdraw its ships and planes from the Mediterranean area due to financial reasons and political calculations. The country deemed that the NATO operation, enforced mainly by France and Great Britain, will be very expensive and will not gain broad international approval in the long run, especially from the Arab world and in Africa.
- Germany did, however, become engaged in solving humanitarian issues as well as in helping to reorient developmental policies and increasing aid for Arab countries in North Africa and the Near East with greater financial assistance. In April and in May the country once again played an important role on the EU's various forums.<sup>18</sup>
- Without doubt Germany exposed itself to severe criticism from France and Great Britain due to its stance concerning NATO's intervention in Libya. The criticism from the Obama administration in the US was, however, moderate – especially since Germany had amplified its allied operations in Afghanistan against the Taliban. Obama officially invited Chancellor Merkel to Washington and bestowed upon her the Presidential Medal of Freedom, the highest civilian award in the United States. At the same time German-French and German-English tension was lessened. This was necessary as in May and June of 2011 the matter of further aid for Greece went into the final phase, which could not have been agreed upon without cooperation with Germany.<sup>19</sup>

As a side note we can state that analyses have appeared concerning an assessment of Libya's internal situation and NATO's armed interventions. The first was carried out by an expert of a renowned research center in Berlin – the German Institute for International and Security Affairs – which analyzes the armed conflict in Libya through the prism of the civil war, which, even after Gaddafi, his family and confidants were removed from power, did not lead to swift peace and stabilization. The scenarios included in the analysis suggest a breakup and division of Libya, or long-term attempts to maintain the country as a unified nation.<sup>20</sup> The second analysis was written by a specialist of the Bundeswehr University in

<sup>18</sup> Cf. Der Halbierte beim Rueckkehr, [in:] FAZ.NET from the 20th of June 2011 and RFN: plan intensyfikacji relacji gospodarczych z krajami Maghrebu, [in:] Ośrodek Studiów Wschodnich from 2011-02-16 – [www.osw.waw.pl](http://www.osw.waw.pl).

<sup>19</sup> See: Wie viel zusaetzliches Geld braucht Giechenland, [in:] FAZ.NET from the 10th of June 2011.

<sup>20</sup> Cf. W.Lacher, Libyen nach Kqaddafi. Staatszerfal oder Staatsbildung?

Hamburg, and very critically assesses the intervention's political preparations as well as the course of NATO's military operations, indicating lack of consequently executed political and military strategy, where France and Great Britain employed the United States' lack of greater interest and imposed its overly ambitious aspirations and operation plans, of which there is no end, and which can cause a series of international complications.<sup>21</sup> The new Minister of Defense, Thomas de Maziere, also clearly opposes sending German soldiers to Libya, yet expects that if NATO operations in Libya will, as will probably be the case, become drawn out in time, Germany will have to provide not only humanitarian aid, but also support its allies with air-attack operations.<sup>22</sup>

As already mentioned above, one of the main deficiencies of Germany's security policy is the discussion involving the reform of the Bundeswehr – underway since the country's reunification in 1990 – which has not brought satisfying results. In 2010 Chancellor Merkel's liberal-conservative government decided, succeeding initial attempts to shorten the period of the draft, to end the draft on the 1<sup>st</sup> of July 2011 and in turn create a professional army. Plans are to reduce the Bundeswehr from approx. 300,000 to approx. 185,000 soldiers, including 170,000 professional soldiers and 5–15,000 military volunteers. A specially trained peace mission and stabilization mission unit for operations outside of Germany is to count 10,000 soldiers (previously 7,000). The defense department also plans to significantly increase the number of military staff and the number of departments comprising the Ministry of Defense, as well as to close many permanent military accommodations, which has given rise to a series of protests and controversies in various federal states and among the leaders of the Bundeswehr, which is an important employer and creates many workplaces – also for civilians – throughout the entire Federal Republic of Germany.<sup>23</sup>

The most important challenges linked with the realization of the Bundeswehr reform initialized in 2010, which should be carried out by the year 2014, include:

- Carrying out the reform by 2014 by reaching the target employment level (for example – by the end of 2011 approx. 25,000 professional soldiers were to be employed, while only 5,000 applied),
- Financial problems; 32 billion euros are to be annually spent on the entire Bundeswehr reform, while at the same time the CDU/CSU/FDP government plans to save 8 billion euros, which does not seem to be realistic,
- The Bundeswehr is to carry out an ambitious modernization program concerning equipment and weapons, as well as cooperate with NATO allies in Europe,

<sup>21</sup> Cf. A. Pradetto, *Intervention in Libyen zwischen Regimewechsel und umanitaeren Anspruch*, [in:] *Internationale Politik* Nr 3 Juli/August, Berlin 2011 pgs. 53–59.

<sup>22</sup> See: *Deutsche Soldaten in Libyen?* [in:] *FAZ.NET* from the 14th of June 2011.

<sup>23</sup> See: *Verteidigungspolitische Richtlinien vom 17. Mai 2011*, op. cit, p, 10 and following.

- The necessity to prepare for stabilization and peace mission, to partially decrease disproportions in relation to the French and British armies.<sup>24</sup>

The Bundeswehr reform is to modernize the army in order to forge it into a significant political and military force in Europe.

The threat of so-called cyber-attacks has become serious challenge for interior security. In 2010 approx. 200 cyber-attacks were carried out within the territory of Germany. These were relatively dangerous attacks of unknown criminal groups and hackers carried out on important government buildings, the aim of which was the theft of confidential national information, or the destruction of computers and other important devices. For this reason the Ministry of Interior Affairs created at the threshold of 2010/2010 a National Cyberdefense Center (Cyber-Abwehr-Zentrum) in Berlin. It is currently in the phase of intense development, and is at present occupied with collecting materials and exchanging experience with allied countries. Apart from counteracting international terrorism, with which Germany had been concerned with for many years, the center is an important element in the country's endeavor to counteract modern threats to internal security, with many significant international implications.<sup>25</sup>

## CONCLUSIONS

The above analysis of Germany's standpoint on the challenges of international security at the threshold of the second decade of the 21<sup>st</sup> century offers the following conclusions:

- 1) For historical reasons and due to the country's interior policies, Germany prefers to maintain its international role as a civil power (Zivilmacht).
- 2) Western allies, with the US as the forerunner, expect Germany to become more engaged in solving the political and military problems faced by modern societies.
- 3) Germany abstained from voting on March of 2011 in the UN Security Council vote on intervention in Libya against Gaddafi's regime. This indicates serious dilemmas and challenges for Germany's security policy. The above standpoint is motivated both by interior policy factors as well as financial factors and a critical assessment of NATO's operations in Libya hitherto – their planning and progression.
- 4) At the threshold of the first and second decades of the 21<sup>st</sup> century Germany commenced work on a new strategy regarding their security policy, in which focal elements include counteracting new interior challenges and threats, as well as a military (Bundeswehr) reform.

<sup>24</sup> Cf.: P. Keller, Die strategische Neuausrichtung der Bundeswehr, [in:] Analysen und Argumente Nr. 92, Berlin 2011 – [www.kas.de](http://www.kas.de) and S. Ch. Brune/ M. Dickow/ H. Linnenkamp/ Ch. Moelling, Die kuenftige Bundeswehr und der Europaeische Imperativ, [in:] SWP-Aktuell Nr 15, Berlin 2011 pgs. 3–8.

<sup>25</sup> Cf. P. Keller, Nichttraditionelle Herausforderungen für deutsche Sicherheit Politik, Hrsg. Konrad Adenaer Stiftung, Berlin 16 Juni 2011 [in:] [www.kas.de/wf/de33.23050](http://www.kas.de/wf/de33.23050).

- 5) A recent government decision (CDU/CSU/FDP) from mid-March of 2011 concerning the liquidation of all German nuclear power plants until the year 2022 due to the Fukushima nuclear disaster in Japan has a series of implications for the nature of future energy safety and environmental protection in Europe and on the global scale.

## APPENDIXES

Table No. 1. Regional layout and value of Germany's import in the years 2005–2008 (in millions of EUR)

Countries/ years	2005	2006	2007	2008
UE-27 countries, including:	371 136	423 731	449 691	478 050
Belgium	28 849	33 388	36 259	39 775
France	52 700	62 102	62 873	66 710
Italy	36 348	41 470	44 694	45 962
Holland	51 823	60 750	61 951	72 083
Great Britain	39 069	40 832	41 966	44 261
EFTA countries (1)	38 432	45 631	48 384	54 330
NAFTA countries ( 2)	46 617	56 212	53 284	54 102
Including the US	41 798	49 197	45 993	46 060
ASEAN countries (3)	16 348	18 418	19 179	19 217
BRIC countries (4)	72 451	91 286	98 539	109 911
Including China (5)	40 845	49 958	56 417	59 378
Other countries, including	83 103	98 715	100 810	103 010
Japan	21 772	24 016	24 381	23 087
All African countries apart from NAFTA countries and Brazil	13 761,3	16 734,3	16	19 700,3
Import in total	91 994,1	104 153,7	100 768,9	101 951,8
Import in total	786 266	893 042	965 236	994 870

Legend: 1–5

Legend for Table No. 1 regarding economic grouping: 1) EFTA = Island, Lichtenstein, Norway and Switzerland; 2) NAFTA = Canada, USA, Mexico; 3) ASEAN = Brunei, Indonesia, Cambodia, Laos, Malaysia, Myanmar (formerly Burma), the Philippines, Singapore, Thailand, Vietnam; 4) BRIC = Brazil, Russia, India and China; 5) China = without data for Hong Kong and Taiwan.

Source: Statistischer Jahrbuch 2009 für die BRD, Wiesbaden 2009, s. 478.

Table No. 2. Regional spread and value of export without excess balance for Germany in the years 2005–2008 (in millions of EUR)

Countries/ years	2005	2006	2007	2008
UE-27 countries, including:	505 716	564 864	623 837	632 953
Belgium	43 613	725	50 689	51 635
France	79 039	85 006	91 665	96 859
Italy	53 855	59 348	64 499	64 003
Holland	49 033	56 531	62 948	65 644
Great Britain	60 394	64 726	69 760	88 788
EFTA countries (1)	36 300	42 635	45 138	47 567
NAFTA countries (2)	80 706	90 859	86 248	84 856
Including the US	69 299	77 991	73 327	71 467
ASEAN countries (3)	12 657	14 563	15 495	15 569
BRIC Countries (4)	48 190	63 614	7 247	83 252
Including China (5)	21 235	27 478	29 902	34 096
Other countries, including Japan and African countries	102 697	117 008	122 270	130 944
All of North and South America, apart from NAFTA countries and Brazil	13 338	13 886	13 022	12 806
	14 806,9	16 617,2	17 572,2	19 700,3
	91 994,1	104 153,7	100 768,9	101 951
Import in total	628 087	733 994	796 887	818 621

Legend for Table No. 2 regarding economic grouping: 1) EFTA = Island, Lichtenstein, Norway and Switzerland; 2) NAFTA = Canada, USA, Mexico; 3) ASEAN = Brunei, Indonesia, Cambodia, Laos, Malaysia, Myanmar (formerly Burma), the Philippines, Singapore, Thailand, Vietnam; 4) BRIC = Brazil, Russia, India and China; 5) China = without data for Hong Kong and Taiwan.

Source: Statistischer Jahrbuch 2009 für die BRD, Wiesbaden 2009, p. 478.



Piotr Patalong, Mariusz Skulimowski

# EXPERIENCE AND CONCLUSIONS REGARDING THE FUNCTIONING OF THE SPECIAL FORCES WITHIN THE ARMED FORCES OF THE REPUBLIC OF POLAND

## THE ESTABLISHMENT OF THE SPECIAL FORCES WITHIN THE STRUCTURE OF THE ARMED FORCES OF THE REPUBLIC OF POLAND

In response to the geo-political transitions occurring worldwide, and as a result of the terrorist attack on the World Trade Center on 11 September 2001, a NATO summit was organized in Prague in November 2002. This was when the Polish party declared its willingness to recognize the Special Forces as “their national specialty” in the Military Alliance. On 15 May 2006, in connection with this declaration, **Poland, the United States, the Netherlands and Norway** presented a document entitled: “The NATO Special Operations Forces Transformation Initiative (NSTI)” to the North Atlantic Council. Poland, as one of four NATO countries, was in favor of increasing the potential of the Special Operations Forces<sup>1</sup>, recognizing

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<sup>1</sup> The study uses the name “the Special Operations Forces” (SOF) to refer to the NATO Special Forces, whereas the Polish special military units are referred to as the Special Forces, in accordance with national military nomenclature.

the need to establish the kind of Treaty institutions that would be capable of coordinating the development and exploitation of the Special Operations Forces on a strategic level.

The reference initiative was approved by NATO and, in accordance with the document presented, the implementation arrangements were made during the 2006 NATO Summit in Riga. As a result, **the NATO Special Operations Coordination Center (NSOCC)** was established within the Allied Command for Operations (ACO) in Mons, Belgium. In response to the initiative, **the Special Operations Command (SOC)** was set up at the end of 2005 within the NATO command structures and the General Staff of the Polish Armed Forces. It was entrusted with laying down the necessary formal, legal and organizational conditions to create a new type of Special Armed Forces – **the Special Forces** and **the Special Forces Command**.

While defining the principal development directions of the Armed Forces within the Defense Program for 2007–2012<sup>2</sup>, in view of the future threats and challenges to be faced by the Armed Forces, it was recommended that a new type of military forces, referred to as **the Special Forces**, be established, together with **the Special Forces Command**. These recommendations were approved by the Minister of National Defense in his decision of 25 October 2006 regarding the formation of the **Special Forces Command** as of 1 January 2007.

The new type of military forces consisted of all Polish special military units, previously operating within various structures and under different commands. **GROM, the Mobile Operational Reaction Group**, was directly subordinated to the Minister of National Defense. **The 1<sup>st</sup> Special Regiment** (currently referred to as the **COMMANDOS Military Unit**) was one of the units supervised by the Army Command, whereas **the Frogmen Special Groups** (currently referred to as the **FORMOZA Military Unit**) were included in the Reconnaissance Ships Group of the 3<sup>rd</sup> Naval Fleet, subordinated to Naval Command.

It should also be noted that although the formation of the Special Forces Command constituted a huge change in the Polish Armed Forces, the fact that it was assigned the role of the Armed Forces Type Command, in line with the existing Army, Air Force and Naval Commands, should be viewed as the most revolutionary. Equally innovative provisions involved the command mode and the military forces delegation to various operations. Only the Chief Commander of the Special Forces performs the role of both the Force Provider and the Force User in the course of the operations conducted<sup>3</sup>.

<sup>2</sup> In accordance with § 8 Point 2 of the Regulation of the Council of Ministers dated 15 June 2004 on the Conditions and Mode of Planning and Financing the Tasks Implemented as Part of the State Defensive Work by Government Administration Bodies and by Local-Government Bodies, defence programmes were to be drafted for six-year periods. In 2007, under the Regulation by the Council of Ministers of 3 October 2007, these programme cycles were adjusted to the mode applied by NATO as middle-term programming in ten-year cycles.

<sup>3</sup> The Act on the General Obligation to Defend the Republic of Poland of 24 May 2007, Article 3, Point 3 and Article 13a, Point 2.

In the period 2007–2012, the Special Forces underwent a number of organizational and dislocation-related changes, aimed at determining the proper functional structure that would allow the effective carrying out of their duties. The current structure and position of the Special Forces Command is presented in Figure 1.

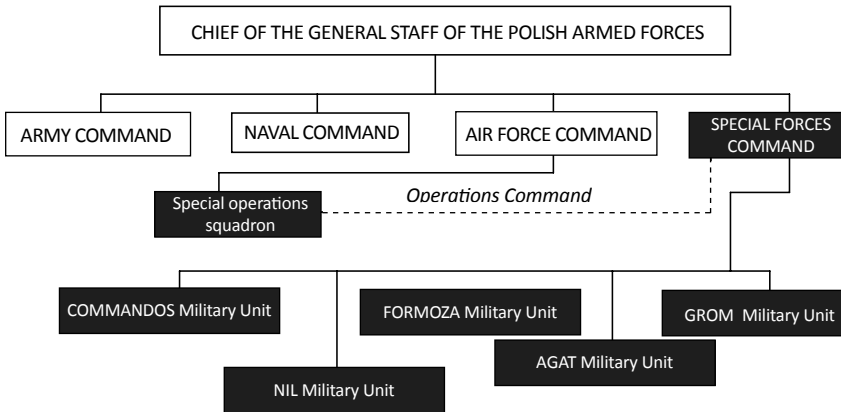


Figure 1. The structure of the Special Forces and their position within the command system of the Polish Armed Forces

Source: author's presentation.

#### THE SPECIAL FORCES DUTIES ARISING FROM THEIR ROLE IN THE POLISH ARMED FORCES

The duties entrusted to the Special Forces arise from the strategic and political conditions relating to the national security of Poland, and also from their role within the State security system. **The National Security Strategy of the Republic of Poland**, announced in 2007, strengthened the position of the Special Forces within the command system of the Polish Armed Forces. It further defined the duties to be assumed by the Special Forces<sup>4</sup>. These mainly included preventing asymmetrical threats and undertaking cooperation with other entities operating within the State security system. It was also considered essential to foster the development of these forces with the view to their most efficient utilization.

**The Defense Strategy of the Republic of Poland**, constituting the sector-specific strategy of the Polish National Security Strategy, was another strategic document defining the duties delegated to the Special Forces. It emphasized the role and position of the Special Forces even more expressly. The most important statements include defining the operational space, both domestically and abroad, in times of peace, crisis and war, in order to achieve strategic and operational objectives<sup>5</sup>.

<sup>4</sup> The National Security Strategy of the Republic of Poland, Warsaw 2007, p. 25.

<sup>5</sup> The Defence Strategy of the Republic of Poland, Warsaw 2009, p. 22.

## EXPERIENCE RELATED TO THE FUNCTIONING OF THE SPECIAL FORCES WITHIN THE POLISH ARMED FORCES

Due to their role within the State security system and the duties performed, the Special Forces, despite their short history as a military unit, have gathered rich experience related to their functioning in times of peace, and, especially, to their participation in combat operations. A list of conclusions and experiences related to the functioning of the Special Forces Command, including the units directly subordinated to the Command of the Polish Armed Forces in 2007–2012, is presented below.

1. The establishing of the Special Forces Command complied with the political decisions made by Poland at two NATO summits. It was a milestone in earning the status of a reliable and serious special operations partner within the North Atlantic Treaty Organization.
2. The formation of the Special Forces has strengthened national defense. They will constitute a supplementary power within the Polish Armed Forces in the event of conventional crises, constituting the principal tool of responding to contemporary threats defined, e.g., in the national Joint Doctrine D/01(C) of 2009<sup>6</sup>.

Contemporary threats to the State and citizens' security are mostly of a non-military nature, and they are posed by the States or non-State organisations which have hostile intentions towards other States or organisations, as well as the sufficient means to realise their threats.

Figure 2. Threats to national security

Source: The Joint Doctrine D/01 (C), p. 34.

3. The Special Forces constitute an immediate reaction agent in special circumstances, such as the kidnapping of Polish citizens outside the country, the posing of a threat to diplomatic posts, or the need to evacuate Polish citizens from insecure territories. They also perform a prominent role in the allied/coalitional operations conducted in the case of asymmetrical conflicts. Their significance is expressly reflected in the ISAF mission, during which the Special Forces, accounting for less than 8% of the entire contingent of the Polish Armed Forces, have achieved up to 60% of the entire operational result (e.g. catching key leaders of terrorist organizations or liquidating ammunition dumps). They currently act as the only national entity satisfying the needs related to image reconnaissance by the Polish military contingent.

<sup>6</sup> Further details available in the Joint Doctrine D/01(C), Warsaw 2009, Point 1044, p. 34 and subsequent pages, and in the latest Allied Joint Doctrine – AJP 01(D) of 2010, p. 2.

4. The establishing of the Special Forces contributed to the State defense system with the principal element of supporting the forces subordinated to the Minister of the Interior in reacting to the internal security threats of terrorist types. This was fully proven during the preparation and conducting of the security-related operations in the course of the largest mass event held in Poland, i.e. the European Football Championship EURO 2012. The selected squads of the Special Forces (referred to as Task Forces – TF)<sup>7</sup>, together with a complex communications system, smoothly integrated with the forces and resources assigned for this purpose by the Minister of the Interior.
5. Constructing a consistent command, support and protection system, dedicated to special operations. The Special Forces consist of three combat units (**the GROM, COMMANDOS and FORMOZA Military Units**), a combat support unit (**the AGAT Military Unit**), and an IT support and logistics protection unit (**the NIL Military Unit**). The Special Forces operations are further secured by a special Air Force unit (**the 7<sup>th</sup> Special Operations Squadron**), subordinated to the Chief Commander of the Air Force. What merits special recognition is the ability to conduct operational analyses and to benefit from the experience gathered during various training courses and missions abroad, which have allowed the adjusting of the organizational structures to the requirements of contemporary battlefields and to emerging threats.
6. The Special Forces are capable of the independent conducting of special operations in all types of environment (land, air and sea), which makes them the only *joint*<sup>8</sup> type of Polish Armed Forces. The Special Forces can conduct operations separately or as support for other armed units.
7. The construction of a complex communications system for the Special Forces by appointing full-time communications teams/officers, and by delegating them to the key institutions/commands within the command system of the Armed Forces, allows the coordinating of the planning and conducting of special operations.
8. Pursuing the process of attaining the status of a *Special Operations Forces Framework Nation (SOFFN)* by the Special Forces Command, planned to be completed by the end of 2013, will make the NATO countries perceive Poland as the Eastern European leader that reforms its Armed Forces in line with contemporary threats. Several times the leading NATO figures, politicians and representatives of the US Armed Forces have considered Poland an example to follow for other countries reforming their Armed Forces. As a result of the wide involvement of the American party, a *Memorandum of Understanding (MoU)* was signed by the United States Special Operations Command (US SOCOM) and the Polish Special Forces Command. The Central and Eastern European countries, such as Lithuania, the Czech Republic, Slovakia, Croatia, Hungary and Germany, also joined the managerial process effected by Poland. It should be especially noted that attaining SOFFN status by Poland is the most

<sup>7</sup> The Task Force was defined in the Doctrine DD/3.5 Special Operations, Krakow 2011, p. 30.

<sup>8</sup> AAP-6 NATO Glossary of Terms and Definitions, 2007, p. 213.

straightforward, fastest and cheapest way to take over the command of NATO military operations (in 2014).

9. The role of the Chief Commander of the Special Forces, defined as both the Force Provider and the Force User, leads the Special Forces Command to act both as the Armed Forces Type Command and as the Armed Forces Operational Command as regards the command in operations/special military units. For this reason, both the structure and the duties entrusted to the Special Forces Command differ from other commands of the military forces. Nevertheless, it should be stressed that, due to such legislative provisions, the Chief Commander of the Special Forces can have an impact on the preparation and training of operational forces – acting as the Force Provider. He/she may also promptly and efficiently react to the changing operational situation, and adjust the type and amount of delegated forces (including mainly Task Forces, Assault Forces, support and protection units) – fulfilling the role of the Force User.
10. Given the specific needs of the Special Forces – *cutting-edge technological solutions, short production series and the introduction of modifications already after starting the acquisition process* – it is essential to allow them to purchase military equipment themselves. This entails the possibility of the using of budget resources by the Chief Commander of the Special Forces.
11. It is common knowledge that the training process of the Special Forces operators (Task Force soldiers) is long and very expensive. An average training course takes around three years until the soldiers attain their operational readiness. Experience further indicates that the training process of an operational officer of the Special Forces Command also lasts around two/three years. This results from the specificity and the wide array of duties performed by the Special Forces, and from the necessity to effectively function in an international domain (English being the principal working tool). The methodological and systematic Special Forces training is conducted in the NATO schools and training centers (e.g. in NSHQ Chievres), and also, with a view to increasing training efficiency in the country through mobile training teams delegated from the SOCEUR, SOCOM and the Oberammergau NATO School. The main emphasis is put on planning and commanding allied special operations, on conducting reconnaissance operations and on using advanced equipment and technologies (*secret communications, digital recognition techniques and biometrics*). The outflow process of the Special Forces Command staff was especially impacted on by the command dislocation changes in 2007–2009, as part of the staff did not decide to once again change their garrisons.
12. The assumed development directions of the Special Forces in 2009–2018, and their follow-up as part of “The Special Forces Development Program for 2013–2022,” allow the increasing of the number of combat units in the Special Forces, making them independent, and expanding their combat potential and their efficiency to cooperate with conventional forces, in order for them to be employed on the contemporary battlefield, in times of peace, crisis and war.

## SUMMARY

The decision on establishing the Special Forces Command within the Polish Armed Forces was not a sudden decision, taken on impulse or in reaction to an important event. Following this decision, all national entities, operating both on the political level, responsible for developing strategies, and on the military-strategic level, responsible for determining the development directions of the Special Forces, acted jointly, being aware of the essence, role and duties of the Special Forces in the State security system.

It is also worth emphasizing that the formation of the Special Forces Command was based on the philosophy of the gradual achievement of the target, which assumed the reconstructing of the organizational structures and establishing a module-task structure in a few or even several years' time.

It is assumed that the implementation of the organization and the modernization-related objectives and undertakings in 2009–2018 will make it possible to increase the number of combat units of the Special Forces, and to considerably expand their operational potential and their effective utilization on the contemporary battlefield. The manpower of the Special Forces within the Polish Armed Forces will oscillate around three percent of the entire manpower of the Polish Armed Forces<sup>9</sup>.

In addition, it seems extremely significant in the face of the current financial crisis that the financial outlays on the Special Forces are massively lower than the outlays on more “conventional” types of Armed Forces, accounting for less than two percent of the budget of the Polish Armed Forces.

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<sup>9</sup> The global standards define the manpower of the Special Operations Forces in relation to conventional forces (the Army, the Air Force and the Navy) as two to five percent.





Sławomir Mazur

## INTERNATIONAL ASPECTS OF COUNTERACTING TERRORISM

What is terrorism? Just like in the case of the term *internet*, most people have only a vague understanding of what terrorism involves; they do not know a precise, to-the-point and comprehensive definition of the term. Currently, there are over 200 definitions.<sup>1</sup> Such a large number of explanations of the phenomenon indicate its complex nature and variability in essence and over time. According to Z. Cesarz and E. Stadtmüller, this “is of course the outcome of political and ideological issues. These issues are also the reason for the various interpretations of the phenomenon by individual countries and groups of countries. What some assess as terrorism is deemed by others as a justified method of fighting for national independence, defense of identity or religious sentiments”.<sup>2</sup> The media are in part to blame for this ambiguity. We need only to pick up a newspaper to find out that, even as part of the same program or article, various acts such as detonating a building, the murder of a head of state, a massacre of civilians carried out by a military unit, adding poison to food products on the shelves of a supermarket or conscious contamination of over-the-counter medicine are all deemed to be acts of terrorism. This has led to chaotically terming a series of acts of violence as “terrorism”. Almost every particularly detestable act of violence, seen as an act against society, is often labeled as “terrorism”.<sup>3</sup>

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<sup>1</sup> A. Ciupiński, M. Zając (red.), *Wybrane problemy walki z terroryzmem międzynarodowym*, AON, Warszawa 2003, p. 9.

<sup>2</sup> Z. Cesarz, E. Stadtmüller, *Problemy polityczne współczesnego świata*, Wydawnictwo Uniwersytetu Wrocławskiego, Wrocław 1996, p. 351.

<sup>3</sup> B. Hoffman, *Oblicza terroryzmu*, wyd. Grupa Wydawnicza Bertelsmann Media, Warszawa 2001, p. 11.

The term *terrorism* was first used during the 3rd Conference for the Unification of Criminal Law held in Brussels in 1930, where a text concerning terrorism composed of five articles was accepted.<sup>4</sup>

The New Encyclopedia Britannica defines terrorism as the “systematic use of terror or unpredictable violence against governments, publics, or individuals to attain a political objective”.<sup>5</sup>

According to the United States Department of Defense, terrorism is the “premeditated use of violence or threat of violence to instill fear and coerce governments or societies motivated by religious, political, or other ideological beliefs”.<sup>6</sup>

The United Nation’s Encyclopedia<sup>7</sup> terms terrorism as the use of violence in international relations for political or economic objectives, including the use of forced intervention carried out by special units of the police force, military units or terrorist organizations.

The New PWN Encyclopedia defines terrorism as various, ideologically motivated, planned and organized activities undertaken by individuals or groups, which disrupt legal order, carried out to coerce government officials and societies to act in a certain way, which often disrupt the rights of third parties; these activities are carried out with full severity with the use of various means (psychological pressure, physical violence, the use of weapons or explosives), in conditions of resolutely established publicity, and purposefully deepened social fear.

Terror, on the other hand, is use of strength and violence of “stronger” government bodies against “weaker” citizens; in contrast to terrorism, which involves use of strength and violence undertaken by the “weaker” citizens against “stronger” government bodies.<sup>8</sup>

According to Indeck, an act of terror is the behavior of individuals or groups of individuals that takes the form of violence (or threat of violence). An act of terror differs from terrorism as terrorism is based on a strategy and tactics linked with predefined objectives, where acts of violence are seen as the only effective way and means of attaining the objective. Terrorism thus involves a unique strategy and tactics in which acts of violence – while most important – are nonetheless linked with other actions (e.g. propaganda of slogans). An act of terror – is a manner of operating with the use of specific and dangerous means.

There is a significant difference between the terms *terror*, *terrorism* and *acts of terror*, regarding more than quantity, as terrorism is not a simple “multiplicity” of acts of terror. An act of terror can, but does not have to, be a “link of

<sup>4</sup> M. Zając, Międzynarodowa współpraca Rzeczypospolitej Polskiej w walce z terroryzmem, rozprawa doktorska, AON, Warszawa 2004, p. 21.

<sup>5</sup> The New Encyclopedia Britannica, 15<sup>th</sup> edition, volume 11, p. 650.

<sup>6</sup> J. Pawłowski (red.), Terroryzm we współczesnym świecie, wyd. Biblioteczka Wojska i wychowania, Warszawa 2001, p.11.

<sup>7</sup> Z. Domarańczyk, *Terroryzm*, wyd. MAW, Warszawa 1979, p. 47.

<sup>8</sup> *Nowa Encyklopedia PWN*, wyd. Wydawnictwo Naukowe PWN, Tom 6, p. 370.

terrorism”, although in both cases the objective is to elicit fright, danger or fear in another person, group of persons or an entire society.<sup>9</sup>

Criminal terror is the use of physical violence or an attempt of its use and eliciting a state of fear in order to elicit a specific behavior in a group of persons or groups of persons, undertaken for profit or strictly criminal motives. The use of physical force, violence or intention of their use takes the form of a violent attack on a person’s rights or property, or even the rights or property of an entire social group.

The Europe Convention on the Prevention of Terrorism established the term *criminal terrorism*, which can be defined as acts which are criminal in nature, carried for nonpolitical reasons, being the subject of internal law.<sup>10</sup>

The definition of the term quoted below is an approach proposed by Czesław Drycz: “Terrorism is a historically shaped (in forms of activity) phenomenon with political-ideological-religious foundations, comprising a group of lawless actions, planned and carried out by individual persons or organized groups, which target authorities (national, social, and lately military), for political, economic or other reasons, characterized by ruthlessness, cruelty, great publicity and which entice social fear and anxiety”.<sup>11</sup>

It is without doubt that terrorism is of a criminal nature, a method to attain predefined objectives, the outcome of: a concept, preparation and an attack. It involves the threat of violence or a causal act undertaken to destabilize life, as well as to undermine social order and harmony, an attack carried out on individuals or groups.<sup>12</sup>

We should keep in mind one obvious matter, but not perceived by everyone: that terrorism as a form of battle is a method for which various executors reach: representatives of criminal circles, extremists motivated by various social problems (ecological or pro-life/pro-choice activists), participants of ethnic conflicts or traditional political skirmishes, as well as those who rise against authority.<sup>13</sup>

The above views presented by various authors on the essence of terror and terrorism do not offer an unequivocal definition, and cannot offer one – as there are various criteria according to which deeds are defined as terror or terrorism; this is the outcome of various legal sources or historical conditions. Yet an analysis of these views allows us to specify a few shared elements. The element linking terror and terrorism is the form of action – violence or the threat of violence. Violence is the manner through which terror is made a reality, created. This type

<sup>9</sup> K. Indecki, *Prawo karne wobec terroryzmu i aktu terrorystycznego*, wyd. Wydawnictwo Uniwersytetu Łódzkiego, Łódź 1998, p. 18.

<sup>10</sup> P. Rakowski, „Przeciw Terroryzmowi”, *Prawo i Życie* nr 11/99, p. 55.

<sup>11</sup> C. Drycz, *Terroryzm początku XXI wieku jako zagrożenie bezpieczeństwa międzynarodowego i narodowego*, Wydawnictwo MW, Gdynia 2005, p. 14.

<sup>12</sup> Por: M. Sraga, „Choroby XXI wieku – bioterroryzm” [in:] *Edukacja dla Bezpieczeństwa*, Biblioteczka Edukacji Obronnej t. III, red. S. Mazur, wyd. AWF, Katowice 2006, p. 157.

<sup>13</sup> K. Wolak, *Od blokad ulicznych do World Trade Center – Psychologiczne aspekty działań terrorystycznych*, wyd. Wydawnictwo Secretum, Toruń 2002, ps. 41.

of violence is an element of terrorism, and furthermore characterizes the specific objective of the activity and its object (victim).<sup>14</sup>

Despite many attempts to define the phenomenon of terrorism and the diversity of methodological approaches, there is no universally accepted definition with a global range. The standpoint of the UN, NATO and EU are also uncertain.<sup>15</sup>

The decision to call a person or organization *terrorist* is a subjective decision, and largely depends on whether we sympathize with a given person (group) or cause, or if we are against it.

Terrorists intentionally use military terminology. They consciously portray themselves as warriors (for freedom), or even soldiers, who – if caught – have the right to be treated as war prisoners, and not like common criminals in normal courts. Terrorists believe that due to their small numbers, limited firepower and scarce supplies – when compared with the large defense and safety apparatus used by nations – they have no choice but to act in secrecy, and step out from the shadows to carry out drastic (often bloody or destructive) acts of violence and then protect themselves by fleeing, in order to draw attention to themselves and their cause, to publicize the matter. In their opinion a bomb in a trash can is simply the equivalent of an air raid for the poverty stricken, the only way in which a terrorist can challenge a country which had much more power, and draw its attention.<sup>16</sup>

Apart from difficulties in defining the phenomenon itself, the typology of terrorist organization also gives rise to many controversies. The most common classification is to cluster groups according to their ideological affiliations: this is why there is talk about right-wing and left-wing terrorism (often called the far-left), often publicized as “black” and “red” terrorism.<sup>17</sup> If we follow this line of thought we can differentiate Marxist, anarchist, Maoist, Trotskyist, nationalist and fascist organizations. This typology does not exhaust all tendencies; further differentiations are added to those above, based on the objections individual groups fight for, e.g. separatist movements, internationalist or revolutionary. At times typology is based on geographical location where groups are active: this is why there is talk about Latin American terrorism, Western European terrorism or terrorism of the Near East. Religion might be yet another criterion: the IRA is identified as a Catholic group, the Jihad – Islamic.<sup>18</sup>

<sup>14</sup> A. Mroczek, „Co różni terror i terroryzm”, *Gazeta Samorządu i Administracji* Nr 10/2004, p. 60.

<sup>15</sup> M. Zając, *Międzynarodowa współpraca Rzeczypospolitej Polskiej w walce z terroryzmem*, Rozprawa doktorska, AON, Warszawa 2004, p. 39.

<sup>16</sup> *Ibidem*, p. 28.

<sup>17</sup> M. Sraga, *Zagrożenia terroryzmu jako bariera w rozwoju turystyki międzynarodowej [in:] Turystyka w Polsce w warunkach integracji europejskiej i globalizacji rynku światowego*, red. I. Jędrzejczak i W. Mynarskiego, wyd. AWF, Katowice 2003, p. 67.

<sup>18</sup> A. Głodowski (red.), *Encyklopedia terroryzmu*, wyd. Spar, Warszawa 1995, p. 13.

Paul Wilkinson presents an interesting typology of terrorism in his book entitled *Terrorism and the Liberal State*. Wilkinson lists four basic trends of contemporary terrorism, with different objectives and characteristics:

1) Subrevolutionary terrorism.

This aims to obtain certain political goals (e.g. changes in politics, law), which are not revolutionary (systemic) changes. Acts of violence are carried out by small groups (at times even by individual endeavors) in a highly unforeseeable manner and are often difficult to differentiate from psychopathological and criminal activities with the use of force.

2) Revolutionary terrorism.

A revolution or tactical victories in a revolutionary fight are the aims of revolutionary terrorism. Acts of violence are carried out by groups with leaders and an ideology or program (often a politically “immature” program), which makes these groups in a way similar to partisan groups in the light of international law. These are usually special, conspiracy-laden, paramilitary groups created within a revolutionary movement. Apart from armed battles, the groups conduct political battles – creating alternative institutional structures.

3) Repressive terrorism.

Undertaken to “repress rebellions or keep groups, individual citizens or forms of behavior seen as undesirable by the repressor in check, or to only oppress chosen movements into liquidation”. This form of terrorism – according to Wilkinson – is “often very bloody, permeating into mass terror. A special terror apparatus is formed, a secret police, which performs these tasks, although often they are carried out by other government bodies (i.e. the ruling party and the army). Torture is its primary technique. In totalitarian and ideological regimes terror, fear and mutual suspicion can be omnipresent and resulting from the paranoia of those in command”.<sup>19</sup>

4) Epiphenomenal terrorism.

“Characterized by a lack of clearly specified objectives, it is the element of acts of violence conducted on a mass scale. Acts of violence are incidental, not thought-through and unplanned, appear in the context of very bloody battle, where systematic terrorism may be an accompanying element”.<sup>20</sup>

**Illegal terrorism (not carried out by the state), is linked with the aforementioned trends and can be classified as:**

- Far-right terrorism (neo-fascist, racial, chauvinist),
- Far-left terrorism (neo-anarchist, anarchistic),
- National independence movement terrorism (Palestinian, Basque, Iranian, Moluccan),
- Terrorism with other ideological and political foundations (e.g. Argentinian Monteneros, Muslin or Iranian groups, etc.).<sup>21</sup>

<sup>19</sup> Ibidem.

<sup>20</sup> Ibidem.

<sup>21</sup> J. Pawłowski (red.), *Terroryzm we współczesnym świecie*, wyd. Biblioteczka Wojska i Wychowania, Warszawa 2001, p. 15.

Program-related ambiguity, various reasons for which groups of people revert to violence as well as multiplicity of locations makes it impossible to present an unequivocal classification of contemporary terrorism (literature on the subject contains various classifications). This is also due to the fact that groups that use terrorist methods often undergo a metamorphosis during the period they are active, e.g. from Marxism to anarchism to common criminal activity.

According to Bruce Hoffman there are four types of terrorism:

- Ethnic-nationalist and separatist. In 1945 terrorism motivated by ethnical and nationalist as well as separatist aspirations became a global phenomenon. Ethnic and nationalist uprisings that developed after World War II had a lasting impact on future terrorist campaigns. It was during these post-war campaigns that the advantages of publicity and the necessity to direct acts of violence with an audience in mind were first perceived.

The aim of separatist terrorism is to cause separation, or succession, in other words separation from a country that terrorists rise against and the formation of their own country or joining a neighboring country (IRA, Basque ETA, Canadian FLQ, Sikh terrorism, Kurdish, Tamil).<sup>22</sup>

- Religious. Terrorism and religion share a long common history, yet in the past century this phenomenon was overshadowed by terrorism motivated by ethnic-nationalist, separatist or ideological objectives. The onset of contemporary religious terrorism was at first strictly linked with the Islamic revolution in Iran, yet a decade later no major religion could deem itself inoculated against the explosive mixture of faith, fanaticism and violence. An interesting fact is that along with the increase of religious terrorism formations, there was a clear decrease of ethnic-nationalist and separatist groups.<sup>23</sup>

The reasons behind the increased number of victims of terrorist attacks carried out for religious reasons can be sought in the different system of values, different mechanisms of legitimization and validation, different concepts of morality and world outlooks of religious terrorist. For a religious terrorist violence is first and foremost a sacral act, the fulfillment of an obligation rooted in divine orders, a direct answer to a theological imperative or command. Terrorism thus assumes a transcendental level; those who commit crimes are not limited by politics, morality or practicality that might affect the members of other groups. Religious terrorists are simultaneously activists engaged in battle – which they view as the ultimate war.<sup>24</sup>

- Sponsored by the state. In the second half of the 20<sup>th</sup> century certain countries began utilizing terrorist organizations for their own objectives. In certain cases countries even formed “marionette” terrorist groups whose task was to act in the name of the sponsoring country in order to assist in its interests

<sup>22</sup> B. Hoffman, *Oblicza terroryzmu*, wyd. Grupa Wydawnicza Bertelsmann Media, Warszawa 2001, p. 43 and 62.

<sup>23</sup> *Ibidem*, pgs. 86–87.

<sup>24</sup> *Ibidem*, pgs. 90–91.

and represent it on a regional or local front. In other cases countries sponsor existing terrorist organization for mutual benefits.

Patron countries offer the organization political support, financial assistance as well as any other assistance necessary to carry out objectives. In exchange they utilize the organization to carry out terrorist attacks in order to spread their ideology throughout the world. Sponsored terrorism can help a country achieve certain strategic objectives where conventional means would not be advisable, possible or effective. High costs of modern warfare and fear of escalated violence in case of defeat as well as reluctance to play an aggressor before the world make terrorism an effective, convenient and discreet tool in the battle for a country's interests in the international arena.<sup>25</sup>

Another method of distinguishing various types of terrorism is a classification of trends:

- Anarchistic-far left: Red Brigades (Italy), Red Army Faction (Germany), Action Directe (France);
- Separatist-nationalist: IRA (Ulster), ETA (Spain);
- Communism extremists: Tupamaros National Liberation Movement (Uruguay), People's Revolutionary Army (Argentina), Japanese Red Army;
- National independence movements: Black September, Popular Front for the Liberation of Palestine;
- Neo-fascist: New Order (Spain);
- Far-right: Ulster Defense Association – UDA and Ulster Volunteer Force – UVF;
- Religious: Islamic fundamentalists, e.g. Hamas (Gaza Strip), the Buddhist sect – AumShinrikyo.<sup>26</sup>

Increasingly prevalent acts of terror have mobilized democratic countries to take countermeasures. Countries have been changing their regulations – within their local jurisdiction – and forming new organizations. Yet in the times of “new terrorism”, supranational associations in the network, the world was forced to cooperate. Terrorists can be “outrun” only via a quick exchange of information. Cooperation is also required in the fields of law and technology exchange. This is why government agencies have been cooperating to create a common law for all countries that want to join the battle against terrorism. Only by counteracting terrorism in a structural manner can their activities be restricted.

The elaborated model for counteracting international terrorism mainly sets the responsibility for signatory countries to accept the conducts described herein as criminal activities in the light of national law.

The UN convention on preventing and prosecuting crimes against humanity categorically forbids countries, groups and individuals to kill, persecute, physically or psychologically maltreat any individuals for national, racial, ethnical or religious

<sup>25</sup> R.M. Barnas, *Terroryzm – od Assasynów do Osamy bin Ladena*, wyd. KIRKE, Wrocław 2001, p. 18.

<sup>26</sup> *Ibidem*, p. 18, ed. M. Bieniek, S. Mazur, *System zarządzania kryzysowego Rzeczypospolitej Polskiej*, AWF, Katowice 2009, wyd. II p. 22

reasons.<sup>27</sup> In addition the UN Declaration on international law principles includes a regulation that calls on countries to refrain from “organizing, aiding or assisting conflicts and terrorist activities within the territory of other countries”.<sup>28</sup>

Interpretation of the above documents in the context of counteracting terrorism is not clear. Many politicians believe that the UN sanctions all activities undertaken in the name of national independence as well as providing outside assistance in battles. The case of Israel seems to confirm this – as a member of the UN, Israel is guaranteed the right to territorial sovereignty and defense of sovereignty. Some member countries believe that they have the right to arm and support groups that seek to destroy Israel, since they see them as fighting in the name of national independence. These uncertainties are reflected in the UN’s undecided stance on counteracting terrorism. The dissonance in the UN members’ structure and views became apparent after the massacre that took place during the Olympic Games in Munich in 1971. The then Secretary-General of the UN, Kurt Waldheim, demanded that the UN stand in opposition to the threat of global terrorism. His speech created a discussion that revealed discord between member countries – some of which demanded condemnation of terrorism and counteractions, whilst others wanted to view it as a justified battle in special circumstances.<sup>29</sup>

Further documents passed by the UN include:

- The Hague Convention of 1970, which obligates signing parties to extradite anyone who seizes an aircraft (extradition to their country of origin or provide a trial in accordance with the jurisdiction of that country),<sup>30</sup>
- The Montreal Convention of 1971, which extends international law to cover acts of sabotage or attacks on airports and aircrafts not in flight (security of civil aircrafts),<sup>31</sup>
- The Tokyo Convention of 1963 concerning crimes and acts committed on board ships (counteraction of sea piracy),
- The New York Convention of 1973 and 1979 concerning attacks against the life, health and freedom of those under international protection (heads of state, diplomats and their families) as well as the headquarters and means of transportation used by these individuals,
- The Convention on the prevention of terrorism signed in Strasbourg in 1976,
- The Agreement concerning the implementation of the European Convention on preventing terrorism signed in Dublin in 1979,

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<sup>27</sup> W. Skrzydło (red.), *Almanach Wiedzy Powszechnej 1996/97*, wyd. Skrzydła, Warszawa 1996, p. 853.

<sup>28</sup> Declaration on Principles of International Law approved by the UN General Assembly on the 24<sup>th</sup> of October 1970. *Encyklopedia terroryzmu*, op. cit., p. 661.

<sup>29</sup> *Ibidem*, p. 663.

<sup>30</sup> Por.: Z. Galicki, *Terroryzm lotniczy w świetle prawa międzynarodowego*, Wydawnictwo Uniwersytetu Warszawskiego, Warszawa 1981, p. 123.

<sup>31</sup> *Encyklopedia terroryzmu*, op. cit., p. 664.



- The Convention concerning physically protecting nuclear materials from 1980, signed by the International Atomic Energy Agency.<sup>32</sup>

There are also several resolutions on the topic issued by the United Nations General Assembly.

International law has developed a model for preventing international terrorism based on universal repression and which assumes that countries have an obligation to cooperate to fully realize prevention goals. The principle however has many exceptions, for various – including political reasons.

The model for preventing international terrorism presupposes first and foremost that its signatories will assess deeds covered by conventions as crimes in the light of their domestic law. The types of activities listed in conventions are felonies in the legislature of signatory states. Regardless whether domestic criminal codes included such categories of felony as terrorism, seizing an aircraft or taking hostages, these deeds are listed in conventions and are have the status of universal felonies such as: murder, grievous bodily harm, unlawful imprisonment, public endangerment. This is why those who commit terrorism can be punished based on domestic law. This was the case during a terrorist attack on the Polish Embassy in Berlin in 1982 – the perpetrators were punished based on Swiss regulations and the deed was assessed as: breach of the peace, unlawful imprisonment, use of threats, extortion, destruction of property, use of violence and threats against the government and government officials, use of repression as well as violation of stay and settlement of foreigners' regulations.<sup>33</sup>

The above conventions obligate signatory states to behave in a predefined manner:

- “They establish the obligation for signatory countries to take all necessary means to establish their own laws regarding all acts listed in conventions if committed on their territory, on board a ship or an aircraft registered in their country, by a citizen of the country or a person whose place of residence is within the signing party's country, and the perpetrator committed his act to force the signatory state to behave in a certain way;
- Signatory states are permitted to establish their own jurisdiction in all other cases, if the perpetrator resides within their territory;
- Signatory states are permitted to confine the perpetrator for the period necessary to conduct a criminal proceeding concerning the deed or an extradition;
- Countries are also obligated to exchange information in the case of acts of terrorism, actions undertaken to commit acts of terrorism, and to provide mutual legal assistance. Such information can be provided directly to an interested state or through the UN Secretary General’.<sup>34</sup>

<sup>32</sup> Leksykon politologii, op. cit., p. 430; por: T. Aleksandrowicz, *Terroryzm międzynarodowy*, Wydawnictwa Akademickie i Profesjonalne, Warszawa 2008, op. cit., p. 85.

<sup>33</sup> T. Aleksandrowicz, *Terroryzm międzynarodowy*, op. cit., p. 108.

<sup>34</sup> *Ibidem*, p. 109.

The international, legal model of preventing terrorism is based on the recognition of five *autpunireautdedere* principles, or precisely: *autdedereautiudicare*.<sup>35</sup> Recognition of this formula is a compromise between the concept of unconditional extradition of those who have committed acts of terrorism and letting the country where the perpetrator is found decide about his fate.

The increased significance of terrorism has brought along changes in concepts concerning its prevention. Initially, the police and protection services were responsible for counteracting terrorism; currently it is the task of the secret police and special operations forces. Every existing country has to be “on its toes” and look after its territory, as it is impossible to foresee where and when the next terrorist attack will take place. In order to prevent terrorism, Special Forces and police various countries must exchange information and experiences via various channels, such as Terrorism, Radicalism, Extremism and Violence International (TREVI), EU organizations, the Interpol, Europol, UN, NATO, the Organization for Security and Co-operation in Europe (OSCE) or other shared sources.

In Poland, terrorism is prevented mainly due to the efforts of the Internal Security Agency (*Agencja Bezpieczeństwa Wewnętrznego* – ABW) and the police. In various cases, depending on the type of threat, other entities may assist in proceedings, including: the Coast Guard, the National Fire Service, privately owned security agencies as well as the Armed Forces and medical services.

It should be underlined that Polish legislature had not possessed a formal definition of an act of terror or terrorist crime until the year 2004. Of course any criminal activities, defined in the UN’s conventions, were punished. Every perpetrator faced consequences foreseen by Polish law.

The term *terrorism* or *crime of terrorism* functioned in the Polish legal system only in acts that were not included in legal codes. One of these acts was the *Act on the Internal Security Agency and Intelligence Agency*. It included the tasks of the Internal Security Agency. These included the identification and prevention as well as detection of terrorism. The Intelligence Agency was to identify international terrorism, in accordance with regulations. The term *terrorism* was defined for the first time in the Polish legal system in the *Act on Counteracting the Introduction to the Financial Circulation of Financial Assets Originating from Illegal or Undisclosed Sources and Counteracting Financing Terrorism*.<sup>36</sup> The regulations therein indicated that an act of terrorism is a crime committed against public safety as well as an assault on the head of state. In addition, an assault on the head of any country committed within the territory of the Republic of Poland is also considered an act of terrorism. When following the above statements we must indicate that the definition can only assist in outlining the entirety of the term “crime of terrorism”.<sup>37</sup>

<sup>35</sup> Ibidem.

<sup>36</sup> Act on Counteracting the Introduction to the Financial Circulation of Financial Assets Originating from Illegal or Undisclosed Sources and Counteracting Financing Terrorism from the 16<sup>th</sup> of November 2000 (*Polish Journal of Laws 2003, no. 153, item 1505 as amended*).

<sup>37</sup> K. Skowroński, Operacyjna kontrola rozmów telefonicznych. Ustawowa treść, a praktyczne oblicze „legalnej inwigilacji” [in:] P. Chrzczonowicz, V. Kwiatkowska, K. Skow-

A formal definition of *crime of terrorism* was added to the criminal code after its novelization in 2004. The changes were in a way brought on by the necessity to adjust Polish law to the European Union's legal norms. In this case the adjustment was to select the same solution as in the Framework Decision from the 13<sup>th</sup> of June 2002, which pertained to the case of counteracting terrorism.<sup>38</sup>

According to the codified solutions, a crime of terrorism is an act prohibited by law, punishable by imprisonment for a period of at least five years, and which was committed with the objective of: "gravely intimidating many persons; coercing the Republic of Poland's government organs or the organs of any other country or international organization to undertake or discontinue an activity; instilling serious disruptions in the Republic of Poland's government or economy, the government or economy of any other country or international organization – as well as threats to commit these acts". Significantly, the crime described above has the status of *delictum commune* (common criminal offence). The object of protection, however, was very broadly defined, i.e. it encompasses prohibited acts which violate various rights – including peace or freedom. We should also mention that the subject of the act can be a vast number of persons, government institutions (of the Republic of Poland or any other country), as well as international organizations. The subject can also be Poland's economy or regime as well as the economies and regimes of other countries and international organizations.<sup>39</sup>

In the case of the crime being discussed, it is significant that it can only be committed with direct intent. In other words, the act can only be committed if the perpetrator wants to commit the prohibited act and undertakes actions with an adequate mindset. The crime we are speaking of is a goal-oriented crime. Apart from the goal orientation, we should also mention the fact that it is an offence with criminal consequences; the statutory conditions of the crime have been termed in a very general manner: "This is due to the fact that crimes of terrorism actually encompass an entire group of other crimes, varying from their usual manifestations due to the terrorism-related objectives of the perpetrator. The causative act involves fulfilling one or more of three objectives of terrorism, and is a prohibited act punishable with imprisonment for a period of not less than five years".<sup>40</sup>

We need to keep in mind the fact that Poland, which includes the country's legal regulations, is still establishing a system on preventing and counteracting terrorism-related phenomena. We can assume that individual forces and services are currently functioning properly. Yet the country must create a system of mutual connections in which the fight against terrorism can be conducted with greater efficiency. The proper coordination is of focal importance. The direction chosen

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roński (red.), *Spółczeństwo inwigilowane w państwie prawa*, materiały z konferencji naukowej, Toruń, 25–27 marca 2003, p. 160.

<sup>38</sup> J. Barcik, *Akt terrorystyczny i jego sprawce w świetle prawa międzynarodowego i wewnętrznego*, Warszawa 2004, p. 101.

<sup>39</sup> *Ibidem*, pgs. 118–120.

<sup>40</sup> *Ibidem*.

by Poland seems to be an adequate one, which is confirmed by the words of EU mission evaluators who visited Poland in 2004. According to their opinion Poland has all institutions and forces necessary to prevent terrorism, as it has introduced the proper legal regulations. All these organs are efficient enough and well organized within their own structures. Yet “domestic analyses show lack of coordination and cooperation on the nation’s strategic level. Terrorism as a phenomenon is perceived and treated in Poland on an institutional level, or a ministerial level, but not beyond the ministerial level and not on a scale encompassing the entire country (...). A well-constructed system of counteracting terrorism must utilize all the resources that a country has available. In order to do this, however, the country must unequivocally establish: a. The scope of responsibilities of individual forces and services; b. The “leaders” of individual constituents of counteracting terrorism; c. Principles of cooperation and rank; d. Financing special operations; e. Unified representation on the international arena in order to coordinate training and participation in operations, etc.; an institution that would handle the coordination on a general level”.<sup>41</sup>

Here we should mention attempts to create the organs described above, which would coordinate the work of entities responsible for counteracting terrorism. The first is the Center for Counteracting Organized Crime and International Terrorism (*Międzyresortowe Centrum ds. Zwalczania Przestępczości Zorganizowanej i Międzynarodowego Terroryzmu*). This institution assists the Prime Minister of the Republic of Poland. It was formed when Regulation No. 54 issued by the Prime Minister on the 30<sup>th</sup> of April 2002 entered into force; the regulation concerned creating the entity described above.

The Center’s activities are administered by the Minister of the Interior and Administration, as well as the Minister of Finances, the Minister of National Defense and the Minister of Foreign Affairs. As required by Polish law, the Center has its own members. In accordance with regulations these members are: the Head of the Internal Security Agency, the Head of the Intelligence Agency, the Head of the National Police Headquarters, the Head of the Polish Border Guard, the Head of the Military Information Services, the Head of the Military Gendarmerie, the General Inspector of Financial Information and the General Fiscal Control Inspector. Generally speaking, the Center ensures cooperation between government institutions and coordinates their activities within the scope of preventing, counteracting and detecting organized crime and terrorism on the international level. The Center also protects critical information and coordinates cooperation between the institutions of various countries.

Another facility whose operations encompass a broad field in the fight against terrorism is the Counter-Terrorism Department (*Wydział ds. Terroryzmu*). The Department began its operations on the 1<sup>st</sup> of June 2005. Its tasks include, inter alia, an analysis of terrorism as a phenomenon and tracking the phenomenon throughout the world (with special consideration for the situation in Poland), preparation and assessment of counter-terrorism projects, elaboration of new

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<sup>41</sup> K. Kowalczyk, W. Wróblewski, *Terroryzm. Globalne wyzwanie*, Toruń 2006, p. 214.

legislative solutions and edition of regulations already functioning within the Polish legal system in order to improve the fight against terrorism and its consequences. The Department began operating in the Ministry of Interior Affairs and Administration in the beginning of the year 2006, as part of the Department of Security and Public Order (*Departament Bezpieczeństwa i Porządku Publicznego*). We must emphasize that this Department operates both on the strategic and tactical levels.

Yet another counter-terrorism institution is the Government Information Centre (*Wspólnota Informacyjna Rządu – WIR*). It was created in 2002 and assists the Prime Minister. Its tasks include information exchange, analysis as well as detection of potential terrorist threats. Various organs of public administration cooperate within the center and their mission is to increase exterior safety for Poland. The Information Center is also concerned with international terrorism and organized crime. The Head of the Intelligence Agency presides over the Information Center.

We must also mention the Collegium for Secret Services (*Kolegium do Spraw Służb Specjalnych*), which was formed in 2002. It operates based on the Internal Security Agency and Intelligence Agency Act. Its focal task is to assess the directions and plans of secret services; assess proposed legal regulations and government documents concerning the secret services and prepare assessment concerning the above issues. We should also mention that the Team for the Recognition of Political Terrorism and Coordination of Operations (*Zespół ds. Koordynacji Działań Operacyjno-Rozpoznawczych w Zakresie Zwalczania Terroryzmu Politycznego*) was formed on the basis of the Collegium.<sup>42</sup>

Counteracting terrorism, especially effective prevention, requires two basic elements. The first element is the creation of a security system. This system must fulfill one basic condition – without which it cannot be effective. It must be hermetic enough so that the costs of breaching its security levels outweigh any ensuing profits from an attack. However, the construction of such a system generates internal costs for the country. Every element of the system is an element of control, supervision, monitoring and inspection, as well as safety zones, limited access zones, zones of special authorization, etc. In short – every security element is an element that limits the personal freedom of its citizens, freedom according to today's understanding of the term. We agree to go through a metal detector before boarding an airplane. We agree to reside in closed districts, protected by security agencies in order to be sure of our safety during the night. We allow the government to collect our personal data to decrease the risk that someone will use this data to commit a crime. We surrender more and more in order to feel safe in a world which is becoming increasingly dangerous. For these reasons terrorism has also become a threat on the axiological level. How far can a country go in order to ensure safety and at the same time ensure that the means utilized to meet this end do not violate basic principles and rights of a country ruled by law? What competencies should we award the agencies and forces concerned with

<sup>42</sup> D. Szlachter, *Walka z terroryzmem w UE*, Toruń 2006, pgs. 210–212.

national security in order not to violate the limits of privacy of the country's citizens? What means should we use against those who commit crimes of terrorism in order to prevent their operations without violating human rights, the right to a fair trial, the right of defense? When creating a security system, a contemporary country searches for the greatly sensitive point of equilibrium between efficiency and the rule of law. Finding this point is becoming increasingly difficult as those who threaten order follow a decreasing number of rules.

The issue being discussed is not an interior issue. Practically all countries – members of an international society – must currently deal with terrorism. Due to its global nature, counteracting terrorism must be conducted on an international scale; thus the means utilized by countries must be legitimate on the level of the international legal order.

International law, issues concerning legal capacity in international law, the dynamic nature of terrorism-related phenomena and the changes that this dynamism instills on the legal and security systems both on the domestic and international levels increase the difficulty levels of constructing effective means of preventing the threat of terrorism. In addition, we must always keep one fact in mind: it is impossible to implement a security system that would be one hundred percent foolproof. Every system is constructed by people and every system carries the risk of human error. Every system also carries the risk of being incapable of adjusting to changes dynamically enough, inadequate communication and alerts that come too late. The only goal that can be achieved by the entities responsible for the safety of others is to maximize the effectiveness and efficiency of the means utilized. This is the reason why we should think twice before protesting against new security methods and means: risk minimization is the only thing we can count on. It would be a success if this minimization of danger that we are striving to attain would guarantee an *ad-hoc* feeling of safety.

Following the creation of a security system, the second, element of preventing terrorism in modern times is preventing its sources. Common convictions concerning the sources of terrorism, drawn mainly from terrorist manifestos and declarations of objections, equate its sources with the contemporary world's most significant problems: hunger, poverty, social inequality and marginalization. This presentation of sources is saturated with ideology: this is what the members, or rather the leaders, of terrorist organizations wish to signify. Yet by investigating the origins and resources of the leaders of these organizations we can perceive that they do not suffer from hunger or poverty. Organizing the activities of terrorist organizations requires vast amounts of funding and logistics.

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Monika Ostrowska

## CYBER-TERRORISM AS THE NEW FORM OF THREAT IN THE TWENTY-FIRST CENTURY

Computers and the Internet have become an indelible part of our everyday life. Used by individuals, as well as societies as a whole they allow the automatization of our activities. The success of almost all fields of economics, particularly energy, transport, communication, aspects of banking, computer networks, is closely dependent on the bandwidth, the efficiency and the reliability of these technologies. Damaging any element could cause paralysis of the entire country. In the past an immediate attack on the infrastructure was possible in a direct way. With the development of communication networks a new danger appeared, "cyber-danger". Today it is unnecessary to cross political borders in order to make a terrorist attack.

Furthermore, it is completely impossible to detect an attack using computer technology at the planning and preparation stage. A cyber-terrorist attack can be carried out in the space of minutes or seconds, and its effects can be far more serious than with the application of conventional weapons. Bearing in mind these dangers one should define and judge threats resulting from the use of communication networks and computers against some nation or the government for political or ideological reasons. Paying attention to news of the problem and the subsequent real danger is crucial. Apart from defining the actual notion of cyber-terrorism, this study will endeavor to ascertain what behaviour is probable in a politically motivated terrorist attack using computers and the Internet.<sup>1</sup>

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<sup>1</sup> B. Hoffman, *Oblicza terroryzmu*, Warszawa 1990, p. 27.

Terrorism is a difficult and ambiguous phenomenon as many diverse methodologies of defining it exist. Additionally, over a period of years its understanding underwent systematic changes and alterations. The word 'terrorism' derives from the Latin and it means fear, danger. There is no unambiguous description of the nature of terrorism, because currently in the world there are between 100 and 200 definitions of the word itself. The encyclopedia of the UN and international relations determines the occurrence of terrorism as "applying violence for the achievement of the political or economic objectives in international relations."<sup>2</sup> The Federal Bureau of Investigation (FBI) regard as terrorism "unlawful use of force or violence towards persons or property with a view to intimidating or coercing the government, [the civilian population,] or part thereof, in furtherance of political or social objectives".<sup>3</sup>

Next the national security thesaurus says that terrorism is "a form of violence consisting of the planned action of extorting or terrorizing governments or particular social groups for economic and other political objectives".<sup>2</sup> It is possible to notice that certain common factors appear in all definitions of terrorism. They are applying violence and force, the political aspect of the act, evoking fear and threats as a key element of intimidation, the effects and psychological reactions to the action carried out.

Terrorism has been the subject of UN debates for over a dozen years. Countries collaborated to develop 13 international conventions which refer to terrorism-related activities. Member nations cooperated in the General Assembly to coordinate their antiterrorism efforts to an even greater degree. Work on new legal norms is underway. Member countries also cooperated to define terrorism.

The League of Nations' *Convention for the Prevention and Punishment of Terrorism* adopted in Geneva on the 16<sup>th</sup> of November 1937 defines terrorism as: all criminal acts directed against a State and intended or calculated to create a state of terror in the minds of particular persons or a group or the general public.<sup>4</sup> In 1992 A. B. Schmidt, of the UN's Criminal Department, suggested a definition that is now used by all member nations. According to this definition an act of terrorism is the peacetime equivalent of a war crime.<sup>5</sup>

United Nations Security Council Resolution No. 1269 (issued in 1999) states: "We unequivocally condemn all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed, in particular those which could threaten international peace and security".<sup>6</sup>

Contemporary scholarship has introduced a distinction between the terms *terror* and *terrorism*. Terror is understood as the activities of a government

<sup>2</sup> Encyklopedia ONZ i stosunków międzynarodowych, Warszawa 1986, p. 513

<sup>3</sup> Słownik terminów z zakresu Bezpieczeństwa Narodowego, Warszawa 2002, p. 149.

<sup>4</sup> J.W. Wójcik, *Przeciwdziałanie finansowaniu terroryzmu*, WoltersKluwer Polska, Warszawa 2007, p. 31.

<sup>5</sup> <http://www.unic.un.org.pl/terroryzm>, downloaded on the: 10.08.2010.

<sup>6</sup> J.W. Wójcik, op. cit., p. 31.

undertaken in order to remain in power. All other activities, undertaken not by the government but by private individuals or groups of individuals, aiming to exert leverage on other individuals, the government or public opinion, as a form of rebellion of such individuals or groups against the social or legal order, is termed as terrorism. While terror is usually a way of remaining in power used by various tyrants or totalitarian governments, terrorism is aimed against those in power. Terror is thus violence employed by ruling parties (government bodies) against the weak (the citizens), while terrorism is its opposite.<sup>7</sup>

We can thus state that terrorism is a strategy employed by politically engaged individuals. It involves the use of elaborate measures against the personal and substantial rights of others, in order to draw the public's attention to those committing acts of terrorism and their ideals. The aim of these activities is to cause dread, so that others will feel forced to act in a way desired by terrorists.<sup>8</sup>

Yet another definition describes terrorism as the planned, organized and usually ideologically substantiated activities of individuals or groups, the aim of which is to force state authorities to act in a desired way. These activities are criminal in nature, undertaken to cause widespread and maximum fear among the public.<sup>9</sup>

Terrorism is defined in numerous ways in American and Western European literature. The Oxford Dictionary defines terrorism as a method of political hostility involving selective or comprehensive use of violence against opponents. It is present in the ideology and practice of radical political and social movements. Unlike terror, the illegal use of violence by the government towards groups or individuals, terrorism is the weapon of the opposition, used by specialized groups linked with political parties and movements. Their aim is to destabilize those in power and spread fear.<sup>10</sup>

Academic circles emphasize that terrorism is the ideological activities of individuals and groups – variously motivated – which upset the legal order. These activities are undertaken to force authorities to act in a certain way or offer desired benefits, infringing the rights of third parties. These activities are carried out ruthlessly with the help of various means (physical force, the use of weapons, explosives), in order to publicize the deeds and cause fear.<sup>11</sup>

The end of the 20<sup>th</sup> century and the beginning of the 21<sup>st</sup> are a period of the sudden development of new computer technologies, computers and the Internet. With the unchecked development of this medium, and the considerable degree to which it affected modern society, there appeared new, so far unusual threats which in a significant way can threaten the critical infrastructure of the

<sup>7</sup> Mały oxfordzki słownik historii świata w XX w., Puls, Londyn 1992, p. 592–593.

<sup>8</sup> A. Pawłowski, *Terroryzm w Europie XIX i XX wieku*, WSP, Zielona Góra 1980, p. 9.

<sup>9</sup> T. Hanausek, *W sprawie pojęcia współczesnego terroryzmu*, *Prob. Krym.*, 1980, No. 143, p. 86.

<sup>10</sup> Mały oxfordzki słownik historii świata, op. cit., p. 592–593.

<sup>11</sup> S. Pikulski, *Prawne środki zwalczania terroryzmu*, Uniwersytet Warmińsko-Mazurski, Olsztyn 2000, p. 10.

state. This progress spreads through change: technological, political, social and cultural. The progress in the global processes of the production, processing and the transmission of information is one of the most important components of described changes. More and more states enjoy the benefits of this progress, including those which until now did not have access to the most modern developments from the field of advanced technologies. This dependence on computer technology means that more and more states must deal with the growing threat of the new form of terrorism, namely cyber-terrorism.

They more and more often and more universally talk about danger of terrorist attacks committed with the help of computer systems and aimed at public health, security and the natural environment. Since there is this new phenomenon doubts and misunderstandings associated with defining cyber-terrorism have appeared. Therefore in order to classify this phenomenon several definitions are needed.

Cyber-terrorism "(...) these are a threat or an unlawful attack aimed at a computer system or gathered data, with a view to intimidating or extorting from the authorities of the state or its representatives concessions or expected behaviors, with a view to supporting defined objectives (e.g. political). For such action to be categorized as information terrorism, the attack should cause heavy losses or such effects which provoke a universal feeling of fear".<sup>12</sup>

"(...) using computer networks as tools for the paralyzing or a major limitation of the possibility of effective use of national structures (such as energetics, transport, government institutions, etc.) or to intimidating or forcing the government or the population to act in a specified way".<sup>13</sup>

US National Infrastructure Protection Centre: "(...) criminal act committed with the help of computer and the IT, caused using force, damage and/or stopping the supply of services for triggering fear, by creating confusion or uncertainties in the given population, with a view to influencing governments or persons in order to use their reactions for achieving defined political, social or ideological objectives or the program propagated by the terrorists".<sup>14</sup>

A definition created by the American Federal Bureau of Investigation states that terrorism is the "premeditated, politically motivated attack against information, computer systems, computer programs or data, of nonmilitary nature, undertaken by supranational or national terrorist groups".<sup>15</sup>

Professor M. Pollitt from George Washington University defines terrorism as the "covert, politically motivated attack against information, computer systems,

<sup>12</sup> D. Denning, *Cyber-terrorism*, 2000 <http://www.cs.georgetown.edu/~denning/infosec/cyberterror-GD.doc>, 27.03.2004.

<sup>13</sup> J.A. Lewis, *Assessing the risk of cyber terrorism, cyber war and other cyber threats*, 2002, Center for Strategic and International Studies, <http://www.csis.org/tech/0211lewis.pdf>, 27.03.2004.

<sup>14</sup> L. Garrison, M. Grand, *Cyber-terrorism*, 2001, *An evolving concept*, NIPC highlights, <http://www.Nopc.gov/publication/highlight/2001/highlight-01-06.htm>, 04.04. 2004.

<sup>15</sup> *Ibidem*, p. 10.

computer programs, and data which result in violence against noncombatant targets by sub national groups or clandestine agents".<sup>16</sup>

An analysis of the above definitions allows us to identify two main aspects. Definitions created by J. Lewis and the US National Infrastructure Protection Center focus on the fact that it is possible to use computer or information and communication systems to carry out a cybernetic attack. Definitions created by D. Denning, the FBI and M. Pollitt emphasize that computers and information systems are the objectives of terrorist attacks. The two diverse approaches to the discussed issue are the most important characteristics of the definitions quoted.

It is believed that for an attack to be classified as an act of cyber-terrorism it must involve the use of an information system or an electronic device. Cyber-terrorism and cyber-attack are treated as interchangeable and equivalent terms. This leads to many misunderstandings.

D. Denning believes that a politically motivated cyber-attack, leading to the death of many people, casualties or injuries, explosions or substantial material losses is an example of cyber-terrorism. However an attack that only disrupts the economic or legal order or one that does not involve substantial disruptions or losses cannot be classified as a cyber-attack. Based on definitions created by D. Denning, J. Lewis and M. Pollitt, it can be assumed that we have not witnessed an act of cyber-terrorism thus far. Yet if we employ criteria of the US National Infrastructure Protection Centre, we can assume that a number of cyber-terrorism acts have taken place in the past. They were not, however, politically motivated, or motivated in a way that would allow these acts to be classified as acts of terrorism.

The frequency of terrorist attacks in the past years has caused most experts to claim unanimously that these acts will create the biggest threat and challenge in the near future. Acts of terror can take various forms. Until they take place they are treated by society as political fiction. We can thus state that terrorism has reached such levels of irrationality in the past years that it is hard to foresee which way it will evolve and what forms it will take. This is why despite the lack of past examples of cyber-attacks we must be aware of the fact that it is a real threat. Below is an outline of criminal activities which may be undertaken in cyberspace.<sup>17</sup>

Analyzing the above definitions it is possible to assume that the use of a computer system or some electronic device is necessary for classifying the attack as the cyber-terrorism. There is also another notion often confused with cyber-terrorism, namely the cyber-attack. A cyber-attack takes place, when information, programs, computer systems or databases become the object of attack.<sup>18</sup>

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<sup>16</sup> M.M. Pollitt, Cyber-terrorism – Fact or Fancy?, 2004, 10.06. 2011. <http://www.cs.georgetown.edu/~denning/infosehtml/pollitt>, 04.04. 2004.

<sup>17</sup> B. Adkins, The spectrum of cyber conflict from hacking to information warfare: What is the law enforcement's role?, Maxwell AFB, Alabama 2001, p. 2.

<sup>18</sup> T. Szubrycht, Cyberterrorizm jako nowa forma zagrożenia terrorystycznego, *Zeszyty Naukowe Akademii Marynarki Wojennej*, No. 1/2005, p. 176.

Attacks in cyberspace are popular mainly because the functioning of every highly or averagely developed country is more or less dependent on the correct and undisturbed use of cyberspace. Computers are more and more user-friendly and detailed knowledge is not needed in order to use them for work, education and recreation. Unfortunately, this also has its disadvantages. As technology becomes more and more advanced, fewer computer skills are needed to carry out cyber-attacks.

So anyone who is sufficiently interested in technology could become a cyber-terrorist. So what motivates cyber-terrorists? Above all, the cost is low. It will be sufficient to have a computer, a modem and enough IT ability. Cyber-terrorists can act anonymously across borders of states. Regarding the cyber-attack, perception of the threat is disrupted, since it is not obvious whether the threat is real, or virtual. Nor is it clear what are the capabilities, attacking intentions and aim of the attack. Cyber-terrorists build coalitions, whose structure is impossible to identify and where friends cannot be distinguished from enemies.

Such attacks are divided into: those entirely made in cyberspace, physical attacks on information systems and combined attacks, i.e. performed simultaneously in the real, and virtual world, the last of which is the most dangerous and damaging. A division into three groups of terrorist organizations exploiting new techniques is associated with this classification. The author who specified this division, American specialist A. Rathmell, distinguishes one group which, for conducting traditional activity, uses new technologies (e.g. uses the internet for transport, collection and removal of money, another group exploiting old techniques, e.g. using physical force against information systems and with group which makes attacks in cyberspace in order to disrupt the correct functioning of information.

For the effective prevention of cyber-attacks potential risks must be identified. These are defined by the Crisis Management Act as, functionally interconnected systems, including equipment, devices, installations, crucial services for state security and citizens and for assuring the smooth functioning of institutions of public authority and private enterprise.. Critical infrastructure includes: IT, power systems, production, storing and transport of natural gas and petroleum, banking and financial systems, water supply, transport, health services and the continuous functioning of authorities and public services.

All attacks using computer technologies have a few common features, allowing their number to grow in the near future:

- they are extremely difficult to detect. Those commissioning an attack can hire contractors from abroad or conduct attacks from an public internet café,
- the anonymity of the top instigators behind the attack,
- great striking power. The former head of the FBI Jim Settle at one time said "give me 10 hackers and in the sequence of 90 days I will bring this country [the USA] to its knees",
- the extraordinary ease of conducting attacks. Countries without great power can constitute a considerable risk for advanced military and economic powers,

- low costs of the undertaking. A short program downloaded from the Internet for a few dollars will often be enough. According to online estimates of experts, there are at present over 68,000 programs able to serve potential cyber-terrorists,

Methods and tools used in carrying them out are the next element of considering the problem of cyber-terrorist attacks. On account of the diversity of action methods and the diverse criteria of the description of this phenomenon, there is no unambiguous ranking. The following rank among the most popular methods:

- obtaining, thanks to carelessness of authorized persons, a password for access to the network,
- using the system without special licenses or using providing software from illegal sources,
- destroying the mechanism used for the authorization,
- using the gaps in the set of rules steering the information exchange between two or more independent devices or processes,
- obtaining the information necessary for correct action of the nets available only to the administrator and preventing users from using their systems.

One should state that in cyberspace it will not be possible to categorize action according to one category only, often there are many categories which are inter-mixed. Therefore P. Neuman and D. Parker offered the following division which is based on accessible empirical data:

- the inspection and theft of the information by the person from outside the system,
- destroying the hard disk,
- passing oneself off as somebody else,
- installing a malicious program,
- breaking passwords,
- falsifying data,
- intentional mismanagement.

The most popular and the most often used tools are : viruses, worms and computer bacteria, logic bombs – a type of computer virus which can remain dormant for a long period after having infected a given computer, up until some peculiar event, e.g. of determined date, Trojan Horse – programs which perform additional harmful activities, without the knowledge and consent of the user e.g. removing files, data transfer to the author, formatting the disc, chipping – putting in data computers of chips containing programs allowing for e.g. destroying the computer hardware, spam – electronic message sent out without consent of the addressee who is not expecting this message, back door – leaving gaps by authors of programs, mainly with a view to rectifying mistakes later; it can also be used for downloading and sending viruses, exchanges of files names etc., spoofing – pretending by attacking one of the users of the system which has their own IP address, with a view to avoiding securities which administrators of intranets can apply, scanning – sending a predetermined inquiry by the unauthorized person for scanning computers with a view to obtaining information, hijacking

– intercepting the data transmission being held, between at least two systems, sniffing – so-called “eavesdropping”, which consists of keeping up with the network traffic and catching the important information for attacking, van Eck receptors – emitting electromagnetic signals with the help of electronic devices, which enables the hacker to view replicas of images shown on the screen of the attacked computer on a separate monitor, thanks to DoS and Dos – attacks blocking services by sending bulks of letters sent by post to an email account, or also making very many inquiries to Web servers, e-mail bombing, consisting of the sending of a huge number of electronic messages to the mail server, often with large files enclosed, as well as social engineering – applying psychological devices in order e.g. to get the password of a given network.

During the past dozen or so years we could clearly observe society’s increasing dependence on computer technology. At the same time cyberspace remains a mystery to most people. It is thus no surprise that cyber-terrorism evokes fear and anxiety among the public. From the psychological point of view this new form of IT-related terrorism involves two aspects that cause both rational and irrational fear.

The irrational aspect involves the fear of losing control of computer systems. Computers currently carry out many tasks that allow us to function in today’s world; they carry out these tasks quicker and with better accuracy. This is why many people are afraid that computers might someday become our masters. Of course it is very difficult to eliminate these fears with the help of rational arguments. This fear is additionally intensified by the myth that things which are hard to control can easily be intercepted or used in a way that violates the law.

Rational fear linked with terrorist activity has also intensified in the last few years. Nations threatened with such acts live in constant fear – not knowing the time or objective of future attacks. The time and place of a terrorist attack is determined by the terrorists. Fear of this form of terrorism is constantly heightened by the media; in their search for sensations the media proclaim even absurd events as examples of cyber-terrorism. Of course society is aware of the level of potential danger even without the mass media, thanks to the plague of computer viruses, trojans, “logic bombs” and other threats. Additionally, reports featured on TV, the radio, in the press and online often present false evidence concerning the actions of cyber-terrorists. This is due to inadequate understanding of the core of the problem and exaggeration of the significance of events.

A basic myth involving “cyber-terrorism” is associating all undesired extortions taking place in cyberspace with terrorism. We should not be associating computer hacking carried out by teenagers, creating computer viruses, acts targeting databases or computer networks (despite the fact that these activities may lead to substantial financial losses) with information terrorism (cyber-terrorism).<sup>19</sup>

Currently every new virus, online attack or breaking into a computer system is associated with terrorism. There are various motives behind spreading such

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<sup>19</sup> A. Bógdał-Brzezińska, M. Gawrycki, *Cyberterrorizm i problemy bezpieczeństwa informacyjnego we współczesnym świecie*, ASPRA-JR, Warszawa 2003, p. 20.



myths, including the search for sensations or increasing the profits of companies that manufacture security software.

The fact remains that prevention is the best and potentially most effective form of counteracting this form of terrorism. Currently actual terrorist attacks in cyberspace have not been noted, nor attacks utilizing computer technology (despite the popularity and emphasis on the subject of information terror). This should not, however, dull the vigilance of persons and institutions responsible for safety in cyberspace.

Potential terrorist attacks in cyberspace may involve an opponent's software or information system, as well as computer hardware. There is no single and unambiguous classification system due to the diversity of methods and criteria involved. Information contained in this article is based mainly on the book by A. Bógdał-Brzezińska and M. Gawrycki, entitled *Cyberterroryzm i problem bezpieczeństwa informacyjnego we współczesnym świecie* (Cyber-terrorism and the Problem of Information Safety in Contemporary Times).<sup>20</sup> The chosen terms and classification methods pertaining to levels of cyberspace attacks are based mainly on this source.

The first classification method is a list of seven categories of cyberspace crime, elaborated by W. Cheswick and S. Bellovina.<sup>21</sup> This classification helps outline a few basic terms which allow us to gain a deeper understanding of the essence of cyber-terrorism. The above mentioned authors enumerated the following acts as forms of cyberspace criminal activity:

- *Stealing passwords* – obtaining passwords allowing access to networks.
- *Social engineering* – exploitation of the incompetence of persons with access to systems.
- *Bugs and backdoors* – use of systems without special permission or use of software obtained from illegal sources.
- *Authentication failures* – destroying or impairing authentication procedures.
- *Protocol failures* – use of loopholes in the set of principles directing information flow between two or more independent devices or processes.
- *Information leakage* – gaining access to information accessible only by administrators; information that is necessary for the network to function properly.
- *Denial of Service* – making it impossible for persons to use a system.<sup>22</sup>

F. Cohen used the above list to create his own categories, which mainly emphasize the results of a cyber-terrorist attack. These categories are:

- *Corruption* – unauthorized change of information.
- *Leakage* – information is revealed to unauthorized parties.
- *Denial* – when a computer or network can no longer be used.<sup>23</sup>

<sup>20</sup> Ibidem.

<sup>21</sup> Ibidem, p. 21.

<sup>22</sup> Ibidem.

<sup>23</sup> Ibidem, p. 24.

Many experts, including J. Howard and T. Longstaff, emphasize that cyberspace criminal activity cannot always be classified into only one category; often these acts fall into several categories.

Due to this P. Neumann and D. Parker suggest the following classification, based on available empirical data:

- *External Information Theft* – examination or theft of information by persons from outside the system.
- *External Abuse of Resources* – destruction of a hard drive.
- *Masquerading* – pretending to be somebody else.
- *Pest Programs* – installing malicious software.
- *Bypassing Authentication or Authority* – *hacking passwords*.
- *Authority Abuse* – data falsification.
- *Abuse Through Inaction* – deliberate bad management.
- *Indirect Abuse* – using other systems to create malicious software.<sup>24</sup>

The classification introduced by P. Neumann and D. Parker seems to be most complete, as it allows us to classify various types of acts. Yet we can clearly see that this is not an ideal solution. There are opinions (e.g. voiced by E. Amoroso) that empirical lists are incoherent and illogical. In addition, creating long lists based on empirical observations is impractical.

C. Landwehr and A. R. Buli created so-called conceptual matrixes, based on the following aspects:

- *Genesis* – taking advantage of security flaws.
- *Time of Introduction* – “lifespan” of computer software and hardware.
- *Location* – location of “loopholes” in computer software and hardware.<sup>25</sup>

The representative matrixes created describe the various forms of possible cyberspace attacks quite accurately, and are useful when classifying so-called individual events (those that cannot be assigned to just one category).

As mentioned above there are various types of classification methods. For practical reasons the final classification presented in this article was created by W. Stallings. It includes:

- *Interruption* – occurs when a safety system has been destroyed or cannot be used.
- *Interception* – an unauthorized person has gained access to existing safety systems.
- *Modification* – an unauthorized group has not only gained access, but has manipulated the safety system.
- *Fabrication* – an unauthorized group has introduced a false object into the system.<sup>26</sup>

This classification has its limitations as it pertains only to attacks which are considered a series of actions.

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<sup>24</sup> Ibidem, p. 27.

<sup>25</sup> Ibidem, p. 28.

<sup>26</sup> Ibidem, p. 29.

The above diversity of classification proves both the complex nature of the issue and the dynamics of activities taking place in cyberspace.

Americans tested the concept of information warfare (government cyber-terrorism) during the conflict in Grenada in 1983 and in Panama in 1989. Yet the first typical information battle was carried in 1991 on the Persian Gulf, during Operation Desert Storm; the operation left no doubts that technology had affected all aspects of the art of war – from weapon systems to command systems. During Operation Desert Storm the United States employed, inter alia, a computer virus which had infected integrated office device circuits (such as printers and copy machines); these devices were supplied to Iraq before the conflict. The objective was to disable the Iraqi army. Precisely on the 8<sup>th</sup> of January 1991 half of Iraq's monitors, copy machines and printers were deactivated.

The anti-Iraqi coalition then attempted to quickly neutralize or destroy the Iraqi army's information and communication systems with the use of electromagnetic weapons. Anti-radiation clouds were shot from helicopters and planes during the first days of Operation Desert Storm and deactivated the Iraqi air defense system. Strips of carbon fiber enclosed in Tomahawk and Cruise missiles were shot over Iraqi power plants and energy distribution plants. This caused temporary interruptions in power supply; electrical grids were turned off.<sup>27</sup>

During the first war with Iraq, very important information concerning the allied forces almost got into the hands of Saddam Hussein. This was due to Dutch hackers who had, between April of 1990 and May of 1991, broken into 34 of the US Department of Defense's computers.

The United States analyzed the possibility of using "cyber weapons" on a very wide scale when preparing for the second war with Iraq. In February of 2003 the Washington Post revealed that half a year earlier President G. W. Bush had issued a secret directive containing a strategy for employing cyberspace during armed operations.<sup>28</sup> Military experts and scientists had been assigned the task of elaborating a plan to paralyze, with the use of cyber-attacks: computer networks, command systems, the energy sector and phone connections – which could neutralize a nation's vital infrastructure. "Cyber weapons", including electromagnetic weapons, currently at the disposal of the US army, are one of the best-kept military secrets, enshrouded in mystery.

The first international-scale "cyber intelligence" scandal surfaced in 1989. For about two years hackers from the Hamburg-based Computer Chaos Club had been breaking into American computers and selling information to KGB agents. This information concerned strategic defense weapons, weapons of mass destruction, anti-aircraft weapons, space expeditions and plans in case of various types of crises. All information was strictly confidential. The German police apprehended over 20 hackers on the 2<sup>nd</sup> of March 1989. Three were charged with espionage for the Soviet Union.

<sup>27</sup> A. Bilski, "Asy" cyberwojny: spektakularna akcja wojskowa w Afganistanie to zaledwie początek globalnego starcia z terroryzmem, *Polska Zbrojna* 2001, No. 47, p. 14–15.

<sup>28</sup> A. Bógdał-Brzezińska, M.F. Gawrycki, op. cit.

Other acts, called government cyber-terrorism, broadly covered by the media, include:

- The war in Kosovo in 1999;
- The Indo-Pakistan conflict during the period from 1998 to 2002;
- The China-Taiwan conflict during the period from 1999 to 2000;
- The Arab-Israeli conflict during the period from 1999 to 2000;
- The China-American conflict in 2001.<sup>29</sup>

The Legion of Doom, established in 1984, boasted that it had the finest hackers. The Masters of Deception, a rivaling group, picked up the gauntlet; the groups competed to see who could bypass more security systems, hack the most codes and the most websites. Their activities caused significant chaos in the internet. The first five members of the Legion of Doom were arrested in 1990. Two years later, after the Masters of Deception had broken into – among others – AT&T, the Bank of America and the National Security Agency, five members were arrested. The leader of the Masters of Deception spent one year in prison; the remaining four only six months.

Robert Morris, a PhD student at Cornell University's Faculty of Information Technology, created a special program called the Internet Worm, and uploaded it on the 2<sup>nd</sup> of November 1988 in order to – as Morris himself claimed – demonstrate the weaknesses of the UNIX security system. The worm multiplied at a tremendous rate and infected over 6000 computers with an internet connection, causing losses anywhere from 15 to 100 million dollars. Morris was arrested and convicted.

Kevin Poulsen used his computer skills to win two Porches, 20,000 dollars and two vacations to Hawaii in radio contests.<sup>30</sup>

In 1994 Vladimir Levin broke into Citibank and transferred 10 million dollars into his bank accounts. Most of this sum was reclaimed, but 400 thousand dollars were never recovered.<sup>31</sup>

Authorities proved that Kevin Mitnick had – among other things – stolen over 20,000 credit card numbers. In 1995 he was sentenced to prison and – what may have been even more of a punishment – Mitnick was forbidden to use or approach information and communication devices until the year 2003.<sup>32</sup>

The Strono Network Group organized a protest against French nuclear policy. On the 21<sup>st</sup> of December 1995 an internet strike was carried out; the strike blocked the websites of several government agencies and institutions.

Portuguese hackers, in a typical example of website hacking, modified forty Indonesian government websites in September of 1998, publishing on them the slogan: "Free East Timor".

<sup>29</sup> R. Szymaniuk, Cyberterroryzm – wcale nie wirtualne zagrożenie, *Kwartalnik Bellona* 2009, No. 4, p. 56.

<sup>30</sup> G. Grallet, Wojna w cyberświecie: komputerowe ataki, kontrataki, operacje sabotażu i cichego szpiegostwa, *Forum* 2008, No. 27, p. 10.

<sup>31</sup> *Ibidem*, p. 11.

<sup>32</sup> A. Suchorzewska, Ochrona prawna systemów informatycznych wobec zagrożenia cyberterroryzmem, Wolters Kluwer, Warszawa 2010, p. 394.

The Triad Group caused much havoc. The group managed to create a special program which enabled access to commercial and military information. The Triad Group used it to gain access to the NASA intranet and hack the security system at the Westinghouse atomic power plant as well as the US Nuclear Defense Agency. In the UK the group bypassed the security systems at the Navy's Weapon Research Center. They also gained access to detailed information concerning a top-secret research program on using computers to control Cruise missiles.

In February of 1998 a hacker from Israel, Ehud Tenennaum (21), aka the Analyzer, broke into MIT and the Pentagon's computers, with the help of two teenagers from California.

The same year a teenaged hacker impaired the Worcester, Massachusetts airport communication system. His attack caused a six hour break in communication between airplanes and the control tower. Thankfully there were no accidents during this time, and no one was harmed.

Radical right-wing groups, the Islamic Hamas, Jihad and the Palestine Liberation Organization are no longer conglomerated in one region – the Arabian Peninsula. Members of these organizations can be found in many parts of the world. The internet makes it possible for others to contact them, unite and call to battle. Hamas currently has a well-developed information and communication network in the United States and Great Britain, used to gather information concerning potential targets and to plan and coordinate terrorist attacks. There are many such examples. In 1995 Abdu-al-Rahmana Zaydana, a member and activist of Hamas, was arrested. His computer contained data on other members of the organization. He contacted them via email. In December of 1999 fifteen Jordanian terrorists linked with Osama bin Laden were apprehended. They were in possession of hard drives containing data on constructing bombs and Al-Qaeda's training camps in Afghanistan. In June of 2000 a well-equipped computer center was found in Hezbollah's headquarters. It is evident that terrorist organizations are aware of technology's potential and fully utilize this potential.

Websites created by Latin American partisans are professionally executed and designed to bring maximum propaganda success. These websites feature all information necessary to become acquainted with the organizations' ideology and the aims of specific groups – in several language versions.<sup>33</sup>

There are two kinds of websites created by Islamic groups. The first kind is addressed to the general population. These websites are written mainly in English – for example Hezbollah's website. Islamists are so efficient at using the internet as a means of propaganda that there is talk of distinctive Muslim information agencies. The second kind of website contains information in Arabic only and is addressed solely to members and sympathizers who are fluent in the language. These websites are created mainly to enable communication between members and supporters of a given organization.

Hamas is one of the most efficient groups at utilizing new information and communication technology. Sources indicate that the group uses advanced

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<sup>33</sup> G. Grallet, *op. cit.*, p. 12.

methods of information transfer, including instructions, maps, orders, codes and even the details of planned actions. Hamas activists from the United States greatly rely on online chat sites to coordinate plans. Sources also indicate that email has been used to synchronize activities in Gaza, the West Bank and Lebanon.

After the arrest of Palestinian Abu Zubaydah, believed to be Al-Qaeda's operational officer, in March of 2002, the police found proof that the internet was probably used to coordinate terrorist attacks. In his home in Peshawar a computer was found containing 2300 encrypted messages and files downloaded from Islamic websites. The information had been circulating from May of 2000 to the 9<sup>th</sup> of September 2001. A peak of information exchange had taken place in August of 2001, a month before the attack on the 11<sup>th</sup> of September.<sup>34</sup>

In January of 2002 evidence was found on a computer belonging to a member of Al-Qaeda in Kabul that the organization is interested in attacking digital control systems. The laptop contained files with diagrams of an American water dam and software that simulated the catastrophic results of its destruction. The laptop also contained many internet tools which would enable a cyber-attack. Destroying the dam using conventional means would have required tons of explosives; an act of cyber-terrorism is much easier to carry out.

Realistically, for the Polish state, the most likely form of cyber-attack may be aimed at the civil ICT systems. The security level of these systems is lower than of military teleinformation and teleinformatic systems. Moreover in contrast with ICT systems used in the Ministry of Defence (e.g. of Miles – WAN, SEC – WAN), civil systems are not physically separated from other public systems which to a considerable degree facilitates access to them. A penetration of unsecured official information servers is an only threat concerning military systems, e.g. formal websites of the Ministry of Defence and the armed forces. For the example, twice in 2007, the website of Ministry of Defence (specifically, the server of its Operation Command and Staff Department) was attacked.

In Poland, the following ICT and teleinformation systems are particularly vulnerable to cyber-attacks:

- air traffic control systems (civilian airports);
- Shipping surveillance systems (VTS Gdynia, VTS Gdańsk and VTS Szczecin-Świnoujście);
- civil and military communication systems (teleinformatic, teleinformation and satellite);
- ICT systems using commercial transmission lines (especially databases of personal details);
- emergency services notification systems;
- ICT systems used in the banking and finance sector.

With a view to the effective counteracting of cyberterrorist threats, as well as assuring an adequate level of teleinformatic state safety, on 1 February 2008, a Government Team of Reacting to Computer Incidents (RZRnIK) – CERT GOV PL was appointed in The Internal Security Agency. The aim of CERT GOV PL is to

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<sup>34</sup> Ibidem, p. 14–17.

assure the teleinformatic safety of organizational units of the Republic of Poland. The main objectives and targets of RZRNIK include the following:

- reating a security policy for protection against cyber-threats; coordination of the flow of information between entities in relation to cyber-threats;
- detecting, recognizing and counteracting cyber-threats;
- international cyberspace cooperation for the purpose of protection;
- Heading cyberspace protection for all national institutions, organizations and departmental entities;
- collecting the knowledge concerning the state of the safety and threats to IKP;
- reacting to incidents of threats to teleinformatic safety taking into account special IKP;
- analysis after burglary using computer science investigation tools;
- creating the politics of the cyberspace protection of the Republic of Poland;
- training and information;
- cyber-safety consultancy and the consulting.

One should note that CERT GOV PL closely cooperate with the government and non-government institutions such as:

- The Military Office of Safety of Contact and Computer Sciences;
- NASK CERT PL;
- The Ministry of Interior and Administration (IKP);
- The Police (within the scope of cybercrime).

A similar team is being created in the organizational structures of Ministry of National Defense which aims to create a teleinformatic security policy in ICT systems of the department. It is worth noting, that work for the establishing of a system for reacting to Computer Incidents (SRnIK) was begun in 2002 and is still in progress. The aim of SRnIK is to function in a three-level organizational structure (the incident room, Centre of Technical Reinforcements and Administrators of the systems and teleinformatic networks), which should provide the Ministry of Defence with the possibility to react effectively to threats to the teleinformatic safety of its cybernetic infrastructure. At present the following organizational units are included in the structure:

- The incident room – Safeties functioning in the Military Office of Contact and Computer Sciences;
- Centre of Technical Reinforcements – Managements functioning in the center with ICT systems.

Also created was the “Government conservation program of the cyberspace Republic of Poland for years 2009–2011”, coordinated by the Ministry of Internal Affairs and Administration, which is responsible for the completion of the program, and involving the Minister of Internal affairs and Administration, the Minister of National Defense, the Head of the Internal Security Agency, the Head of the e-Military Counter-Intelligence Service and other bodies of public authority according to the appropriateness of action.

Raising the security level of the state cyberspace is a strategic objective of the Program. Reaching the strategic objective requires the creation of an

organizational and legal framework and a system of effective coordination and information exchange between departments of the civil service and with other subjects whose databases constitute the critical IT infrastructure of the country, in the event of terrorist attacks using public IT networks. The list of detailed aims of the program is as follows:

- a) increasing the security level of the critical IT infrastructure and hence improving the level of the state resistance to cyberterrorist attacks,
- b) the creation and the cohesive realization of bodies for the entire the civil service and other institutions which together make up the critical IT infrastructure of the political safety of cyberspace,
- c) reducing the effects of cyber-terrorist attacks, and hence the cost of dealing with their results,
- d) creating a long-lasting system for coordination and information exchange between public and private organizations for assuring cyberspace safety and with government bodies constituting the critical IT infrastructure of the state,
- e) increasing competence in relation to cyberspace safety of organizations involved in the protection of the critical IT infrastructure as well as other systems and networks of the civil service,
- f) increasing the awareness of users (including ordinary citizens) of IT networks and security systems available electronically.

The aims of the program will be realized through:

- a) establishment of a system for coordinated protection against and reaction to threats and attacks on the cyberspace of the state, including attacks of a cyber-terrorist nature, and through other organizational and legal action,
- b) universal implementation amongst individuals of administration mechanisms for the prevention and early detection of IT threats and through other technical action,
- c) general and specialist education within the scope of IT safety.

Fear linked with information technology is becoming a popular phenomenon, yet appears to be exaggerated. Despite the fact that attacks on focal elements of a nation's information infrastructure are becoming more and more common, these attacks are not as yet carried out by terrorists. The damage they cause is not substantial enough to be qualified as information terrorism. Although fear of the phenomenon is exaggerated, these attacks cannot be ignored or disregarded.

Counteracting information terror has become not only an important political challenge, but has also – or perhaps most of all – become an economic problem. Subsequent to the terrorist attacks of September 2001 the American federal authorities have spent almost 4.5 billion dollars on securing existing information systems.

Paradoxically, success in counteracting conventional terrorism may cause terrorists to direct their attention towards new methods of spreading fear, e.g. cyber-terrorism. Cyber-terrorism may become popular for the following reasons:



- Acts of cyber-terrorism require less funding than acts of conventional terrorism. All that is really needed is a computer and an internet connection. There is no need to purchase or gain access to weapons and explosives. Instead of missiles, viruses, worms and Trojan horses are created and sent to chosen targets. It is even more effective, though also more difficult, to infiltrate a system and induce desired actions; this could be much more desirable than acts of conventional terrorism.
- Acts of cyber-terrorism are more anonymous than acts of conventional terrorism. Just like the multitude of internet users, terrorism can use pseudonyms or the anonymous user option which will make it very difficult or even impossible to establish a terrorist's true name. There are no physical control barriers in cyberspace; no borders, border patrols or customs officers who need to be outwitted.
- The potential number of victims of an act of cyber-terrorism is very large. Terrorists may attack government computers or computer networks, corporate networks or those used by private individuals. The probability of finding a weak link in the security system is thus relatively large. Of course the terrorist must find a target that is inadequately protected. Yet experience shows that the probability of such an attack is not small.
- Cyber-terrorism requires less physical training and not as much logistic preparation. In addition, it is a stationary activity and does not require travelling. The lives and safety of terrorists carrying out acts of cyber-terrorism are not at risk; it is thus much easier to recruit potential terrorists and convince them to act.
- Past information crimes show just how many people can be affected by the consequences of cyber-terrorism; this is due to the global nature of information. Thus one of the main aims of terrorists – gaining the attention of the media – is met or even exceeded.

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