

This electronic thesis or dissertation has been downloaded from the King's Research Portal at <https://kclpure.kcl.ac.uk/portal/>



**Intelligence services in Post Conflict State Building
a comprehensive study of Iraq and Afghanistan**

Mazzola, Stephanie

Awarding institution:
King's College London

The copyright of this thesis rests with the author and no quotation from it or information derived from it may be published without proper acknowledgement.

END USER LICENCE AGREEMENT



Unless another licence is stated on the immediately following page this work is licensed

under a Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International

licence. <https://creativecommons.org/licenses/by-nc-nd/4.0/>

You are free to copy, distribute and transmit the work

Under the following conditions:

- Attribution: You must attribute the work in the manner specified by the author (but not in any way that suggests that they endorse you or your use of the work).
- Non Commercial: You may not use this work for commercial purposes.
- No Derivative Works - You may not alter, transform, or build upon this work.

Any of these conditions can be waived if you receive permission from the author. Your fair dealings and other rights are in no way affected by the above.

Take down policy

If you believe that this document breaches copyright please contact librarypure@kcl.ac.uk providing details, and we will remove access to the work immediately and investigate your claim.



WAR STUDIES DEPARTMENT

PhD Thesis

**Intelligence services in Post Conflict State Building: a
comprehensive study of Iraq and Afghanistan.**

Stephanie MAZZOLA

Student number: 1463505

Word count: 75094

Supervisor: Dr. Michael GOODMAN

July 2021

Chapter outline.

1. Introduction.
 - 1.1. Definition of research question and objectives.
 - 1.2. Methodology.
 - 1.3. Literature Review.
2. Historical precedents of Intelligence Reform.
 - 2.1. Foundations of Intelligence Services in democratic states.
 - 2.2. Intelligence Reform in post-non democratic regimes.
 - 2.3. Comparable variables.
3. Intelligence Services and Theory of Political Systems.
 - 3.1. Influence of Intelligence Services on democratic transition.
 - 3.2. Intelligence Services in non democratic states and the challenge of democratic consolidation.
4. Post Conflict State Building: failed states and the Security Sector Reform.
 - 4.1. Failed states and State Building Doctrine.
 - 4.2. The Security Sector Reform and Intelligence Services.
5. Intelligence Services Reform. A comparative study of Iraq and Afghanistan from 2002 to today: the case of Iraq.
 - 5.1. From the de-Ba'athification of the country to the establishment of today's regime.
 - 5.2. The reform of the Intelligence Services: the current state of play.
 - 5.3. Analysis of the reform, the expectation, the failures and the lessons learned.
6. Intelligence Services Reform. A comparative study of Iraq and Afghanistan from 2002 to today: the case of Afghanistan.
 - 6.1. Eighteen years of instability.
 - 6.2. The Afghan Intelligence apparatus and the National Directorate of Security.
 - 6.3. Analysis of the reform, the expectations, the failures and the lessons learned.
7. Conclusions.
 - 7.1. Comparing the two case studies.
 - 7.2. Conclusive remarks.

Bibliography.

STATEMENT ON PLAGIARISM:

Plagiarism is the taking of another person's thoughts, words, results, judgements, ideas, images, etc, and presenting them as your own.'

Plagiarism is a form of cheating and a serious academic offence. All allegations of plagiarism will be investigated and may result in action being taken under the College's Misconduct Regulations. A substantiated charge of plagiarism will result in a penalty being ordered ranging from a mark of zero for the assessed work to expulsion from the College.

Collusion is another form of cheating and is the unacknowledged use of material prepared by several persons working together.

Students are reminded that all work that they submit as part of the requirements for any examination or assessment of the College or of the University of London must be expressed in their own words and incorporate their own ideas and judgements. Direct quotations from the published or unpublished work of others, including that of other students, must always be identified as such by being placed inside quotation marks with a full reference to the source provided in the proper form. Paraphrasing – using other words to express another person's ideas or judgements – must also be acknowledged (in a footnote or bracket following the paraphrasing) and referenced. In the same way, the authors of images and audio-visual presentations must be acknowledged.

Students should take particular care to avoid plagiarism and collusion in coursework, essays and reports, especially when using electronic sources or when working in a group.

Students should also take care in the use of their own work. Credit can only be given once for a particular piece of assessed work. Submitting the same piece of work (or a significant part thereof) twice for assessment will be regarded as cheating.

Unacknowledged collaboration may result in a charge of plagiarism or in a charge of collusion.

Students are advised to consult School and departmental guidance on the proper presentation of work and the most appropriate way to reference sources; they are required to sign and attach a statement to each piece of work submitted for assessment indicating that they have read and understood the College regulations on plagiarism.

Students should be aware that academic staff have considerable expertise in identifying plagiarism and have access to electronic detection services to assist them.

1. INTRODUCTION

1.1. Definition of research question and objectives.

Globalisation and the evolution of the threat have facilitated the job of the intelligence services just as much as they have complicated it. The post “Cold War” era has obliged intelligence services to adapt to changes and settle in the “Western modern state model” that we know today. What has emerged since the beginning of the new millennium is that the conventional threat has been transformed into a non conventional one, where a “non state” enemy is identifiable and where conventional military action against the enemy is not always effective; consequently the role of intelligence services as “information organisations” and “security providers” has increased just as much as its targets and modus operandi have changed. It is therefore crucial, in the security studies field, to understand the “world” of intelligence services in an era where conventional defense measures are no longer sufficient to protect our borders, where intelligence services act more and more as a tool of “parallel diplomacy” and as an instrument of dialogue and cooperation beyond the limits imposed by the political games.

The nature of intelligence services today is the result of an evolution which can only be truly observed if we go back to the military doctrine of espionage and “survival of the State” as the winning party of a war. In order to survive as a state, the domestic branches of intelligence services need to take charge of internal security and the stability in the country by detecting and preventing subversive activities, and by ensuring the preservation of the national interests. Moreover, the domestic branches take years to evolve in themselves, and have roots in military organisations. Intelligence services in modern democracies have witnessed transformations in their structure, objectives, competences, and work methodology. In that sense, some countries have adopted the “two service” (internal - external) model; others the “single one”; some have turned the once “military” intelligence organisation to a civilian organisation; others have maintained the tie to the military intelligence as well as to the police forces. The mission, the regulations, the objectives and some sort of agreed practices among the intelligence community, are the common traits of intelligence services in democratic states. While plenty of information is available on the functions of these organisations in well-established democracies, when it comes to intelligence services in non democratic states, and particularly in states undergoing transformation post state failure (due to war), the existing literature faces severe gaps.

This study aims at looking at this particular scenario and intends to do so by starting

to look at the evolution of the above described domestic branch of intelligence services, in countries which have not yet undergone the democratization process. Given the nature, the purpose and use that can be made of these organisations, and the structural limits that are often imposed on them by the governing bodies, the domestic branches of the intelligence services of many countries have traditionally been very closely linked to the police forces, if not completely incorporated into them. In the scenarios that will be analysed in this thesis, the latter has been exactly the case until the breakout of war, the dismantlement of the institutions and the launching of the post conflict state building practices.

For instance, the chosen case studies, Iraq and Afghanistan, will be looked at by analysing those changes which have brought their intelligence services to the current state of play, in particular after undergoing a complete reform of their security sector in general. Prior to the conflicts which have brought the countries to a state of failure, the intelligence services of both countries were fully incorporated into the police or into the military forces (or even both), making them the “armed arm” of their regimes, hence making the efficiency and impartiality of their activities rather questionable. For the armed forces to function and for the intelligence services to fulfil their role, a separation of functions and competences, and most of all impartiality, should be a *conditio sine qua non*. In coherence with the above principle, in fact, Western intelligence services today have detached from this model and encourage the establishment of an environment where military and civilian entities work separately but effectively together.

However, not enough importance has been given in the past to intelligence services as active actors of the democratization process and, in particular, in post conflict state building. The reform of the intelligence services is in fact an important component of that process. It is known as Security Sector Reform - which is at the basis of the reconstruction of a state dismantled by conflict - but as such, the actual organisations have most often been treated as one with the rest of the security providers and not as a possible separate actor, in consideration of its diverse functions and unique role in contributing to national security.

Existing literature demonstrates how very little can be found in terms of studies and research papers on intelligence services in countries in the transition from conflict to stabilization; as a matter of fact, most of the studies on intelligence services have been directed to well established democracies and to modern intelligence services as a distinct component of a state system. Intelligence services, however, are an important part of the security apparatus of a state, and as such they may be used for a series of purposes

which vary in accordance with the state system they respond to. For example, they may be used to exert control over the population or as a tool of fear and repression, or they may be used as a tool to pursue and guarantee national interests (rather than the interests of an individual in power), or to counter local insurrections, to sustain peace and reconstruction processes, or even to mediate in international conflicts, and to finally put into effect what is sometimes referred to as parallel or covert diplomacy. In states where institutions are crippled, or even worst are undergoing a structural change and reform, the influence of the intelligence services, if not controlled and contained by the decisional power, can have a disruptive effect.

While reading and researching about the two case studies which today represent the core of the international efforts and engagement in state reconstruction, namely Afghanistan and Iraq, it is noticeable that no existing literature tackles the intelligence services in the above described context; therefore, the following question automatically led to the definition of my research topic and objective: to which of the above described characteristics do intelligence services in Afghanistan and Iraq correspond?

I have chosen the topic of my study with the intent to carry out a comparative study on the Intelligence Services of these two countries and to determine firstly, how they have evolved since conflict has dismantled their state-systems (taking into consideration a certain time frame between the end of the conflict and the redefinition of the basic functions of the state); and, secondly, how, as security providers, they have influenced or perhaps affected the reconstruction of their respective countries. In other words, the focus of this research lies in the relationship between the Intelligence Services and the State apparatus: how have the Intelligence Services responded to state changes in Afghanistan and Iraq?

Historical precedents of intelligence reform, especially in post-communist countries, have shown how states generally inherit their intelligence services as a cultural element, making the reconstruction of the system and of the lost capabilities (the know-how) difficult to achieve; for this reason, during the first transition phase of the post conflict state building process, in post-communist countries, intelligence services were not dismantled; they were instead kept functioning. The risk, however, is that if intelligence services do not undergo the right change (sometimes even through dismantlement). Therefore, along with all the other state institutions, in the short and medium term instability is inevitable. This is why the reform of the intelligence services, incorporated in the reform of the security sector, should be approached very cautiously: any action carried out by a faction in power

can be mistaken for an attempt to increase its own influence and power within the society, causing clashes, unrests, and protests. Therefore, reforming the intelligence apparatus is not only vital for the safeguarding of national security and of national interests, but also for the achievement of a democratic consolidation.

What historical precedents also show is that it is important to ensure that intelligence services operate within the Rule of Law, without abusing the authority they have been given, ensuring that the “democratically” elected government holds the monopoly of power, without abusing it. If this equilibrium is not achieved, intelligence services risk becoming “a State within the State”, thus preventing democratic consolidation, which in the short run may turn into institutionalised unaccountability, which can be very difficult to reverse.

In consideration of the above principles, which represent the basis of this thesis, the aim is to give an account of intelligence services in their function within statecraft during the specific time frame which sees the State recovering from a conflict and rebuilding its institutions. Iraq, the first country to be analysed, will serve as a starting point upon which the comparative analysis will be later developed. Once ascertained the evolution of the intelligence services in Iraq and the interaction with the other State institutions in the stabilization process (mainly the legislative bodies, the judicial system and the other important security providers such as the armed forces), the comparative study will identify and define a trend of action of the intelligence services by looking into the situation in Afghanistan. The results from the research activity will show whether the interaction between the intelligence community and the State has had positive or negative effects on the consolidation of the political system in transformation.

The remainder of this chapter will look into the methodology chosen to develop the research question and will describe how the thesis has been divided (into 6 chapters) in a way that will allow for the reader to receive a gradual but complete knowledge of the process undertaken and followed during the research. The intent is to produce results that could serve as a “lesson identified” for the International Community and for the Intelligence Community as well, who will be able to refer to a research study that describes how intelligence agencies should evolve when accompanying fragmented States in their rebuild, after an international conflict or a civil war.

1.2. Methodology

The research will be empirical this because it best asserts the usefulness of the study. The aim, as mentioned above, is to directly observe, through the analysis of past case studies, the situation in two present cases, Iraq and Afghanistan, and to understand how their intelligence services evolved from the time of conflict and how they transitioned to sustain democratization. Through the comparative study of the two countries, the intention is to produce an empirical account of the intelligence services' role in the stabilization of Afghanistan and Iraq. As we will see from the literature review in the next section, the perspective chosen for the study does not have precedent in literature, and this element already constitutes an added value to this research paper.

The research question will be approached through qualitative research and through the application of the comparative method¹; in fact, the competitive advantage of my study is the use of two similar cases (Most Similar Systems Design - MSSD²) through a cross-case analysis, which should serve to validate the replicated findings. The background and nature of the topic pave the way for the use of the comparative method, despite the difficulties which will certainly arise given the different historical contexts, the socio-political and economic dimensions. Nevertheless, the comparative method serves the purpose of this research because, as acknowledged by scholars in comparative politics³, it “facilitates the study of over-time data and a concern with temporal process”; this is the *modus* through which the hypothesis will be tested.

The definition of “case”, which is at the basis of my research methodology is the one identified by Miles and Hubermann⁴, which sees a “case” as a phenomenon of some sort occurring in a bounded context; henceforth, the case study becomes the analysis' unit of this research paper.

The comparative methodology has advantages and some limitations too. The advantages derive from the analysis of the similarities and of the differences in the cases. As a matter of fact, findings from one single case may be given inappropriate weight in the evaluation of the hypothesis; this is why the validation of a second case balances out this risk. Another advantage derives from the analysis of data/events over time and the

¹ Mahoney, J., *Qualitative Methodology and Comparative Politics* (2007).

² John Stuart Mill's method, in Carsten, A., *On the Applicability of the Most Similar Systems Design and the Most Different Systems Design*, (2020).

³ Mahoney, J., page 126.

⁴ Miles, MB. and Hubermann, AM., *Qualitative Data Analysis. Thousand Oaks, Sage Publications* (2004).

intersection of the latter with the identified variables (the temporal component), meaning that a path-dependant process is more easily identifiable⁵.

The comparative methodology also has its limits⁶, for example the fact that the selection of the cases by the researcher may alter the subjectivity of the study, or also the fact that the existence of the many variables to analyse, which normally lack experimental control (unlike in the statistical method⁷). Although these factors make the methodology very complex, this very same complexity enables the systematic analysis of the data to take place⁸.

Methodologically speaking, the initial assumption is that the two cases are comparable because of their similar experience in post conflict state building, and therefore respond to the MSSD model. As a matter of fact, the main similarity between the two cases lies in lack of a cohesive government structure and of a well-established state system. Due to a situation of conflict and instability within their territory and because of their weak institutions, the two countries are unable to enforce the Rule of Law within their borders; the state is perceived by the people as a threat rather than a security guarantor. Moreover, they reflect similar state models to repressive military dictatorships, where military influence in the decision making process is dominant, and are highly influenced by the activity of non-state security providing groups (such as local or ethnic militias) and by religious/ethnic divides.

The common traits will be juxtaposed to a series of variables (listed in detail in the next chapter) which will be observed and analysed for each case, therefore representing the main tool for the research. The existence and degree of influence over the process of such variables should help identify a comprehensive answer to the research question⁹.

The data which will be collected and finally analysed will relate to aspects such as: the security conditions (in terms of social, military and economic security), which include indices such as the rates of terrorism incidents, the targets of the terrorist attacks, the opinion and position of the population towards the newly established authorities, the mapping of militant organisations, the legacies which may obstruct or stimulate change, all

⁵ George, A. L. & Bennet, A., *Case studies and theory development in the social sciences*. Cambridge MA. MIT Press (2005).

⁶ Faure Murray, A., *Some methodological problems in Comparative Politics* (1994).

⁷ Lijphart, A., *Comparative Politics and Comparative Method*, *American Political Science Review* Nr. 65 (1971), pages 691-693.

⁸ Mahoney, J..

⁹ George, A. L. & Bennet, A., page 206.

of which are needed to determine the degree of achieved and perceived security or the lack of control by the security organisations over the territory; reports on the dismantlement of the armed forces and of the intelligence institutions and the re-employment of personnel, which will help us determine the degree of change applied to these organisations during the transition and the actual success; statistics on the presence of foreign troops on the ground, necessary to assess the degree of external intervention and to understand their actual role in securing the land; and papers on the outcomes of the civil wars and studies on the social and demographic changes of the population, necessary for the evaluation of the effects on the people of the transition from a previous regime to an externally “arranged” political system.

These are just a few examples on the empirical findings that will be looked at and that will then be linked to the set of pre-established variables¹⁰ (namely the pre-determined characteristics which will be further described in Chapter 2), with the aim of identifying eventual causal relations from the interaction of these complex elements¹¹. In other words, the objective is to determine, after looking at all the empirical findings emerged through the observation of the collected data, how the intelligence services in both countries have evolved after the conflict, whether they followed similar procedures and, finally, if they produced similar outputs, capable of sustaining or hindering the democratisation process¹².

To fulfil the needs of my research, which has to undergo different phases of analysis, the methodology chosen will allow for the core of the paper to develop throughout three different phases. Apart from this introduction (Chapter 1), which analyses the reasons behind the choice of the topic and addresses in detail the methodology and the literature review, the breakdown of the following chapters corresponds to the specific phases of the research process which I intend to follow.

But before going into the core of these phases, it is worth spending a few words on the literature review (which will follow in the next section) because it highlights the different “schools of thoughts” pertaining intelligence studies, and most importantly, it highlights the gaps which this research paper intends to fill. For instance, plenty of literature is available on the post conflict state building and on Security Sector Reform, at a doctrinal level, but neither of these are fully applicable to this thesis (the reasons for which will be further

¹⁰ Faure Murray, A..

¹¹ George, A. L. & Bennet, A., page 206.

¹² Mahoney, J..

explored in the next pages); plenty of literature is also available on the intelligence services in democratic countries, but this perspective is also not relevant to the chosen case studies because of their undemocratic nature.

The research gaps are the basis upon which this study has been developed. As a matter of fact, the first phase of this research (enclosed in Chapters 2 and 3) is strictly related to these gaps because it delineates cases and findings from historical precedents. On the one hand they have enabled the evaluation of the existing literature to take place. On the other hand, they have proven that although similar issues have indeed been tackled (in different scenarios and contexts), they do not focus on the specific role of the intelligence services, which is the most pertinent aspect of this research.

Chapter 2 goes over the foundations of modern intelligence services and the historical precedents of countries undergoing post conflict state building, which lie in the post Cold War era and in the post communist countries. Of course, the nature and background of former communist countries may not coincide with the characteristics of Middle Eastern non democratic States, proving that there are no precedents in history that coincide in characteristics with the situation of the chosen cases. However, the only way to introduce a proper account on intelligence services as a function of statecraft is by looking into countries that have undergone a similar process and, historically, the most similar cases are certainly the former communist states.

Chapter 3 aims at combining the theoretical dimension of this research paper, which lies in, and also evolves through, the comparison between democratic and non democratic countries in general, and then between the latter and the chosen case studies. A theoretical overview is necessary in order for the basics of intelligence services doctrine to be applied to the cases. It is worth noting that the choice to differentiate between democratic and non democratic States aims at highlighting the converging characteristics rather than specifically categorising each country.

The second phase of the research (which begins with Chapter 4), represents a complementary component to the first one, however fundamental for the development of the case studies and for the empirical outlook. In particular, this chapter looks at the practices of state building, with references to the general doctrine¹³, but also with a further focus on the aspects of state building which interest us the most: the security sector. The

¹³ Chandler, D., Sisk, T. D., *State building through the Security Sector Reform*, Routledge Handbook of International State Building, (2013).

concept of Security Sector Reform (SSR) represents an important theoretical umbrella¹⁴. Much of the corresponding literature demonstrates, however, that the broadly accepted definitions of Security Sector Reform are not entirely applicable for this thesis because of their lack of focus on the role, activity, and purpose of the intelligence services.

Chapters 5 and 6 will tackle each case study in detail. The intelligence services of first Iraq and then Afghanistan will be described on the basis of a pre-established set of variables (also known as the dependent and the independent variables, which will be illustrated in detail in the following chapter), on the basis of open source research, but also on the basis of specific interviews to specialists and “experts on the job”. The comparative analysis, an outline of the findings, and finally the comparative description of the processes in each country, will be the core of Chapter 7.

It is important to mention that the research will include all elements typical of a qualitative research model¹⁵, namely archival data (historical documents and already existing research studies) and new data, both deducted from primary sources such as articles, newspapers, open sources interviews (in English and in Arabic), databases, reports on crisis scenarios from official international sources, and secondary sources such as strategic studies periodicals, specialised journals, and policy papers.

The comparative analysis will produce similar results because, in spite of the historical differences between the two cases, the similar conditions of the two countries¹⁶, such as the persistence of internal conflicts, keep both of them in a state of continuous instability. Therefore the completion of the stabilization process is a mirage. Writing in June 2021, the Intelligence Services in Iraq and in Afghanistan are still facing profound obstacles, most of which are represented by similar internal destabilising factors (for instance of the Islamic State (IS) in Iraq and of the Taliban, just to mention one group, in Afghanistan). These destabilising factors represent the main threat to the stability of both cases today; they are that unconventional enemy mentioned in the introduction, which in these countries is not only represented by terrorist groups such as IS, al Qaeda and the Taliban, but also by that inner cultural component which derives from the complex demographic structure of the society (these aspects will be thoroughly analysed in chapters 5 and 6).

The research will demonstrate that the intelligence services have been playing an

¹⁴ Talbot, O., Wilde, N., *Modelling Security Sector Reform Activities in the Context of Stabilization Operations*, (2011).

¹⁵ Mahoney, J..

¹⁶ Carsten, A..

important role countering the factors which undermine stability in the respective countries, and may also be close to the “good enough” level required by the standards of state building practices. Unfortunately what may also emerge is that these same organisations are probably still unable to play that “neutral role” required by the standards of intelligence services operating in a democratic state.

The challenges that have come across throughout the years of the research are also worth mentioning. The first challenge is definitely identifiable with the continuous changes in the security conditions, both in Iraq and in Afghanistan. The fact that throughout the years of the research both countries have had to deal with new conflicts and instabilities (the Syrian Iraqi war and the rise of the Islamic State in the entire region was just the beginning of the security roller coaster) affected the analysed data, causing their fluctuation. Indices that in 2014 had a positive outlook, for example, took an opposite turn in the following three to four years, slightly altering the result of the initial predictions. When the study begun, in fact, both countries were better off and more stable than how they are today. Such conditions could not be disregarded and although the overall analysis takes into consideration a wide temporal margin (almost twenty years), the last three years have highly affected the output and led to a regression in the overall democratization process. In order to facilitate the writing of this paper and not having to constantly adjust data, which has been affected by the delicate dynamics ongoing in the two countries, it has been decided to take into consideration events up to the end of 2020. For the case of Afghanistan only, given the importance and impact of the recent declaration by NATO Coalition troops to leave the country by September 2021 (this was declared on April 14th 2021), events have been updated up to May 2021.

Another challenge has been the endemic limitations of the chosen methodology¹⁷ and the sensitive nature of the subject hereby discussed. Finding reliable information on the intelligence agencies of the two countries has indeed been a challenge, because of the secrecy behind these organisations. The optimum, of course, would have been to carry out as many interviews as possible with actors involved in the environments of the study, and originating from the two addressed countries; this would have been helpful in order to further validate the numbers and the data found on open sources. The one interview carried out, however, still gave a unique contribution to the study because of the direct experience of that one individual and because of his direct evaluation of the results, as an internal and involved actor: it certainly added value also to all the other information.

¹⁷ Faure Murray, A..

However, the views and the data given by this one source were difficult to be verified and confirmed due to the peculiar and classified nature of the information related to intelligence services in general, which we could consider as being even worse in countries still undergoing reforms and still under turmoil; this lack of confirmation represents a limitation to this study. Luckily enough, nevertheless, the contribution of the individual has been in line with the general findings represented by data, surveys, reports and journals, hence the interview did not distort in any way the results or the conclusions. The intention to try to maximise the results, in spite of the gaps, and to try to avoid generalisations and tentative conclusions, has been met¹⁸.

In conclusion, given that my research explores areas that constitute current affairs and that, as we will analyse in the literature review, the existing literature does not tackle the issue of “post conflict state building” under the lenses of an intelligence service as a main actor - and often fails to even mention intelligence services at all - the ultimate aim is to fill this gap in modern literature by giving an empirical contribution.

¹⁸ Mahoney, J..

1.3. Literature review.

As anticipated in the previous section, very little literature exists which focuses on intelligence services of the Middle East, particularly from a contemporaneous perspective. This is mostly because researchers have always focused their attention on the Armed Forces in general, due to the higher pertinence with the needs arising from military intervention in certain areas, such as Iraq and Afghanistan. Broad literature can in fact be found on what Western powers have planned and carried out for the reconstruction of those countries which have been dismantled by internal turmoil and external military interventions¹⁹, and what the successes and failures have been (but these specific aspects only partially serve the purpose of this study). Even more limited is the collection of literature about countries in transition from conflict to stability, which is still in progress (sometimes referred to as “hot” areas). Although some descriptive literature can be found on how the Armed Forces have been affected by the events which have afflicted the Middle East in the past 15 years²⁰, there is indeed little material about the interaction between the Armed Forces and the intelligence services, and between the latter and the State undergoing democratization. A substantial amount of literature, however, can be found on what security apparatuses are, on the different security actors (hence intelligence services in general as well), especially their functions and modus operandi in the modern era and in democratic states (for example in Shulsky’s “Silent Warfare”²¹, or Treverton’s²² study “Towards a Theory of Intelligence”). However, not enough is found when it comes to comparative studies of intelligence agencies in non democratic states.

Therefore, in order to give my study a solid structure upon which to develop the case studies, the foundation of the literature has been identified and defined in the intersection between “State Building Theory”, the “Security Sector Reform” and “Intelligence Services Doctrine”. Although the core is the interaction of the latter with the State during the stabilization and democratization process, the basis of the entire process is undoubtedly in “Nation Building” and in “post conflict State Building”. For this reason, the literature

¹⁹ Bogdandy, V., Wolfrum, R., *State Building, Nation Building and Constitutional Politics in Post Conflict Situations: Conceptual Clarifications and an appraisal of different approaches*, Yearbook of the United Nations Law (2005).

²⁰ Born, H., *Security Sector Reform in Challenging Environments: insight from comparative analysis*, DECAF Publications, (2005).

²¹ Shulsky, A. N. and Schmitt, G. J., *Silent Warfare: Understanding the world of Intelligence*, Free Press, Third Edition (2002).

²² Treverton, G., Jones, S., Boraz, S., Lipsky, P., *Towards a Theory of Intelligence*, Workshop Report, RAND National Security Research Division (2005).

collected incorporates elements from both aspects.

Defining and classifying security actors and giving intelligence organisations a specific role within the State is the first phase upon which to develop a model of comparative analysis. In fact, the first important aspect to study when looking at a country in transition is the capability of its institutions to achieve efficient and comprehensive civil- military relations, through the reform of the entire security sector, which has been proven to be a fundamental first step. Existing literature shows that the success of this initial phase will determine the success of the entire democratization process. In order to fully understand the prerogatives of the Security Sector Reform - which, of course, is not the main focus of this paper, but in which the intelligence reform lies - it is inevitable to assign an important part of the literature to state and nation building doctrine and to the classification of intelligence organisations.

By looking at the various authors who have tackled the issues of post conflict state building and intelligence reform, different “schools of thought” have emerged on the basis of the factors which seem to assume greater importance and relevance during the transformation phase. It is important to note at this stage, however, that despite these authors having engaged with scenarios relatable to this study, none of the perspectives chosen serve the purpose of this paper for a series of reasons which will be discussed later in this chapter.

Certainly, the most interesting aspect of the initial phase, has been trying to understand the different intelligence models and classifying them according to the state model they serve. Authors like Peter Gill²³ have, for instance, provided a clear definition. With his classification of security intelligence services, Gill automatically defines the nature of the state to which these services belong and, although the classification is a mere reinterpretation of William Keller’s study on intelligence services²⁴, Gill includes a series of well defined variables which allow for a comparison of different models in different states to take place. This outlook is the basis upon which the comparative analysis will be developed and, for this reason, the bibliography includes readings on non democratic states and failed states (which today are considered to be “emerging democracies” because they have gone through some sort of reform), and a series of studies on countries which have undergone state building processes (like in the Balkans and in Central Europe in the 80’s and in Latin America in the 70’s). The intention is to identify, by looking at past

²³ Gill, P., *Policing Politics: Security Intelligence and the Liberal Democratic State*, Routledge (1994), page 6.

²⁴ Keller, W., *The Liberals and J. Edgar Hoover: rise and fall of a Domestic Intelligence State*, Princeton University Press (1989).

cases, an already existing example of the role of intelligence services during the transition towards stabilization, and to verify if the same can be applied to the case studies chosen for this research.

Going back to the above mentioned “schools of thought”, the first one is identifiable in the following perspective, used by many authors when tackling post conflict state building: the core of all transitions and transformations seems to lie in the need to establish and consolidate the state as a bureaucratic machine and institution, and guarantee the presence of effective control mechanisms. The main actor is the state, and all the other components, including the security actors and intelligence services, are a mere instrument at the service of the democracy.

Francis Fukuyama, for instance, considers the establishment of the state “one of the most important issues for the world community, because weak or failed states are the source of many of the world’s most serious problems, from poverty, to AIDS, to drugs, to terrorism”²⁵. He argues that there is still a lot to be learned because transferring institutions is not as easy as transferring resources. In “*State Building - Governance and World Order in the 21st Century*”, Fukuyama develops his argument around three dimensions: the first one analyses the characteristics of a state (in terms of the functions, the capabilities and the legitimacy); the second one looks into the reasons behind the weakness of a state; the last dimension finally examines how international stability is driven by the weakness of a state.

In “*The imperative of State Building*”, Fukuyama again gives great importance to the establishment of a state as “a human community that claims the monopoly of the legitimate use of physical force within a given territory” (as defined by Max Weber). According to Fukuyama the essence of a state lies in its law enforcement, and intelligence agencies should serve to enforce the rules. The author stresses concepts such as culture and habits, and traits which cannot be disregarded and cannot be transferred (as resources are) in the process of state building.

These concepts are at the basis of the research because they state a fundamental notion: there can be no democratic state if the intelligence services are not integrated into the basic functions of the State. Fukuyama, in fact, explores and defines the early phases of the intervention needed to restore the basic functions of a state, and he clearly identifies law and order as a priority and as a determining factor. All other steps, like economic autonomy and restoration of basic services are important steps, but not as urgent as the

²⁵ Fukuyama, F., *State Building: Governance and World Order in the 21st Century*, Cornell University Press (2004), page xvii.

stabilization of law and order.

In “*Nation Building*”²⁶, Michele Flournoy also uses Francis Fukuyama as a doctrinal base to her study. She tackles the challenge of restoring a legitimate and effective state, and also considers the “restoration of order” as the basic function of a state, upon which the entire process should be based.

In “Democratic Transition and Consolidation: Southern Europe, South America and Post Communist Europe”²⁷ Juan Linz and Alfred Stepan attempt a comprehensive comparison of modern non democratic regimes in Post Communist Europe and in South America, arguing that there also needs to be a solid state before democratization can be accomplished. The authors describe the paths chosen in each case, making a distinction between the different political identities and stressing the need to ensure stability before all other functions are enabled.

We may change the geographical dimension and move to the transition to democracy in Latin America in the 70’s, but the approach is the same. In “*War Transitions and the New Civilian Security in Latin America*”²⁸, Charles Call, for example, categorises the internal security system as a whole, and fails to differentiate among the different components which may play different roles in the transition phase, for example by separating out the intelligence services. Relevance is given to war as the sole source of debilitating the military, which is viewed as the main obstacle to democracy, and relevance is given to the consolidation of the state and those control mechanisms which guarantee civil rights and accountability.

Alan Bryden and Heiner Hanggi, in “*Reform and Reconstruction of the Security Sector Reform (SSR)*”²⁹, tackle the topic under the same perspective and assess Security Sector Reform practices in various present day scenarios. In this case, however, the authors concentrate on another aspect of “securing the state” by concentrating on the individual: the endurance of immediate basic individual security is treated as the centre of the discourse. The security concept in this book revolves around the security of the citizen as the priority of the state, rather than the security of the institution (which is treated as a

²⁶ Flournoy, M. A., *Nation Building: Lessons Learned and Unlearned*, In *Fukuyama ed. Nation Building Beyond Afghanistan and Iraq* (2006).

²⁷ Linz, J. and Stepan, A., *Democratic Transition and Consolidation: Southern Europe, South America and Post Communist Europe*, John Hopkins University Press (1996).

²⁸ Call, C. T., *War Transitions and the New Civilian Security in Latin America*. *Comparative Politics*, Vol. 35, Nr. 1 (October 2002).

²⁹ Bryden, A. and Hanggi, H., *Reform and Reconstruction of the Security Sector Reform (SSR)*. *Yearbook 2, Geneva Centre for Democratic Control of Armed Forces* (2004).

mere bureaucratic mechanisms). In this regard, the authors develop two normative elements around which the process should concentrate:

- a) affordability and capability of the security bodies to ensure the security of the individual;
- b) effectiveness and democratic behaviour of the security bodies.

In this case as well, no direct reference is made to the intelligence services as security actors, and nor is a reference made to how the latter should be reformed, if not totally dismantled. For the purpose of this research, referring to the security of the individual only, and not to the security of the state, which should be intended as the sole guarantor of all forms of security within the territory it controls, is neither sufficient nor applicable. These normative developments, if concentrated only on the security of the individual, cannot be applied to all scenarios. This is because they do not take into account the security environment around which the process takes place. What, then, should be the case in countries like Iraq and Afghanistan where, despite the beginning of a state building process, basic security (intended as the physical security) conditions still do not exist? How should intelligence services serve this purpose at this point?

The fact that the above described authors fail to fully analyse the security providers and specifically intelligence services as a tool to ensure security represents a limitation for this research, which is not about state building practices and procedures, but about the relationship between the intelligence services and the state during the democratization process.

The second “school of thought” analyses the issue of state building and democratic transition by focusing on the cultural aspects, in the sense that for many authors the cultural environment of the country undergoing transformation is crucial. Should it be moulded according to Western democratic precepts and principles or should it be preserved even if incompatible with democratic traits?

In Francis Fukuyama’s *“Imperative of State building”*, the author considers intelligence services as part of the culture of a country, and when a state is undergoing reforms, the culture of the intelligence operators should be moulded. To what extent should, however, the culture be moulded? Are Western institution models, liberal ones, universal and transferable to all cultural contexts? As Huntington says, institutions of the liberal West are the product of the cultural habits of Northern Europe in the world. Can these be transferred to another state, where external actors lead state building procedures of a failed state?

This aspect is first of all tackled in Kieren Williams and Dennis Deletant’s *“Security*

*Intelligence Services in New Democracies*³⁰. In this text the authors study intelligence services in the Central Europe's post Communist states, but criticise the reform process because it has created procedural governments - governments which suffer from the lack of its population's trust in the newly established institutions. Although on paper new institutions have been created, not much has changed. According to the authors the problem lies in the lack in culture of public service; countries affected by dictatorial/ authoritarian regimes have difficulties in detaching from the legacies of the past and find it difficult to concentrate on the prioritisation of the national interests. This issue is not only present in post communist countries, but is a common characteristic of all former authoritarian regimes. Although this text effectively describes the issues tied to the democratisation of the intelligence services by looking into the Czechoslovakian and Romanian cases, it only partially serves the purpose of this research paper for different reasons: first of all because of the differences in the nature of the countries described in the paper, and secondly because the paper contains a mere description of the steps undertaken by each country to reform its own intelligence services, but does not consider the latter as an active participant to change. What most authors do is consider intelligence services passively and not as an independent actor which has direct interactions with governing institutions and, as such, somehow capable of affecting change.

Nikolai Bozhilov, in *"Reforming the Intelligence Services in Bulgaria: The experience of the last decade"*³¹, also looks into a case of democratic transition in Central Europe. The approach is common to most studies on the reform of the intelligence services: the historical background, the shock event that brought to change, the description in the establishment of a control mechanism necessary for intelligence services to be functioning in a democratic system, and critiques on what hasn't changed and what more could be done. The narrative is the same, just as much as the limitations are. The relevant traits could be summed up in the general feeling of distrust towards intelligence services because of the cultural legacies that characterise the population, for example in the Czechoslovakian and Romanian cases; but the "three tiers" approach, so called by the author, which encompasses an evaluation of the intelligence service in terms of the people, the process and the technology, represents substantial limitations and adds no value to the much existing descriptive literature on the topic. Bozhilov, just like Williams

³⁰ Williams, K. and Deletant, D., Security Intelligence Services in New Democracies (2001), *Studies in Intelligence*, Vol. 48, Nr.1.

³¹ Bozhilov, N., Reforming the Intelligence Services in Bulgaria: the experience of the last decade, *Geneva Centre for Democratic Control of Armed Force* (October 2002).

and Deletant, fails to consider intelligence as the potential actor that it is, and refers to it solely as a wild creature to be kept under control by appropriate legislative mechanisms.

What has been proven by all the texts cited so far is that the reform of the intelligence services in emerging democracies is in fact one of the most “complex activities”. Many are common issues faced when studying intelligence services. One of the main problems is directly related to the concepts of “control” and “accountability”, both important issues to tackle in order for the democratization process to occur. This concept encloses the “third school of thought”, which studies the democratization of intelligence services in terms of the need to establish well-functioning control mechanisms over these “independent” bodies.

Marina Caparini³² whose research is important for this thesis, uses case studies which have recently undergone a democratization process, aided by the intervention of an external actor, in her work “*Comparing the democratization of intelligence services*”. She carries out a comparative study on countries different to the English-speaking Western democratic states, making her contribution valuable to the already existing literature. She compares former communist states of Eastern and Central Europe (more specifically of the Balkans and of Eastern Europe) where the initial security apparatuses worked solely in support of the party in power (the socialist party). Her focus tends to be on the democratization path as a normative and political process, rather than on the role that security actors (and intelligence agencies) have in the stabilization process itself, and focuses on the need to establish control and exercise authority over intelligence services. Unfortunately, by concentrating merely on the policy behind the establishment of a democracy, this literature is also insufficient and cannot entirely serve the purpose of this research paper.

Thomas Bruneau and Steven Boraz, however, in “*Reforming intelligence*”³³ have taken the analysis to a further level. The book, which contains essays that tackle respectively the topics of intelligence and democracy by looking into twelve different case studies, establishes a framework in which intelligence services can be analysed. They place emphasis on the civil military relations (CMR) rather than on the intelligence services themselves, however. The reform of the entire security sector (SSR) has been proven to be a fundamental initial step, and this cannot be disregarded; the success of this initial

³² Caparini, M., Comparing the Democratization of Intelligence Governance in East Central Europe and the Balkans, *Intelligence and National Security*, Vol. 29, issue 4 (2014).

³³ Bruneau, T. C. and Steven, C. B., *Reforming Intelligence: Obstacles to Democratic Control and Effectiveness*, University of Texas Press (2011).

phase will determine the success of the entire democratization process. However, this research paper is not about the Security Sector Reform, let alone about the establishment of civil military relations. Understanding these mechanisms is only useful to develop a theoretical basis for this research paper.

The issue of the need to establish control mechanisms and accountability policies is also strictly relatable to the fundamental intelligence principle of “secrecy”, pertaining both to the profession itself and for the organisations. Secrecy policies are core elements to be considered when studying the evolution of the intelligence sector, but are not always addressed directly. Among the literature analysed was the work of Peter Gill and Mark Phytian³⁴, two authors who do so directly. They in fact consider secrecy one of the essential factors in the world of intelligence, but also point out that it can contemporarily raise issues of legality and accountability. The absence of a clear accountability model has been proven, by history, to lead a country into a dictatorship. Hence, is there a right amount of “secrecy” to be preserved, and can the country still be considered a democratic one? To what extent should secrecy be contained when “publicly” transforming the intelligence services of a former authoritarian regime?

A fourth “school of thought” has also emerged while developing the research, which is the combination of the second and the third school. In establishing new institutions under the democratic principles of “control” and “accountability”, some authors also take into account the principles of “liberal democracy” and “market-oriented economics”³⁵, consequently establishing the transmission of the Western liberal standards, making state building more of a *civilisatrice mission* (similar to the colonial era standards, when Western Imperial powers felt the obligation to civilise populations under their control). In “*International Peace Building and the Mission Civilisatrice*” the author, Roland Paris, concentrates the study on the liberal state building paradigm. State building is viewed as part of a normative agenda and the reform of the security sector as part of a political agenda. This approach may have worked in the post Cold War scenarios, but it is not necessarily applicable to modern days contexts. Imposing practices that do not match the needs, expectations and culture of local communities, who already witness some sort of interference by external actors, may trigger counterproductive reactions.

The objective of international led operations should be the transfer of the know-how to local institutions, allowing the latter to responsibly provide for their own security. This is a

³⁴ Gill, P. and Phytian, M., *Intelligence is an insecure World*, Polity Press, Cambridge (2006).

³⁵ Paris, R., *International Peace Building and ‘Mission Civilisatrice’*, *Review of International Studies*, Nr. 28, British International Studies Association (2002), page 637.

principle that Michael Brzoska discusses in “*Criteria for evaluating post conflict reconstruction and security sector reform in peace support operations*”³⁶. By analysing past cases of post conflict reconstruction, the author identifies practices of success and failure of the Security Sector Reform and intelligence reform as well, but only describes issues that external actors of the international community have faced. He stresses concepts like ownership, accountability and economic sustainability of all security forces, and finally concludes by pointing out all the situations typical of a post conflict scenario, in which security bodies are characterised by excessive militarisation, poor oversight, little efficiency and corruption - all aspects to which we have broadly been exposed in various literatures. Other variables emerge from other studies, such as the scale of reconstruction or the degree of international involvement in the process. These are clearly identified by another author, David Chandler³⁷, who also analyses state building and the reform of the security sector as a politicised process. Although conditions of failure are also identified and a poor Security Sector Reform is recognised as a determinant factor for failure, the concept and category are over simplified, making this model inapplicable to this research paper.

What appears from the above described literature is that most of it refers to a broad agenda that can be applied to different cases according to the reform context and background. However, given that each case tells a story of its own, a single applicable model is difficult to identify. Moreover, the Armed Forces are often treated as a politicised faction and as one block and sole protagonist of the Security Sector Reform, disregarding the fact that the various components do not always undergo the same changes as the Armed Forces. This is because transferring security must be done with the Armed Forces and intelligence apparatuses both in mind. Transferring security is a great challenge and a long-term process and most authors abstain from defining the different security providers. Therefore, developing a study under the lens of “intelligence services” is certainly a new contribution to this field.

The purpose of this research is to specifically conduct a comparative study between the intelligence services’ *modus operandi* in countries that share similar characteristics and challenges. With regards to all the external variables that we have described so far, Afghanistan and Iraq converge under many of these aspects. Detaching at this point from

³⁶ Brzoska, M., *Criteria for evaluating post conflict reconstruction and Security Sector Reform in peace support operations*, *International Peacekeeping*, Vol.13, issue 1 (2006).

³⁷ Chandler, D and Sisk, T. D., *State Building through the Security Sector Reform*, *Routledge handbook* (2013).

the different schools of thought that have provided a clear view of the current state of play in intelligence studies, a separate research has been conducted for the relevant case studies.

As we will see in the following paragraphs, plenty of literature is today available on Afghanistan and Iraq, which represent contemporary examples of countries dismantled by conflict, currently facing internal turmoil and certainly still struggling to obtain stability and peace. There, the institutions are undergoing reforms, following as best as they can the practises of state building, and are investing in the Security Sector Reform, hoping to ensure security in their territories.

The comparative study is fundamental because there is a need to learn and understand thorough comparison, and because the output of the study is of greater value. The choice of the comparative method goes beyond the need to achieve analytical results for the research paper: the intention is to understand the best practices and to capitalise on the lessons learned in order to ensure the effectiveness of intelligence services.

The starting point of the research for both case studies is an historical one. Understanding the historical and political events (such as the fall of Baathism and the crisis of Sunnis in Iraq, or warlords in Afghanistan and the rise of the Taliban) which have moulded the countries and brought them to instability and further conflicts, will help understand why certain choices were made, why the Armed Forces have been the central actors in the “politics” of the countries and why an adequate reform process should be considered vital for the survival of the state. Understanding the nature and origin of Middle Eastern intelligence apparatuses is impossible if the nature of the regimes that have characterised Middle Eastern modern states is unclear. Needless to say, the origins of modern intelligence services in the region are strongly affected by colonialism and by the permanence and influence of the British rule. With the independence from the British and the French and the establishment of the monarchies and the first Arab republics, we finally see the birth of security apparatuses in support of the newly established regimes.

Marina Ottaway, in *“Democracy challenges: The Rise of Semi-Authoritarianism”*, defines most countries in the Middle East today as “semi-authoritarian” regimes, because of their apparent ability to sustain “the appearance of a democracy without exposing themselves to the political risks that free competition entails”³⁸. We cannot speak about a standardised authoritarianism in the Middle East because political systems do indeed differ in each country, but we can evaluate the common traits among these regimes, which

³⁸ Ottaway, M. S., *Democracy Challenges: the rise of Semi-Authoritarianism*. Washington D.C. Carnegie Endowment for International Peace (2003).

generally lie in the political, ideological and cultural control that the governing bodies have over the society (ie. to avoid coups or regime overthrows, the leaders employ armed forces and intelligence service in activities that resemble mere surveillance over the population).

Once we have established the historical background, we may say that most available data on the case studies refer to the international community's, and in particular to the United States', experience in modern post conflict practices. Hence they analyse the lessons learned following the intervention in the region, which begun over ten years ago (i.e. the Report to Congress, dated March 2008. *Measuring Stability and Security in Iraq*. In accordance with the United States Department of Defense³⁹; The United Nations and Afghanistan: contentions in democratization and State Building⁴⁰; the UK's House of Commons Defence Committee Report on Iraq: An Initial Assessment of Post-Conflict Operations⁴¹).

Studies are also available on the training missions that international organisations took in these failed states - like the NATO Training Mission in Iraq (NTMI), part of the Security Sector Reform programme of the country - and many more just analyse the process of state building and Security Sector Reform under a normative perspective, focusing on the policy procedures and on the judicial structures, only briefly mentioning the intelligence services within the process.

Some studies, like "*The hollowing-out of the liberal project in Afghanistan: the case of the Security Sector Reform (SSR)*"⁴², by Mark Sedra, question the appropriateness and efficiency of the model in countries like Afghanistan. This "questioning" can be easily reversed to other case studies as well, because the prerogatives of the Security Sector Reform do not vary from case to case. Mark Sedra, in this research paper, clearly defines the Security Sector Reform model with a series of conditions which form a list of practices that should all be accomplished in order for the process to be considered complete. He includes aspects like:

- the centrality of the population;

³⁹ Report to Congress (March 2008), *Measuring Stability and Security in Iraq*, in accordance with the U.S. Department of Defense Appropriations act 2008.

⁴⁰ Saikal, A., The United Nations and Afghanistan: contentions in Democratization and State Building (2012), *International Peacekeeping*, Vol. 12, Nr.2 .

⁴¹ House of Commons Defence Committee, *Iraq: An Initial Assessment of Post-Conflict Operations*, Sixth Report of Session 2004-05.

⁴² Sedra, M., The Hollowing-out of the liberal peace project in Afghanistan: the case of the Security Sector Reform (SSR) (2013) *Central Asian Survey*, Vol. 32, issue 3, pages 371-387.

- human security first of all;
- the promotion of the good governance through principles such as transparency and accountability;
- prioritisation of the civilian oversight over institutions.

Mark Sedra also uses a holistic approach when referring to the Security Sector Reform, by including Armed Forces, the Judicial System and the Civil Society, all under one umbrella. He recognises, however, that the model does not take into consideration the security environment and the political dynamics, which often result in the fragmentation of power. The lack of attention towards these aspects in Afghanistan has resulted in the dismantlement of the model, leaving at stake only the “hard” shell of the whole process, which mostly encloses the military components of the institutions.

Despite the issues that have emerged in the past years, the processes still aim at creating a Western model of security and judicial structure; only recently, however, have they shifted towards a coercive capacity (rather than on “imposing” norms), due to the deteriorating conditions in the countries. State building practices, in Afghanistan for example, have become more a sort of a training programme, hence questioning the applicability of the “orthodox Security Sector Reform (SSR) model” in conflict affected zones.

Similarly, in *“Planning post conflict reconstruction in Iraq: what can we learn”*⁴³, the author, Andrew Rathmell, assesses the results of what he considers to have been the most challenging and demanding of such operations; he uses the findings to draw lessons learned for the conduct of future post conflict operations. He recognises the complexity of the Iraqi scenario, which serves as an example of the worst case scenario for the International Community. Unfortunately it is not a unique case, though the author, in this study, underestimates the possibility of a similar scenario to recur somewhere else; such a possibility cannot be excluded, in particular in the Middle East, and especially after the political turmoil which have dramatically changed the balances of power in the region.

Andrew Rathmell also considers of fundamental importance variables such as the “national context”, but focuses his study mainly on the general policy requirements of reconstruction and state building. The approach is more about what international actors like the United Nations, NATO and the United States should or should not do, suggesting that the focus should be directed on human security. Moreover, he suggests that the long term approach should be improved because, while the immediate use of troops has

⁴³ Rathmell, A., Planning post conflict reconstruction in Iraq: what can we learn, *International Affairs*, Vol. 81, issue 5 (2005).

proved to be of rapid and direct impact on the stabilization of the territory, international intervention is rather uncertain and has a limited impact. Needless to say, Rathmell's vision contains some limitations for the purpose of this research.

Many other authors analyse the situation in Iraq and Afghanistan under all sorts of perspectives. Some, interestingly, even use the "what next" approach, which rather than focusing on what has gone wrong analyses what could be done at this stage, given that the region is far from being stable. Michael Knight in *"The Future of Iraq's Armed Forces"*⁴⁴, uses this approach and thinks of Iraq after the Islamic State in the Levant: he believes that the last years have heavily affected the reconstruction of the country. Moreover, the challenges faced by its Armed Forces demonstrate a need to consider more reform in order to better prepare it to face very challenging threats such as terrorism.

What authors, again, fail to do is to specifically include intelligence services when addressing actors involved in the stabilization process of the country; intelligence services often seem to be addressed by most authors as a bureaucratic cog.

The above pages are an attempt to structurally describe the existing literature and the starting point of this research⁴⁵. This literature view has demonstrated the originality of the approach chosen in this paper, and where it sits within the literature. Some literature is considered to be more relevant and appropriate than other, but all of it is definitely useful in identifying the general trend of studies so far developed in the "intelligence discipline". However, clearly the field lacks the sort of specificity addressed by this research paper.

The fact that comprehensive reports often fail to mention or even look at Intelligence apparatuses in the way that best serves this study, is a significant element which deserves to be underlined. The absence of Intelligence services as key actors in SSR literature, or even as key components of the state-systems of the two analysed case studies, demonstrates the overall lack of attention on this specific matter. Neither current literature nor various primary sources and reports⁴⁶, which throughout the years have officially reported the progresses in the conflict and reconstruction of Iraq⁴⁷ and Afghanistan, address intelligence services maturely - if at all, which leads to the validation of the purpose and originality of this research paper.

⁴⁴ Knight, M., *The Future of Iraq's Armed Forces*, *Al Bayan Centre for Planning and Studies*, Baghdad, Iraq (2016).

⁴⁵ This part of the paper has been treated as a living document throughout the research process, because constantly updated, especially in the parts concerning the case studies.

⁴⁶ US Congressional records and UK Hansard Parliamentary reports.

⁴⁷ House of Commons Defence Committee, *Iraq: An Initial Assessment of Post-Conflict Operations*, Sixth Report of Session 2004-05.

Therefore, the aim is to fill this gap and contribute to the current literature by looking at the transformation of intelligence services and their interaction with the state while the latter is undergoing reforms in the democratisation process.

2. HISTORICAL PRECEDENTS OF INTELLIGENCE REFORM.

2.1. Foundations of intelligence services in democratic states.

As anticipated in the introduction, not enough relevance has been given in the past to the intelligence reform as a critical element of democratization. Nevertheless, the impact it has on the public opinion is of a primary importance since it is usually associated with the brutal legacy of the former regime. For this reason - as history proves - states in transition have always favoured the destruction and rebuild ex novo of the intelligence services. The rebuild mostly aims at ensuring the effectiveness and control of intelligence services, allowing them to maintain their secret nature of information gathering. The end state is the effectiveness of the intelligence service; lack of effectiveness would mean the inability of a state to protect itself. Moreover, where there is a lack of control, intelligence cannot be directed to serve legitimate national interests, civil freedoms are put at risk and democracy itself may be undermined.

To understand the nature of the intelligence services today, however, one ought to firstly go back to the military doctrine of espionage and “survival of the state” as the winning party of a war, and ought as well to understand the evolution of these organisations from pure “servants” of the regime in power to guarantors of the interests of all State institutions.

The doctrine we refer to is found in one of the oldest texts in war studies, “*The Art of War*”, which represents a treaty of military strategy written by Chinese General Sun Tzu roughly between the VI and the VII Century B.C.. In this old text precognition, or foreknowledge, is defined as the strength of a strategy: “what enables the wise sovereign and the good general to strike and conquer, and achieve things beyond the reach of ordinary men, *is foreknowledge*”⁴⁸. This can be achieved only through the activity of an important category of statesmen: the secret services. Intelligence services today are far from what Sun Tzu intended, or from what the organisations looked like in pre-modern eras, where espionage was at the centre of the balance of power, but this doctrine cannot be disregarded as it represents the origin of it all.

Before the second half of the XIX Century, intelligence services were not considered as part of a well organised system. We see the emergence of a semi-structured organisation during the second half of the XIX Century, in Germany, with the Chief of the German Police in Bismarck's time, Wilhelm Stieber, who gave birth to the well known

⁴⁸ Sun Tzu, *The art of War*, XIII “*The use of spies*” (2001 ed.), page 23.

“Stieber method” for the systematic data collection, intertwined with a stable network of informers⁴⁹. This system consisted of a core body, from which a series of peripheral networks expanded, that handled groups of agents, diversified in their nature, so as to better cover the different areas of interest within society. Soon, other countries, such as Italy, France, Russia and Austria, adopted the same model.

However, it was only at the beginning of the XX Century that states introduced the systematic use of intelligence services. The first example of a modern intelligence system is, in fact, the Secret Service Bureau, established in the United Kingdom in 1909⁵⁰. The Franco - Prussian war was the proof that an efficient secret service was fundamental to military operations. Intelligence services no longer acted only as informers, but they began having an important role in the propaganda of the state because leaders understood the strategic importance of public consent and support⁵¹.

The intelligence doctrine evolved along with the military doctrine and the security doctrine of the modern states of the XX Century⁵². Historically, intelligence services arose from the evolution of three core sectors⁵³:

- a. espionage, which is the oldest trait of intelligence activity. Its objective was the defence of the national borders against threats from outside the country. In the modern era, however, the external focus was expanded to include internal focus too;
- b. gathering of information of economic, political and military relevance. This activity developed during the era of the Maritime Republics of the Italian peninsula, in the Middle Ages. It, however, flourished mostly in England, due to its necessity to secure sea routes from pirate attacks;
- c. internal security. In this case, we refer mostly to “political police” activity. The origin can be also traced to the Middle Ages, but it was in the form of “palace guards”, in defence of the Prince. However, we can talk about actual “political police” only in the XVI Century when, for example, the security apparatus of the Republic of Venice guaranteed that the canals would not be contaminated by the enemies, and made sure that the methodology behind the works of glass would be kept secret. We then see a full

⁴⁹ Caparini, M., *Comparing the Democratization of Intelligence Governance in East Central Europe and the Balkan*, Intelligence and National Security, Vol 29, (2014).

⁵⁰ Jeffery, K., *MI6 - The History of the Secret Intelligence Service 1909-1949*, Bloomsbury Publishing Plc. (2010), page 73.

⁵¹ Piacentini, L., Masci, C., *Humint: questa sconosciuta*, (2014).

⁵² Gill, P., *Policing Politics: Security Intelligence and the Liberal Democratic States*, Routledge, (1994).

⁵³ Bruneau, T. C., and Steven, C. B., *Reforming Intelligence: obstacles to Democratic Control and Effectiveness*, (2011).

evolution of the intelligence activity with the establishment of a Police Minister, during the French Directory, in the Napoleonic era. The merging of these three aspects contributed to the creation of the intelligence services as we know them today.

As already mentioned, of particular interest for our study is the evolution of the services in pursuit of the internal security, for which they are traditionally suited to the identification and prevention of subversive activities. It is important at this point to underline the fact that in a modern civil society, police apparatuses and intelligence services should be distinct and separate⁵⁴; as a matter of fact, what once used to be custom in modern society, for instance the incorporation of intelligence services within the police and the armed forces, is today a characteristic mostly found in non democratic countries.

The Central Intelligence Agency (CIA) is an example of how intelligence services developed into modern systems⁵⁵. Established in 1947, it responded exactly to the need of having an organisation able to work abroad and with a strong political and civil character, rather than a military one. As a matter of fact, it was completely detached from the Army (and the Armed Forces in general), and was given its own financial resources and responded directly to the President of the United States, thus stressing the political nature of the organisation. This model was asserted internationally and seemed to be the answer to political military power and political ideological movements, like those which emerged in the nazi fascist era.

Of course, not all intelligence services faced the same transformation as the Central Intelligence Agency or as other Western democratic countries⁵⁶ and, certainly, not all cases are relevant to this research paper. The ones that mostly relate to the scenarios of the two case studies chosen for this research paper are the intelligence services of post communist countries. This is because they were completely dismantled by the war and affected by a losing authoritarian regime.

⁵⁴ Cawthra, G. and Luckham, R., *Governing Insecurity: Democratic control of Military and Security Establishments in Transitional Democracies*, (2005).

⁵⁵ Bruneau, T. C., and Steven, C. B..

⁵⁶ Piacentini, L., Masci, C..

2.2. Intelligence reform in post non democratic regimes.

A close study of the relevant historical precedents has shown that in post communist transitions, priorities such as economic and political reforms often relegated intelligence reform to the side-lines during democratization. The early focus on the establishment of a market economy - strongly pushed by Western powers - rather than on the consolidation of the Rule of Law, has kept the reform of the intelligence agencies at the bottom of the agenda of many countries.

Despite this initial first phase, which goes back to immediate post Cold War years, the West understood, some years later, that perhaps an evaluation of the reform process was necessary. The results were initially very scarce because of the establishment of different state models in each country undergoing transformation, which of course limited the possibility of a comparative analysis⁵⁷. The inappropriateness of applying Western models to states arising from different political, social and economic backgrounds, was at that point evident. In fact, Western powers failed to comprehend that the revolution in intelligence affairs⁵⁸ during the post Cold War era, did not necessarily match the classic intelligence reform model (revolution in intelligence affairs refers to the change in direction that intelligence services had to undertake to renew and redefine their mandate, once their enemy disappeared with the fall of Communism).

The basic issues for countries undergoing a democratic transition involve aspects regarding how to diminish intelligence autonomy, ensure civilian control and oversight, and determine rules and regulations applicable to the mandate or mission methodology. Nevertheless, the secrecy issue should not be ignored, because of the need to satisfy accountability and transparency, which are key conditions for the existence of democracy.

In Central and Eastern Europe, for instance, there are countries that between 1974 and 2003 engaged into a political transition⁵⁹. Looking at these countries and at the Eastern European experience is relevant because, as mentioned in the previous section, post communist states represent the closest relatable example to the cases chosen for this research paper. What transformation in Eastern Europe has shown is that the

⁵⁷ Watts, L. L., Intelligence Reform in Europe's Emerging Democracies, *Studies in Intelligence*, Vol. 48, Nr. 1 (2007), page 11.

⁵⁸ Denece, E., The Revolution of Intelligence Affairs 1989-2003, *International Journal of Intelligence and Counterintelligence*, Vol.27, issue 1 (2014), page 27.

⁵⁹ Backer, D., *Cross National Comparative Analysis*, in Chapman A. H Van Der Merwe & Baxter V. (Eds), *Assessing the Impact of Transnational Justice: challenges for Empirical Research*, Washington, DC: USIP Press (March 2007), pages 2-3.

democratization process and the reform of the intelligence services is very complex, takes time, and is unpredictable. This is in large part because of the many obstacles deriving from the hangover of the previous regimes. Communism was so integral within those societies that the cultural legacies, and the distrust in the institutions and security bodies which derived from them, made the process much more difficult. The existence of certain traits and instability factors make Iraq and Afghanistan in some ways comparable to the post communist experience.

In Eastern Europe, the reshaping of the intelligence services has been part of the consolidation process towards democracy. In Bulgaria, Czechoslovakia, Hungary and Poland, all chose to keep the original structure of their intelligence services (including the personnel serving under the communist regime)⁶⁰. A question therefore immediately arises: how could the defence of the new democracy and of the new nation be ensured under such conditions?

Other countries, like Romania for example, chose, instead, to dismantle their intelligence services; Romania, as a matter of fact, did so during the 1989 revolution, creating the new body, *ex novo*, only three months later. But these countries saw also high levels of interstate conflicts, something which, for instance, did not occur in Latin American countries, which faced a completely different political and economic scenario (in that case the main challenge was the avoidance of a further militarisation of the domestic security sector, which included both the armed forces and the intelligence apparatus)⁶¹.

In all these countries the process started in different ways and brought different results as well. Clear and well defined legislation was part of these efforts, and many countries adopted new intelligence legislations. A new law is fundamental for the definition of the mandate, the limits, the coordination and the control mechanisms within the system. Brazil in 1999, Argentina in 2001, Chile in 2004, and Guatemala in 2005, all chose this approach. Some Eastern European countries followed Latin America in this trend: for instance, Czech Republic in 1994, Hungary in 1995, Poland in 2002 (first time in 1990) and Romania in 1992, also adopted new intelligence legislations⁶². It is interesting to note that until the late XX Century, the standard for control and democratic accountability of intelligence services was not publicly disclosed. No standards or regulations for

⁶⁰ Williams, K., Introduction in *Security Intelligence Services in New Democracies: the Czech Republic, Slovakia, and Romania*, Palgrave, London (2001), page 5.

⁶¹ Aravena, R., *Security System Reform in Latin America and the Caribbean*, in OECD Security System Reform and Governance, DAC Guidelines and Reference Series (Paris 2005), pages 103-124.

⁶² Estevez, E., *Developments on the democratization of intelligence in Argentina: trends in secrecy policy. Implications for comparing transitional settings*, 4th ECPR Conference (Pisa, Italy, 6th September 2007).

accountability - except for the democratically elected executive body to which the intelligence services were often subordinated - existed; intelligence services enjoyed a large degree of operational autonomy.

Not many studies have been developed on a real comparative level. Because these cases of intelligence democratization pertain to former authoritarian regimes and totalitarian regimes, in developed and developing countries, these differences make the comparison difficult. Moreover, the ideal reform scenario presumes the existence of stable democratic institutions and a secure environment free of perceived immediate threats⁶³ which may affect the process. In most post authoritarian and totalitarian states, like the post-communist States in Eastern Europe, these conditions did not prevail. These countries had to face, simultaneously, a political, an economic, a social and a security transformation, commonly resulting into unstable institutions. The fact that many of these states, unlike Western democracies, also lacked a wide spread popular identification with the newly established institutions, caused internal fragility and amplified the external sources of insecurity⁶⁴, thus questioning fundamental Rule of Law traits. The fact that norms were still not internally accepted and “absorbed”, contributed to the difficulties.

The stronger states appeared to be the ones that engaged in regime-society dialogue long before the actual transition, like for instance Hungary and Poland, while countries that did not enjoy a similar dialogue, such as Bulgaria and Romania⁶⁵, were instead less secure and were unable to fully contain the consequences of the armed conflicts that appeared along their borders (a result of the disintegration of the neighbouring states⁶⁶ and of the disastrous economic conditions all around)⁶⁷. The inability of the West to dedicate the right attention to the different security realities impeded the quick identification of a correct direction to the reform of the intelligence sector. This is particularly pertinent given that when Western democratic countries undertook intelligence reform none of them was simultaneously engaged in fundamental institutional reform.

A lesson learned from the historical precedents is that post authoritarian regimes should first create a solid legislature and establish legitimacy before speaking about reforming security providing institutions, in particular the intelligence services. In fact, the

⁶³ Watts, L. L., page 15.

⁶⁴ Klass, R., *The Great Game Revisited*, (1997).

⁶⁵ Williams, K. and Deletant, D..

⁶⁶ Watts, L. L., page 11.

⁶⁷ Klass, R..

parliaments in transition are often unable to tackle the issue of the intelligence services' legacy because of the lack of a solid legislature. According to many scholars, however, most countries in their democratization phase should wait for the main public demands to be addressed - such as economic growth, health, education, employment and so on - before giving any attention and addressing the reform of the intelligence services⁶⁸. This affirmation may be proven by the post communist experience, but should not be considered a prerogative today; the different security environments and cultural legacies that countries undergoing democratization processes face today effectively make these cases incomparable.

Many post communist countries had problems during their transition because they became procedural democracies which fitted into societies that suffered from a lack of trust in all state institutions, in particular in the security providers (police, armed forces and intelligence). They all faced the common problem of the politicisation of the bureaucracy and the consequent lack of culture on public service. Moreover their previous dependence on the Soviet Union gave them little perception of the real external threats and conditioned their capacity to prioritise national security needs⁶⁹.

In fact, the legacy of the Soviet Intelligence and security services is of great importance because of the contiguity between the Soviet and Russian agencies⁷⁰. The intelligence agencies of the Soviet Union were directly responsible for the worst "terror" campaign of the XX Century, and their competences saw them involved not only in the gathering of information, but also in the development of weapons, in the control of the prison labour, in the manipulation of cultural developments, in the punishment of engineers and scientists who failed in their missions and, last but not least, in the enforcement of secrecy⁷¹. Their structure as well was shaped under the Soviet model. All socialist satellite regimes shared common organisational structures and functions of Secret Police; the latter, together with the *militia* (the police), was responsible for protecting the socialist regime. Until the collapse of Communism, the security regimes were more like the "sword and shield" of the ruling communist parties⁷².

⁶⁸ Bruneau, T. C. and Dombrosky, K. R., *Reforming Intelligence: the challenge of control in new democracies*, (2009).

⁶⁹ Williams, K., Deletant D., pages 17-20.

⁷⁰ Williams, K., Deletant D..

⁷¹ Bruneau, T. C. and Dombrosky, K. R., pages 270-271.

⁷² Caparini, M., Comparing the Democratization of Intelligence Governance in East Central Europe and the Balkans, *Intelligence and National Security*, Vol. 29, Issue 4 (2014).

Former Czechoslovakia, for example, had its foreign intelligence branch under the KGB tutelage until the collapse of the Soviet Union, after which the country was divided, but still the Slovak intelligence kept Russian instructors until at least 1996⁷³. Analysts also often referred to a deep penetration of the Russian intelligence services in Bulgaria's organisations because of the close relationship between the two countries. It was only during the wave of NATO enlargement that this problem slowly disappeared; NATO's influence and membership bids were stronger than the Russian legacies. Eastern and Central European state experiences indicate that the prospect of gaining NATO membership may have bolstered reforms in intelligence governance, although in some cases this did not necessarily respond to the need to increase democratic control or accountability mechanisms of the intelligence agencies.

In any case, all former communist states which underwent post conflict state building, encountered multiple challenges which included⁷⁴:

- the essential state building traits of acquiring real sovereignty and of having to deal with the legacies deriving from the deep penetration of actors such as the secret police and the Armed Forces of the former regime in the newly established state bureaucracy. This challenge included the development of one of the most critical areas of statehood: the monopoly of internal power and control by implementing independent internal and external security providers (intelligence services included);
- the transformation of single party states into pluralistic democratically elected political systems.

The presence of conflicts also played an important role in the path of transformation. The conflict in the Balkans, for instance, had a major role in affecting the pace of transformation, making the transition in these countries by far more complicated than the other Eastern European states.

The presence of intense conflict heritage, ethnic disputes and tensions, and the associated sanctions regime, affected the wider Balkan Region in the transition, thus creating dilemmas of state identity, fostering illegal economies, strengthening organised crime and corruption, not only within the country but also in neighbouring states. The International Community had to concentrate a big part of its efforts into strengthening the anti-corruption measures and training the security bodies to efficiently contrast organised

⁷³ Williams, K., *Czechoslovakia 1990-1992, and Slovakia since 1993*, in Watts, L. L., *Intelligence Reform in Europe's Emerging Democracies, Studies in Intelligence, Vol. 48, Nr. 1*, (2007), page 18.

⁷⁴ Caparini, M..

crime. There was, however, a mismatch between these efforts and those of creating oversight and accountability measures for the intelligence services⁷⁵.

It is clear, at this point, that just as much as it was then post-Cold War, fixed models for intelligence reform for non democratic regimes are almost impossible to define even today. Evaluating the reform of intelligence services, both in emerging democracies of Central and Eastern Europe, and using the model in current cases of post conflict state building is hence complicated. However all cases share one fundamental aspect: the need to respond to security threats that condition, though in different ways, the reform contexts. Moreover, the amount of actual democratic control to be implemented, in order to ensure operational effectiveness, is another issue which means the reform not always is a linear process.

For instance, the model employed by the West after the Cold War aimed at the implementation of democratic control and civilian oversight, in order to restrict the potential of “abuse of power”⁷⁶. Many intelligence services were divided according to competences given to them, something which was also implemented in post communist countries, where “single agencies” were split into smaller services and narrowed down and divided according to the competence of each single agency⁷⁷. However, this is the only aspect that the Western model and the post communist one have in common; as a matter of fact, the security environment requirements were in contrast with the Western practice of a separation on the basis of “domestic” and “foreign” affairs, and with the separation of the intelligence bodies from the law enforcement “privileges”⁷⁸.

What all of these case studies show, given the years of recurring intelligence reforms, is that even the beginning of the reform of an intelligence service is a huge task and challenge, especially when the legacies of the previous regime have deeply penetrated all levels of societies⁷⁹. The experience of Central and Eastern Europe is similar to that of post-conflict countries like Iraq and Afghanistan today. Moreover, it is exacerbated by the fact that many countries in transition have no knowledge about the functions of such organisation (even the legislators themselves often do not know much about the specific implications of the latter). These factors make the resistance to changes a plausible

⁷⁵ Caparini, M..

⁷⁶ Klass, R..

⁷⁷ Caparini, M..

⁷⁸ Bruneat, T. C. and Dombrosky, K. R..

⁷⁹ Gill, P. and Andregg, M., *Comparing the Democratization of Intelligence*, Intelligence and National Security, Vol. 29 (2014).

response. Combined with the fear that intelligence services might have accumulated secrets and sensitive information about the elites of the society or the politicians, which they could release during transformation, these difficulties lead many political decision makers to the conclusion that it may be simpler and easier just not to deal with the reform of the intelligence services⁸⁰.

Considering the above, could a “best practice”, rather than a real model, be identified? The intent is to do so by studying cases of Middle Eastern countries that have common traits and possibly use them to define one model, assuming that certain conditions and variables are applicable to all chosen case studies. What the research intends to prove is that security intelligence institutions have the capability to directly affect the quality of the political outlook of a country, its governance and, last but not least, the success or failure of the entire democratization process.

⁸⁰ Bruneau, T. C. and Dombrosky, K. R., page 13.

2.3. Comparable variables.

Looking at the historical precedents has allowed for the identification and determination of some variables, or common characteristics, which should be used for the comparative study. So too has examining the paths that have brought failed communist states to a democratic transition. These characteristics have been chosen in consideration of the domestic contexts of the case studies to be analysed, the nature of the regimes and the need to observe the evolution of the intelligence services and their interaction with the state; their history and culture are fundamental elements not only because they distinguish each country but also because they are the reason why each state experienced conflict and consequently “failure”.

As mentioned in the “research methodology” section, the main similarity among the case studies lies in lack of a cohesive government structure and of a well-established state system, due to conflict and instability within each territory; they are, therefore, unable to enforce the Rule of Law within their borders. Moreover, they reflect similar state models to repressive military dictatorships or “national security” regimes, where military influence in the decision making process is dominant; nonetheless, religious/ethnic divides, within the societies, are reason for internal turmoil. They in fact face the pressure from non-state security providing groups such as local or ethnic militias, and the presence of socially and politically influential Armed Forces.

Given the common traits, it will be crucial to examine, observe and compare the two case studies at different levels, according to a series of questions (as previously stated) which represent the main tool for the research. For instance: what is the position of the intelligence services within the institutions? What is the chain of command (e.g. under Ministry of Defense or under direct control of the government and of the Prime Minister), their degree of autonomy, and is there any judicial interference? What is their composition and what are their functions? Do they have pre-determined legal frameworks? What are the accountability mechanisms and what changes have been implemented during the transition phase? What is their influence within the decision making process and their influence on the society?

The above questions are just a few of the comparable variables representing the basis upon which the comparison between the two case studies is developed. Each one of these variables will be of course analysed in detail in the following chapters. What is already evident, however, is that the presence of instability factors is the key to this comparative study. The failure to achieve stability and security, whether political or

economic, the emergence of power centres outside the state and the interconnectivity of domestic and global scenarios, have led to chaos. The combination of the lack of development and the strength of cultural and religious motivation has generated civil wars, inter-communal violence, organised crime (at a local and at a transnational level), and violence in the form of terrorism, which is the asymmetric threat that pre-dominantly destabilises the security arena today in general, and specifically the two countries chosen for this study.

All of the above results from a malfunction within the structure of the state, that is the inefficiency of the control mechanisms. The establishment of efficient control mechanisms, capable of maintaining power within the territory and capable of restoring stability and security, is at the basis of nation building. Minimal order should be restored for us to be able to speak about security⁸¹.

By looking at the results from the interaction of these variables applied to Iraq and to Afghanistan, the intention is to identify a cause-effect relationship for the intelligence services (in the sense that changes in the presumed cause of the issue must be related to those changes which have generated a different effect) and a “common” practice in terms of the interaction with the state institutions and the effects on the democratization process. The following chapter directly relates to this, and is also particularly relevant to this sub chapter because, apart from giving a general definition to what intelligence services are and how they function, it gives an overview on how these organisations serve democratic and non democratic institutions, as well as on the consequent challenges, the policy related issues and the different relations with the decision maker (the governing body). The classification of intelligence services in democratic regimes vs. non democratic regimes intends to facilitate the starting point of the comparative study since, once we have ascertained the state model to which intelligence services should refer, the application of the listed variables becomes possible. Although we have already generally identified non democratic states in transition as the best applicable case to our comparative study, understanding the counterpart (democratic regimes) is necessary for the evaluation of the impact of certain variables on the state and on the post conflict building process.

As mentioned in this chapter, in fact, the different state structures, regimes and cultural nuances create different conditions which may or may not favour the reform of security apparatuses (such as the intelligence services) and their intervention in stabilising the country. The choice of observing and analysing two countries, similar under certain

⁸¹ Dziedzic, M. J., *Peace Operations: Political-Military Coordination*, Washington, D.C.: National Defense University Press (2001), pages 315-334.

aspects, aims at reducing the existence of conditions which may alter the findings. Understanding where the common traits between Afghanistan and Iraq lie should provide the basis for the comparison to take place.

3. INTELLIGENCE SERVICES AND THEORY OF POLITICAL SYSTEMS.

3.1. Influence of Intelligence Services on democratic transition.

One of the fundamental principles of every democratic state⁸² is represented by the fact that a public consensus regarding the activities carried out by the state exists. Therefore, the activity of the intelligence services should be perceived as necessary and indispensable, efficient and effective, responsible and under the control of the authority elected by the people⁸³. Hence, like in all the activities carried out by the public sector of a democratic state, citizens have the right to expect efficiency and effectiveness and a good relationship between the opportunity cost and the price/quality relationship, and they have the right to expect it when it comes to intelligence services as well.

However, given the nature of the organisation, intelligence services do deserve to be treated a little differently, if not for the imperative of secrecy that is the foundation of its activity. So, what is the relation between intelligence, the state and the concept of democracy?

As American President, Harry S. Truman once said when talking about the CIA, classified information and the need to make the intelligence agencies accountable, “that's a very dangerous thing in a democratic society, and it's got to be put a stop to. The people have got a right to know what those birds are up to (...). Secrecy and a free, democratic government don't mix. And if what happened at the Bay of Pigs doesn't prove that, I don't know what does. You have got to keep an eye on the military at all times, and it doesn't matter whether it's the birds in the Pentagon or the birds in the CIA”⁸⁴. The accountability of institutions is without doubt one of the pillars of a democracy; when leaders do not take responsibility for their actions, and are not considered accountable by their people, a democracy ceases to exist. And for a leader to be justly responsible for his actions, people need to be informed of the actions carried out by the leadership. Can we then dare to say that secrecy is the real enemy of democracy? How do we conciliate the “need to know”, with the “need to not know”, given that the activities of the intelligence services are a crucial component of the politics of a state?

Given the above, would it be justifiable to affirm that intelligence services represent

⁸² Diamond, L., *Developing democracies Towards Consolidation*. Baltimore, John Hopkins Press (1999).

⁸³ Caparini, M. and Born, H., *Democratic Control of Intelligence Services: containing rogue States* (2007).

⁸⁴ Miller, M.: *Plain Speaking: An oral Biography of Harry S. Truman, February 4th, 1974* .

a threat that should be eradicated, in particular under a democratization period? If there is secrecy there can be no accountability. In this conclusion lies that real paradox of the intelligence services: they can be a threat to the existence of a state, but at the same time they are vital for the existence of that same state. Given the fact that excluding intelligence services from a democracy and even from a democratization process is out of the question, because of the cruciality of their activity, the real challenge lies in the ability to control their activities⁸⁵.

Although the establishment of control mechanisms to monitor intelligence services is already a challenge in consolidated democracies, applying certain mechanisms, when it comes to states undergoing democratic transition, is even more complex and complicated for a series of reasons, among which⁸⁶: first, the controversiality of concepts associated with intelligence in general, and the frequent ambiguity behind its terms; second, because everything that constitutes intelligence, that is gathering, analysis and dissemination of information, needs to respect certain levels of secrecy; third, because in the world of intelligence, power is constituted by knowledge, and power is difficult to give up. Democracy requires transparency and accountability of the governors to the governed; intelligence services, in order to be effective, must operate in secret, thus violating, in a sense, the principle of transparency.

Even though, as already mentioned, according to United States President Truman “secrecy and free, democratic government do not mix”, well established democracies differ themselves from non democratic regimes, because they have developed, within their Rule of Law, mechanisms to overcome this obstacle or what we can define as the “intelligence paradox”⁸⁷.

Another limit to the definition of the relation between intelligence and democracy lies in the fact that often intelligence services’ operatives avail themselves of a certain amount of discretionary power, which is considered to be useful for the adequate completion of their duties. This discretion is intended to avoid the “politicisation” of the information; professional judgement and ethical respect are therefore conditions that cannot be disregarded, but which should be subject to firm control by surveillance bodies.

A third limitation is represented by that tendency of the decision makers to call for or

⁸⁵ Caparini, M., *Controlling and Overseeing Intelligence Services in Democratic States* (2010).

⁸⁶ Bruneau, T. C. and Steven, C. B., *Reforming Intelligence: obstacles to democratic control and Effectiveness* (2011), page 243.

⁸⁷ Born, H. and Leigh, I., *Democratic Accountability of Intelligence Services*, Geneva Centre for the Democratic Control of Armed Forces, Policy Paper 19 (1997).

appeal to the principle of “plausible deniability”⁸⁸, in order to cover for very secret and delicate operations. “Plausible deniability” is also considered that doctrine on the basis of which a Head of State, whose nation is found to be involved in a covert operation, denies ever having authorised such an operation, if not even ever knowing about it. He therefore needs to prove, with a certain plausibility, that his subordinates authorised an operation without him giving his consent. This aspect is in contrast with the concept of accountability of the political leader when it comes to the activities of the intelligence services and indicates that, when it comes to intelligence services’ operations, governing bodies should also be subject to some sort of political control.

The last limit to control procedures over intelligence services’ operations is represented by the reason of “national security”. By invoking it, states can limit and/or violate some fundamental rights, if the threat to national security is imminent: this procedure is normally considered acceptable, if it is not abused.

As mentioned above, intelligence services do deserve different treatment to other institutions because of the nature of their activity; however, it remains vital that an efficient control system is put in place, so as to avoid any interference with the democratic governance. Intelligence services and armed forces are the two bodies of a state-system that have the power to influence the political dynamics of a state; hence, the a-politicisation of intelligence services is crucial to a democratic state⁸⁹.

It is therefore important, at this point, to try to formulate a definition of the word “intelligence”. It can certainly refer to an organised system, functioning to protect the interest of a state; it can also incorporate a series of steps that describe the nature of the activity, which therefore includes data collecting, data analysis, and operations; last but not least it can also refer to the end product itself. Despite the uncertainty behind the definition of the term ‘intelligence’, which appears just as vague as the world of intelligence itself, what is important to us is not a definition *per se*, but rather the true understanding of “what” the system does and of “how” the system operates, an understanding somewhat generally recognised both in democratic and non democratic state models.

If we want to define in detail what an intelligence service does, we can synthesise its activities in three categories⁹⁰:

⁸⁸ Principle created by the CIA during the Kennedy administration, to describe the holdback of information by intelligence officers, with the aim to protect themselves from the consequences of a leak in “unpopular” or “illegal” CIA actions and operations.

⁸⁹ Bruneau, T. C. and Steven, C. B..

⁹⁰ Cossiga, F., *Abecedario*, Rubbettino ed. (2002), page 17-18.

- ordinary activities such as collection of information and data, espionage, parallel diplomacy or guerrilla;
- offensive activities, aimed at the penetration of the “enemy”, through espionage and interference in the decision process, or through counter-espionage;
- internal activities, if on the national territory, or external activities, if abroad.

The basis to the “how”, can be instead synthesised in what the intelligence community calls “the intelligence cycle”, which represents the essence of a well structured and functioning organisation. The cycle can be initiated only once the essential information requirements are identified and defined by the governing bodies⁹¹. Only after this stage the cycle begins, which briefly consists of the following steps: collection of data, analysis of the information, evaluation and interpretation of the information, dissemination to the decision makers, and the decision making.

It is clear that all countries have an intelligence apparatus, despite difference in scope, capabilities, efficiencies or inefficiencies. The issue is rather what sort of intelligence structure better responds to the needs of the State, in accordance with the model of the state itself, and how to control it.

The democratic control of the intelligence services is binding in new democracies but is subject of intense debate and uncertainties in non democratic states and in dismantled states that need to undergo reforms⁹². When talking about democratic control we refer to two particular aspects: direction and oversight.

In particular, democratic control in new established democracies should fall under a clear legal framework, adopted by the legislative body, where a clear mission and a security strategy should be defined⁹³. This should be integrated within an overall framework for defense decision-making, based on the needs assessed and the requirements established by the political decision maker. This legal framework should also foresee the process thorough which the government reviews all aspects of the intelligence organisation, which range from the budget, to the recruitment criteria, the management procedures and last but not least, the legal framework and “limits” for intelligence operations. The norms and prescriptions through which control and oversight measures are ensured are provided for through five basic mechanisms⁹⁴:

⁹¹ Cossiga, F..

⁹² Caparini, M..

⁹³ Hastedt, G. P., *Controlling Intelligence*, Routledge (1991), page10.

⁹⁴ Hastedt, G. P..

1. the executive control; it is usually the main variable which ensures the proper use of intelligence organisations by the governing authorities. The executive control includes independent oversight bodies (such as parliamentary committees or ad hoc created institutions) which normally control the budget, personnel related practices and the compliance with democratic norms;
2. the legislative control; it is normally provided for through the codification of a law creating the actual intelligence apparatuses of the country. Legislatures create the organisational, budgetary, personnel and oversight mechanisms, provide balance through the distribution of competence and the definition of a legal operational framework. The legislative control ensures national security interests are in accordance with the Rule of Law;
3. the judicial control; this specific aspect varies from democracy to democracy. The judiciary can have a predominant or minor role in controlling the activity of the intelligence apparatuses based on the authority given by the democratic system. In any case, the judicial control may range from budgetary review to legal counselling and approval on certain operations:
4. the internal control; this is guaranteed by the distribution of competences and power between agencies. Many modern democracies have more than one intelligence service (external, internal, cyber) through which decision makers seek to prevent one single agency from having the monopoly of the information;
5. the external control; in democracies this control is guaranteed by free press, think tanks, NGOs and coordinating bodies which are often created ad hoc to bring together the different intelligence organisations.

Another critical factor for democratic control is the definition of the balance of power between the military component of the state and its civilian component, when both are involved in the intelligence apparatus. It should be noted that in authoritarian regimes, the military retains complete control over the entire intelligence cycle, as a producer and final user⁹⁵. The distribution of military presence, whether in a new established organisation or in a military intelligence service separate from the civilian apparatus in charge of strategic intelligence, is a key challenge during democratic consolidation.

The last factor that determines the democratic control of the intelligence services is the relationship between intelligence and policy⁹⁶. Who should the coordinator of the operations be? Should they formally be coordinated by a Director of the Central

⁹⁵ Bruneau, T.C. and Steven C.B..

⁹⁶ Hastedt, G. P..

Intelligence Agency, like in the United States model, and kept separate from the policy making branch (since the Director of the CIA is not a member of the President's Cabinet), or should they stand alone, just as the British Security Service (MI5) and the Secret Intelligence Service (MI6) do, or should they be directly subject to the Prime Minister's Office, such as the External and Internal Intelligence Agencies (AISE and AISI) in the Italian model?

These traits obviously vary from democracy to democracy and reflect an ongoing debate about the implications for objectivity if intelligence is closely tied to policy: "if intelligence is brought into too close a contact with policy making it runs the risk of being corrupt"⁹⁷. In accordance with the models implemented by Peter Gill, we can state that intelligence services can be classified by the degree of power they possess, by the degree of autonomy they hold from external political control and oversight, and by their degree of infiltration within the society. These classifications allow for a conclusion about the type of State to be drawn. The groups identified by Gill are applicable to all types of political regimes, authoritarian and democratic, and can be classified in the three following categories⁹⁸:

- a) Bureau of Domestic Intelligence. This model has limited and specific power, delineated by a legal framework (a charter or a statute). In this model, the intelligence services gather information relating to criminal acts and/or prosecution of security offences and do not carry out "aggressive" operations against the citizens of their country. The British Security Service (MI5) is an example of this model, and it can be considered as the ideal model in a democracy, although its political control can lead potentially to a political misuse;
- b) Political Police. In this model, intelligence operatives have greater autonomy from the democratic policy maker and, compared to the first model, are more isolated from the legislative and the judicial control. These organisations respond to the political elite or to the party in power, and often conduct offensive operations against the political opposition (to the regime). Authoritarian regimes in many Latin American countries and in South-East Asian countries fall under this category;
- c) Independent Security State. This model is characterised by the complete lack of external control and oversight, even from the regime itself. It is separate to the political police because it determines its own objectives, which may not coincide with the ones

⁹⁷ Hastedt, G. P., page 10.

⁹⁸ Gill, P., page 82.

of the elite in power. Intelligence services that fall under this model enjoy high autonomy from the political process and keep their operations, policies and funding hidden, even from the Government⁹⁹.

If we take into account Gill's classification of the regimes, then the variables to be examined will be, as per definitions, the degree of autonomy they enjoy and the degree of infiltration and influence they have on the society. If we instead chose to determine the type of regime by using the generally accepted classification of a State as "democracy", "authoritarian regime" and "totalitarian state", the emphasis on national security and on the perception of the threat to the political power of the regime would be the variables that best allow us to conduct a comparative study¹⁰⁰. For the purpose of this study, Gill's classification seems somewhat appropriate because it places the focus on the organisation-state relationship, rather than on the State the security organisation represents. Because it is applicable to all state models, this classification facilitates the initial definition of the framework of the intelligence services chosen for this research paper, hence using the definition as a basis for the comparative study.

We can also generally conclude that, in view of the above elaborated elements, there probably is not one "correct" model of intelligence services because, even if the states are generally considered democratic ones, the reform of these organisations means one thing for established democracies and something different for countries in which the cultural legacies and political traditions give the system a predetermined structure, which cannot always be disregarded. It has therefore been interesting to see how in the countries chosen for the comparative study, which are both undergoing a transition, these aspects have been dealt with by the decision maker and how much their choices have influenced the stabilization and democratization of the country.

Finally, what emerges from this section is that the existence of intelligence services is vital for the existence of the state, just as much, paradoxically, as they are a threat to the solidity of the state itself. This first analysis is important and useful in order to introduce the best practices in democratic models and to allow the comparison with the best practices and limitations of non democratic state systems to take place. The intention is to define, throughout the research, how relevant the above described traits are to Afghanistan and to Iraq, or how relevant they ought to be.

This section should be seen as complementary to the following one, which will tackle

⁹⁹ Bruneau, T. C. and Steven C.B., page 243.

¹⁰⁰ Bruneau, T. C. and Dombrosky, K.R., *Reforming intelligence, the challenge of control in new democracies* (2006), pages 5-6.

the issue of how intelligence services contribute to the existence of a State under a different perspective, certainly more relevant to this study. However, the path undertaken in this section should serve as a theoretical framework without which, were these pages to be missing, the following one would be lacking value.

3.2. Intelligence services in non democratic states and the challenge of democratic consolidation.

When thinking of intelligence services in non democratic states, it is inevitable but to associate these organisations to concepts such as “abuse of power”, “repressiveness” and “terror”. Non democratic regimes use intelligence services against the political opposition and to safeguard the regime. Could we therefore consider intelligence services in non democratic states as a tool of mere surveillance¹⁰¹? To what extent should democratic states then use the tool of “surveillance” as a security or preventive measure? Non democratic states tend to justify surveillance with the need to control and the lack of certain fundamental rights (such as freedom of speech, or opinion, or protest and so forth), which are not contemplated in the political model in the first place.

In general, intelligence services in non democratic states function more as a “political police”, rather than as a real domestic intelligence bureau. In fact, non democratic states tend to rely on intelligence organisations to identify the domestic opponents and neutralise the political opposition to the government, and with this aim, they tend to use an indiscriminate variety of tools that all lead to the same outcome: complete control. This often allows for the growth, both in size and in independence, of these bodies. The main objective in these countries is the preservation of the secrets relatable to the political minority, although this preservation is also directed to outside actors (not necessarily “foreign services”), meaning that the priority of a non democratic state is domestic safeguard, not protection from other states. Therefore, intelligence services can be easily confused with, or even considered as one with, the “political police”¹⁰².

The acquisition of autonomy insulates these types of intelligence services from any type of external control. In several countries, also used in the previous paragraphs as examples of non democratic states in transition, such as Argentina, Brazil and Romania, authoritarian regimes have created what William Keller and Peter Gill have called the “independent security state”, which represents an extreme form of security intelligence organisation characterised by the lack, as already articulated, of any external control on its activities¹⁰³.

Therefore, Intelligence services are an important instrument that regimes use to control society, thus becoming an extensive bureaucratic body penetrating into all levels of

¹⁰¹ Fukuyama, F., *The Imperative of State Building*, Journal of Democracy Vol. 15 (2005).

¹⁰² Bruneau, T. C. and Steven, C.B., page 12.

¹⁰³ Gill, P., page 13.

the latter. They can therefore potentially and paradoxically harm those who are in theory under their protection, such as citizens who disagree with the political decisions of the government in power. The awareness of being a possible target of surveillance, or the possibility of being detained/arrested, or even simply socially marked as a “dangerous individual”, can induce citizens to their own limitation, such as participation in the political life of their country¹⁰⁴. This dissuasive phenomenon is known as the “chilling effect”¹⁰⁵ and can easily exercise a negative influence on the freedom of expression of the citizens. The acceptance and/or recognition of the right to dissent from the policies adopted by the government in power, is an indication of a high level of democracy.

Another recurring symptom in non democratic states is the risk of providing the end-users with intelligence that reflects the options preferred by the decision makers, which can lead to the misperception of the real threats, henceforth producing undesirable effects¹⁰⁶. Theoretically, for an intelligence product to be independent *vis-a-vis* the decision maker, it should represent the “necessary knowns” and not the “preferable knowns”. The integrity of the intelligence cycle is directly proportional to the objectiveness of the “product”. The maintenance of the above-mentioned independence is one of the biggest challenges when it comes to the construction *ex novo* of an intelligence service.

The construction or the reform of an intelligence service is not only a legal and constitutional issue, though the codification of the best practices and competences is at the basis of the process; and it is not even an organisational issue. It is all about expectations, priorities and their mission. Reforms bring, inevitably, a change to the balance of power within the system as well. If elected governments do not control their intelligence services then, by definition, the states do not represent consolidated democracies.

Values and fundamental norms in democratic systems require that intelligence services be accountable and controlled through a hierarchic system and through a political body. These requirements synthesise the concept of democratic civilian control better defined as the “direction and oversight of the organisations”, which we have also discussed in the previous sub chapter as part of the limits to efficient intelligence services in democratic states¹⁰⁷. The direction or guidance of the intelligence services is hence

¹⁰⁴ Caparini, M., page 8.

¹⁰⁵ The chilling effect can be juridically defined as the inhibition or discouragement of the legitimate exercise of natural and legal rights by the threat of a legal sanction - Caparini, M..

¹⁰⁶ Gill, P..

¹⁰⁷ Gill, P., *Democratic and Parliamentary Accountability of Intelligence Services after September the 11th*, DCAF Publications (2003).

defined by a general mandate, within a strategy and an evaluation of the priorities, identified by the decision maker; the oversight, as seen in detail in the previous section, identifies all those aspects enclosed in the legal framework of the intelligence operations (such as the budget, the management of the personnel and so on...) ¹⁰⁸.

Moreover, intelligence agencies in non democratic regimes tend to reflect the dominance of the military (mostly the army), which is a reflection of the executive power. Militarised intelligence services often operate to intimidate individuals and groups, engage in bribery, in manipulation, in occasional murders and, as already mentioned, in the surveillance of the population. Defining a correct dimension to the military component, and enhancing a proper civilian control, should ultimately isolate the intelligence service from the executive power and the political abuse. Being inherited from the previous regimes, intelligence services can represent a serious risk for the establishment of a new democracy. Given that in repressive regimes they are used to maintain power over the territory and are mostly engaged in tackling opposition forces (often even engaging into violent practices including the violation of human rights), when operating in a situation of transition the following dilemma is faced by the decision maker: what should the destiny of those “in power” in the previous regime be? What if key figures of the previous regime are now considered to be “necessary” and able to help in the establishment of the “new” intelligence services?

There certainly is a bond between the old and the new regime, especially when it comes to the infrastructures and the “trust-relations” that have been built within the society; the above cannot be disregarded when a new regime is being established. This is why external factors such as the reasons that lead to the fall of the regime, the way the power transfer is handled and the security threats that the state faces during the transition phase, are all important elements which cannot be disregarded ¹⁰⁹. If we examine, for example, the first factor (the reasons that cause the fall of the regime), we can identify different ways of achieving a regime change; for instance, through a war, through the pressure of a military organisation, through pressure by the opposition, or through mass protests ¹¹⁰. All these will make a difference when the decision makers will need to decide on how to proceed for the reform of the intelligence service.

¹⁰⁸ Bruneau, T. C. and Steven C. B., page 14.

¹⁰⁹ Zetocha, K., *The Political Regime Change and Security: The Political Science Theory and Reform of Security Bodies* (2013), page 3.

¹¹⁰ Linz, J., Stepan, A., *Problems of democratic transition and consolidation: Southern Europe, South America and post communist Europe* (1996), pages 44-51.

These inconsistencies are the reason why during the transition to democracy there is a pressure in favour of the dismantlement of the old services, which *de facto* represent a symbol of the previous regime. Particular attention should still be given to the security legacies¹¹¹ and to the historical interests, which should all be transferred to the new Agency. Intelligence services in a new regime require competences and expertise that are often drawn from personnel already belonging to the security services of the old regime. For this reason, the following questions are, therefore, inevitable: should there be a continuity or should there be a complete detachment from the previous regime? Should a new intelligence culture be established in order for the transition to be considered a successful one? or should there be some sort of legacy?

It is obvious that the authorities leading the transformation should be able to determine to which extent to apply controlling, dismantling and transforming mechanisms to the structure, the personnel, the culture and the practices as well. Each country's case study will differ in the proportions of change in each one of these categories, and the "correct" balance is up to the decision maker.

A problem that can occur when a regime is overthrown is the use, or rather the misuse, of secret files and dossiers of the overthrown regime. Intelligence services in non democratic regimes infiltrate deeply into the society in order to maintain an extensive network of informants. Intelligence services of the new democratic regime, which inherit the old archives, potentially become very powerful organisations, since they also take over the negative legacy from their predecessors. If not under control, sensitive information can be accessed, manipulated, and disclosed to the public (if not even sold for profit), hindering the evolving political process¹¹².

How can a new democratic state prevent an agent of the previous Service from becoming an "information entrepreneur" or a "salesman" of secrets and methodology (perhaps even by blackmailing key members of the emerging state)? History shows us that even in well consolidated democracies such a hypothesis is very plausible. It is therefore of vital importance that the new State includes politicians that cannot be blackmailed¹¹³.

Another problem that a state in transition faces is the establishment of a valid judicial system, capable of guaranteeing the accountability of the intelligence services, even those which have abused their power during the old regime. Public access to old archives

¹¹¹ Zetocha, K..

¹¹² Bruneau, T. C. and Steven C. B..

¹¹³ Linz, J., Stepan, A., pages 44-51.

represents an important step towards this. And on this point lies another aspect of the intelligence paradox previously discussed.

It is, therefore, important to identify a link between the process of institutional transformation (the organisation itself and the legal framework around it) and the degree of democratic control that the decision maker is willing to apply to it. The degree of change in a country should certainly be congruent with the nature of the newly established political regime. There should, therefore, be a clear definition of the fundamentals of security, which should still be compatible with the minimum criteria of democracy, especially in the fields of defense, public order, and intelligence. Tensions between “state security vs. individual security”, and between “secrecy vs. the right to information”, are inevitable when countries have experience authoritarianism¹¹⁴. This is why, when undergoing transition and in order to avoid such tensions, rules, competences, areas of intervention, limitations and control mechanisms should be made explicit and known to the public by the decision maker. Transparency allows for such organisations to be understood and hopefully accepted and recognised within the State system.

Given the above considerations, we could conclude, just as we did in the previous section, that intelligence services can represent a threat within the democratization process, just as much as they are vital component of the new state. Given that negative connotation relating to organisations (i.e. intelligence services) are difficult to be removed, especially when those organisations are deeply rooted in the community, and that the newly established political elite would probably want to completely detach itself from the previous regime, how should the “transition” be tackled? The above considerations, both in this section and the previous one, incorporate the paradox of the intelligence services.

¹¹⁴ The 9/11 Commission Report -Final Report of the National Commission on Terrorist attacks (July 2004), highlights these issues. Chapters 11, 12 and 13. www.gpoaccess.gov/911/.

4. POST CONFLICT STATE BUILDING: FAILED STATES AND THE SECURITY SECTOR REFORM.

4.1. Failed States and state building doctrine.

The following section aims at identifying post conflict state building practices which are necessary for a state to re-establish its basic functions and initiate a democratization process. This section is necessary at this stage because looking in detail at the broadly notion of state building will allow us to define the pre-conditions which should be accounted for throughout the analysis of the case studies in the following chapters. As mentioned already in the afore pages, the reform of the intelligence services falls under the broader reform of the security sector of a State which, as we will see in the next few paragraphs, is considered to be the basis of the stabilization process necessary for a comprehensive state rebuild. Considering that conflicts, state failures and state fragilities are regular occurrences, state building today represents an important component of the political agenda of the International Community¹¹⁵; understanding its practices and identifying a model (in terms of steps to be applied within a time frame) are both necessary bases for the analysis of the case studies.

Most of the conflicts which have broken out during the last twenty years have actually occurred within state boundaries and not between states¹¹⁶. Most of them have been the outcome of domestic order breakdown (caused by a different set of reasons), fuelled by political and economic instability, which has favoured the emergence of a series of security challenges, such as refugee outflows, the establishment of safe havens for terrorist activities, civil wars and so on. All these challenges often overflow domestic borders and produce negative effects on international stability as well, as in the cases of Afghanistan, Iraq, Syria, or Yemen.

The effects that state failures (and the civil wars/conflicts, whether domestic or transnational, which often arise as a consequence of the latter) have on neighbouring countries, as well as on the International Community, are probably the reason why the importance of “state functions” (i.e. the fulfilment of the core “survival” functions of a state, namely security, revenue and the Rule of Law) in State development has recently re-emerged¹¹⁷. After many years of anti-statist stance, represented for instance by the

¹¹⁵ Dobbins, J., *The Beginner's Guide to Nation Building* (2007).

¹¹⁶ Fukuyama, F..

¹¹⁷ Baas, M., Jennings, K. M., Insecurity and development: the rhetoric of failed states, *European Journal of Development Research*. Vol. 17, Nr. 3, page 388.

paradigm of the Washington Consensus, the International Community today has a different focus. The approach and model represented by the Washington Consensus¹¹⁸, has in fact been adopted by most developing countries in the 1980s. This model recommended that stability should be provided by the reform of the state's macro-economic policies, hence concentrating on economic parameters such as inflation, taxations, market liberalisation and so forth, and disregarding all other state functions as an important component of the development process. Today things look a little different. As a matter of fact, during the last two decades we have seen international actors being very active in intervening where domestic authorities have failed, mainly by implementing and sustaining programmes addressing State institutions, having evaluated that restoring domestic order (in a dismantled country) is the only way to achieve (international) stability¹¹⁹.

After the 9/11 terrorist attacks and the controversies following the military interventions in Afghanistan and in Iraq, the United States seems to have voluntarily taken the lead, within the International Community, in assuming responsibility for the reconstruction of those "non democratic states" (ie. Afghanistan, Iraq). Issues such as "administrative management" and "state capacity building" have become tremendously important in the international agenda. What we have witnessed is a shift in focus of the International Community, which has been, instead, concentrating efforts in tackling the inability of governing institutions in dismantled countries, in order to ensure the required "capacity building" and to achieve stabilization¹²⁰.

When it comes to state building, the efficiency in the application of certain measures is necessary not only to guarantee the security of the population, but also to protect it, for instance from human rights violations (deriving from the instability or the lack of a central governing body), to counter the activity of terrorist cells in the territory, and to dismantle corrupt police bodies (often too weak to fulfil their duties, such as borders control and the implementation of the Rule of Law) - just to mention a few of the main duties and responsibilities of a functioning state.

This doctrine, which mostly emerged and developed during the XXI Century¹²¹, was initially perceived by the International Community as a violation of some of the basic principles of International Law, such as: "the non interference in domestic affairs"; the

¹¹⁸ Fukuyama, F..

¹¹⁹ Dobbins, J..

¹²⁰ Fukuyama, F., *Nation Building beyond Afghanistan and Iraq* (2006).

¹²¹ OECD Policy Brief, *Supporting State building in situations of fragility and conflict: policy guidance* (2011).

sacredness of “the sovereignty of the State”¹²² (even if a *conditio sine qua non* for these missions is the consensus of the interested party); the independence in choosing the degree of economic/social development in respect of the inviolable rights of the citizen. Despite the initial perception that state building had to be carried out solely by the interested state itself, and not by an external actor, we can say that this belief - today - has been completely altered. The divergence between domestic affairs and international support/intervention is no longer so evident.

What exactly is state building and what do we refer to when speaking about this concept? The political scientist Francis Fukuyama defined state building as that process through which new institutions, where missing, are built, or where old weak ones are reinforced¹²³. An essential element in state building is the creation of sovereign capabilities and, in particular, the “monopoly of the legitimate use of force¹²⁴”. The aim is the establishment of a State, intended as the expression of “collective power”, without having to necessarily use “coercive power”.

As we have seen in detail in the literature review, authors in modern literature have published studies tackling the issue of state building under different perspectives, focusing on different aspects of the process. For instance, Kieren Williams and Dennis Deletant¹²⁵, just to mention a few, some have focused on the lack of willingness of certain states to perform core functions, also with regards to the establishment of a fair representative system and welfare¹²⁶. Other authors, such as Michael Brzoska¹²⁷ and David Chandler¹²⁸, have developed a doctrine focusing on the interests of third parties (namely Western powers such as the United States of America, often the main sponsor of state building practices) mainly concerned with the threats that may rise from an unstable

¹²² United Nations General Assembly Resolution Nr. 1514, 1960.

¹²³ Fukuyama, F., The imperative of State Building, *Journal of Democracy* Vol 15 (2004), page 1.

¹²⁴ Weber, M., *Soziologische Grundbegriffe*, (1984), page 91.

¹²⁵ Williams, K. and Deletant, D., *Security Intelligence Services in New Democracies. The Czech Republic, Slovakia and Romania Experience*, Pelgrave Publications (2001).

¹²⁶ Boege, V., Brown, A., Clements, K., Nolan, A., *Hybrid Political orders and emerging States*, Berghof Research Centre for Constructive Conflict Management (Berlin), page 3.

¹²⁷ Brzoska, M., *Criteria for evaluating post conflict reconstruction and security sector reform in peace support operations*, International Peacekeeping, vol.13 (2006).

¹²⁸ Chandler, D. and Sisk, T.D., *State Building through the Security Sector Reform*, Routledge (2013).

country (i.e. international terrorism, illegal immigration, trafficking etc..), hence incorporating the stabilisation of that specific failed state within their domestic policies¹²⁹.

For the purpose of this study, however, none of the above described approaches is fully functional. To effectively respond to the objective of this research, the focus should be on the effects that the different components of the “security” layout of the state have on the process. The attention should lie, for instance, on the capability of the state to rebuild the capacity of all its security providers (i.e. the police forces, the military apparatuses and the intelligence services) and on the role that these consequently have in securing the territory and in guaranteeing the State’s legitimacy.

Weak and disaggregated states, as mentioned above, are the main reason behind the problems that the International Community is facing today¹³⁰. Let us think, for instance, of the current situations in Syria, Libya, and Yemen, in addition to Iraq and Afghanistan, the case studies of this research paper; in all these countries, where have state institutions been during the democratization processes?

We refer to these countries as “weak states”, because when compared to other forces acting on the territory, state institutions appear to be frail. Weak states, as a matter of fact, are unable to control situations which challenge their authority and efficiency, such as the activity of terrorist groups (the Islamic State is an example of the latter), of all sorts of organised crime (drug trafficking, human trafficking, weapons smuggling, just to mention the most obvious), and the consolidation of black market revenue in the country’s economy, which favour an increase in poverty, diseases, unrests and general discontent.

Unfortunately, although a solid theoretical knowledge on general state building procedures exists, and these will be looked at in detail in the following paragraphs, how do we concretely apply standardised theoretical concepts and conclusions to diverse and complex cases such as those mentioned above?

How do we transfer functioning and functional institutions of a democratic country to a former non-democratic one, to a developing one, to a country undergoing post conflict reconstruction, or even to a state where non traditional societal entities (such as tribes and clans) are the core of those institutions which require intervention?

It is certainly much easier to transfer resources, personnel and new technologies, than to transfer values, ideas, and a sense of statehood, especially where sub-national entities prevail (tribes, clans or specific groups). How can public institutions be established

¹²⁹ Baas, M., Jennings, K. M., page 388.

¹³⁰ Baas, M., Jennings, K.M.

in an environment where state agencies were previously lacking or were not recognised as legitimate representatives, because only specific tribes/communities were trusted? How do we transfer “know-how”?

To be able to address all these matters, a deep reform is needed; it should tackle the inner cultural nuances of the society as much as its habits and mentality. The bottom layer of the social scale should be the one to be primarily addressed. In order to do that, and for the process to have a real impact, the bottom layer of this scale - the people - should have someone (or some organisation) to look up to, to refer to as a model, to reverse its trust upon¹³¹. This is the reason why the transformation process should begin from the upper layers of the scale, hence the “managers” of the society. This approach is known as the “top-down approach”.

A country cannot be simply reconstructed, and certainly not by a third party recently involved in the country’s affairs or recently settled on the territory (for whichever reason). Furthermore, the “modernity” of the democratic, liberal, Western model may simply not be shareable with all the societies in the world¹³². Although some East-Asian countries have faced transition following these models and seem to have been successful at it (so far), other developing countries have instead regressed.

As a matter of fact, what has often been the subject of debate among the authors mentioned in the literature review, is whether the “Western model” of liberal values is applicable to all State models. Is it really a universal model? Can the “Weberian/ Westphalian Nation-State model” be imposed as the sole solution on societies with practices and legacies completely different and often affected by religious doctrines and traditions, like in tribal societies in the Middle East (like in Iraq and in Afghanistan)?

The debate has also been taken to a further and deeper level, where the actual compatibility between Western democratic values and Islam (intended as Sharia Law applied as the Rule of Law of the State itself) has been questioned and often doubted¹³³. Could it be, as Samuel P. Huntington states in “Clashes of Civilisations”, that these models are the consequence of certain cultural habits, well established in some parts of the world (like Europe), and wanting to export these models and values is a reckless practice?

The fact that the concept and practice of state building is today widely known and accepted does not exempt it from having at its basis the actions of the interested state,

¹³¹ Hendrickson, D., *The challenge of the Security Sector Reform* (2002).

¹³² Fukuyama, F., *Liberalism Vs. State Building*, *Journal of Democracy* Vol. 18 (2007).

¹³³ Fukuyama, F., *State Building: Governance and World Order in the 21st Century* (2004).

which is obliged to provide and sustain a fair economic, political and social order. Besides the traditional concepts associated to their functionality (as conceived by Weber¹³⁴), states need to take on a series of actions on the political, economic and social sphere, as well as on a more specific sphere, which look at the “Security Sector” as the key factor for the short-medium term stability of the country.

Going back to the theoretical aspects, state building falls under the umbrella of those missions that the United Nations define as “peacemaking missions¹³⁵”. The International Community has however provided a definition¹³⁶ for state building by elaborating a list of precise actions to take and procedures to adopt while directing the country into its reconstruction. These actions and procedures are classified in the following four points¹³⁷:

1. a *constitutional process*, intended as the actual drafting of a Constitution upon which to develop the basic state functions, the rights and the duties. It should be closely linked to the peace process and it should be in line with the legal and cultural practices and legacies already existing in the country;
2. an *electoral process*, which should act as the generator of public participation, necessary for the national reconciliation and reintegration. The risk is that if run too early in time and without the right social and legal adjustments, elections become a useless and fake tool of public participation, not actually representative of the real democratization process;
3. *national reconciliation and reintegration*, a process vital for the creation of a “ground zero”, necessary for the re-establishment of the monopoly on the use of force by legitimate institutions. Besides the reconciliation of the parties involved in the conflict, this phase also foresees what is known as “Disarmament, Demobilisation and Reintegration” (DDR) . This process consists in the discharge of active combatants of all armed groups, all fighting units (militants, rebels, armed forces), the disposal of

¹³⁴ Max Weber defines a State as that human community that, within a well defined territory, is able to conquer and detain the monopoly of the legitimate power.

¹³⁵ Peacekeeping operations are meant for the stabilization and maintenance of peace. They are applied with the consensus of the interested party, under the supervision of the UN. Not all “peace maintaining” operations are classifiable as peacekeeping operations; they can also be peace building and peace enforcements ones. Some are a hybrid of the three.

Brahimi L. Former Special Advisor of the Secretary General of the U.N., *State Building in Crisis and Post Conflict Countries*, Paper for the 7th Global Forum on Reinventing Government (June 2007), Vienna.

¹³⁶ Charles, T. Call, ed., *Constructing Justice and Security after War*, Washington, D.C. US Institute for Peace, (2007), page 375.

¹³⁷ Charles, T. Call.

weapons and the auspice of reintegration of former combatants into civilian status, with sustainable employment and income¹³⁸;

4. the *establishment of the Rule of Law* and all fundamental principles that come along with it.

To better visualise state building procedures and prioritise them in a defined time-frame, we could consider the process as a set of steps to be built, in order to form a staircase. What is important, however, is that each step should reach a certain depth before even considering the establishment of the successive step. This depth, in other words, represents that “good enough” level mentioned in the introduction, which refers to that minimum set of conditions to be achieved before proceeding to the next step of the staircase.

This concept evolves around Merilee Grindle’s paper on “good enough governance revisited”, which gives a platform upon which a long list of institutional changes and initiatives, which should take place in the capacity building process, are analysed. This concept however cannot be fully applicable to real case scenarios, which is why the author refers to a “revisited” good enough governance. Given the limited resources, in terms of finances, know-how and available time, the ideal would be determining the “best practice” for each specific country, considering the context and environment as unique rather than something which has been seen before. At the base of this model, which for the purpose of this research paper we will name “the staircase”, we certainly find the four procedures described above.

However, in order for the “good enough” level to be determined and reached, the context and the characteristics of the society and of the institutions in transformation need to be considered on a case by case basis. Each country should in fact follow a path which best suits its needs: a universal model would certainly be ineffective.

Although a universal model should not be imposed, in order for any country to succeed in the democratic transition its leader should provide for those fundamental elements which represent the basis upon which to establish a stable, performing and efficient system. In identifying the primary objectives of a transition¹³⁹, which should also reflect the needs of the civil society, we find that the “Security of the State” and the security of its citizens are at the base of the pyramid¹⁴⁰.

¹³⁸ International Organisation for Migration (IOM), compendium of Projects 2010-2017, *Disarmament, Demobilisation and Reintegration*. (Publication 2019), page 7.

¹³⁹ Bryden, A. and Hanggi, H., *Reform and Reconstruction of the SSR* (2004).

¹⁴⁰ Referring to Maslow’s hierarchy of needs.

Before looking at “Security” and at the other components of the staircase, it is important to mention the actual “ground zero” of the entire process, without which a real stabilization cannot be reached. For the state building to initiate, as mentioned above (in procedure Nr. 3) a political settlement is vital¹⁴¹. The conflict needs to be interrupted and a ceasefire established. Of course, real cases have shown us that this stage is difficult to achieve and often not fully accomplished when the process is formally initiated by the International Community, which generally intervenes while the conflict is still ongoing as, for example, in the cases of Iraq and Syria.

Theoretically speaking, however, the optimum would be the ceasefire, after which the following three scenarios may follow¹⁴²:

- a. the emergence of one group (involved in the conflict), sufficiently strong and supported by the citizen and the IC, which will impose the negotiations and rules of the ceasefire. Once the political settlement is achieved and a group is identified as the “winning” party, the establishment of the vital functions of a state will be handed to this group;¹⁴³
- b. the imposition of the elites of the society, who detain and control most resources and who will exploit this position to achieve political power and maintain the people’s support. The establishment of the vital functions of the state will be handed to the elites, who will most likely pursue their own interests;
- c. the external imposition of a leader, broadly accepted by the International Community and by a conspicuous number of citizens, often not enough to immediately obtain popular consensus (i.e. Karzai in Afghanistan in 2001, after the removal of the Taliban regime), who will lead the negotiations among the different parties and begin the establishment of the above mentioned vital functions of the new state.

The establishment of the state’s vital functions takes us back to the “imaginary” staircase and to its first step (a graphic dimension of the reconstruction staircase, in relation to a pre-arranged time frame, has been created below¹⁴⁴) which aims at the stabilization of the country and the achievement of security. This step, stabilization, may be easily applied to all cases at their initial phase and can be achieved, for instance, through Security Sector Reform (which will be further explored in the next section). This is one of the most important steps, if not the fundamental one, because taking control over the “use

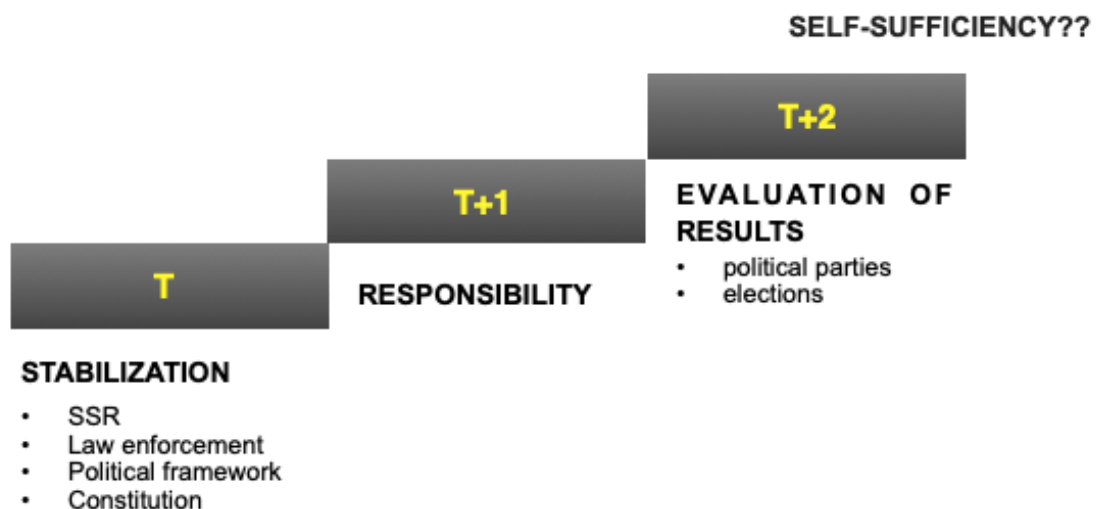
¹⁴¹ Charles, T.

¹⁴² Bryden, A. and Hanggi, H..

¹⁴³ Whaites, A., *States in Development. Understanding State Building*. DFIF 2008.

¹⁴⁴ This graph has been personally designed for the purpose of this section, in order to facilitate the visualisation of the described process.

force” - previously dispersed due to the conflict - will help settle the civil clashes and transform the situation into a negotiation and a political process. Handing the monopoly of force to one actor, for example to the Armed Forces, which should be able to provide unilaterally and (possibly soon enough) autonomously the security of the country, will contribute to the stabilization in the short-run.



Once the step has reached the pre-determined “good enough” width, then we can move onto the next step (still under the first “T” time frame). The second step of the staircase is represented by the adoption of an appropriate institutional and political framework. Which form of state and government should be chosen? How should the institutions be established: *ex-novo* or should the previous regimes’ organisations be simply reformed? Despite the many different answers to these questions, what is important at this stage is the establishment of a solid legal basis upon which to develop a new, modern Constitution.

Once the first macro step is completed, in compliance with the time “T” established before initiating the process, the country should, theoretically, be stable and secure and its institutions should be able to take responsibility and accountability for their actions within another established period of time: “T+1”. These phases are the most delicate ones. If successful, the State will be able to establish a broadly accepted and recognised ruling class through the consolidation of political parties and the organisation of parliamentary elections, alongside any other required elections.

Although countries undergoing post conflict state building cannot all be treated the same way and should, instead, be analysed on a case by case basis, at least one condition is common to all: there must be consensus among the parties involved in the

“state to be” about the form the State will take. In an environment where the expectations for peace are very high, the perception of an inefficient State can be very damaging for the International Community. Henceforth, in order to obtain the support of the population and proper legitimacy, national leaders and their international partners should be very careful in communicating, with transparency, their vision on what progress to expect and the final objective. For this reason, this model, which finds its foundations on the establishment of the first step (which foresees a mandatory reconciliation phase and a collective intent to proceed in the same direction), could be considered a common ground for all countries undergoing post conflict state building. The two case studies of this research will be looked at in terms of what procedures have been followed, if the actions carried out by the International Community and the local authorities can be enclosed in the above described model and if so, whether they have been successful.

For the purpose of this research, moreover, a consideration on the widely accepted definition of “post conflict state building” should be also made. What appears from literature is that this concept may be synthesised in “the end of organised, armed political struggle”, followed by the signing of a peace agreement (a truce, reconciliation)¹⁴⁵. What also emerges at this point, however, is that in the cases of Afghanistan and Iraq, an end to organised political struggle has never been seen, and a durable peace agreement has never been reached. It may be, therefore, more appropriate to consider the protagonists of these case studies as “emerging” from conflict or, in other words, as states engaged in a process characterised by a continuum, with advances and setbacks.

Based on the above, the following conclusions can be drawn. The many considerations on best practice, and on the most appropriate state building models, have also shed light on some important concepts which should be treated as fixed conditions upon which the case study has been developed in the following pages. Such given factors, which have not yet been mentioned, should be considered valid for both case studies and should be kept in mind when the above comparative variables will be discussed throughout the paper.

Before looking in detail at how intelligence services have acted during the transition in each case, the following preconditions must be accounted for. First of all, a widely accepted role of security actors and intelligence services in the two countries should be agreed upon. For the purpose of this study, the assumption is that the role of intelligence services both in Iraq and in Afghanistan, during the “stabilization” process, is to address

¹⁴⁵ Charles, T. Call, ed., page 379.

conflict risks and to minimise the chances of short-term return to violence. Defining this precondition allows us to look at how intelligence services have acted and responded to the environmental changes during the transition, assuming that their ultimate scope has been the minimisation of conflict related risks.

This first assumption leads us to a second important aspect, which refers to the broader concept of state building. The notion of such practice and the different schools of thought have been widely addressed in the above pages, but it is important to determine, for the purpose of this research study, upon which actors the focus shall fall. We have seen that intelligence services are important actors in the state building process and, although as we have seen from the various definitions the concept broadly refers to the internationally supported process, for the purpose of this study the main actors of state building in Iraq and in Afghanistan should be considered to be the interested governments and the institutions of the two host nations (to which intelligence services belong). Third parties/countries (such as the US and NATO member states) have been highly involved in the processes; however, although their engagement deserves mentioning, it should not be treated as the core of the process.

This leads us to the last assumption, which considers the reform of the intelligence services a nationally-owned process. In both case studies the International Community has played an important role, but again, for the purpose of this paper the analysis has been developed with the assumption that the IC must be considered as a "supporter" rather than as the protagonist of the process. The responsibility must fall upon the national representatives. With these assumptions in mind, the "security dimension" of each case study can now be looked into.

4.2. The Security Sector Reform and Intelligence Services.

Identifying the various security providers, and giving the Intelligence Services a specific connotation among the different providers, and within the broader process described in the previous section, is important because not only does it further develop the first step (as per staircase graph) of state building, which is considered vital for the stabilization of the newly established country, but it also delineates those characteristics upon which the comparison between the two case studies will later be developed.

As previously mentioned in the literature review, there is an absence of focus on the importance of the Intelligence Services within the democratization process and within the Security Sector reform, especially as a tool to ensure stability. But the state of play in a country undergoing post conflict transition can be immediately understood by looking at the different aspects of the Security Sector Reform process. This is why, for the purpose of this paper, it is important to understand the different components of SSR¹⁴⁶ and the weight that intelligence services have within it, before looking at how these have evolved in the two case studies. Because the broader process starts from stabilisation, looking at where Iraq and Afghanistan stand with regards to the reform of the Armed Forces, of the Police, of the Judicial and all of other components, further described in the next page, will help determine the success of the reform.

The security providers of a country can be divided into 4 categories (as also shown in the graph on the following page)¹⁴⁷:

1. Judicial Authorities;
2. Administration of Security Sector;
3. Official Security Providers;
4. Unofficial Security Providers.

As we can see from the graph, Intelligence Services fall, together with the Armed Forces, the Police and the Customs, under the third category, namely the “Official Security Providers”. Then why is it that, as repeatedly mentioned throughout the previous pages, they are often disregarded in the processes?

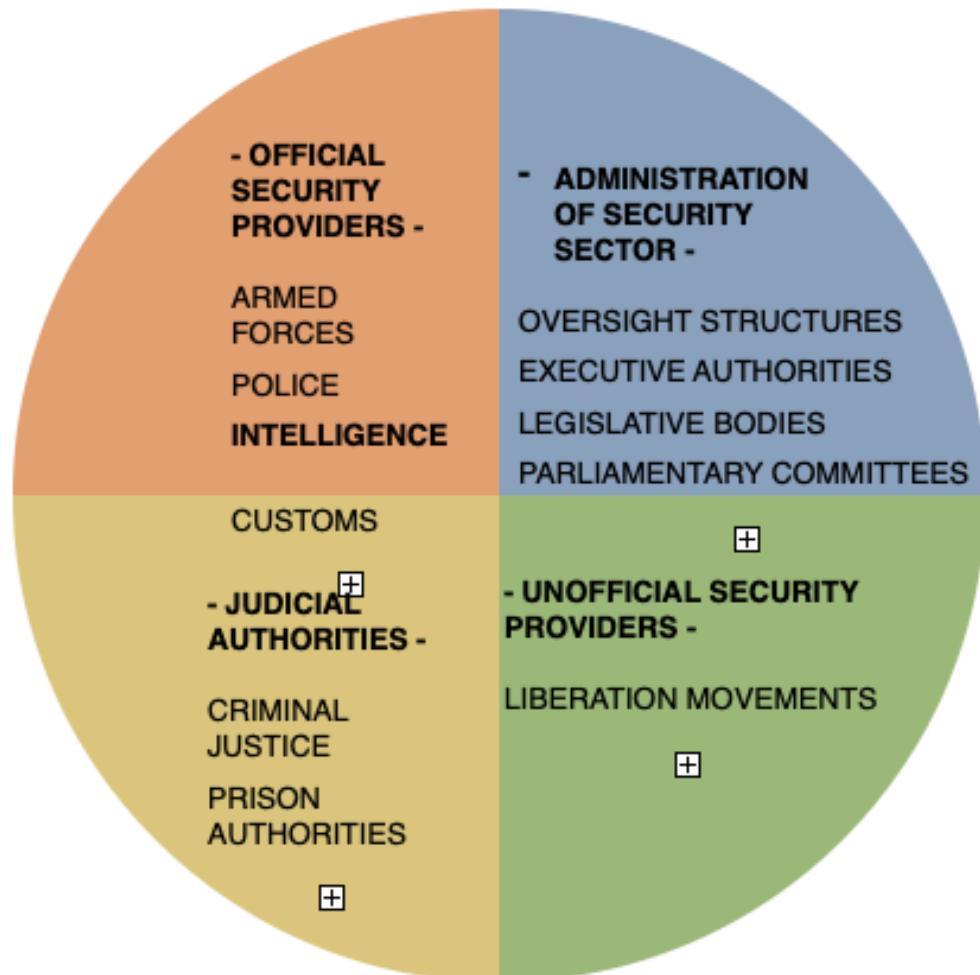
An explanation to this may be found in the fact that, historically, Security Sector Reform has been a process led by external actors¹⁴⁸ and the latter have been very

¹⁴⁶ Brozoska, M., *Criteria for evaluating post conflict reconstruction and security sector reform in peace support operations*.

¹⁴⁷ Graph drawn to visually project the analysed categories.

¹⁴⁸ Ansorg, N., *Co-operation, Contestation and Complexity in Post-Conflict Security Reform*.

reluctant in actively contributing to (and therefore publicising) the reform of the Intelligence Services. This reluctance may be “justified” by the need for full transparency in supporting all other components of the security sector, a need which is difficult to apply to the intelligence sector, especially in a transitional phase of reforms, where no civilian accountability is foreseen.



This justification is, however, somehow unfair because the Intelligence Services deserve particular attention, not only for the positive outcomes they may bring to the process, but also because history has proven that when there is a vacuum of power, Intelligence Services have either increased their internal power or shifted it onto a grey, uncontrolled area, leading to an accountability void. If not properly reformed, addressed and controlled, they may continue to operate and conduct business on their own, even if the “rest of the state system” has started the initial phase of Security Sector Reform.

Security Sector Reform is in fact built on previously existing institutions and is strongly affected by how the police, the military, the intelligence and the judiciary

apparatuses were prior to conflict. The success of the process is strictly related to the positive feedback effects that make the new institutions deviate from the existing path¹⁴⁹. How do you gain the trust of the civilians?

Giving the civilians the proper consideration in the process is fundamental for the acceptance of the newly established institutions¹⁵⁰. For this reason, the local environment, the cultural nuances and dynamics cannot be disregarded. Low acceptance and low participation will hinder the effectiveness of the reform, especially if perceived solely as “imposed” rather than necessary. Hence, the risk or recurrence (of violence and conflict) becomes tangible.

Therefore, the issue of cultural legacies cannot be disregarded. Throughout the entire process, legacies and cultural nuances need to be taken into account. For example, when it comes to the legacies of Intelligence Services (in the sense of what remains from such organisations from the previous regimes), it may not be enough to just change the shell of the organisation, re-name it, give it a new logo or new headquarters. Intelligence Services require the same attention and a constant effort in line with the Armed Forces and the Police, especially in this initial phase. To establish the legitimacy required, an early stabilization is necessary, since the development of a functioning intelligence apparatus is a prerogative for the democratic consolidation.

Intelligence Services should be viewed not only as an important contributor to internal stability and, as such, responsible for the safeguard of national interests; they are, as a matter of fact, also an important tool for “parallel diplomacy”¹⁵¹. In countries where internal conflict is still a real risk due to the unresolved dynamics, the secrecy of their activity serves this purpose and helps maintain contacts (or even establish new ones) where other governmental institutions may not be able to officially intervene.

Intelligence Services should also be viewed as strategic contributors¹⁵² to the security agenda of the state. They may serve as a tool to define the steps to successfully rebuild the country (through their analysis and assessment capabilities) and not only be subject to reform. We can therefore say that they should be seen as supporters of the Security Sector Reform just as much as a target of it:

a) as supporters of the Security Sector Reform - when countries need to undergo state

¹⁴⁹ Ansorg, N. and Gordon, .

¹⁵⁰ Brunea, T. C., *A conceptual framework for the analysis of civil-military relations and intelligence*.

¹⁵¹ Piacentini, L., Masci C. *Humint: questa sconosciuta*.

¹⁵² Wilson, P., *Analysis: the contribution of intelligence services to security sector reform*.

and government reform, changes in the relations with external actors are inevitable. Alliances may vary, new ones may be built and ideological shifts may alter previous international equilibria. Previous risks may no longer be relevant and new emerging ones may not be fully taken into account or even recognised as such by the newly established leadership. The access to secret sources and the ability to establish and maintain contacts even when “officially unforeseen”, gives Intelligence Services the possibility to overcome such issues, provide the decision-makers with the objective information and allow for “political overtures” where closures seem to be the only viable option. As supporters of the process, Intelligence Services may also act as advisers and provide intelligence on the internal risks to stability and on the external threats as well. Such a distinction may be vital at a stage where a national security framework needs to be established and where threats need to be clearly identified and targeted. Furthermore, providing the decision maker with such information allows for an adequate planning and distribution of the resources to the Security Sector, as well as to all other Public Services, to take place;

- b) as a target of Security Sector Reform¹⁵³ - Intelligence Services may require to undergo a reform just as much as all the institutions. Corruption, violation of human rights, power abuse, tyranny, may all have been connotations of the Intelligence Services under the old regime, thus a reform may be necessary to re-create a “clean” reputation and guarantee their functioning.

Aspects which require a particular attention when reforming Intelligence Services include¹⁵⁴:

- the balance between the need to maintain secrecy (on the basis of the “need to know”) and the requirement for transparency regarding the legal mandate;
- the balance between the freedom to quickly respond to threats and accountability obligations;
- the degree of public awareness and accountability on the budget;
- the need to ensure public oversight of the intelligence community;
- control measures adopted by the government on the use of intrusive methods;
- a good balance between professionalism and ethics;
- the establishment of a mandate and of a legislative framework;
- the need to maintain personnel with experience vs. the need to exclude those implicated

¹⁵³ Piacentini, L., Masci C.

¹⁵⁴ Hannah, G., O'Brien, K., Rathmell, A., *Intelligence and Security Legislation for Security Sector*, RAND Corporation, (2005) pages 5-7.

of crimes committed during the previous regime;

- the need to create a new image just as much as a new spirit and perception;
- the balance between military community and the civil society¹⁵⁵;
- the definition of the number of Intelligence Agencies, their competences and mission. In many authoritarian states, for example, a single agency may be in charge of both the internal and the external security (as in the case of the KGB in the former Soviet Union), therefore inevitably leading to the concentration of a certain degree of “power” in the hands of one actor (especially when control mechanisms are non existent and the mandate of the Secret Service is defined by the “dictator” in power). Moreover, the military may at the same time incorporate police and intelligence functions, causing overlapping in the competences and confusion in the responsibilities. However, when reforming intelligence during a democratization process, usually the decision is to establish more than one Intelligence Service in order to avoid the centralisation of the above described “power” and so as to better distribute competences and responsibilities. The division, for instance, may be with regards to the “projection”, for instance external affairs vs. internal affairs, or with regards to the nature of the organisation, like for example a military agency vs. a civilian one¹⁵⁶;
- the establishment of “Central Control” and “Coordinating and Assessment” bodies for all Intelligence Agencies¹⁵⁷, in order to coordinate the collection and analysis of information and to avoid overlapping, especially in those “cross-border” fields such as counter-terrorism, illegal immigration, organised crime and counter-proliferation¹⁵⁸.

All of the above will be used as the theoretical foundation functional to the development of the case studies. Each aspect will be looked at in detail, for both countries, and will be then used a parameter for the comparative analysis. In the following chapters, in fact, a comparative analysis of how institutions in Iraq and Afghanistan have tackled the challenge of reforming their Intelligence Services, considering them as an effective tool to promote stability, will be carried out.

¹⁵⁵ Bruneau, T. C.

¹⁵⁶ Hannah, G., O’Brien, K., Rathmell, A

¹⁵⁷ Caparini, M., *Controlling and overseeing Intelligence Services in Democratic States*.

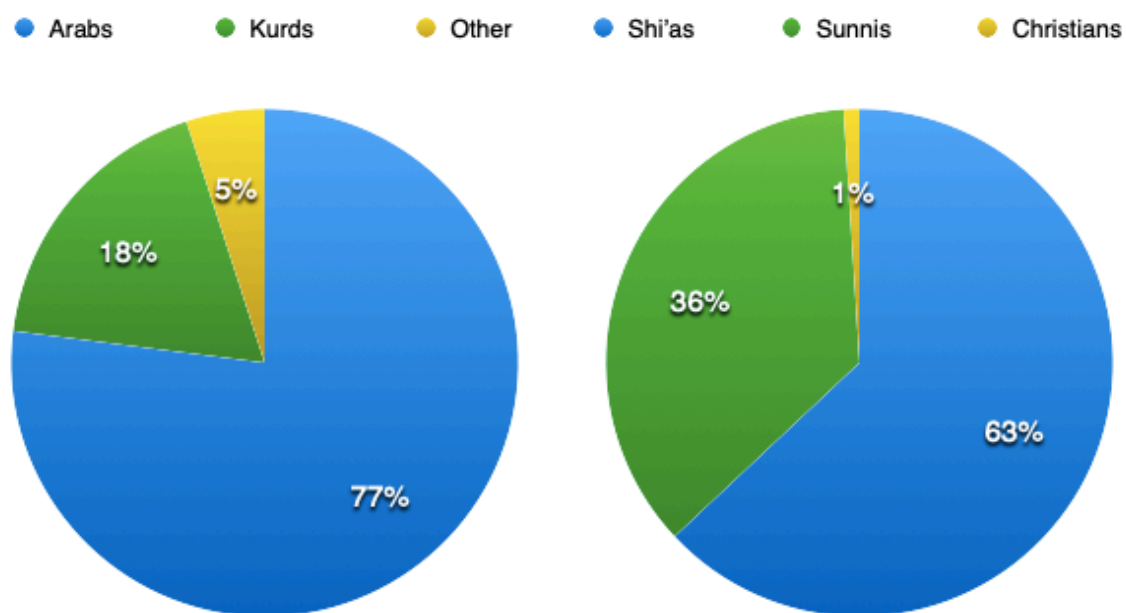
¹⁵⁸ Wilson, P.

5. INTELLIGENCE SERVICES REFORM. A COMPARATIVE STUDY OF IRAQ AND AFGHANISTAN FROM 2002 TO TODAY: THE CASE OF IRAQ.

5.1. Iraq: from the de-Ba'athification of the country to the establishment of today's regime.

In order to fully understand the dynamics which have brought Iraq into turmoil and instability, one needs to analyse the politics, the tribal structure and the ethnic divides within the country, keeping in mind the nuances which strongly affect all of the above and are reflected in the domestic and foreign policy of the country. These nuances correspond to the religious and ethnic connotations of the Iraqi people, divided among Sunnis, Shi'as and Kurds. The interactions among these forces is what makes Iraq a complex case; all of them, as we will see in the following pages, have proven to be fundamental for the maintenance of stability or growth of instability throughout the years¹⁵⁹.

Statistics¹⁶⁰ of present day Iraq better explain the multi-ethnic and multi-religious connotations which leave a mark on the country's social fabric.



Iraq's origins are in tribalism, which goes back to the Islamic Era (the Golden Age of Islam: 8th Century to 14th Century) when Bedouin tribes moved to the areas conquered by Islam. The Iraqi population is in fact mostly of Bedouin origin, which found

¹⁵⁹ Parigi, G., *Iraq: una questione aperta* (2009), Ed. Bietti (Milano), page 93.

¹⁶⁰ Al Bayan Centre for Planning Studies, *National Reconciliation in Iraq: a comparative study*, (2016) page 7.

stability in the land and water available by the Tigris and the Euphrates. Tribes have ever since played an important role in the balance of power in the country. Moreover, because their strength derives from their transnational connotation (since these clans spread throughout other countries such as Jordan and Saudi Arabia), the familial ties and alliances spread beyond the country's borders. The tribal organisation has always had an important role in the definition of the relationship between religion and politics because loyalty to tribal culture and values may have superseded the loyalty to religious or political views, which is why tribal leaders always had a pivotal role in the definition of the policy and of the stance of the community towards the central political power.

The ethno-confessional division of the country is a crucial element in the path to independence of Iraq and in the definition of the State as we know it today; the relationship between the above mentioned groups (Sunni, Shi'a and Kurds) has been at the basis of the multiple confrontations between tribes and the ruling party (at different times). Such conflicts, throughout the years, have encouraged the growth of religious divides and extremism in the country¹⁶¹, hence making the ethnic and religious divide the key independent variable affecting Islamism and extremist movements in Iraq. The continuous search for affirmation of one group over the other has led to such conflicts being replicated in all phases of the country's path to first independence, and then democracy.

The first major confrontation, for instance, dates back to 1638, during the Ottoman conquest, a period during which, apart from a few centres such as Baghdad and Basra, anarchy was wide spread and actual power was held by the local tribes¹⁶².

A second important confrontation took place during World War I, which can be considered as the first period of real change in the country. The dismantlement of the Ottoman Empire and the beginning of the British mandate (1921-1932)¹⁶³ favoured the establishment of the Hashemite Monarchy led by King Faisal al Awal ibn al Hussein ibn Ali Al Hashemi. During his rule, tribes kept a degree of political independence, which was vital as it guaranteed the survival of the Monarchy and ensured a balance of power between the parties. The King attempted the creation of a united identity, which had to include the Kurds and the Arab Shiites: his attempt, however, was not successful¹⁶⁴.

¹⁶¹ Collombier, V., Roy, O., *Tribes and Global Jihadism*.

¹⁶² Al Ruhaimi, A. *The Da'wa Islamic party: origins, actors and Ideology*, in *Modern Middle East Authoritarianism*, Routledge (2014)

¹⁶³ Parigi, G., page 20.

¹⁶⁴ Tripp, C., *A History of Iraq*, Cambridge Press (2007), page 47.

Nevertheless, in 1932, when the “Big Iraqi Revolution” begun¹⁶⁵, the Sunnis and the Shiites were united in the fight against the British for the independence of the Hashemite Reign. As a matter of fact, their union was not odd at the time, since rivalry between the factions was a rarity. Nationalist sentiments begun to rise and an Iraqi national identity also developed. Secular nationalist movements acquired power as well, and influence and anti-sectarian messages and social justice were promoted. Young activists from all ethno-confessional groups, such as Sunnis, Shi’as, Christians, Kurds and Turkmens as well, worked together and many entered schools and universities because they were aware of the fact that without an education, employment and a career would have been impossible. The society hence started to transform: from Bedouins to landlords.

It was then, however, that the first sectarian issues begun to emerge. King Faisal’s son, Ghazi, who took power in 1933, was in favour of a Pan-Arab ideology¹⁶⁶, which aligned with the Sunni elites at the expense of the other factions. This resulted in the breakout of violence and unrests against government decisions, such as their exclusion from government or conscription¹⁶⁷. In 1936 unrests were suppressed and action was taken against the Shiites, the Kurds and the Yazidis around the Kurdish region and the Sinjar area, which led to the elimination of most of the opponents. The Government was, however, still unable to reach any sort of stability, even in the years that followed.

In 1958, during the July 14th Revolution, the Monarchy was finally overthrown by those political powers that wanted to establish a Nationalist regime - just like Nasser had done in Egypt. It was then that General Abd al-Karim Qasim took power¹⁶⁸ and established a Revolutionary Council formed by members of Iraq’s three main ethnic/religious groups: Sunnis, Shi’as and Kurds. Qasim wanted to emphasise the secular nature of the country and the unity of its people, against all sectarian divides¹⁶⁹. This political change favoured the granting of significant political rights and the country’s industrialisation but, at the same time, led to the marginalisation of tribal elites.

In the early 60’s, however, tribes slowly begun to regain power and to infiltrate society at different levels. In 1963 through the Kurdish Democratic Party the Kurds, unhappy about

¹⁶⁵ Parigi, G., page 20.

¹⁶⁶ Al Bayan Centre for Planning Studies, page 5.

¹⁶⁷ Tripp, C., page 77.

¹⁶⁸ Parigi, G., page 21.

Abd al-Karim Qasim, Iraqi army Brigadier, who led the Coup that saw the fall of the Hashemite family in Iraq and assumed the post of Prime Minister and Minister of Defence.

¹⁶⁹ Thabit, A., *A Short History of Iraq*, Longman (London, 2011), page 109.

Qasim's policies towards them, reached out to the Pan-Arab Ba'ath party (which was also unhappy about how Qasim's foreign policy had isolated Iraq) and together they led a *golpe*, which removed Qasim from power, once again causing widespread instability. The Iraqi nationalist movement was, however, suppressed that same year by the Ba'ath party, which was also soon ousted by Qasim's successor, Abd al-Salam Arif. Arif, who was more concerned about being deposed rather than creating an inclusive government, purged the Ba'ath Party because he considered it a severely violent movement. He then established the Republican Guards, whose members were all drawn from his own tribe (*al Jumailat*) and carried out a policy which strengthened Sunni identity and favoured the consolidation of a "practice" that allowed for those who had the "tribal connections" to avoid bad treatment¹⁷⁰: not only was a sectarian and anti Shi'a regime soon established, but a patronage system also emerged. The killing of many Ba'athists and exile of democracy activists who had fought with and supported the nationalist movement, left a void which made it difficult for sectarian practices and divides in the Iraqi political and social life to be offset. Those were the years in which the Da'wa expanded its influence and membership, especially among university students in the main Iraqi cities¹⁷¹, but repression was soon to follow.

Arif's sudden death changed the game; because of the power vacuum that was created, particularly because his successor was incapable of effectively controlling the established system, the Ba'ath party was able to take advantage of the situation. Different tribes from the Sunni triangle (Baghdad, Ramadi and Tikrit)¹⁷² infiltrated the Army and other State apparatuses, conquering power and excluding the Shiites and the Kurds from the game.

The 1968 *coup* first brought General Hassan al-Bakr to power and then, in 1979, Saddam Hussein, who governed by stipulating a provisional constitution, which allowed the Ba'ath Party to rule through a Revolutionary Command Council, entrusted with executive and legislative powers. 1979 had also brought a revolution in the neighbouring Iran, which deposed the Shah's regime and brought the Shi'a Islamists to power. These events gave strength to Iraqi Shi'a opposition movements and, as a matter of fact, a number of assassination attempts against Saddam's men (such as Foreign Minister Tariq Aziz, long time confidant of Saddam Hussein) were organised by *Munazamat al-Amal al-*

¹⁷⁰ Thabit, A., page 127.

¹⁷¹ Al Ruhaimi, A., page 211.

¹⁷² Parigi, G., page 22.

Islamia, the Islamic Hope Movement (known as the MAI). MAI was nothing more than a political party, established in the Iraqi city of Karbala in 1961, which represented the evolution of the Da'wa Party, which had taken a radical path after the large-scale bans imposed by the Ba'athist regime. Such assassination attempts led Saddam to include more Shi'as into the ranks of his regimes and to promoting Iraq's Mesopotamian past¹⁷³. Although the Shi'as were made members of the ruling Revolution Command Council for the first time, they still viewed this effort as their label of minority group in a Sunni dominating country. They grew more discontent because of the perceived discrimination.

Saddam governed by exploiting this new inclusive approach and by the concept of "unity", or "*aasabiya*" (the Arabic word to describe solidarity)¹⁷⁴, which went beyond the mere concept of tribal belonging and led to forms of discrimination. "Al Tikriti", in fact, which is often mistakenly referred to as a tribe, is nothing more than the family name which refers to the city Saddam was originally from. *De facto*, the term "al Tikriti" refers to an ensemble of tribes (among which the *Albu Nasser* tribe of Saddam's family) which, rather than signifying the belonging to a specific one, represented the unity and strength of Saddam's followers. The "Tikritis" were all united by a common objective: power. And Saddam knew how to distribute it. He gave it and took it away from the different members of tribes according to the equilibria established among the various clans (*bayt* - family units); his choices were reflected in the multiple changes within the government. The tribal dimension, so dear to Saddam, was a winning method used by the elite in power, which only led to a further divide within the society. Saddam favoured the system of patronage and tribal connections, promoting a Pan-Arabist view, founded upon suspicion towards the Kurds and the Shi'as¹⁷⁵.

Under Saddam Hussein the tribal system become a real political instrument to keep power and control over all strata of society, and to manage and eliminate rivals; after all, no other political aggregation is as close and loyal as "belonging to a tribe". Saddam created a "clientele" system¹⁷⁶ which foresaw that all major political and economic responsibilities and positions were given to members of the families/clans of the tribes linked with him. All others were simply excluded from the power game of the regime.

¹⁷³ Al Ruhaimi, A., page 211.

¹⁷⁴ Baram, A. *Building towards crisis: Saddam Hussein's Strategy for Survival*, Washington Institute for Near East Policy.

¹⁷⁵ Tripp, C., page 190.

¹⁷⁶ Interview with Iraqi General, in service.

Along the social divides, Islamist movements, which after Saddam's seizure of power, had not been given the opportunity for representation in Parliament, grew. As the Iraq and Iran war progressed, and Iraqis mostly supported the Ba'athists in order to prevent an Iranian takeover. The Islamist movement was finally cut out from Iraq's main urban centres (where half the country's population was concentrated): Baghdad, Basra and Mosul. Regime repressions continued and grew stronger as Da'wa Party membership was declared illegal and punished with death (in March 1980); consequently many leaders fled to Iran, where they stayed until the end of the war in 1988, undermining the popularity of the Party which was now associated with Iran and its regime¹⁷⁷.

Following the 1991 Gulf War, which caused the expulsion of Iraqi forces from Kuwait, uprisings began once again. To this *Intifada*, fuelled by the above described discontent and discrimination along ethnic lines, Islamist organisations took part and almost toppled Saddam Hussein¹⁷⁸. Their repression allowed Saddam to set a new and more brutal standard to the regime's actions; overall, 300,000 Iraqis were killed as a reaction to the uprisings and the *Rais (the President)* was finally able to cut off all those tribal leaders who were not loyal to him, hence rewarding those who had fought for him. He did so by giving them positions as Mayors of villages, leaders of the local Ba'ath party sections, important positions within ministries and, last but not least, within security apparatuses such as the "*Mukhabarat*", the intelligence services¹⁷⁹. A striking example of such system was the nomination of his son, Qusai Hussein, as Chief of the Republican Guard, one of Saddam's personal security bodies.

Tribes have always represented an important element in the internal balance and in the maintenance of social stability in Iraq, and during Saddam's rule tribal Sheikhs had an important degree of autonomy: they represented the local communities, not only within the government, but also with all religious components and leaders. Sheikhs were so powerful that many kept their position and role even after the fall of Saddam, and presented themselves as the representatives of the society even with the military contingent of the Coalition¹⁸⁰. This power was also somewhat abused also in order to carry out criminal activities, such as arms trafficking, cattle theft, car theft and so on, often organised by single clans who had the protection of their tribes.

¹⁷⁷ Davis, E. *Modern Middle East Authoritarianism*, Routledge (2014), page 213.

¹⁷⁸ Parigi, G., page 29.

¹⁷⁹ Interview with Iraqi General, in service.

¹⁸⁰ Parigi, G., page 24.

The previously described social structure, which evidently relied upon tribal association, created ethnic separation which was replicated inside all state institutions. Although some Shi'a politicians were given positions within the government, these were merely symbolic. Power continued to be based upon the tribal networks and patronages. Tribal affiliation secured loyalty and strengthened informal relationships in all chains of command, a structure which will later prove to be very difficult to dismantle.

Although the 1991 *Intifada* was brutally dealt with, sanctions were imposed on the country by the United Nations to ensure that the programme to rebuild its Weapons of Mass Destruction could not be undertaken. This led to the collapse of the Iraqi economy, its education system and the devastation of its social structure due to hyperinflation. High poverty and economic instability represented new opportunities for Islamist groups and extremist movements, who could now reorganise themselves in rural areas and poor quarters. However, Saddam's rule and security structures had tight control over society, which prevented such structures from fully operating.

Saddam, in fact, throughout his rule created multiple and parallel security organisations which were vital for the survival of the regime¹⁸¹. These organisations mainly relied upon the above described established tribal affiliations and consequent regional alliances. This inevitably meant a weakness in civil society. Furthermore, the intelligence services were more of a tool of repression and control, as they protected the regime from all sources of internal and external disturbance and promoted (passive) acceptance of the regime's policies. The security apparatuses also had militias attached to them, which not only served as personal protection to the President, but also used repressive measures and executed perceived opponents allegedly involved in plotting against the *Rais* and his regime.

With the fall of Saddam Hussein in 2003, the deep-rooted tribal system had to be dealt with in order for the country to be "rebuilt"¹⁸². When the United States entered the country, it had a very poor knowledge of the broad "underground of sectarian and criminal organisations that used religious symbolism"¹⁸³ to pursue their affirmation. Social chaos prevailed. The removal of Saddam from power caused mixed reactions from the different groups. Shiites, Kurds and also some Sunnis were in favour of his removal, but endemic societal divisions, even in the years to follow, left all parties deeply suspicious of each

¹⁸¹ Baram, A.

¹⁸² Interview with Iraqi General, in service.

¹⁸³ Davis, E., page 214.

other and of the Coalition Forces as well¹⁸⁴. Dealing with these divisions and with the possible consequences on the rebuilding process was certainly one of the greatest challenges. The Coalition Provisional Authority (CPA), formed at the first stages of “Operation Iraqi Freedom”, did not seem to have a clear understanding of the nature of sectarianism. We will see in the following paragraphs that rather than opting for a “national identity policy”, the CPA based the first transitional phase, and the *de-Ba’athification* of Iraq, on the emphasis of those ethno-sectarian nuances, something which will also be reflected in the appointment of the Governing Council.

In order to avoid clashes between the different factions, when the Operation begun (in 2003) the United States organised a Provisional Government through the Office of Reconstruction and Humanitarian Assistance¹⁸⁵. Led by Lt. Gen Jay Garner, and incorporated in the CPA, it was directed by American diplomat Paul Bremer, who became Interim President of Iraq from May 2003 to June 2004. Bremer was recognised as the “legitimate Authority” by the United Nations Security Council Resolution 1483, but his appointment also foresaw the establishment of a Governing Council which had to be representative of all the parties/ethnicities of the Iraqi society: Shiites (12 members), Sunnis (13 members) and Kurds (5 members), hence reflecting its complexity¹⁸⁶. The aim of this Governing Council was to re-establish national sovereignty; what followed, however, was the prioritisation of sectarian identity over national identity, which was perhaps necessary at an institutional level¹⁸⁷.

The United Nations Security Council Resolution 1511 (October 2003) imposed on the International Community to organise a multinational force to provide for security and to return to the Iraqi people the monopoly of power as soon as possible¹⁸⁸. The Resolution urged the elaboration of a fixed calendar and of an agreement with the Iraqi Authorities for the definition of a political transition¹⁸⁹. At this point, the fundamentals for the reconstruction of the country were laid down. A Constitution had of course to be drafted and the following are some of the main issues which had to be addressed first:

- role of Islamic Law within the newly drafted Constitution;

¹⁸⁴ Al Bayan Centre for Planning Studies, page 15.

¹⁸⁵ Cordesman, A., *Reconstruction in Iraq: the uncertain way ahead*, Center for Strategic and International Studies.

¹⁸⁶ Parigi, G., page 41.

¹⁸⁷ Thabit, A., page 164.

¹⁸⁸ Cordesman, A.

¹⁸⁹ Law of Administration for the State of Iraq for the Transition Period.

- degree of autonomy to be granted to the Kurdish region;
- presence of women in the government (and to what extent).

The basis upon which the Constitution was drafted was the “Law of Administration of the State of Iraq for the Transition Period” (in two phases), released in March 2004¹⁹⁰. It was inspired by South African Law and former Communist countries of Eastern Europe¹⁹¹: careful to ethnic minorities, it encouraged democratic principles such as pluralism and judicial autonomy.

The Constitution also created 18 Provinces and gave autonomy to the Kurdish ones. By June 2005 a National Assembly had to be elected, which should have been the expression of a transitional Government. By August 2005, the final version of the Constitution had to be approved (which represented the end of the two phases)¹⁹².

The new Constitution, however, did not bring the expected outcomes; instead, it turned out to be just another reason for conflict. As a matter of fact, the document accentuated the federal nature of Iraq, against the wishes of the nationalists and the secularists, and it was inconsistent with regards to the religious nature of the newly established system. In other words, the Constitution that was supposed to define the pillars of the new State, had a series of issues that could hinder not only the democratic future of the country, but also the entire reconstruction process.

The first Interim Government of Ayad Allawi, in June 2004, took on the ethno-sectarian division established by Bremer, appointing a Sunni tribal Sheikh as head of state and a Kurdish and a Shi’a as Vice Presidents¹⁹³. Furthermore, at that point, violence was still an issue: in fact, a complete ceasefire, or drop of weapons, was never obtained and that sense of instability encouraged the growth of military and paramilitary organisations to confront insurgents. Among these groups, Kurdish and Shi’a troops were established, which acted separately from the central power, causing further chaos.

Despite the attempts of boycott by Sunni parties, the Constitution allowed for the 2005 elections to be planned and carried out¹⁹⁴. The result, which was also a consequence of the first stage of *de-Bathification*, was that the Sunni population was basically unrepresented and that the winners were the “United Iraqi Alliance” (the Shi’as),

¹⁹⁰ Law of Administration for the State of Iraq for the Transition Period, Chapter 3.

¹⁹¹ Parigi, G., page 44.

¹⁹² Parigi, G. page 56.

¹⁹³ Rathmell, A., *Planning post conflict reconstruction in Iraq*, International Affairs Volume 81, issue 5.

¹⁹⁴ House of Commons Defence Committee, *Iraq: An Initial Assessment of Post-Conflict Operations*, Sixth Report of Session 2004-05.

followed by the “Democratic Patriotic Alliance of Kurdistan”. The new power structure, which brought Nuri al-Maliki to power, ended up favouring the Shi’as and the Kurds, who aimed at consolidating their positions, engaging in the same patterns of patronage that had characterised the previous regime, causing division within the Sunni community and the escalation of violence. Mistrust between parties was so strong that the competition between the Sunnis and the Shi’as increased the activism of extremist and terrorist groups, like al-Qaeda, which begun carrying out a series of attacks, not only against Shi’a sites, but also against civilians and Coalition troops on the ground (which supported the newly established government)¹⁹⁵.

2008 can be considered as the year in which an important decrease in violence was registered and the insurgency terminated. The *de-Bathification* policies initially applied, were not as restrictive at that stage; in fact, that year, a number of Army Officers which had been removed with the fall of Saddam, were recommissioned and al-Maliki promoted a more inclusive unity government. US troops on the ground also allowed for the perceived and real security throughout the territory to improve, which was also fostered by what is known as the “Anbar Awakening”, where Sunni tribes rose up against al-Qaeda and facilitated the creation of relative stability in country¹⁹⁶.

Unfortunately, stability and the attempt to lead all parties into a national reconciliation did not last long; promises made to tribes that had participated in the “awakening” were neglected, mainly because the central Government faced pressure from other political factions that feared and distrusted those tribes, as they were seen independent from Baghdad (and still armed)¹⁹⁷.

Protests emerged once more, but this time peacefully. A neo-Ba’athist wave also emerged. This worried the Government which quickly denounced the legitimacy of the protests, leading to a new escalation. On this occasion former “al-Qaeda in Iraq”, operating mainly in Syria at the time, known as “Islamic State in Iraq and the Sham” (ISIS), arranged some attacks, leading the Government to associate protesters with al-Qaeda. Furthermore, members of parliament who supported the neo-Ba’athist movement were arrested, and force was used to stop protests¹⁹⁸. Ramadi was the core of the protests and al-Maliki, worried by the rising tensions, promised to withdraw the Iraqi Army from the area, which he

¹⁹⁵ Rathmell, A., Olikar, O., Kelly, T., *Developing Iraq's Security Sector: the Coalition Provisional Authority Experience*, RAND.

¹⁹⁶ Thabit, A., page 172.

¹⁹⁷ Rathmell, A.

¹⁹⁸ Kirk, H. Sowell, *Maliki's Anbar Blunder*, Foreign Policy Magazine 15 January 2014.

did. Unfortunately, a security vacuum soon emerged and was exploited by ISIS, which captured the city and declared it part of the "Islamic Caliphate"¹⁹⁹.

The success obtained by ISIS was soon appreciated by other smaller ethnic groups, which saw themselves as equal partners in that "revolution" against the central Government. Soon, tribes from the Anbar region joined offensive and took over cities like Fallujah and Mosul (2014), taking advantage of the uprisings against the Iraqi military units²⁰⁰. They instituted a strict interpretation of Shari'a Law in those regions, forming a "State" within the State. Minorities were persecuted. Throughout this period, the neo-Ba'athists remained close to ISIS, though they did try to mitigate its repressive measures, without much success. As a matter of fact, although, generally speaking, former Ba'athists did not adhere to ISIS' policies, some became leading figures within the organisation, such as Izzat Ibrahim al-Douri (former Vice President during Saddam's regime)²⁰¹; most of those who instead did not adhere to ISIS' doctrine were eliminated. The rest is history. ISIS was eventually defeated but ethnic-sectarian and security challenges remained.

The failure of the International Community to take into account the social and ethnic divisions in Iraq was mirrored in all the security apparatuses of the newly established system which, since the very beginning of the process, have been unable to fully guarantee public security and the Rule of Law. Not only have all security apparatuses been mainly "decapitated", decimated and rebuilt from scratch in just a few months (as we will see in the following sub chapter), but the ethnic approach has been at the basis of the reform in this case as well. *De-Bathification* was the principle applied to the security sector: as a matter of fact, all of the actions of the CPA aimed at removing former regime representatives and proxies both from the Armed Forces and from the Intelligence Services²⁰². The result was that all security structures were, and still are today, facing issues due to complex internal and external factors, such as terrorism, insurgency, crime generated by the competition between parties/ethnicities and the rivalries at a political and at a sectarian level (Sunni, Shi'a and Kurds).

The intent of this historical narrative is not to give a description of the events which have afflicted the country, but to underline and demonstrate how the Peace Building process, since the very beginning, has failed to acknowledge the dynamic nature of its

¹⁹⁹ Sinan, A. & Reese, A., *Beyond the Islamic State: the Sunni Insurgency in Iraq*, Institute for the Study of War, Report 24 (2014), page 12.

²⁰⁰ Interview with Iraqi General, in service.

²⁰¹ Al Bayan Centre for Planning Studies, page 20.

²⁰² Rathmell, A. Olikar, O., Kelly, T..

complex ethnicity and has failed to opt for policies which could have cohesively institutionalised differences. This failure, which has been acknowledged to be fundamental to post conflict state building, has inevitably affected all stages of the process.

5.2. The reform of the Intelligence Services: the current state of play.

The reform of the Intelligence Services, as we have seen in the first chapters of this thesis, is often disregarded by the academic community when analysing Security Sector Reform in post conflict cases. In reality, experts in the job, on the ground, dealt with particular interest with their reform, and paid much attention to this instrument. The external actors, which have driven the entire Iraqi reform process, did not waste time in tackling the issue of the Intelligence Services, mainly because having a functional “reformed” body would have allowed them to pursue their own security objectives, which were a priority over the broader “national interests”. As a matter of fact, whose interests did the intelligence services in post-Saddam Iraq serve? What was their purpose and function? Were they reformed to serve the greater interests of an Iraqi State?

Before answering these questions, it is necessary to articulate an overview of what Iraqi intelligence services were like before, with and after Saddam Hussein. Understanding the legacies of pre-war intelligence services will help us discern why certain choices were made after 2003 and why these bodies are still today facing difficulties today.

Ever since the formation of modern Iraq, the intelligence services have been subject to the interaction among multiple internal and external threats, conflicts and international interests. Factors such as politics, ethnicities, sectarianism and tribalism, have moulded the development of these security structures and affected their resistance in time, throughout regimes and wars. Iraq faced many issues (political, social and economic) which have created and determined an environment exposed to continuous insecurity²⁰³. In this environment multiple intelligence services were established.

The first intelligence service was the General Security Service (GSS - *Mudiriyyat al-Amn al-Amm*), actually created during the British mandate, in 1921, with a focus on domestic issues. It served as an internal security instrument and in its first years it helped the British rule the country, through a government led by a Sunni tribal elite. It gradually evolved and its main task became to detect, monitor and disrupt any dissident ethnic or religious group²⁰⁴ (from the communist party, to the Shi’as and the Kurds). This transformation into a repressive force coincided with the rise of the Ba’ath party in 1968. GSS also became responsible for investigating political corruption and crimes. It remained standing until 2003 and was indeed Iraq’s largest intelligence service. Although it

²⁰³ Al Marashi, I., *An insight into the mindset of Iraq’s security apparatus*, Intelligence and National Security, Vol 18 Nr. 3 (2003), page 1-23.

²⁰⁴ *Stratfor. An uncertain future for Iraq’s Intelligence Service*, Jan 2012, page 2.

maintained its position throughout many years, it was certainly not the most significant of all intelligence organisations, especially during Saddam's time.

The second Iraqi intelligence service was the Military Intelligence Directorate (MID - *al-Istikhbarat al-'Askariyya*), established after the country's independence in 1932. It was initially under the control and coordination of the Ministry of Defense, but like all Iraqi intelligence agencies, especially during Saddam's rule, it gradually fell under the direct control of the President. MID also focused on internal security and affairs. It was in charge of counterinsurgency activities and monitoring of ethnic groups in the border regions and one of its main tasks was to detect militias. The MID was also in charge of external collection activities and operations, directed at its neighbouring countries (from Jordan, to Syria, Gaza, Iran and to Gulf countries). It also created militant groups in order to distract its opponents. An example of such activity was its support in the creation of the Mujahideen-e-Khalq, in 1965²⁰⁵, an anti-Iranian resistance group, active against the Shah of Iran.

In 1968, with the takeover of the Ba'athists, both services were kept functioning and were focused on the preservation of the regime that was ruling them; as a matter of fact, the regime had come to power through coups, thus its main concern was the regime's preservation from internal and external factors that could hinder its position. Therefore, Iraqi intelligence developed out of the need for internal security, leaving behind capabilities abroad which, instead, characterised foreign intelligence services in other countries²⁰⁶.

After a failed coup in 1973, where GSS chief Nadhim Kazar attempted an overthrow of the Ba'athists, both intelligence services were restructured. At that point Saddam Hussein, the young party leader, had complete control of the agencies²⁰⁷ and the imperative of developing a strong internal security tool was, for him, crucial. With the help of the KGB, Saddam reformed GSS and transferred some of its competences to a newly created service, the *Mukhabarat*.

That same year, Saddam founded the first proper foreign intelligence agency, the General Intelligence Department (GID - *Mukhabarat al-'Amma*). The origin of the service was the "Special Apparatus" created by Saddam Hussein in 1964, after a failed attempt by the Ba'ath party to rule the country. This apparatus was considered a personal security

²⁰⁵ Stratfor, *An uncertain future for Iraq's Intelligence Service*, page 2.

²⁰⁶ Stratfor, page 3.

²⁰⁷ Kahana, E. S. , *Historical Dictionary of Middle Eastern Intelligence*, London: Scarecrow Press (2009).

system²⁰⁸, which had the task to detect and monitor threats to party leaders, both from within and outside the party, and was involved in multiple assassinations of opponents. In 1968 this apparatus became the Yearning Apparatus (*Jihaz al Hanin*), still active solely within the party, and only once the Ba'ath party retook power of the Iraqi Government. In 1973 it was officially transformed into the GID, the first intelligence service used to defend the interests of Saddam's clan and, simultaneously, coordinate intelligence activity abroad²⁰⁹.

Led by Saddam's clan members or people recruited from the Tikrit area - mainly elites - GID coordinated internal action of the other two services and controlled their external actions as well. Apart from watching over the activity of the GSS, especially in consideration of the attempted *coup*, it was given a set of responsibilities, domestic and abroad²¹⁰:

- a. domestic responsibilities: monitoring of the Ba'ath party, infiltrating and disrupting political opposition, policing minority groups (especially Shi'as and Kurds), counterintelligence and monitoring of embassies, diplomats posted in Iraq and foreigners in general;
- b. responsibilities abroad: collecting intelligence, sabotage and terrorist acts against neighbouring countries, supporting groups hostile to competing regimes and counter-espionage, monitoring of exiled Iraqi opposition groups.

Over time, GID became the country's primary external intelligence service and handed its domestic tasks to other services. Its activities abroad became typical of an intelligence organisation, with stations inside embassies and representatives in neighbouring countries, focusing on the potential threats to Iraq's stability from abroad.

After the Gulf war (1991), however, GID lost some of its capabilities, since many of the Embassies and of the Iraqi Airways offices abroad were shut down. This meant most of its intelligence-cover positions were lost²¹¹. Although it kept some of its international capabilities, it is believed that at that point the GID had lost the capacity to carry out aggressive covert operations (with militias and terrorist groups for instance) and had to remain clandestine.

²⁰⁸ Al Marashi, I., An insight into the mindset of Iraq's security apparatus, *Intelligence and National Security* Volume 18, Nr. 3 (2003), pages 1-23.

²⁰⁹ Stan, C., *Challenges of Iraqi Intelligence in post-Saddam era*, National Defense University (Bucharest 2014), page 5.

²¹⁰ Stan, C., page 5.

²¹¹ Stratfor, page 4.

Like most authoritarian systems, Iraq during Saddam's rule was also characterised by the presence of multiple intelligence services which had to serve the interests of the ruling party, and the most influential in the country, during those years, was certainly the Special Security Directorate (SSD - *Mudiriyyat al-Amn al-Khas*). Established in 1982, the SSD came in response to a series of intelligence failures - such as the war against Iran and the failure to protect the Osiraq nuclear reactor at the Al Tuwaitha Nuclear Centre, near Baghdad, against an Israeli airstrike in June 1982 (known as Operation Opera) - and an assassination attempt on Saddam in July that same year, allegedly by a Shiite gunman, who fired against the presidential convoy leaving the town of Dujal, north of Baghdad²¹².

Most of SSD members came from Tikrit, Hawija and Samarra (within the Sunni triangle) and in its first years, the Directorate was linked to Saddam's cousins, the Kamel brothers, who managed the Service until 1995. By 1992, however, one of Saddam's elder sons, Qusay, was supervising the Special Security. The Service had officers and informants in all other intelligence services and soon became the superior intelligence processing centre, controlling other services and the two major para-military structures in charge of Saddam's personal security, both in the Palace and while in public engagements: the Special Republican Guard (*al-Harras al-Jamhuri al-Khas*) and the Fedayeen²¹³. The internal security units were authorised to infiltrate every organisation in the Iraqi state, to serve Saddam's paranoia and monitor potential threats to the regime. They were hence given oversight responsibilities over other agencies, which meant that they had intelligence from a broad range of sources and counted a force of approximately 5000 units²¹⁴. Their fidelity was ensured and rewarded also through their salaries; in fact, the salary of a Special Security section chief was ten times higher than one's from MID and five times higher than similar positions in the other services²¹⁵.

In order to respond to the risk of *coups* from within the Armed Forces, in 1992 Saddam created a new structure which mainly detached the Military Security branch of the MID and made it independent. Its responsibility was to detect and disrupt opposition within the Armed Forces, and for this reason it placed officers within every military unit. In 1996 it was able to detect a major attempt of *coup d'état* initiated by former exiled Iraqi General

²¹² Actions taken by Saddam to retaliate the failed attempt, led to the Dujail massacre and would then be, in 2006, the main charge for which Saddam Hussein was executed.

²¹³ Baram, A., *Building towards Crisis: Saddam Hussain's Strategy for Survival*, Washington Institute for Near East Policy (1998), page 45-50.

²¹⁴ Stratfor, page 5.

²¹⁵ Stan C., page 6.

Mohammad Abdullah al-Shahwani²¹⁶, with the support of the CIA, his three sons (at the time serving Saddam's Republican Guard) and about 200 recruited officers. The failure led to the execution of 80 officers, among whom were two of al-Shahwani's sons²¹⁷.

All services shared tasks, overlapped in competences and often competed with and monitored each other. They constantly fuelled suspicion in order to eliminate any possible threat against the regime and considered every issue a matter of security and surveillance, which consequently led to the obsessive control over not only society and its elites, but also political, military and intelligence elites. The survival of the regime was ensured by Saddam's capacity to keep key positions for his family or loyal members: the intelligence services were "personalised and tribalized" and under the direct control of Saddam or his sons²¹⁸. The closer people came to Saddam or his clan, the more control was exercised over them. The entire system counted between 150.000 and 200.000 members.

All these intelligence services were mainly overseen by a coordinating body, known as the National Security Council, led by Saddam himself, and sometimes delegated to his son Qusai. Although it was formed by the representatives of the five intelligence services, in time it lost influence and merely served as a coordinating entity to ensure the diversity of issues and targets to be covered by all services. It was never considered as an oversight or executive body²¹⁹.

Like in the majority of post-war countries in the Middle East, affected by authoritarianism, non functional political systems, revolutions against official order and constant destabilising attempts, intelligence services in Iraq have turned out to be power preservation instruments, repression tools and control mechanisms against internal and external threats²²⁰. Ba'athist Iraq is the perfect example of such security bodies, where the main task of the intelligence was to preserve the best interests of the elites, the tribes and the clans, through which the regime controlled the society²²¹.

With the fall of Saddam, in 2003, the CPA was very determined to wipe out the authoritarian Ba'athist past of Iraq and set the basis for new institutions to be built.

²¹⁶ Who will then become Director of Iraqi Intelligence Service post-Saddam, in 2003.

²¹⁷ Stan C., page 6.

²¹⁸ Al Marashi I., The family, clan and tribal dynamics of Saddam's Security and Intelligence Network, *International Journal of Intelligence and Counterintelligence*, Vol 16. No. 2 (2003), pages 201-211.

²¹⁹ Stratfor, page 5.

²²⁰ Stan C., page 1.

²²¹ House of Commons Defence Committee, *Iraq: An Initial Assessment of Post-Conflict Operations*, Sixth Report of Session 2004-05, page 59.

Legacies and memories imprinted in the minds of the population had to be somehow removed and an attempt to rebuild from scratch a reputation for the intelligence services had to be made; dissolving all existing intelligence bodies seemed to be the best way to achieve the expected results.

All security structures were indeed abolished, as per Decision Nr. 2 of the CPA, dated 23rd May 2003, which included the army, the intelligence services, the special forces and paramilitary troops. The country was however in such an unstable situation due to ongoing conflict, that the decision to abolish all security structures consequently led to the worsening of the security conditions in the country and created a power vacuum.

Over 600,000 military and professionals²²² were left from one day to another without a job, a salary or any prospects, in the middle of an economic crisis. The de-Ba'athification of the security apparatus led to the exclusion of a significant body of Sunnis from the intelligence services (and the Armed Forces), officials which will later form the resistance force against foreign forces and the new political structures of Shi'a ideology.

Furthermore, the formal abolition and exclusion of personnel linked to the previous regime, did not bring the uprooting of the networks, which was also necessary. It was, in fact, these networks that facilitated insurgencies and criminal activities and they represented a real destabilising factor for the Coalition. Insurgents were now also skilled professionals, with years of experience, which allowed them to be always ahead of the Coalition and able to intimidate the population²²³.

Despite the dismantlement of the intelligence services, an immediate rebuild did not follow and the CPA did not even plan for it; the Provisional Authority felt²²⁴ that the intelligence services had to be left to the future Iraqi Government to deal with, because it would have given them a greater legitimacy and acceptance by the population²²⁵. Furthermore, the Provisional Authority also believed that given the repressive history of these bodies, leaving the Iraqis for a while without such structures could have been beneficial.

²²² Interview with Iraqi General, in service.

²²³ Rathmell, A., Olikar O., Kelly T., *Developing Iraq's Security Sector: The Coalition Provisional Authority's Experience*, RAND (2005) page 62.

²²⁴ Interview with Iraqi General, in service.

²²⁵ House of Commons Defence Committee, Iraq: An Initial Assessment of Post-Conflict Operations, Sixth Report of Session 2004-05, page 59.

The CIA and the MI6 did not agree and felt that the strategy of the CPA would have not served their best interests²²⁶, because they needed an organisation able to acquire and process intelligence effectively, in support of the Coalition forces on the ground. They knew that whatever their presence in the country, they would have been unable to do it on their own: they needed an insight to what was really happening in Iraq and who was really targeting Coalition troops and civilians. For this reason they begun working on the creation of a new Iraqi Intelligence body, without coordinating with the CPA and other developing “intelligence structures”, within the Armed Forces and the Police. This new intelligence service was developed independently, without any oversight or coordination. What the CIA did not consider, at the time, was that developing an intelligence service in such a manner may have favoured the recreation of a scenario where services would have to compete against each other, risking having them abuse their position, just like during Saddam’s regime.

The Office of Security Affairs of the CPA, which should have been in charge of all security related issues and reforms, had limited visibility on the entire process, planning and of the actual actions taken, until November 2003, when the CIA briefed it on what this new intelligence service would have looked like. The Iraqi National Intelligence Service (NIS - *Jihaz al-Mukhabarat al-Watani*) hence became operational in April 2004.

The CIA aimed at establishing this new internal intelligence service far from Shiite and Iranian influence. Although the initial intention was to give the lead of the Service to a secular Shiite muslim, Nouri Badran, who had worked with the USA to incite the *coup* to overthrow Saddam Hussein, on April 4th 2004 Paul Bremer announced that the head of the newly established intelligence service would be Mohammad Abdullah al-Shahwani, mentioned above for having attempted a *coup*, in 1996, to overthrow Saddam. Al-Shahwani seemed the best option because in the eyes of the occupiers he represented the complex ethnic Iraqi society: Sunni with Turkmen roots, married to a Shi’a and having been elected as deputy on Kurdish lists²²⁷. Having someone with such characteristics leading the newly established service served the intention to give intelligence a new image, a new brand, away from ethnic divides and from the “tribalized” connotation, so dear to the *Rais*.

A Charter of the NIS was released by the Governing Council in February 2004, which delineated its competences and control mechanisms. Serving as an information agency to

²²⁶ Rathmell, A., Olikar O., Kelly T., page 63.

²²⁷ Stan, C., page 8.

the Council of Ministers, the NIS, on paper, seemed like a whole new intelligence concept, far from the one Iraq had seen until then. It was made into a real intelligence service and not an investigative agency; as a matter of fact, it had no enforcement powers, it could not interrogate nor arrest individuals and it was not allowed to be involved in domestic political issues or in any political process. It also required a warrant before it could collect information on Iraqi citizens. The NIS was given the possibility to collect intelligence domestically and abroad, but its main priorities were two:

- a. infiltrate jihadi movements and counterinsurgency;
- b. block any Iranian activities and limit Iranian influence.

According to the Law of Administration for the State of Iraq for the Transitional Period, “(...) NIS shall collect information, assess threats to national security and advise the Iraqi Government. The Service shall be under civilian control, shall be subject to legislative oversight, and shall operate pursuant to law and in accordance with recognised principles of human rights...”²²⁸. Overall, the idea was to try and build a democratic service which should have accompanied the country in a fair reconstruction and, at least on paper, all the characteristics of a democratic intelligence service were indeed given to NIS: civilian control, legislative oversight, and a precise set of laws and principles and control mechanisms.

As head of the NIS, al-Shahwani was to remain in charge for five years and report directly to the Prime Minister. He recruited former intelligence officers into the new organisation²²⁹ and, for this reason, he did not enjoy the support of many members of the new political class, which had developed around Shi’a actors. But what al-Shahwani wanted to do was to try overcome the ethnical dimensions by recruiting many Iraqi nationalists to his service, even if this meant including people from Sunni camps and ex-members of the Ba’ath Services²³⁰. According to a report released by Shiite politician Ahmed Chalabi, in 2004 the NIS was two-thirds Sunni and one-third Shi’a²³¹. A large number of former GID members were also recruited (around 2000²³²), mainly because their skills were needed. Some of the most important recruits were in fact for

²²⁸ Law of Administration for the State of Iraq for the Transitional Period, Chapter 3, Article 27 D.

²²⁹ Bennet, G., *Iraq’s Security and Intelligence Structures: More Problems*, Conflict Studies Research Centre (May 2006).

²³⁰ International Crisis Group, *Loose Ends: Iraq’s Security Forces between U.S. Drawdown and Withdrawal*, *Middle East Report No. 99* (26 October 2010).

²³¹ Stratfor, page 8.

²³² According to Stratfor sources, as mentioned in original publication.

counterintelligence purposes and came from former Department 18 of the GID²³³, which was the Iranian Operations Unit. Due to Iran's influence in Iraq and its support of various Shiite militias, controlling insurgencies also meant monitoring and halting Iranian clandestine influence. The strategy to recruit former GID officers also served the purpose of tackling insurgency because former intelligence officers had access to sources that could have become recruitment targets not only for the insurgents, but also for any other intelligence network operating in the country. NIS had to recruit them before Iran, Syria or al-Qaeda in Iraq did²³⁴. Furthermore, although some recruits may have been double agents; many loyal ones would have been the most adept and capable of identifying and disrupting the Ba'athist insurgency.

This strategy did in fact pay-off in 2007, with a substantial decline in the level of violence. Although many factors affected this decline, among which the "Anbar Awakening" and the military operations of the US and of the Coalition on the ground, the intelligence collected by the NIS certainly played an important role. Completely funded by the CIA, the NIS was a vital instrument for the Agency; although it had its biggest station abroad in Baghdad, the CIA (and the Coalition) had little capability to reach areas outside the Green Zone and the NIS was instrumental because Iraqi officers were able to travel around Iraq, recruiting sources and collecting information, to which the CIA would then have direct access²³⁵.

The Shi'a political parties which were governing Iraq after its first elections in 2005, felt that the NIS was the expression of that Sunni component of Iraq, which was not representative of the Government and was not impartial; the fact that al-Shahwani was a Sunni and that he had recruited intelligence officers from the previous regime, made the governing authorities fear that the Ba'athist would be somehow reintegrated in those institutions which had prosecuted Shi'as in the past²³⁶. The US did not want the newly elected Government to interfere with the NIS or its leadership and in 2007 al-Maliki, at the time Prime Minister, decided to form a parallel intelligence structure, alternative to NIS's influence. However, this did not immediately take the connotation of a service per se.

The Ministry of State for National Security Affairs (MSNS) was transformed to directly serve Prime Minister al-Maliki and Sherwan al-Waili, a former Brigadier General during

²³³ Stratfor, page 9.

²³⁴ Stratfor, page 10.

²³⁵ Stratfor, page 8.

²³⁶ Cordesman, A. H., Iraqi Force Development, *Centre for Strategic and International Studies* (Sept. 2009), page 78.

Saddam (who had been arrested after the 1991 Shiite uprising), appointed by the Prime Minister to serve these intelligence purposes. Initially it functioned more like a network rather than an organisation and was made up of around 1000 people; by 2009 it had grown to 5000 people. The current state of play of this second intelligence service is unclear and not much information can be found on its structure and purpose. What emerges, however, is that the above mentioned network currently operates as a proper intelligence service and is today known as the Iraqi National Security Service²³⁷ (NSS - *Jihaz al Amn al-Watani al Iraqi*), which focuses mainly on domestic security (counterinsurgency) and has been on various occasions, in the last few years, under the lenses of the domestic press for its role in the fight against ISIS²³⁸, together with the Counter Terrorism Service, another domestic intelligence service which we will look at in the following paragraphs.

What emerges today is that the initial religious connotation that was given to both intelligence services, which created that sense of constant competition between the two, seems to be no longer relevant or even appropriate to mention; an example of such irrelevance is, for instance, the fact that the current NIS General Director is a secular Shi'a, Mustafa al Kadhimi, who has been leading the service since 2016 and who seems to have collected broad political consensus and approval from all ethnic and religious components. What transpires is that local authorities are attempting to equally distribute competences and positions within the two services, among the three different groups, and to differentiate the two structures only by mandate and role within the security environment²³⁹. Both services similarly fall under the direct control of the Prime Minister but are classifiable one as the "external" intelligence service (INIS, which by law is the only one in charge of external relations) and the other as the "domestic" one (NSS).

The third intelligence service under direct control of the Prime Minister is the Counter Terrorism Service (CTS - *Jihaz Mukafahat al-Irhab*). Placed under the Prime Minister by an executive order in 2007, it is almost an equivalent to a ministry such as the Ministry of Defense (MoD) and the Ministry of Interior (MoI). The Service develops a national Counter-Terrorism Strategy and advises the PM on counterterrorism and related policies.

The CTS also includes the Iraqi Special Operations Forces, (ISOF) which were first created (a few years before the CTS -in 2003) because the Coalition recognised the need

²³⁷ Interview with Iraqi General, in service.

²³⁸ Press releases in Arabic:

²³⁹ Interview with Iraqi General, in service.

to tackle the growing insurgency and terrorist threat in the country, hence the need to train and develop a counterterrorism capability, able to locate and eliminate those threats²⁴⁰.

All had to be done through a non-sectarian strategy. To create this unit, volunteers from the three ethnic and religious parties were recruited, because the unit had to be capable of conducting operations on non-sectarian, non-religious or non-political basis. The operation was initially led by the US Special Forces (USSF) and recruitment and training were also aided by the Jordanian Special Forces, which were able to provide facilities and logistic support, unavailable in Iraq at that time²⁴¹.

By the beginning of 2004 the Iraqi Counter Terrorism Force (ICTF) had been created and Operator's Training Courses established, which continued until 2006. The US wanted the ISOF to be self-sufficient after their departure, which led them to conceptually develop a Counter Terrorism Bureau, that later became the Counter Terrorism Service. The CTS would have to ensure that resources were properly devolved to the ISOF and would also have to guarantee a civilian oversight outside the Special Forces' chain of command. The whole project included the creation of a Counter Terrorism Command (CTC), which would have the operational control of the ISOF and would be equivalent, in terms of organisation, to the ground, air and naval forces, under the Ministry of Defence. This plan was initially endorsed by al-Maliki, but in 2007 he issued an executive order: under PM Directive 61, signed in April 2007, the Iraqi Counter Terrorism Command was removed from the umbrella of the MoD and the Counter Terrorism Force was made independent both from the MoD and Mol. This automatically placed the ISOF under the direct control of the Prime Minister²⁴².

There have been much speculation about the reasons why such a decision was made: the opposition supported the narrative that al-Maliki wanted to serve his personal interests; others spoke of a possible deficiency within the MoD because of frequent operational failures, and detaching such body from the MoD was a way to safeguard it. In any case, whichever the reason, this decision led to the creation of the CTS as the umbrella which enclosed both the CTC and the ISOF. The organisation therefore included

²⁴⁰ O'Brien, M., *Foreign Internal Defense in Iraq: ARSOF Core Tasks Enable Iraqi Combating-Terrorism Capability*, "Special Warfare, January–March 2012, page 21.

²⁴¹ Witty, D., *The Iraqi Counter Terrorism Service*, Centre for Middle East Policy, Brookings Institution (2015), page 6.

²⁴² U.S. Department of Defense, *Measuring Stability and Security in Iraq*, November 2006, Report to Congress in accordance with the Department of Defense Appropriations Act 2007 (Section 9010, Public Law 109–289).

CTS Headquarters in Baghdad, the CTC which coordinated operations, and three Iraqi Special Operations Forces Brigades²⁴³.

In May 2008, CTS decided to more than double its personnel to 8,500 units. In 2009 CTS further increased its authorised strength to 9,230²⁴⁴.

The CTS's functions were to:

- a) coordinate and synchronise all elements of Iraqi power to defeat terrorism;
- b) develop the Iraqi National Counter Terrorism Strategy;
- c) conduct operations and strategic planning through Iraqi inter-agency coordination;
- d) develop criteria for the identification and classification of counterterrorism targets;
- e) coordinate with intelligence agencies for the implementation of counterterrorism plans;
- f) collect and analyse terrorism information;
- g) coordinate with the Foreign Ministry to use diplomacy for counterterrorism cooperation with neighbouring countries²⁴⁵.

Staff General Talib Sheghati al-Kenani was the first director of CTS and was noted for his strong sense of non-sectarianism. In March 2017, Kenani was replaced in this position (in part due to intense competition between ISF and the fact that CTS had overshadowed other forces during the first half of the battle of Mosul) and Staff Lieutenant General Abdul-Wahab al-Saadi was nominated Chief. He is probably the most famous CTS leader and served as the field commander for CTS in nearly all major operations against ISIS and often led all Iraqi forces participating in specific battles, such as in Beji, Tikrit, Ramadi, and Fallujah. His reputation peaked in the battle for Mosul (2017), where he again served as the CTS Field Commander. He still is the Commander of this Service.

At the time of the US withdrawal (2011), the Counter-Terrorism Service (CTS), of which about 4,100 were Iraqi Special Operations Forces (ISOF), was considered highly capable. The non-sectarian nature of the Service was and still is reflected in its leadership, its personnel, and the methodologies with which it conducts operations. The non-sectarian approach is also reflected in the established procedures for internal vetting of personnel for key positions²⁴⁶. Furthermore, assignments in the Service have been very attractive

²⁴³ The 1st ISOF Brigade, frequently referred to as the Golden Brigade, and later the Golden Division, focused on the Baghdad area. The Second ISOF Brigade was created in July 2009 and focused on areas outside of Baghdad, mainly Mosul. The 3rd Brigade, established in Basra in 2013, concentrated in the provinces of Basra, Diwaniya, Najaf, Maysan, Dhi Qar and Muthana.

²⁴⁴ Witty, D., page 12.

²⁴⁵ Republic of Iraq, Council of Ministers, Counter Terrorism Service, *Iraqi Counter Terrorism Strategy, 2008–2012, Summary*, 5.

²⁴⁶ Witty, D., page 13.

since its establishment; for example, in 2004 the monthly salary of CTS officers was higher than that of most Special Forces Units, and almost twice as much as counterparts in the MoD.

Despite its salary offer, CTS initially faced two challenges in achieving its required numbers. The first was the source of recruits: a part of the personnel had to have no prior military training and recruits were nominated by the various ethnic leaders, while another part was recruited from within the MoD, which sometimes froze recruitment, making it difficult for CTS to fulfil its requirements. Other challenges were rigorous training standards and the strict vetting and selection processes.

In general the CTS has been regarded by the Iraqi public as a successful actor in the transition of security and responsibility to the Iraqi Security Forces. Its reputation, however, has not always been faultless. Before the war against ISIS begun, CTS was actually feared and disliked by other organisations in the country. This was probably because CTS, created mainly by the US, was seen as a puppet of the Americans and as a tool specifically intended, by PM al-Maliki, to serve as an anti *coup* force.

The fact that ministerial directives had placed it under the direct control of al-Maliki, questioned its legitimacy and reliability as a security organisation and it often faced the opposition of other security organisations within the MoD and MoI, as well as within the Parliament. For years, the latter feared that CTS concentrated too much power within the Prime Minister's Office, while Iraqi Security Forces (ISF) saw it as a threat and wanted to abolish it (or absorb it)²⁴⁷.

Its reputation and perception by the population has certainly been reversed. Often praised by the media for its successes in the fight against ISIS and in regaining previously conquered territory, the CTS is arguably the most popular security organisation in Iraq. The Service maintained its cohesion and fighting abilities when ISIS was at its most successful, while other Security Forces were failing and collapsing.

However, the most significant step for its status was the acquisition of a legislative framework, which until 2016 it was lacking because the law that had to establish it as a separate ministry was never ratified. When the Iraqi Parliament passed the CTS Law in August 2016, the CTS was given a budget²⁴⁸ and an established structure, with the mission of coordinating and leading all counter terrorism efforts while still working directly

²⁴⁷ Witty, D., *The Iraqi Counter Terrorism Service: From the War on ISIS to the Future*. January 23, 2018. <https://www.iraqincontext.com/single-post/2018/01/23/The-Iraqi-Counter-Terrorism-Service-From-the-War-on-ISIS-to-the-Future>.

²⁴⁸ In 2017, the Iraqi national budget included its first funding line for CTS at \$687 million.

for the Prime Minister, separate from the Ministry of Defense (MoD) and the Ministry of Interior (MoI)²⁴⁹. CTS's identity is still independent of politics and sectarianism, representing all Iraqi demographics. Sectarian expressions of any kind are strictly forbidden in the Service and, by law, CTS members cannot be in political parties and, therefore, no associated member of the Popular Mobilisation Force²⁵⁰ can belong to it (due to the careful screening and vetting of applicants).

With the 2016 Law, the structure of CTS has remained almost unchanged. The CTC was formally abolished since it was viewed as redundant, although the organisation actually still exists due to the organisation's popularity, the popularity of its commander, and his strong political support and relationship with the PM. The CTS continues to make improvements in coordinating with NIS on targeting and intelligence sharing, and with the MoD and the MoI on strategic-level planning.

Although in theory the CTS is independent, it is tied to MoD by certain administrative functions, such as salaries, managing promotions, supply of ammunitions and weapons, which MoD contracts through its budget. But MoD often fails to provide CTS with the needed resources due to an alleged dislike of it. In fact, the various security agencies and ministries in Iraq are competing and struggling to have resources allocated to them, to have recognised power and influence, and CTS is not exempt from this struggle.

The Iraqi intelligence landscape does not stop with the above mentioned intelligence services; it is worth mentioning that Iraq's Security Sector includes other minor organisations, incorporated within the ministries of Defence and Interior which, of course, do not act independently and only serve specific security purposes.

The first one worth mentioning is the Federal Intelligence and Investigation Agency (FIIA - Wikalat al-Maalumat wa al-Tahqiqat al-Wataniyya), formerly known as the National Intelligence and Investigative Agency, established within the MoI in 2006 and renamed in 2011. It is comparable to the FBI and it focuses on domestic issues; it has a role in criminal intelligence analysis and investigation, providing support to the police, as well as in counter-insurgency and common crimes, including kidnappings and assassination attempts of senior officials. It can also execute arrests. The current number of employees is unclear, but in 2007 the estimate was some 9000 employees. It has around 15 provincial

²⁴⁹ Witty, D., *The Iraqi Counter Terrorism Service: From the War on ISIS to the Future*. January 23, 2018. <https://www.iraqincontext.com/single-post/2018/01/23/The-Iraqi-Counter-Terrorism-Service-From-the-War-on-ISIS-to-the-Future>.

²⁵⁰ Iraqi state sponsored umbrella, officially part of the Iraqi Security Forces, independent from the MoD until the decree of July 1st 2019, which incorporates them in the Iraqi military. They include around 40 militia groups, mainly Shi'a, but also include Sunnis, Christians and Yazidis.

bureaus distributed all over Iraq and its Headquarters is in Baghdad. It also has a Cyber Crimes Unit and its Technical Department has branches for wire-tapping and intercepting mobile phone calls²⁵¹.

The second one is the Directorate General for Intelligence and Security, within the Ministry of Defence (DGIS - *al-Mudiriyat al-Aamma lil-Istikhbarat wa al-Amn*) and reports directly to the Minister of Defence. Based in Baghdad, its mission includes gathering and disseminating intelligence, developing and mapping capabilities and supporting the Security Forces. Within the MoD, the three forces (Army, Air Force and Navy) have also founded their intelligence units (M2), Military Intelligence Directorates (*Mudiriyat al-Istikhbarat al-Aaskariya*), responsible for collecting and processing military intelligence²⁵².

In addition to the organisations described above, the Oil Police, charged with protecting Iraq's oil infrastructures, oil fields, refineries, pipelines and convoys, placed under the control of the Mol in 2008, appears to have an intelligence department, about which not much information is available. Reports also indicate the existence of other minor intelligence Sections within the Ministry of Health and within the Police, specialised in tourism and antiquities²⁵³.

In the specific case of Iraq, non-State Intelligence networks are also worth mentioning. While official structures competed and still compete for control and power, other groups have arranged their own intelligence capabilities and networks to protect their own interests. The most important ones are those which have developed in the autonomous Kurdish Region, under the control of the Kurdistan Regional Government (KRG). The various military and paramilitary groups are overseen by the Ministry of Peshmerga Affairs, which combines what were once the militias of the Kurdistan Democratic Party (KDP) and of the Patriotic Union of Kurdistan (PUK). Both parties have created their own intelligence services, each competent in their areas of interest: the KDP avails itself of the Kurdish Protection Agency, known as *Parastin*, active in the Provinces of Arbil and Dahuk, while the PUK has the Intelligence Apparatus (IA), known as *Dazgay Zanyari*, active in the Sulemaniyah Province. Both of them can be considered some sort of secret police (in the Kurdish region), but extend their collective activities also all the way to Baghdad. *Parastin*, the most powerful of the two, is somewhat comparable to the influence and power of the Iraqi domestic security service, NSS. The KRG tried in the past to unite

²⁵¹ Cordsman, H.A., Khazai, S., Dewit, D., page 37.

²⁵² Stan, C., *Challenges of Iraqi Intelligence in post-Saddam era* (May 2014), National Defense University, Bucharest (Romania). page 11.

²⁵³ Cordsman, H.A., Khazai, S., Dewit, D., page 37.

the two forces, but due to the nature of the intelligence work and to the political power that knowledge and intelligence brings, each party has been keen on maintaining its own apparatus²⁵⁴. It is worth mentioning that both networks, although they rarely coordinate their activities, have proven to be valid and have made valuable contributions to the International Community in the fight against ISIS.

²⁵⁴ Stratfor: *An uncertain future for Iraq's intelligence Service*. Jan 2012. page 11.

5.3. The Iraqi case. Analysis of the reform, the failures and the lessons learned.

The above sections have allowed us to explore the political evolution of Iraq from its de-Bathification to today's regime, as well as the evolution of its security apparatuses and of the intelligence services, which throughout the years have been subject to multiple reforms. These descriptive pages are at the basis of the research and complement this sub chapter, which aims to analyse the reform model applied to Iraq and ascertain the interaction with the State institutions during the stabilization process. As mentioned in the initial chapters of this research paper, its aim is to attempt to define a trend of action of the intelligence services in post conflict state building, by observing how these have been reformed and if they have accompanied the fragmented State in its rebuild.

As described in chapter 2.3, the crux of the analysis lies in the observation of the case studies with reference to a series of questions, defined as the comparable variables, which represent the core of the research. The following paragraphs will respond to those questions and lay the basis for the comparison, which will follow in the conclusive pages.

For the purpose of this section, the following variables will be looked at and analysed (not necessarily in this order) in relation to the findings in the previous pages:

- ◆ the overall security environment and the conditions in the country when the process was initiated, inclusive of elements such as:
 - rate of terrorism incidents;
 - degree of perceived security;
 - attitude of the population towards security providers and change;
 - presence of foreign troops on the ground;
- ◆ the leading party in the reform/rebuild:
- ◆ the relationship between the intelligence services and the State, in terms of an eventual function of statecraft of the former during a specific time frame;
- ◆ the mandate given to the intelligence bodies;
- ◆ the legacies as obstructors or stimulators of change;
- ◆ the structure and competences of the intelligence services;
- ◆ the priorities in the short-term for the organisation and the governing authorities;
- ◆ the internal reforms, structure, personnel and recruitment.

The reform of the intelligence services in Iraq has been an externally led process, in line with the common practices of post conflict state building, where external powers intervene in the country to sustain the local authorities in the reconstruction and in the democratization process. The model used in Iraq can be associated with the model that

Western democratic powers have often used in similar scenarios like, for instance in the Balkan countries after the fall of the Berlin Wall and the dismantlement of the USSR. The Iraqi case, in fact, mostly resembles the Eastern European countries for at least two important reasons: the simultaneous presence of instability factors - ranging from economic, to social, to political - which require an *ad hoc* intervention before the initiation of a democratization process; and the ethnic and confessional complexities. The lessons learned from the Balkan experience, however, do not seem to have been taken into account when the strategy for Iraq was outlined, and in the next paragraphs we will see why.

To begin with, when Saddam's regime was overthrown and the Coalition Forces entered the country, Iraq was still facing internal turmoil. Not only was the security environment unstable, but the social structure deeply compromised, since sectarianism prevailed over the desire to reach a unified vision. The Coalition rushed into imposing a Provisional Government, needed to accomplish the first steps of the "state building doctrine", and to prepare the country for free and autonomous elections; however, it did not consider and probably even understand the complex nature of the environment and of all the social strata of the country.

The lack of consideration shown in the establishment of the first steps of the state building scale²⁵⁵ was replicated in the dismantlement and the reorganisation of the country's *Mukhabarat*. Previous experiences had shown that the quickest way to detach security institutions from a previous authoritarian regime and the legacies that come with them was their complete dismantlement; intelligence services had to be wrecked before new apparatuses, inclusive of a new structure, a new legislation and a new image, could be rebuilt. This same model and principle was applied to Iraq, and the success of such a choice is rather questionable still today.

Although reform processes require years before an objective evaluation can be made, when it comes to Iraq the first few months were already enough to show that the choices made were not the best ones for the future of the country. As mentioned before, when the International Community intervened, Iraq was still fighting an internal conflict and the choice to dismantle its intelligence services, before ensuring basic stabilization, clearly worsened the overall security conditions. Moreover, as a rebuild did not immediately follow the dismantlement, the resulting vacuum exacerbated the security environment

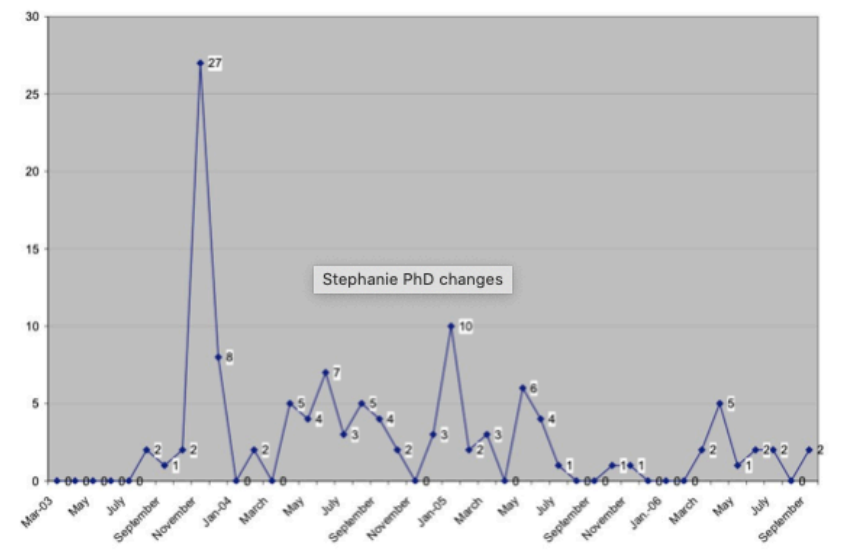
²⁵⁵ Referring to the scale described in Chapter 4.1, along with the "good enough" concept.

immediately after the foreign intervention. The priority to detach the “new system” from Saddam’s legacy clearly prevailed over the need to stabilise the country.

To further prove that, in terms of security, Iraq was far from presenting the conditions necessary for the “drop of weapons”, reconciliation and stabilisation, and that indeed the choices initially made caused further problems within the country, a series of security indicators have been looked at.

In 2006 the Brookings Institute published a study portraying a set of indices and data²⁵⁶ registered in relation to a variety of security indicators, among which were fatality rates, terrorist attacks, presence of foreign troops on the ground and so on. Such indicators have been identified as the most suitable because they convey the sentiments of the population in terms of the perceived security, the acceptance of change, the acceptance of the newly established security providers and of the foreign presence on the ground. A set of graphs considered to be mostly pertinent to this research paper, have been chosen from the aforementioned study in order to ascertain the weight and relevance of each variable in the definition of the objective of this paper. Graph 1²⁵⁷, illustrates the rate of fatalities of non-US and UK Coalition troops in the country during the first three years of “Operation Iraqi Freedom”, where a peak was reached in the first months after the war, for a total number of 117 soldiers dead.

- Graph 1: NON US & UK COALITION MILITARY FATALITIES BETWEEN 2003 AND 2006 -

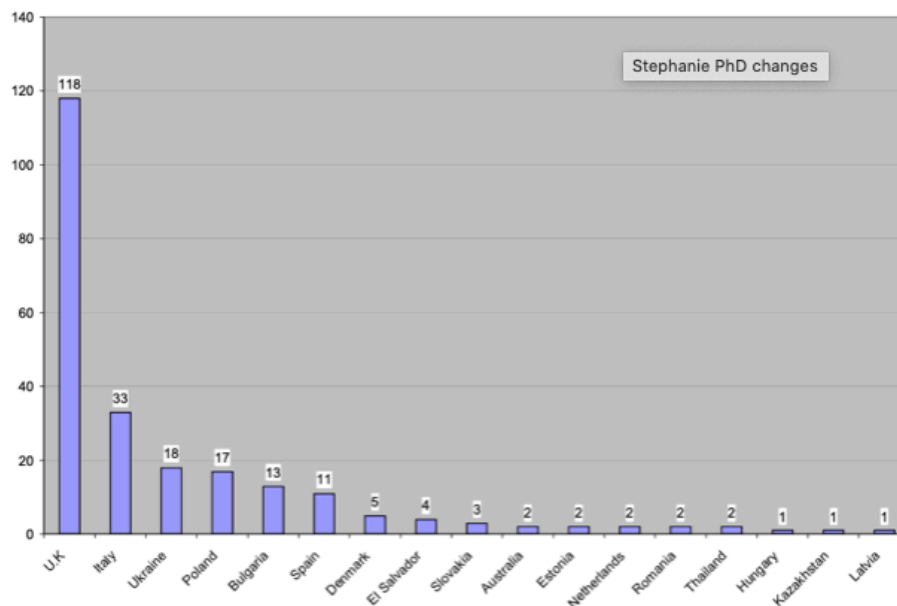


²⁵⁶ Iraq Index Tracking Variables of Reconstruction of Security in Post-Saddam Iraq. September 28th 2006. The Brookings Institute. All following graphs are extracted from this study.

²⁵⁷ Iraq Index Tracking Variables of Reconstruction of Security in Post-Saddam Iraq.

Graph 2 divides the number of deaths, throughout the 3 years, per member country of the Coalition, leaving out the US, for which the overall number of deaths, due to hostile incidents, reached 2158²⁵⁸. The number *per se* is not significant if not for the fact that it demonstrates that foreign troops were targeted at a constant rate by the local militia, indicating that the situation was neither peaceful nor under control.

- Graph 2: NON US COALITION TROOP FATALITIES BY COUNTRY BETWEEN 2003 AND 2006 -



The above set of information was chosen as a first indicator of instability because the casualties pattern portrays a real image of the conditions on the ground. Apart from giving statistics, this data enables us to determine who the targets in the different phases of the post conflict scene were and draw conclusions about the reasons why the latter were targeted. Understanding the reasons should be fundamental in a post conflict scenario because to counter issues such as insurgency, a hard power approach may not always be the most beneficial one; mediating with the counterpart, for example, or intervening using soft powers measures (like influence) could have been an alternative worth trying, which the intelligence services in particular, had they been fully functional, may have wanted to pursue.

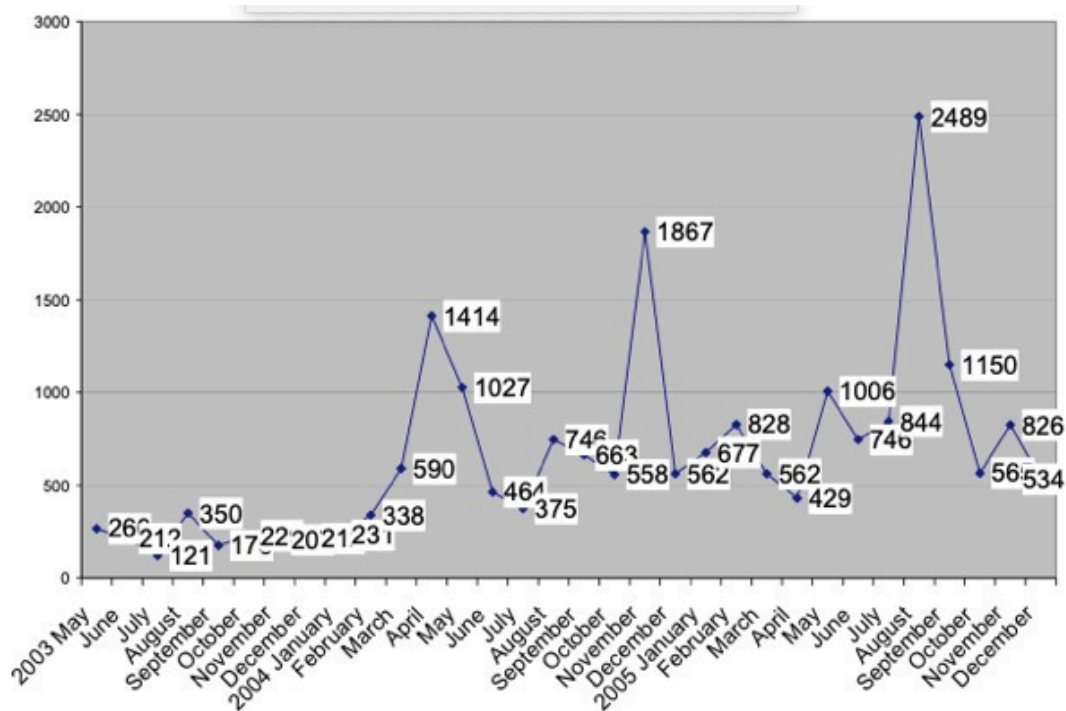
In any case, the above data should not be viewed in isolation, and should instead be combined with other indicators. As a matter of fact, although the above graphs show that the number of fatalities for non-US and UK troops has decreased throughout the years,

²⁵⁸ Iraq Index Tracking Variables of Reconstruction of Security in Post-Saddam Iraq. September 28th 2006. The Brookings Institute, page 4.

which is a misleading single piece of information, if we analyse it in relation to another set of data a more realistic picture will be drawn.

If we look at graph 3²⁵⁹, for instance, we can deduce that the decrease in military deaths is inversely proportional to the number of civilian casualties which occurred because of the ongoing conflict. We can justify this trend with the fact that while the militia may have found it more difficult to target Coalition Forces on the ground (for reasons which range from the adoption of higher security measures to less mobility in the territory in order to avoid direct clashes), insurgents still operated in line with their need to maintain disorder, a sense of chaos, and keep the level of insecurity high. The easiest way to pursue their aim was, of course, by targeting civilians (part of the so called “soft targets”). Consequently, this caused among the population a general feeling of dissent towards “inefficient” security forces and troubling foreign troops on the ground.

- Graph 3: CIVILIAN FATALITIES BETWEEN 2003 AND 2005 -



The Coalition Forces and the civilians were not the only targets of the militia and of the insurgency. Iraqi military and police officials were also subject to attacks, and between 2003 and 2006, a total number of 5456 Iraqi officials were killed²⁶⁰. This number, and the nature of the target, further confirm that the security apparatus was seen as being “responsible” for siding with foreign occupants.

²⁵⁹ Iraq Index Tracking Variables of Reconstruction of Security in Post-Saddam Iraq.

²⁶⁰ Iraq Index Tracking Variables of Reconstruction of Security in Post-Saddam Iraq.

The rate of terrorist attacks is another important and useful tool to determine the level of insecurity and instability in the country. Not only is the rate relevant, but so are also the targets. Combined with the above information on the numbers and the details of the casualties, the below graphs will also serve as a confirmation of the relevance of the first variable (the overall security environment) on the *cadre* of the intelligence reform.

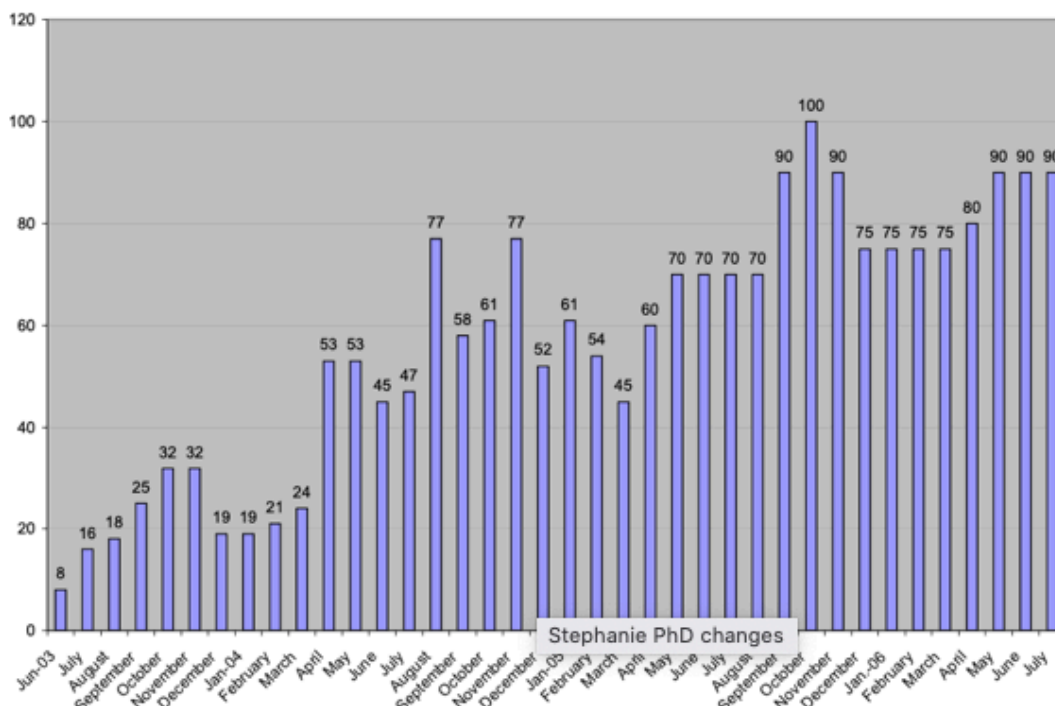
- Graph 4: TERRORISM IN IRAQ -

	2004	2005
Number of Terrorist Attacks Worldwide	2,800	11,111
Number of Fatalities Worldwide due to Terrorist Attacks	N/A	14,600
Number of Terrorist Attacks in Iraq	1,800	3,474 (~30% of total)
Number of Fatalities in Iraq due to Terrorist Attacks	4,000	8,300 (~55% of total)

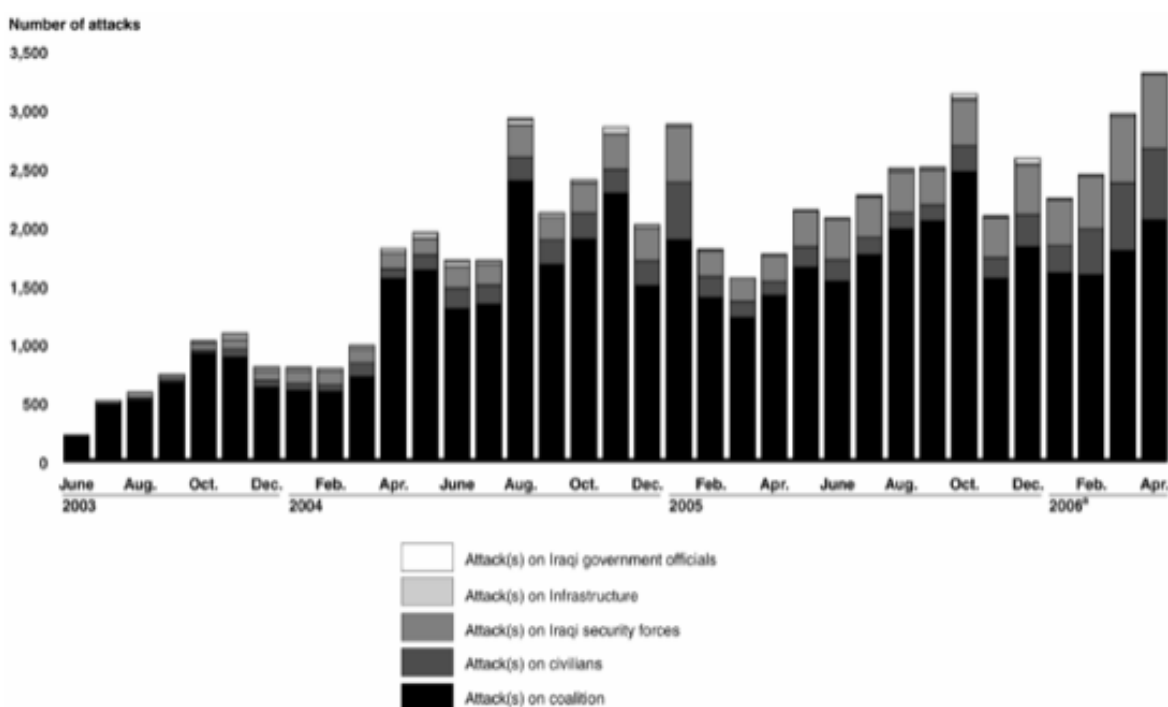
Table 4 compares the number of terrorist attacks in Iraq with the rest of the world, and the relative number of casualties, which more than doubled in just a year (from 2004 to 2005). No more explanation about this is deemed necessary.

The below graphs are even more interesting to look at because they give an accurate and detailed indication of: the number of daily attacks carried out by the insurgents (first graph) between 2003 and 2006, which results in a growing curve; and the overall number of enemy-initiated attacks (second graph) against the Coalition Forces, the civilians and Iraqi government officials, which during the same time-frame also resulted in a growing curve.

- Graph 6: NUMBER OF DAILY ATTACKS BY INSURGENTS BETWEEN 2003 AND 2006 -



- Graph 7: ENEMY INITIATED ATTACKS AGAINST THE COALITION BETWEEN 2003 AND 2006 -



This information alone would be more than enough to conclude that not only was the country still facing turmoil and conflict when the Coalition Forces began the State Building process, but also that it maintained that same level of instability throughout the first few years of the “Operation Iraqi Freedom”. It is clear that the main condition that needed to be met for the process to be at least successfully initiated, was far from being achieved.

To complete the evaluation of the first variable (the overall security environment), however, other indicators are worth analysing. According to the same study, in June 2016 the International Republican Institute²⁶¹ carried out a survey titled “What the Iraqi Public Wants”. They interviewed a Random sample of about 3000 Iraqis of mixed ethnicity, in order to try to grasp a sense of the population’s general feeling about the situation, with particular attention to the perceived security, the attitude towards the Government and towards the Coalition Forces: below are the results.

According to this study²⁶², 75% of the population distrusted the security forces and the Government as security providers. The perception towards the intelligence services as a single component of the security sector is not specified in this survey, but the data, combined with the knowledge of what the intelligence services were going through during

²⁶¹ International Republican Institute, “Survey of Iraqi Public Opinion, June 14 – 24, 2006,” interviews were conducted among a random national sample of 3,120 Iraqis. Margin of error is +/- 3 percentage points and response rate is 91%. This poll was conducted by an Iraqi polling firm conducting interviews in all 18 Governorates.

²⁶² International Republican Institute.

the first two years after the war, are enough to assume that the overall sentiment of insecurity included intelligence services as well. There seems to be a general feeling of “dependency” of the Iraqi Security Apparatus on the Coalition Forces, proving a mistrust in the Government’s capability to autonomously provide for the security of the country, hence to achieve the monopoly of force.

Another study, carried out by the UK Ministry of Defense²⁶³, for which no details on the numbers or sample of respondents are available, tried to register the general feeling of the Iraqi population with more specific questions, not only with regards to their sense of security, but also to their attitude towards UK and US presence in the country. The results of this study, which are shown in the table below, are also significant and confirm the general assumptions that the people did not feel safe in their country, that they believed that the general security conditions had worsened, that they opposed foreign presence on the ground and that they would have preferred an “internally” managed transition.

- Table 8: BRITISH MINISTRY OF DEFENCE POLL, AUGUST 2005 -

Iraqis who believe attacks against British and American troops are justified	45% (65% in Maysan province)
Iraqis “strongly opposed” to presence of Coalition troops	82%
Iraqis who believe coalition forces are responsible for any improvement in security	<1%
Iraqis who feel less secure because of the occupation	67%
Iraqis who believe conditions for peace and stability have worsened	43%
Iraqis who do not have confidence in multi-national forces	72%
Iraqis who rarely have safe, clean water	71%
Iraqis who never have enough electricity	47%
Iraqis whose sewage system rarely works	70%
Southern Iraqis unemployed	40%

At this point, a comment regarding the ethnic division in the registration of the answers in the mentioned study is worth making. At the time, the society was still strongly divided and, after years of privileges, the Sunnis were abruptly excluded and some even persecuted. After the invasion, the long prosecuted Kurds and the excluded Shi’as were suddenly brought to the table; here, the Kurds regained autonomy and the Shi’as gained power. The fact that all ethnicities felt that the US presence in the country was going to be somewhat permanent reflected the society’s general feeling regardless of their ethnic belonging. However, many unwires were conditioned by the ethnicity of the interview

²⁶³ Rayment, S. “*Secret MoD Poll: Iraqis Support Attacks on British Troops*,” London Sunday Telegraph, October 23, 2005. No methodology available, only that the poll was “commissioned by senior officers... for the Ministry of Defence” and that it was “seen by The Sunday Telegraph.”

individual; for instance, Sunnis justified attacks against the Coalition, while the Shi'as and the Kurds generally did not, reflecting the sense of injustice felt by the Sunnis after the fall of Saddam. The Kurds, who were clearly given more autonomy by the Coalition and were strongly supported (financially and logistically) by the US, showed their appreciation throughout the years, most recently in their role in the war against Daesh, to which they successfully and substantially contributed. The point here is that the ethnic complexity was evident from the start of the reconstruction, but the Coalition failed to comprehend it and turned the rebuild into a further occasion for dissent rather than one for reunification.

The presence of foreign troops on the ground is the last of the necessary indicators which allow for the general security situation on the ground to be fully understood.

Generally speaking, troops deployed throughout a country could have a double effect on the psychology of the population: a big number of “visible troops”, for instance, may convey a sense of protection and safety; on the other hand, that same number of troops, may convey the feeling of insecurity since their presence may be perceived as necessary due to the high level of risk, hence making “insecurity” proportional to the number of deployed troops. This “double effect” is plausible and acceptable when it comes to a country’s own Armed Forces; but what feeling does the presence of foreign troops generate on the population?

Table 9 shows the Coalition’s strength in Iraq from 2003 to 2006²⁶⁴. Aside from the minor shifts, the presence remained relatively constant until the removal of a high number of US troops in 2011 (the country saw a return of US troops in 2014, during the fight against the Islamic State). With over 170,000 units on the ground, the overall perception of the Iraqi people was of high insecurity and instability. The indicators were pretty clear: the foreign presence was strong, there was no plan to withdraw troops in the short-medium term and there was no way the Iraqi forces were going to guarantee, exclusively, the security of their country’s borders. The pre-requisite of the “monopoly of power”, to be detained by the Iraqi security forces, was therefore far from being achieved in the short-term. This situation is clearly still valid today. Iraq maintains privileged relations with the United States, mostly in terms of a military cooperation and in the fight against terrorism. US troops are still present and committed to the reconstruction of the country, along with NATO forces, which are mostly engaged in training missions. The various terrorist attacks that still take place in the country shed light on the limits of the Iraqi Government and of the Armed Forces, which have repercussions on the popular perception of the foreign

²⁶⁴ Iraq Index Tracking Variables of Reconstruction of Security in Post-Saddam Iraq. September 28th 2006. The Brookings Institute. All following graphs are extracted from this study, page 20.

presence on the ground. In any case, given the current conditions, we can easily predict that International Forces will probably stay in Iraq for much longer.

- Table 9: COALITION TROOP STRENGTH SINCE MAY 2003 -

Month	U.S. troops in Iraq			Other coalition troops in Iraq (excluding U.S. & Iraqi forces)	Total international troop strength in Iraq
	Active	Reserve (includes National Guard)	Total		
May 2003	~142,000	~8,000	150,000	23,000	173,000
June	~126,000	~24,000	150,000	21,000	171,000
July	~124,000	~25,000	149,000	21,000	170,000
August	~114,000	~25,000	139,000	22,000	161,000
September	~103,000	~29,000	132,000	24,000	156,000
October	~102,000	~29,000	131,000	25,000	156,000
November	N/A	N/A	123,000	23,900	146,900
December	~85,400	~36,600	122,000	24,500	146,500
January 2004	N/A	N/A	122,000	25,600	147,600
February	N/A	N/A	115,000	24,000	139,000
March	N/A	N/A	130,000	24,000	154,000
April	N/A	N/A	137,000	25,000	162,000
May	N/A	N/A	138,000	24,000	162,000
June	89,700	48,300	138,000	23,000	161,000
July	N/A	N/A	140,000	22,000	162,000
August	84,000	56,000	140,000	23,700	163,700
September	82,800	55,200	138,000	24,600	162,600
October	82,800	55,200	138,000	24,000	162,000
November	82,800	55,200	138,000	24,000	162,000
December	82,800	55,200	148,000	25,000	173,000
January 2005	90,000	60,000	150,000	25,300	175,300
February	N/A	N/A	155,000	25,000	180,000
March	N/A	N/A	150,000	22,000	172,000
April	N/A	N/A	142,000	22,000	164,000
May	N/A	N/A	138,000	23,000	161,000
June	N/A	N/A	135,000	23,000	158,000
July	N/A	N/A	138,000	23,000	161,000
August	N/A	N/A	138,000	23,000	161,000
September	N/A	N/A	138,000	22,000	160,000
October	N/A	N/A	152,000	22,000	174,000
November	N/A	N/A	160,000	23,000	183,000
December	N/A	N/A	160,000	23,000	183,000
January 2006	N/A	N/A	136,000	21,000	157,000
February	N/A	N/A	133,000	20,000	153,000
March	N/A	N/A	133,000	20,000	153,000
April	N/A	N/A	132,000	20,000	152,000
May	N/A	N/A	132,000	20,000	152,000
June	N/A	N/A	126,900	19,000	146,900
July	N/A	N/A	130,000	19,000	149,000
August	N/A	N/A	138,000	19,000	157,000
September	N/A	N/A	144,000	18,000	162,000

Along with foreign troops, intelligence operatives follow, which do not always constitute support to the local intelligence services. In some cases, in fact, such presence may constitute another element of instability because third parties (and countries) may use their own intelligence services for purposes and tasks that do not necessarily match with those of the domestic branch of the hosting nation. Information on such numbers is

evidently classified and difficult to obtain through open source, but it is a given fact that where troops are deployed, intelligence units also operate. And in the case of Iraq, not only intelligence units of the Coalition operated in the country; as the center of a geopolitical war, the main foreign actors have all been interested in juggling forces to serve their own interests and have done so by relying on their intelligence capabilities stationed in the country. Thousands of foreign intelligence operators have been probably scattered around Iraq - let us just consider that the CIA station on its own, which has been the largest station in the history of the Agency, hosted over 500 agents (rumours have it that the number may even be around 1000)²⁶⁵. Other strong parties had their share of presence on the ground as well: let us think, for instance, of Iran. Even today, in fact, Tehran plays an important part and we may dare saying that it is the most influential in the country. It plays a significant role not only economically and politically, but also with regards to the security dynamics on the ground. Within Iraq and even among the Shiite elite and community, not everyone supports such influence; as a matter of fact, the religious differences probably make the relationship between the two parties a difficult one. But still, the influence exerted by Tehran over Iraq is undeniable. All these aspects constitute a challenge to the interested country's intelligence services because not only do they have to deal with their own domestic agenda and struggles, but also with external interfering forces.

In any case, going back to the first years of the reconstruction, the Iraqi intelligence did not hold the "monopoly" of the information and was not going to be operationally autonomous before a few years; let alone act as a determining actor in the transition period of Iraq.

In this chaotic situation the last thing the Coalition Forces should have done was to completely dismantle the Iraqi intelligence apparatus. The dismantlement of Saddam's *Mukhabarat* caused, first of all, many social issues in the sense that individuals were suddenly left unemployed, unsatisfied, with no perspective for their future. Military and intelligence officers, and civil servants as well, felt humiliated²⁶⁶ in front of their families and communities because of the loss of the job and the status. Such exposure was, and still is, socially and culturally non acceptable and in the minds of many who were laid off, it

²⁶⁵ The number is of course unconfirmed and no official information is available, but various sources in the intelligence and defense community assert such number.

²⁶⁶ Such cultural knowledge is the result of many years of personal contact, interactions and work experiences in the Middle East.

required retaliation²⁶⁷. This was the *ratio* (the rational) behind the uprisings, the refusal of the new establishment and the fierce opposition.

Not only were these cultural and social factors not considered, but the massive losses in terms of intelligence knowledge were also disregarded. The country, in a matter of minutes, was deprived of its expertise, know-how and sources which, as we know, require time to be rebuilt and to reach an efficient level. Together with their intelligence capabilities, institutions were also immediately bereft of the existing networks which, from that moment on, started favouring the establishment of criminal activities, insurgency and retaliation against the Coalition Forces.

Looking at how things turned out the following months and years, we should have no doubt that the Coalition should have thought of a way to keep most of the personnel in their positions and only exclude “Saddam’s officers” from the fiduciary positions in the organisation. We know that intelligence services do require, in certain key posts, the presence of personnel holding the trust of the decision maker, since the intelligence activity in democratic institutions is based upon the fiduciary relationship between them and the decision maker; but hundreds of officers, the working strata of an intelligence service, do not all certainly hold that specific weight in the definition of the trust-relationship between the Governing Authority and the operational arm, which explains why they could have been kept at work. Reforming the Service from within, by subjecting personnel to training programmes, encouraging the retirement of “older” officers, along with new recruitment policies, in favour of a generational turnover, might have been more effective than just laying off personnel.

The choices which followed the dismantlement of the intelligence services are also questionable. The fact that the reform was a completely externally-driven process²⁶⁸, more specifically led by the CIA and the MI6, did not favour the acceptance by the Governing local Authority of what was going to be a newly established intelligence. When formed, the new apparatus was merely seen for what it indeed was²⁶⁹: a tool in the hands of the Coalition Forces and not of the Iraqi people. Needless to say that the principle behind the function and purpose of a newly established intelligence service, was not fulfilled or even strived for: the new apparatus should have served the security and the interest of its country and of its people first.

²⁶⁷ Interview with Iraqi General, in service.

²⁶⁸ Stratfor: *An uncertain future for Iraq’s intelligence Service*. Jan 2012. page 12

²⁶⁹ Parigi G. *Iraq: una questione aperta*. page 93.

The “end user” of any intelligence activity is clear in a well functioning state; however, whose interest should an intelligence service serve when the country is being dismantled? Its unified people, its territory under foreign control or its government subject to external pressures?

Years later we can at least say that waiting for a minimum level of stability and the achievement of a general acceptance (and therefore support), would have made the entire reform process, at least in its initial stages, more effective and it would have produced long-term results. The lack of trust in the new institutions was instead completely disregarded. Although we cannot say that the Iraqi people lacked in culture of public service, the problem, in this case, was the lack of popular recognition also of the newly established political system. The regime-society dialogue was non-existent.

Exporting Western democratic principles in all sectors, including the intelligence, proved to be unsuccessful. As we have seen from the previous chapters, post-authoritarian regimes should first try to create a solid and accepted legal framework before attempting the reform of an intelligence service; a legal framework cannot be disregarded nor postponed, a point which the International Community should have learned from the Balkan experience. Was the reform attempt too quick? Basic demands of individuals should be addressed first when a democratization process begins, and among these basic demands economic growth, health and education are identified as important. However, surely the security of the individual also a basic demand? A best practice for its immediate provision in such situations has yet to be identified. Its recognition would certainly be a good place to start.

It is understandable that the Coalition believed that certain requirements, considered vital for the stabilisation of the country and which would normally be provided for by an intelligence service, should have been produced as soon as possible. The Coalition thought that the only way to immediately do so was through the creation of an *ad hoc* body, ready to fulfil their needs²⁷⁰. Was it really the only way? Perhaps, temporarily relying on the already existing intelligence capabilities of the Iraqi Army, would have satisfactorily served the purpose of fighting ongoing terrorist activity, insurgency and turmoils - which was the number one task to be accomplished in the short-term²⁷¹. Ensuring the functioning of the necessary police powers (which the Armed Forces had) at that initial phase would have been more than enough. The reform/rebuild of the intelligence apparatus could have

²⁷⁰ Parigi. G..

²⁷¹ Interview with Iraqi General in service.

waited and been dealt with once the waters were calmer, and could have been encouraged as an internally led process, not an imposed one.

The National Intelligence Service (the NIS), which replaced Saddam's *Mukhabarat*, as we have seen in the previous pages, was created to respond to the needs of the Coalition Forces²⁷². Just like any proper democratic intelligence service, it had a clear mandate against a well-defined enemy (Iranian influence in the country) and it had a charter which delineated its competences and who it was accountable to. The boxes for a democratic organisation were indeed all ticked on paper: a position within the institutions was given, it was detached from the Armed Forces to favour demilitarisation, it was "formally" placed under the direct responsibility of the Prime Minister, control mechanisms were also established and a legislative oversight was codified. On the chart, the relationship between the State and this intelligence apparatus was clear, but in reality, the NIS had more of a "non relationship" with the Provisional Authority, especially when it was first established. Things were not any different with the Shi'a political parties which, at the time, were governing the country. The NIS was still representative of the Sunni fragment of the country (its Director was a Sunni) and for this reason the organisation did not enjoy the trust of the political authorities. At that point its strings were attached mostly to the US, which did not want any political intervention within its "product"; an important chance for NIS to become actively engaged in the country's "fight for democracy" was missed. Its "services" to the State were not exploited nor was its statecraft function: NIS could have contributed in and participated to the process as a support tool, a mediator, and an executor of parallel diplomacy; instead, it became once again part of the problem. As we have seen, other intelligence bodies were later formed after the first years of transition, probably because the governing authorities felt the need to fill a gap, given the absence of a widely accepted intelligence agency. But instead of filling such a gap, the established bodies served the purpose of power distribution games. As described in the previous chapter, the overall situation would only start to improve after a decade.

The cultural grievances and legacies also initially prevailed inside the intelligence agencies. This was a consequence of the schemes that were being adopted at a political level as well. After years of dictatorship, the best thing the Coalition could think of for the country was a confessional repartition. The Constitution itself distributed power on the basis of ethnicity and religion (where the Presidential seat was assigned to a Kurd, the Parliamentary Presidency to a Sunni and the leadership of the Government to a Shi'a); it was only natural for the entire security sector to follow such a model. The politicisation of

²⁷² Cordsman, H.A., Khazai, S., Dewit, D..

cultural identities led to the reinforcement of regionalism and of those grievances that reigned within all public organisations.

The NIS followed a slightly different path than other institutions because it was, *de facto*, externally controlled. Its initial religious connotation served at countering Iranian influence. Its first Director, Al Shahwani, tried to overcome certain boundaries and promoted inclusiveness, especially through his recruitment policies, favouring both Sunnis and Shias (because he believed it would have been more beneficial to the Service). However, his policies were conditioned by the dictates of the higher “supervisors” which were more worried about keeping an eye on the Shiite influence from their Iranian counterparts than socially/ethnically balancing the Service’s composition. After the first few years of its establishment, the Sunnis still represented more than half of NIS’s personnel. Al Shahwani did try, in a way, to mitigate the trend which was being replicated in all state institutions (especially in the security apparatus), but we would still have to wait for a few more years before ethnic traits were considered of less importance in the structure of the security apparatus as a whole.

The competences assigned to the NIS, described in the previous subchapter, aimed at creating a service which resembled a “democratic” one: the Western democratic model was followed and the agency was given a proper, well-defined structure, and distributed tasks and so forth. However, although legislatively speaking the organisation was a new one, old mindsets and habits were never really abolished. These emerged in internal procedures, such as recruitment policies, or in the high rates of internal corruption, where nepotism prevailed. The processes and procedures were still highly politicised and all inserted in a highly fragile environment.

Furthermore, the fact that after the first years of the transition new intelligence agencies were established, but no coordination among them was ever regulated (despite the distribution of functions being very clear), resulted in actual overlaps and created destructive competition, inefficiency and generated a waste of resources. The intelligence society was not trained for a collective intelligence culture, a joint vision, and this has been demonstrated by the several intelligence failures, one of which has led to - years later, in 2014 - the establishment of the Islamic State in Iraq (later evolved into ISIS). The lack of operational, tactical and logistic coordination, described in the previous section through the course of events and incidents, further demonstrates that the newly established intelligence services were unable to proactively operate in the state building process of the country. The structural flaws have caused them to be unable to contribute to stabilising the country; nothing more could have been expected of them!

As a consequence of these failures, 2021 Iraq is still in a very unstable situation. The Iraqi Government continues to cope with the weight of difficulties in controlling the territories reclaimed from the Islamic State and the reintegration of the paramilitary groups which have fought alongside the Iraqi Forces during the last few years. On one hand Iraq is still busy eradicating the remaining activities of Daesh residues (in fact, in June 2019 Iraq put forward a request for the formation of a Special Committee, under the aegis of the United Nations, to analyse the crimes committed by the Caliphate²⁷³); on the other hand, Baghdad gave an ultimatum (in July 2019) to the Popular Mobilisation Forces for their reintegration into the Armed Forces. The intent does not seem to be their dismantlement, but their incorporation as a separate Division of the Army, under the control of the Government²⁷⁴. The controversial reform of the Security Sector suggests that a hybrid model could actually be adopted and could serve the objective of reintegration. Having State actors working with non-State actors could indeed be the most suitable solution and could avoid having uncontrolled and independent militia acting on the ground.

Another consequence of the above mentioned failures is the missed chance for a reconciliation which, as we have seen in the initial pages of this research thesis, is very important especially for the achievement of a long-term stabilisation. In the case of Iraq, the lack of reconciliation can be considered as both an initial failure of the process and as an enduring consequence of all the other failures that occurred during the following fifteen years.

National reconciliation was, as a matter of fact, never achieved and stability never ensured. As we have seen in the previous chapter, the staircase of the State Building process cannot evolve without its actual “ground zero”, which is the political settlement among parties being fully accomplished. And without a political settlement fundamental steps, such as Security Sector Reform, cannot be attained. We could easily conclude that the conflict in Iraq was never truly interrupted and that the International Community intervened while confrontations were still ongoing. The externally-driven process begun under fire and the implementation of the institutional changes, foreseen by such process, took place while reconciliation was far from achieved. All legal security providers were dismantled, in the assumption that the Coalition would initially provide for the security and the necessary stability, while a Constitution was being drafted. In reality, a security gap was instead created, violence arose, mistrust accentuated and stability never achieved.

²⁷³ *United Nations Special Commission to Investigate Daesh Crimes in Iraq*, The Middle East Monitor, 17th August 2019.

²⁷⁴ Lovotti, C., Salesio Schiavi F., *Iraq: una fragile ripresa nell'instabilità regionale*. Rivista online Istituto degli Studi di Politica Internazionale, 24 settembre 2019.

Although the various Governments, from al- Maliki's (2004), to al-Abdi'a's (2014), to Mahdi's (2019), formally committed to accomplishing reconciliation and everything that would derive from it (such as the management of the ethnic divides within institutions, such as the Armed Forces, the Intelligence Services and so on), nothing tangible was ever achieved. Tribal relations, which in some cases saw Sunni and Shi'a mixed membership, should have been exploited to reach an agreement and a national reconciliation and not exploited to build sectarian institutions. The various Governments should have resolved the issues through crafted policies and laws and negotiations with the principal actors, both political and military. But the central Government was viewed by the International Community as weak and unable to lead parties to an agreement: the frequent change in ministers, for instance, reflected the Governments' inability to pursue any direction.

Reconciliation was not solved at the time and is still a problem today, especially because the society has been further disrupted by the presence of the Islamic State. The different communities which have long lived under the control of the Caliphate (consisting of not only Shiites and Sunnis, but also Christians and other minority groups) and were recently freed should be specifically addressed and brought into a reconciliation first of all, and then to their reintegration into society. A return to a peaceful coexistence is a necessary condition for stability to be achieved in the long-run, just as much as it is necessary to work on the deep social causes which brought the Islamic State to power in the first place. Furthermore, related issues such as the return of the displaced people/ refugees to the areas once controlled by the Islamic State, or the future of the families of those who fought against Daesh, and of those who were kept prisoners by the terrorist group, should also be thoroughly addressed. Data from the International Organisation for Migration (IOM) show that on August the 31st of 2019¹⁶⁵, more than one and a half million refugees had returned to their original districts, a third of which were mainly in the Niniveh Province, which is by far the region mostly affected by the presence of the Islamic State and the ongoing war. Such issues, if not resolved today, will constitute a further reason for instability tomorrow.

The same mistake should not be made a second time: the achievement of a reconciliation must be a priority for the Iraqi Government. There still is a social divide and mistrust that runs the streets of Iraq. This remains one of the greatest challenges which local Authorities will have to deal with in order to achieve functional institutions, at all levels. Overcoming the structural flaws mainly caused by the International Community during the definition of the pillars of the "new State", will allow the Government to become "citizens' centred" rather than "communities' centred".

All variables listed in the first page of this subchapter have now been extensively analysed; they have provided different insights into traits which have affected the establishment, the function and the efficiency of the newly established intelligence services, in particular the NIS, which is considered to be the country's most important intelligence agency. The analysis has brought us to the natural conclusion that the reform model applied by the International Community did not allow for the intelligence service to proactively engage and contribute to the state building: a trend of action cannot be defined because it has been absent. The intelligence organisation, driven by external actors and pressures, has instead passively responded to the security environment and struggled to survive through the process. The organisation's self-determination and effective role as a security provider failed to achieve security in the short-run, and today still appears to be unaccountable to a proper power.

6. INTELLIGENCE SERVICES REFORM. A COMPARATIVE STUDY OF IRAQ AND AFGHANISTAN FROM 2002 TO TODAY: THE CASE OF AFGHANISTAN.

6.1. Afghanistan: 18 years of instability.

After decades of foreign domination, civil wars, invasions and international missions, Afghanistan today is still an emblematic example of a failed State. Even before the 2001 United States invasion, the consequent war and the related international missions, the country lacked centralised State institutions, and the existing ones were barely functional or efficient. Afghanistan's problems, especially the ones which emerged after the United States' intervention, can all be traced back to the non establishment of the essential functions of its institutions as a State and to the absence of sovereignty. Although the Afghan State dates back to the 18th century, the invasions, the civil wars, the international interventions and the political instability since its creation make it difficult to be classified as a State in the traditional sense of the word.

Afghanistan, which is a confederation of tribes, has imposed symbols of state legitimacy completely different from those known in other tribal systems; for instance, the *Pashtunwali* code²⁷⁵, which represents the supreme law in the country, even above Islamic law, is considered more of a cohesive element than the ethnical trait²⁷⁶. The incompatibility between "state power" and "cultural/tribal traditions" is probably the main reason why Afghanistan's recent history is characterised by continuous revolts against the central power which, throughout the years, has tried to impose its regulations without aligning them with the traditions that define the daily lives of the tribal communities.

The separation between the State and the tribal societies is evident even in the geographical connotation of the country: rural areas are the core of the traditional way of life, where public buildings are physically decentralised from the living zones because they are not accepted by the locals; cities, instead, are where the new bourgeoisie, represented by state officials - military and civil - and the educated society, are concentrated, and are considered by the tribes as places of "non believers" and the arrogant²⁷⁷. These two universes, despite the evident differences, constantly interact: where state institutions try to impose their rules, resistance emerges from tribal societies, causing continuous

²⁷⁵ Tribal and ideological code, which is far from Sharia law and State law (the *Qanun*), and is based upon rural customs and habits (*riwaj, adat*). F. Zahid, *Understanding Taliban through the prism of the Pashtunwali code*, available at www.cf2r.org/tribune/understanding-taliban-through-the-prism-of-pashtunwali-code/ (Tribune Libre Nr. 37, Nov. 2013).

²⁷⁶ Piacentini, L., Masci, C., *Humint: questa sconosciuta*. (2014) Translation from italian textbook on *Humint* and operations in Afghanistan.

²⁷⁷ Piacentini, L., Masci, C.,.

conflicts. The introduction of a market economy, the demographic increase and the State's intervention, have accentuated the differences, causing social divide to be the basis of the instability of the country. The relationship between the State and the tribal confederation has its peculiarities and tribes perceive the State as solely engaged in trying to gain power in the peripheral spaces, once controlled mainly by the tribes, and overruling the tribal traditions which prevail in rural areas. To be able to truly stabilise Afghanistan, there will necessarily have to be a conciliation between the interests of the urban (central) and the rural societies.

Historical events have brought Afghanistan to where it stands today. But we can also say that its geographical position and the morphology of its territory have strongly affected the history, the politics and the ethnic composition of its population. Its strategic position (between Iran and Pakistan, and between central Asia and southern Asia) has given its territory great relevance, which may help us understand the reasons behind the different invasions, which go back way before modern history. The country has in fact faced various invasions attempts (from the Persians, the Soviets, the Pakistanis, the British and more), and during the various rules, the ethnical diversities have always been disregarded to privilege the political elites. The divides have never been dealt with by the ruling parties and towards the end of the XX Century, afflicted by a major political gap, the country faced one of the worst civil wars of modern history: a fratricidal clash that further tore it apart. The different ethnicities which constitute the character of the Afghan population have always brought along numerous contradictions which, however, have defined the relationships and hierarchies among tribes and between tribal and State interests. The unclear definition of such relationships, and the recurring political gaps throughout the years, have favoured the creation of an environment in which external and often extremist forces have been able to flourish and control the country²⁷⁸ (let us think, for example, of the Soviet invasion of the country in 1979 and of the ascent to power of the Taliban in the mid 90's) .

When the USSR departed from Afghanistan in 1992, the country was left on its own to deal with a brutal civil war. The Western powers were concentrated on other regional conflicts, mainly the wars in former Yugoslavia, which were of greater interest to them for several geopolitical and geographical reasons. It was only a few years later that the

²⁷⁸ Liakhovsky, A., *The Civil War in Afghanistan*, National Security and the Future (2000), p. 185.

International Community noticed that five years of civil war (from 1996 to 2001)²⁷⁹ had really lead to the failure of the Afghan State.

In a country where an institutional gap persisted and where the concept of "nation", intended as "institutions serving the people to guarantee their security", was extraneous to the society, it was only natural for the only existing organised group to take over and exploit that common trait between the different tribes: religion²⁸⁰. The complete state of anarchy led the Afghan society to search for stability within religious precepts: this approach favoured the establishment of the Afghan Deobandism²⁸¹ (which will be further discussed in the following paragraphs), which had already been growing (in followers) in the period of the Afghan "*Jihad*" against the Soviet occupation. Pakistan, through its intelligence services, the Inter-Services Intelligence (ISI), which had always viewed with the Soviet presence in Afghanistan with great dissent, exploited this political gap to finally try to impose its influence. The ISI recruited Pashtun students of the Deobandi school and gave birth to the Taliban movement, which slowly penetrated the country, leading it to a civil war.

The politicisation of Islam implemented by the *Mujahideen* (the insurgents who had fought against the Soviet Army and the Democratic Republic of Afghanistan and had taken power by establishing the Islamic State of Afghanistan) turned out to be insufficient and unable to bring an adequate response to the needs of the society, nor was it able to fill the gap left after the fall of the Communist regime. The population felt that there was no coherence in their political project²⁸², and this allowed the Taliban, supported by Pakistan, to overshadow their plans and take over the country until 2001, hence creating the Islamic Emirate of Afghanistan. They established a rule based on their interpretation of Islamic ideology (which also happened to promote Pakistani interests).

The Talibans were very well organised, unlike anything else in the country, but their rule was intransigent and went as far as codifying people's daily life through a rigid interpretation of the Shari'a Law. This extremist interpretation of the Islamic precepts, and

²⁷⁹ The Afghan civil war begun when the Taliban invaded Kabul and established the Islamic Emirate of Afghanistan (1996), in opposition of the internationally recognised Islamic State of Afghanistan, led by the Northern Alliance, which had taken power after the retreat of the Security Sector Reform (SSR).

²⁸⁰ Roy, O., *Afghanistan - l'Islam Afgano*, II Edition (translated from Italian) - ECIG - Geneva (2002), p.39.

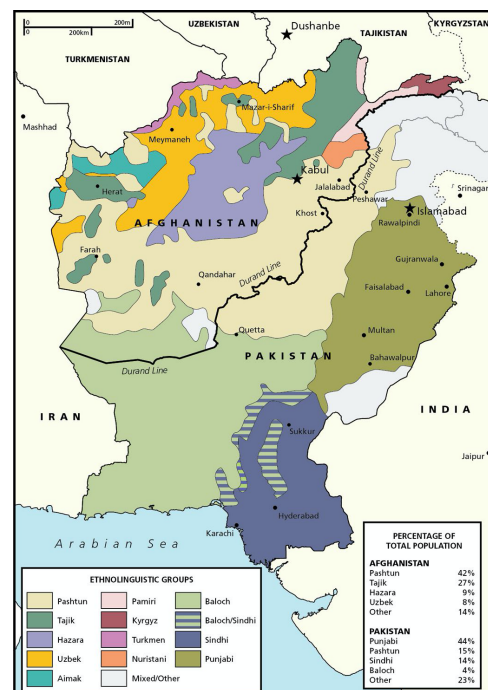
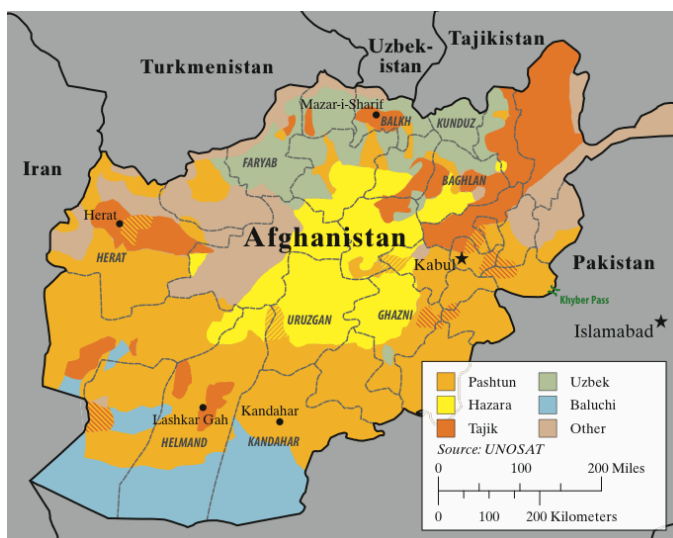
²⁸¹ Religious revivalist movement within Sunni Islam, which mainly adheres to the *Hanafi* school of jurisprudence. Established in India, it places particular emphasis on the "correct" interpretation of the Shari'a (Islamic Law). Deobandi Islam in Afghanistan has moved away from its Indian roots mainly because of the Saudi Arabian influence, which brought Wahhabi practices in the Pashtun belt.

²⁸² Munir, M., The Layha for the Mujahideen: an analysis of the code of conduct for the Taliban fighters under Islamic law, *International Review of the Red Cross* (March 2011).

the serious impositions and social restrictions which followed, were incompatible with the existing and consolidated social/tribal structure. These new conditions, accentuated by the violation of the population's human rights, in addition to the multiple incidents with the non-profit organisations operating in the country, forced the International Community to stage multiple protests; these, unfortunately, initially went all unheard.

The war had completely compromised the country's national security on multiple levels. The continuous chaotic status favoured the formation of a safe heaven for all sorts of activities, which also contributed to a regional instability: terrorism, drug trafficking and mass migration.

A few years after the fall of the Communist regime, Afghanistan had become the main geographical base for radical Islam and soon hosted individuals such as Osama Bin Laden and his terrorist network (al-Qaeda). The latter, however, was not always accepted by traditional Afghan religious clans, mainly because the radicalism of the terrorist group was incompatible with the local traditions and customs²⁸³, which still today strongly condition the society and affect the interpretation of the Islamic code. This is the reason why Afghanistan has often been subject to strong debates between Shari'a Law, *Pashtunwali* code and local traditions. Religious social eradication changes from one ethnicity to another.

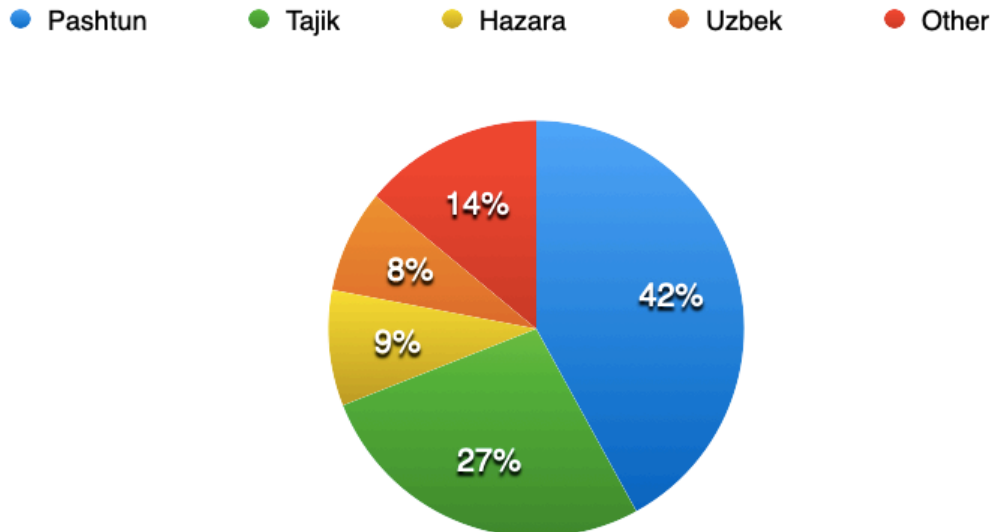


²⁸³ Guest, K., Dynamic interplay between religion and armed conflict in Afghanistan, *International Review of the Red Cross* (2010), page 877.

Afghanistan finally gained relevance in the international agenda of the Western powers when the world watched two airplanes hit the World Trade Centre on that September morning of 2001. Al Qaeda would never have been able to plan such an attack did it not dispose of a refuge to carry out its training, receive financing, carry out communications and so on. The West's distraction on the Afghan case allowed the Taliban to transform Afghanistan into a "home" for extremists groups from different countries, and al Qaeda was just one of them.

Even the establishment of religious regimes and the stabilisation of all sorts of organised groups (criminal and terrorist) did not ease the tensions caused by ethnical divides within the Afghan society. Such problems, in fact, persisted even after the fall of Mullah Omar's regime (with the United States' intervention in the country in response to the 9/11 terrorist attacks), after the "war on terror" and after the start of a state building process, which should have led the country to at least stabilization.

With a population of over 37 million people, Afghanistan's peculiarity is undoubtedly its ethnical diversity, which includes about fourteen different ethnic groups, among which the most important are the Pashtuns, the Tajikis, the Hazaras and the Uzbeks²⁸⁴.



The above graph shows how these ethnicities are distributed among the population, while the two maps above show the distribution per Provinces (as defined in the 2004 Constitution²⁸⁵) and their distribution between Afghanistan and Pakistan.

²⁸⁴ Piacentini, L., Masci, C.

²⁸⁵ Map based on UNOSAT from article on webpage: <https://www.nybooks.com/daily/2010/10/07/should-afghanistan-exist/>.

As shown in the graph, the majority of the population is Pashtun, which constitutes 42% of the Afghan population. Moreover, as we can see from the two maps above, this ethnicity is concentrated mainly in the southern part of the country, from the south of the city of Herat to the adjacent Iranian border, and also to the eastern border of Afghanistan, east of Jalalabad. The Pashtuns extend beyond Afghanistan, towards the tribal areas of Pakistan. This portion of territory, often also called Pashtunistan, has been reason for the long lasting tensions with Pakistan, which are unresolved still today. Tensions are also replicated within the ethnic group itself, between its very own tribes, and the reason lies mainly in territorial control. Tribal groups often fight to gain control of strategic cities which may have, for example, a religious or a spiritual significance. The spiritual capital of the country, Kandahar, for instance, is an example of such strong disputes between the two major Pashtun tribes: the Durran and the Ghilzay. The inability to often act as a united ethnicity, and their incapacity to raise the voice as one group, is a strong motif for weakness, especially when it comes to their role in the negotiations for national consolidation. As of today, the only element which seems to bring the group in accord is their opposition to any form of foreign presence in the country.

The second group of importance is the Tajik, also known as the "*farsiwan*" (those who speak Farsi), which constitute 27% of the Afghan population. Although they are not the major ethnic group in the country, and despite Pashtu being the official language of Afghanistan (along with Dari), Farsi is the language which is still today the one most used in communications and in commercial activities, throughout all of Afghanistan. Tajiks are mostly concentrated in the Panjshir Valley, in the central-north area of the country, about 150 km north of Kabul. They are also scattered around the cities of Kabul, Herat, Charikar and Ghazni. They are considered to be the eldest inhabitants of the country and have also been the number one rivals to the Pashtuns.

The Uzbeks are the third ethnicity, not by number but by importance, and are very young if compared to the two ethnicities just mentioned above; they are, however, very important for their cultural and commercial role in the country..

Last but not least, the Hazara. Unlike the other three ethnicities, which are Sunni, the Hazara belong to the Shiite religious minority (which constitutes approximately 9% of the population), and is strongly supported by Iran. They are mainly spread in the central area of the country, in the Banian Province, although the vast majority is today located near the Iranian border, in the Herat Province. Urban minorities can however also be found in Kabul, Ghazni and Quetta. Their religious diversity has always brought them to be politically marginalised (until 1963, in fact, Shiite minorities were considered outlaws, not

recognised by the State), to be kept distant from power games and often also despised²⁸⁶.

In a situation where different tribes with different interests and beliefs struggle to coexist, the religious trait cannot be disregarded. As a matter of fact, the history of the country has shown that the religious factor, and everything that derives from it, has been a major destabiliser. The wars between institutions and religious oppositions have caused the country to become a completely deconstructed State.

The main religion in Afghanistan is Sunni Islam, which is practiced through the application of the Shari'a Law. To get where it is today, the country's religion endured what we could call a 'hybridisation'. For instance, until its independence from Pakistan in 1947, its Islam was anchored to the Hanafi school of thought (known to be the most tolerant of the four Sunni Koranic schools), but with Pakistan's detachment from India, Deobandism began to spread, first to Pakistan and then to Afghanistan as well. Deobandism, which is an orthodox Islamic movement, was established in contraposition to the British presence in India. The Soviet invasion of Afghanistan led to an enhancement of the politicisation of Islam in Pakistan, and over one thousand Deobandi schools were soon established. Thanks to these schools, many refugee children in the border areas of the country found lodging, schooling, food and military training. However, these schools soon lost their original ideals; when Saudi funds began being diverted into such structures, the religious precepts had to be altered. Funds were given under the condition that *Wahhabi* principles were integrated to the teachings in the schools, despite the differences with Deobandism. To this religious mixture, the influence of the tribal habits and of the traits of the Pashtunwali Code had to be added. Religious contradictions and contrapositions therefore devastated the country and its people. Society was an empty shell, completely abandoned by a de-structured State. Afghanistan's social condition facilitated what was to come.

The so-called "institutions" found by the United States and its Allies during the October 2001 invasion of Afghanistan were not strong enough to withhold the uncertainties deriving from the already ongoing conflicts, nor those deriving from the actual invasion. Under these conditions, it was inevitable that the entire "system" would collapse. To counter the presence of terrorist networks, and to secure the country, the International Community had to rebuild Afghanistan's institutions and the whole security sector from scratch.

The Bonn Conference was where the lines were drawn; the International Community and the selected representatives of the Afghan interested parties discussed and decided

²⁸⁶ *Prospettiva generale 2013 - Teatro Afgano*, CeMiss (2013) Rubetto ed (translation from Italian).

the road map for the rebuild of the country. The Taliban was not included in the talks, nor in the reconciliation plan, a decision which was not taken positively by them. Following a standardised state building model, a set of benchmarks were defined on that same occasion, all of which would have to be met by the end of 2005. These benchmarks were:

- the establishment of a transitional government;
- the drafting of a new Constitution;
- the carrying out of Presidential elections by September 2004;
- the carrying out of Parliamentary and Provincial elections by October 2005.

The United Nations Assistance Mission in Afghanistan (UNAMA) was also established during the Bonn Conference; its aim was to support the transitional government in the state building process and contribute to the provision of security throughout the transitional phase. Together with UNAMA, UN Security Council Resolution 1386 established the International Security Assistance Force (ISAF), a NATO led mission, which was going to be responsible for the maintenance of the stability and for peace keeping²⁸⁷.

The initial stages of state building were certainly the most challenging. The first step, the drafting of a Constitution, was one of the most complex of all. Not only did it have to foresee the establishment of the basic state functions, but it also needed to incorporate a legislative process which would be accepted by the entire population and representative of all the different ethnicities.

Unfortunately, the first measures of state building did not truly comprehend the ethnic nature of Afghanistan and the complexity of its population, which would have required the application of specific policies (especially addressing the ethnic differences). The main pillars of legitimacy, encapsulated in the concepts of tribalism, Islam and nationalism²⁸⁸, were also never really taken into account. The optimum would have been for all local tribes to achieve “autonomy” from direct influences (internal and external, such as the ones deriving from actors likes Pakistan, China and Iran) and to gain a position in the power game and in the power distribution. This optimum was never even planned for. The *raison d'être* of these ethnicities was not questioned and the International Community thought that providing for a formal distribution of power among the three main ethnicities (with a Pashtun President and two Vice Presidents, a Tajik and a Hazara) would have been

²⁸⁷ Institute for the study of war: *International Security Assistance Force*.
www.understaingwar.org/international-security-assistance-force-isaf

²⁸⁸ Roy, O., *Afghanistan - l'Islam Afgano*, II Edition - ECIG - Geneva (2002), p.38.

enough to publicly collect consent and label the new institutions as “democratic” ones²⁸⁹.

What appears to have been the voting system in the country so far, for example, is what is known as the “ethnic consensus”, through which a person’s vote is expressed through ethnic belonging. In order to build institutions supported by the entire society, this limit should have been overcome right from the beginning and from the initial definition of the legal framework of the institutions. To rebuild Afghan institutions and help the people build a sense of belonging to the same State, inclusiveness should have been the strategy. Unfortunately, in a country where its people lack that sentiment of national unity, the post conflict situation has been ideal for the ethnical identities to be reinforced within “imposed borders”, and for that sense of belonging to be disregarded.

We speak of imposed borders because, in fact, the Afghan borders were never drawn following the logic of common elements, usually used to define a State, such as the cultural and the linguistic ones¹⁸¹. Afghanistan’s borders were traced following purely strategic necessities, disregarding the historical and ethnic and tribal references. This is the reason why, for example, the Pashtun population ended up being divided between Afghanistan and Pakistan (as we can also see from the map mentioned above). When speaking of patriotism, for instance, Afghans refer to two things: to the tribal origin with a sense of belonging to a territorial dynasty which identifies itself with the rule of the Kabul Emir (during the first Anglo-Afghan war between 1839 and 1842)²⁹⁰, and to the religious one.

When the institutional framework was delineated, all these aspects were not, evidently, considered with the right relevance. A universal model seems to have been applied rather than an *ad hoc* one, better responding to the needs of the population.

It is fair to say that the first steps of the scale described in the previous chapter were indeed formally completed, but was the “good enough level” ever reached? Although the country was never fully stabilised in terms of a total ceasefire, the political and institutional framework was indeed defined in the first stages of state building. Despite that, the current situation in the country suggests that the answer to this last question is certainly negative. The International Community did commit to reconstruct Afghanistan right from the beginning, but the expectations to lead the country into a period of stability were soon tempered.

Insecurity grew rapidly across the country. The new institutions were unable to

²⁸⁹ Groete, R., Separation of Powers in the New Afghan Constitution (2004), page 902.

²⁹⁰ Piacentini, L., Masci, C.

maintain control, to assert their authority and consequently they were also unable to carry out development and reconstruction efforts. The “grey” economy, fuelled by an always growing opium trade, fuelled the conditions of insecurity, creating another challenge for security sector reform. For the following 18 years, the initial conditions which led the country to instability continued, underlining the inability of the governing institutions to effectively sustain a democratisation process. They can be summarised as follows²⁹¹:

- the presence of anti-governmental groups. Some of these groups were formed by remnants of the Taliban, which with time evolved into guerrilla groups, led by al Qaeda, determined to push the US-led Coalition Forces to withdraw; others were led by the *Islamic State of the Khorasan Province (Wilayat Khorasan)*, active in undermining the authority of the new central government. It is worth noting, at this stage, that the Taliban has been keen, in the last years, on reaching an agreement with the central Authority, in order to officially gain the right of participation in the political life of the country;
- *warlordism*. These groups of regional military commanders operate undisturbed in areas under their control, preventing the government from exercising its power. They established a state-like system inside the State: they collect taxes, maintain armies, exploit an illegal economy and base all their power on clientelist networks, which are also expanded within the Government, hence directly affecting the ongoing state building process;
- narco-trafficking and criminal economy. The parallel economic system, based on criminal and illegal activities, is still one of the main elements of insecurity in the country. The illegal network stretches beyond the borders and includes a series of activities such as the smuggling of consumer goods, the trafficking in gems, archeological artefacts and humans. The production of opium and its trafficking remains, however, the largest and most profitable business of all. In 2002 it accounted for 75% of the world’s production, placing Afghanistan in a leading position as the foremost supplier of opiates in the world market. In 2018 this production accounted for over 80%²⁹². If compared to the actual GDP of the country, the amount of money that drug trafficking generates and puts into circulation, exceeds 50% of the legal GDP.

The Afghan guerrilla was able to carry out its activities because of its financial autonomy. Through the income produced by narco-trafficking, it multiplied its offensive

²⁹¹ Sedra, M., *A Job Half Done: SSR and the Afghan Transition*, ISPI Analysis no. 260, June 2014, page 4.

²⁹² 52% in 1995, 70% in 2000, 93% in 2007, Reports of UN Office on Drugs and Crime -UNODC.

capabilities towards the Western forces on the ground. Their actions had an effect on the media, and soon they were able to gain the support of the population as well, which in some areas “protected it”. Violence not only grew in terms of intensity, but also in terms of dispersion throughout the territory. According to the International Council on Security and Development, for instance, the proportion of “guerrilla infested” territory went from 54% in 2007 to 72% in 2009.²⁹³

The overall success of the Taliban can be explained and probably justified by a few reasons: the first could be the accepting attitude of the population, long exhausted by the warlords who had their comeback in 2001, and longing for change; the second one could be the demonstrated failure of those in power to create a functioning central government, which turned out to be, instead, distant and somewhat unacquainted with the history and the experiences of the country. The result was an increase in the overall local resistance and an increase in the ambition and jealousy among the various chiefs of tribes, who were rather more preoccupied by their own prerogatives and feared the strengthening of their rivals. Most of all, the last thing all tribal leaders wanted was the presence of “external actors”.

The above conditions accentuated the security vacuum and the lack of a security buffer, necessary for the Security Sector Reform to be implemented, especially in the first years of the International Security Assistance Forces (ISAF) mission. The United States, assisted by allied and donor countries such as the United Kingdom, Italy, France and Turkey, did gradually apply the general steps and formula of the Security Sector Reform doctrine, but failed to take into account the peculiarities of the complex social, economic and political environments described in the above paragraphs. Unlike other Security Sector Reform cases, ie. the Balkans, where NATO Forces were soon enough able to provide for the security environment needed to stabilise the country, in the case of Afghanistan neither governmental forces nor NATO ISAF forces were able to accomplish such results.

ISAF’s mandate, authorised by the UN after the Bonn Conference in 2001²⁹⁴, was to assist the Afghan Authorities in the transition phase in ensuring a safe and secure territory and in reconstructing the country. More in detail, ISAF’s mandate was to take care of the “Security Force Assistance”, focusing on the training and consulting with the newly established ANSF, until the latter was able to take full responsibility and control of the

²⁹³ Dottori, G., Afghanistan dai sogni di gloria al trionfo del caos, *Limes* 1/2009 (translation from Italian).

²⁹⁴ Dorronsoro, G., Afghanistan: the impossible transition, *the Carnegie Papers* (June 2011).

Armed Forces²⁹⁵.

However, the accomplishment of the mandate is still questionable. The only thing that was clearly visible, especially after the first few years of the mission, was the overall popular discontent towards the Karzai Government, mainly accused of being unable to organise a “state system”, an autonomous machine able to govern and provide, as well as guarantee, security and stability. Although during the campaign for Karzai’s re- election the withdrawal of the all Western troops from the country was tabled, to many this was seen as highly improbable in the short-term, because Afghanistan’s dependence on foreign military support was rather evident.

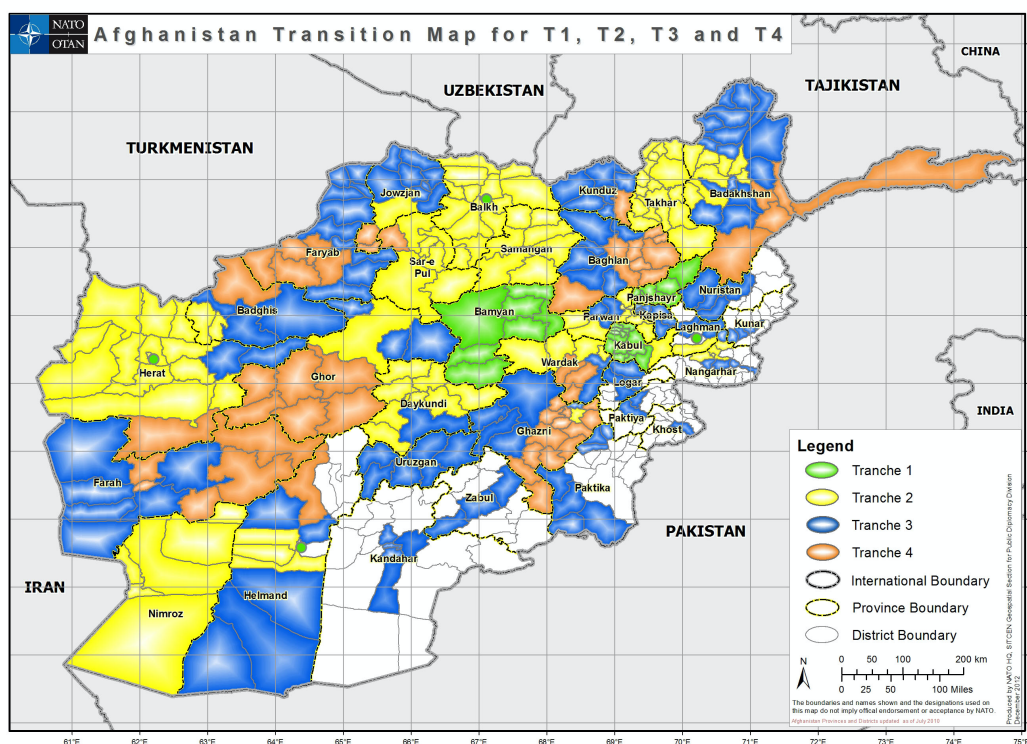
This dependence became even more evident when the conflict inside the country took a regional connotation. Operationally speaking, the regional dimension of the Afghan war has kept the intelligence services of all Western countries very busy. A perfect example of such activity is the result of the Taliban attack against an ISAF logistic supply in 2008. The North-West Frontier Province area, which initially was only a location where Afghan non-Taliban groups, such as the *al Haqqani* Network and the vertices of al Qaeda, regenerated their forces and planned their operations, soon became an actual area of conflict. This was favoured by the “regionalisation” of the conflict and such conditions led the Pakistani Taliban group to intervening directly in the war, especially against the ISAF forces and the above mentioned attack, in 2008, against the logistic chain of the international forces is an example of the latter)²⁹⁶. This fatal attack led to a response; a joint operation between the United States and Pakistan, know as “operation Lionheart” (in November 2008), which saw their forces launching an offensive against the militant Islamic forces in the Durand line, was initiated soon after. The United States’ intelligence services were very active during this operation: the same cannot be said about the Afghan intelligence, which on contrary was almost completely absent. The critical situation of those years, in fact, led to a “surge”: the international forces had to resort to an increase of the troops on the ground by 30000 men, in order to try to bolster control and attempt the conduct of negotiations. Despite the critical conditions, the ultimate goal was the withdrawal of the ISAF Forces. The International Community believed, at that point, that withdrawing international military forces would have brought a positive effect on the security environment, failing to recognise those indicators which already, at the time, showed that there would have likely been a rise in violence. An increase in insecurity had

²⁹⁵ the Chicago summit in 2012 had determined that ISAF had to come to an end in by December 31st 2014. A transitory mission would then accompany the ANSF in the following tradition phase.

²⁹⁶ Dottori, G. Afghanistan dai sogni di gloria al trionfo del caos, *Limes* 1/2009 (translation from Italian).

already been registered in the previous two years, with the reduction of the NATO presence as per the withdrawal plan announced by President Hamid Karzai in 2011.

As a matter of fact in March 2011, President Karzai initiated the first phase of the Afghan transition, which foresaw the withdrawal of the NATO forces in tranches, according to provinces and districts. A Transition Map, drawn by NATO²⁹⁷, has been included below. It portrays how the different Afghan provinces were divided into the four transition tranches.



The 2012 Chicago Summit finally determined that the ISAF mission had to cease to operate on Afghan territory by December the 31st, 2014. Another assistance mission was going to be established which would accompany the Afghan National Security Forces in what was decided to be another “transition decade”²⁹⁸. But ISAF, as agreed by the Bonn Conference, had to come to an end. In March 2012 the second tranche of the transition was officially completed and the third one initiated. At the end of 2012 President Karzai announced that the fourth and last tranche of the transition phase had been initiated, at the end of which the Afghan National Security Forces would have had 87% of the Afghan territory, therefore 23 of the 34 Provinces, under its control and secured. This phase would have had to be completed by the second half of 2013. The aim was to gradually allow for

²⁹⁷ https://www.nato.int/cps/en/natolive/news_93429.htm.

²⁹⁸ Sedra, M., *A Job Half Done: SSR and the Afghan Transition*, ISPI Analysis no. 260, June 2014, page 11.

the Afghan Security Forces to take real control.

Despite the auspices, the UN had registered an 11% increase in insecurity incidents just in 2013¹⁹¹, a trend which in the following years continued upwards. Not only was NATO leaving the country, but the CIA was also dismantling “irregular”, clandestine militia forces formed to combat the Taliban and al-Qaeda in highly exposed zones¹⁹², which although its formation was initially criticised, its dismantlement further contributed to a security vacuum and allowed for the Taliban to overrun those districts where those forces were once commissioned. Along the insurgency escalation, economic instability followed. Opium cultivation, for example, grew despite the 7 billion dollars invested by the International Community in counter-narcotics efforts. In 2013, for instance, poppy cultivation grew by 36% in just one year (as reported by the United Nations Office on Drugs and Crime in the Annual Survey²⁹⁹). The economic activities that followed from such growth, offered a continuous support (in terms of finances and resources) to anti-governmental groups, which also exerted control over the population through protection rackets and taxation schemes, hence consolidating a “narco-state” within the State.

With the end of the NATO ISAF mission in Afghanistan, in 2014, the transfer of security responsibilities to the Afghan National Security Forces (ANSF) therefore officially came to an end. The international forces, however, clearly did not succeed in transferring the Government’s mandate to all parts of the country. Instead, a conflict scenario re-emerged. The ANSF never reached that “good enough” level which would have allowed it to effectively take on its duties. A strong Security Sector and, more specifically, a functional and autonomous intelligence service, were not accomplished then and still are not today. The National Directorate of Security (NDS), in fact, although it had started acquiring some experience and autonomy, was still being consolidated and was far from being a self-sufficient organisation.

International forces should have identified where the centre of gravity of all the parties involved in the negotiations was (which evidently sustained the internal network of terror), whether within the political and military elite’s influence, within the international community’s incapacity to understand the social structure of the country, or within the external interference of actors such as Pakistan.

The Coalition policies in the following years led to the worsening of the security conditions on the ground. The choice to mostly concentrate their presence in the regions of Kandahar and Helmand, for example, gave a free pass to the armed oppositions and guerrilla to operate in other areas. In 2014, in fact, insurgency in the country was stronger

²⁹⁹ *Afghanistan Opium Survey 2013*, Kabul, UNODC 2014.

than ever. Although ethnic and sectarian tensions could have been considered to not represent a serious security threat at that stage, since attacks of ethnic nature were sporadic, attacks against the Coalition forces were still being constantly perpetrated. Some scholars may have argued that the impact of such attacks was ultimately of a low level³⁰⁰, hence did not constitute a real indicator of instability, but in reality the overall perceived insecurity conditions were almost the same as in 2010. Yet, the withdrawal process carried on as planned and a new beginning for the country had to be marked.

With the closure of over 330 United States military bases, and the withdrawal of most of the international combat forces under the umbrella of the NATO ISAF mission, a security vacuum was left, which in the short-medium term facilitated the Islamic State, and again the Taliban, in their fight against the central Government. Afghan intelligence soon proved its inability to operate. It was and has been unable to establish that relationship with the local population and failed to create a link with the policy makers, causing them to be even more distant from one another and leading the first into not supporting the latter. The result is that, in order to maintain order and to secure a ceasefire in the country, the central Government still depends on negotiations with the Taliban and other forces, such as the Islamic State and the criminal organisations.

Throughout the era of the war on terror, of the ongoing civil wars in the Middle East and of the growing international terrorism, the only way to truly assess the strength and capabilities of those terrorist groups which flourished in Afghanistan would have been to rely on the activity of an efficient local intelligence service. The prevalence of issues such as a high corruption rate in public officials, the existence of connections with criminals and dealers inside State apparatuses, the ethnic imbalance of recruits within the army and all other security organisations, large turnover rates, Taliban infiltration inside the institutions, are just a few of the indicators of the State's foreseeable impossibility to act autonomously in the short-medium term. It is ironic to see how, despite everything, several iterations of Afghan Governments never focused on properly structuring and reforming the Afghan intelligence (the National Directorate of Security), thus failing to understand that the strengthening of its intelligence apparatus would have certainly had on its broader attempt to first stabilise and then to reform the country.

³⁰⁰ Van Linschoten, A. S., Turning point, Afghanistan prepares for presidential transition, *Janes Intelligence Journal* (December 2013), page 8.

6.2. The Afghan Intelligence Apparatus and The National Directorate of Security.

Before looking at the establishment of today's Afghan Intelligence Service, the National Directorate of Security (NDS), it is worth analysing that time frame during which intelligence services were first moulded in the country and when their role and presence was crucial for the regimes in power. The following paragraphs will first run through the evolution of the intelligence organisations from their establishment, during the Communist era, to their dissolution with the rise of the Taliban, and will finally analyse the transformation of these organisations into today's posture.

Although Afghanistan was under a Communist regime from 1978 to 1991, the USSR had been Afghanistan's biggest provider of military aid, weapons, equipment and training since the 50's. The security services of the Afghan Communist Party, which ruled the country from 1978 to 1992, always played an important role in the preservation of the regime and in supporting the USSR, despite the poor recognition from the Afghan population. The basic function of the Intelligence services as defenders of the broader national interests have often been disregarded when it comes to Afghan governments. They have been 100% dependant on the policies of the USSR and on the support (technical, financial, logistic and so on) of the Russian intelligence services, the Russian Committee for State Security (the KGB) and the Russian Military Intelligence Directorate (the GRU). Furthermore, Afghan security services were also interdependent with the Communist Party, which meant that the political forces always had a strong control over them. Successions of party leaders, for instance, automatically foresaw changes within these organisations³⁰¹.

The 1978 April Revolution, known as the "Great Saur Revolution", removed Lt. Gen. Mohammad Daoud, who had been ruling the country for five years³⁰², from office, and brought the Communist People's Democratic Party of Afghanistan (PDPA) to power. Dissents in policy and attitude towards Daoud's regime had previously led to a split of the PDPA into two factions, the Khalq ("Masses") and the Parcham ("Flag")³⁰³, respectively led by Muhammad Taraki and Babrak Karmal. Taraki was the one who took the lead during the Revolution and became the first President and Prime Minister of the Democratic Republic of Afghanistan. Karmal was nominated Deputy together with Hafizullah Amin, former

³⁰¹ Report of the Council of the European Union, *Afghanistan: "Security Services in Communist Afghanistan (1978-1992): AGSA, KAM, KhAD and WAD*, Brussels (26 April 2001).

³⁰² Lt. Gen Daoud took power in 1973, ending the 40-year rule of his cousin King Zahir Shah.

³⁰³ Report of the Council of the European Union, page 6.

confidant of Taraki.

Antagonism and disagreement between the two factions, however, did not cease once power was achieved. To protect his interests and position, Taraki created the first security service, the “Organisation for the Protection of Interests of Afghanistan” (AGSA - *Da Afghanistan da Gato da Satalo Adara*). Under the direct control of the Ministry of Interior, it served as a strong arm to his regime and is believed to have arrested, tortured and murdered thousands from the Afghan opposition³⁰⁴. His rule did not last long and Hafizullah Amin soon took over, in September 1979. Amin dissolved the AGSA and established a new service: the “Workers Intelligence Service” (KAM - *Kargarano Amniyyati Mu’assassa*). In reality, the changes were merely apparent and aesthetic. Just like its predecessor, KAM was used against the opposition and exerted just as much terror as AGSA did. The leadership of the secret service was given to Amin’s cousin, Azadullah Amin³⁰⁵, confirming the trend, in a certain type of regimes, of handing such responsibility mostly to family members.

The Afghan government was however far from being able to provide for its own security and it needed the USSR’s help to fight the growing insurgency in the country. The Soviets, however, urged modernisation and refused the persistent requests of the Afghan leadership. For this reason, a few months after the beginning of his rule, in December, Amin was replaced (killed by the KGB special forces)³⁰⁶. At that point, Soviet troops entered Afghanistan. The USSR took charge of reforming the entire security sector of the country: the MoD advised and developed the Afghan Armed Forces, the KGB assisted the establishment of a new Service and the Ministry of Internal Affairs (MVD) supported the Afghan MoI and its *Sarandoy* security forces.

It was then, as a matter of fact, that a real sophisticated secret service was established, an embodiment of the communist repressive regime. In January 1980 the KAM was replaced by the “State Intelligence Service” (KHAD- *Khadimat-e Atal’at-e Dowlati*). It received direct support, more than the previous services, from the USSR and from East Germany. It was removed from the control of the Ministry of Interior and turned into a Department of the Prime Minister’s Office. Babrak Karmal, the Prime Minister, appointed Dr. Najibullah, a former leader of the Parcham faction of the PDPA, as first Director of KhAD. Najibullah, one of KhAD’s most notorious Chiefs, remained in charge for

³⁰⁴ Klass, R., *The Great Game Revisited*, New York (1987), page 336-339.

³⁰⁵ Bradsher, H., *Afghan Communism and Soviet Intervention*, Oxford (1999), page 61.

³⁰⁶ Oliker, O., *Building Afghanistan’s Security Forces in Wartime. The Soviet Experience*, RAND (2011), intro.

over 6 years, and reported directly to the KGB. KhAD enjoyed a very large margin of freedom of action. It answered directly to the President's Bureau, which basically meant that the President himself, and through him the Revolutionary Council as well, monitored KhAd's activities.

Very little is known about KhAD's structure and organisation, but we know that it was generally divided into six Directorates (*Riasat*)³⁰⁷, which were assigned the following roles:

- Domestic and Foreign Affairs;
- Internal Security;
- Propaganda;
- Coordination of Provinces;
- Surveillance of Diplomatic missions ;
- Protection of Government and its representative.

KhAD 's overall task was to ensure the continuation of the Communist regime and to defend it against internal (to the PDPA) and external enemies (such as left-wingers, Islamists and Mujaheddin), with all available means and total freedom of action.

A military intelligence, under the Ministry of Defence, was also operational during those years: "the military KhAD". Not much is known about this military service apart from the fact that, together with KhAD, it deliberately created an environment of terror.

In 1985 Najibullah handed his position over to Major General Ghulam Farouq Yaqubi, in order to fully dedicate himself to a political career³⁰⁸. When Najibullah took over from Karmal as Prime Minister in 1986, KhAD was made into the "Ministry of State Security" (WAD - *Wazarat-e Amniyat-e Dowlati*), to which both KhAD and the "military KhAD" converged. The ministry was headed by Major General Ghulam Faros Yaqubi, who represented a continuation of the previous organisation and who was also involved in cabinet meetings in a ministerial capacity role.

In spite of the new status and name, the Service continued to be referred to as KhAD. The WAD was organised into three Directorates-General (DG)³⁰⁹:

1. DG for Security - its task was to ensure security within the organisation. Monitoring the staff and its trustworthiness was an important part of its tasks. In other words, it was responsible for the staffing policy;
2. DG for Military Security - a continuation of the Military KhAD, its main task, just as the

³⁰⁷ Report of the Council of the European Union, page 14.

³⁰⁸ Report of the Council of the European Union, page 10.

³⁰⁹ Report of the Council of the European Union, page 16.

DG for Security, was to monitor the staff and its trustworthiness within the Afghan Army. It tested the loyalty of its troops and tried to counter Mujahideen infiltration attempts and tried to discourage attempts of desertion. The tasks of this Directorate were distributed among several other sub Directorates, but no further information or references about these has been found;

3. DG for the Interior - a continuation of the civilian KhAD, and in line with the previous organisation, was also known as the “civil WAD”. Its main task was to ensure the survival of the Communist regime by countering anti-governmental activities within the country and abroad, mainly in neighbouring countries such as Pakistan. It was also in charge, like KhAD, of the propaganda and controlled economic activities and espionage in the country. This Directorate was also organised in several departments, designated by numbers, but no confirmed and validated information has been found about the exact competence of each department.

The WAD employed 30.000 professionals and some 10.000 paid informants. Each official had one or more KGB advisers³¹⁰. Thousands of Afghans were sent to the Soviet Union between 1980-1984 for courses. In 1995, for example, 10.000 WAD members received special training by the KGB³¹¹. During those years, torture was also introduced, under the instruction of Stasi and KGB officers. Mass secret executions without trials were also a practice and the treatment of prisoners became a scientific system of intelligence.

WAD had a strong network of spies and grew to cover the country in all of its provinces, towns and districts. At an operational level, the Interior DG was organised in 11 Operational Sections³¹², a Political Directorate, a Personnel Directorate and 11 support services. It also had a foreign intelligence branch, the 10th Directorate.

The WAD also established militia and tribal units close to the border to control activities (commercial and non) and guard personnel. The KGB tactically trained tribes to infiltrate resistance groups, sabotage their operations, carry out disinformation activity and create suspicion within and among the various resistance groups and between the latter and the local communities³¹³. The KGB and WAD wanted to set tribes in conflict, and bribed powerful tribal chiefs to exploit their personal networks and to restrain their communities from anti-communist activity. In a nutshell, the Service was seen by the

³¹⁰ Barnett, R., *The Fragmentation of Afghanistan*, Yale University Press (2002), page 122.

³¹¹ Klass, R., *Afghanistan: The Great Game Revisited*, New York, Freedom House (1987), page 323.

³¹² Mitrokhin, Kolomiets A., “*Raskazivaiut Afgantsi. Pro Komandirovku’ Na Voinu*”, Suvorovskii, (February 2013).

³¹³ Klass, R., page 323.

population as the KGB's secret police in the country and, as such, it was mistrusted. Not only did it impose a totalitarian system throughout Afghanistan, but was also seen as a supporter of the Soviet's intention to deprive the population of its cultural identity and heritage.

Najibullah tried to pursue a policy of national reconciliation, in order to gain support from the population and release some of the constant pressure on the regime. His calls to unite the nation went unanswered. He used WAD to try to unite all tribes and ethnic minorities and he even provided for the implementation of a new Constitution, which created two Chambers, favoured the liberalisation of political parties, and renamed the country as the "Republic of Afghanistan". Despite these changes, Afghans still saw Najibullah as a torturer, a brutal leader who had killed thousands of people. In reality, the Soviets, the KGB and the WAD, held the power in the country.

The Service eventually began to fund religious leaders, for which it established a separate directorate (Directorate of Religious Affairs). WAD knew that it needed to gain their support because it understood that through them, perhaps, the population could also be convinced that the Soviet war in Afghanistan was not against the people, but against the insurgents (the Mujahideen). Despite the efforts, the Afghan Government made little progress and was never able to fully establish state-control over countryside areas, where tribal affiliations prevailed.

The Sarandoy and its functions as a security service cannot be disregarded in the overview of security and intelligence providers in the country during the Communist regime³¹⁴. Under the direct control of the Mol, the Sarandoy had personnel deployed throughout the country and was fully equipped by the Soviets. Its tasks included counterinsurgency, government control, policing, public order and the defence of public and critical infrastructures. It worked in close cooperation with the Armed Forces especially with regards to identification of insurgent activities and could carry out political arrests. The organisation counted around 5000 Soviet advisers from the MVD and its training was aimed at developing paramilitary and gendarmes-like capabilities, which would come in handy to Soviet troops in the fight against insurgents³¹⁵. Unlike the KhAD, it was more of a security and police force rather than an intelligence service.

By May 1988, one of the main pillars of the state-system disappeared, which slowly led to the fall of the entire security system: the Soviets began pulling out of Afghanistan.

³¹⁴ Wardack, D. P., *Why the NDS matters: the emergence of the Afghan intelligence agency after 9/11* (2017).

³¹⁵ Olikier O., page 16.

Najibullah, however, continued in his role as President until 1992, also thanks to the continued support (mainly in arms supplies) from the Soviet Union. The PDPA was not so united and a series of tentative *coups* led to an attempt by Najibullah to try distance himself from the Communist legacy (ie. he renamed the PDPA into the “Fatherland Party”). However, all his efforts to remain in power failed and, in 1992, he was forced to resign. Soon afterwards the Mujahideen factions took over, leading the country into two consecutive decades of civil wars.

Repressive activities, however, also continued even after the fall of the Soviet Regime in 1992. KHAD was incorporated in the Islamic United Front³¹⁶ and acted as its intelligence unit during the 1996-2001 civil war.³¹⁷ The Mujahideen however undermined the basic structure of that well-organised intelligence service and used the remainders against each other. KHAD was finally completely “dissolved” when the US entered the country in 2001, and established the NDS.

The reform of the intelligence services was part of that broader project to rebuild the Afghan Armed Forces and finally stabilise Afghanistan. The Afghan National Security Forces (ANSF) are one of the results of the International Security Assistance Force (ISAF) NATO mission. ISAF operated under the authorisation and mandate of the United Nations Security Council from December 2001 until December 2014, and it had the task of providing territorial surveillance, especially in Kabul, and to protect Karzai’s Government in the delicate phase of the post conflict transition³¹⁸.

The establishment of the Afghan National Security Force was in fact the first step that Karzai’s Government and NATO forces took in order to provide for the initial stabilization upon which to build a new institutional framework³¹⁹. When established, in 2002, the Afghan National Security Forces were formed by the following three security and enforcement organisations:

- the Afghan Military (subject to the Ministry of Defence);
- the Afghan Police (subject to the Ministry of Interior);

³¹⁶ The Islamic front for the salvation of Afghanistan, was a military front created at the end of 1996, when the Islamic Emirate of Afghanistan took over Kabul. This front fought against the Taliban with the support of Iran, Russia and India, while the Taliban were supported by Al-Qaeda and the Pakistani armed forces. Formed by mainly Tagikis and in minor parts by Uzbeks, Hazaras and Pashtuns, it fought for years against the Pashtuns which were under the control of the Taliban. It was dissolved by the Karzai administration in 2001.

³¹⁷ Piacentini, L., Masci, C., *Humint..questa sconosciuta (funzione intelligence evergreen)*, Rubbettino ed. (2014).

³¹⁸ Foreign Affairs, *The Future of Afghanistan and U.S. Policy. Ten Years after Bonn* (December 15th 2011).

³¹⁹ Tonita, M., *The Security Sector in Afghanistan: Slow and Unsteady* (2010).

- the National Directorate of Security (NDS, subject to the President).

The National Directorate of Security, as an intelligence organisation, is the one which clearly responds to the purpose of this paper. The other two components, however, cannot be completely disregarded because they do include some sort of intelligence departments, under the control of the Ministry of Defense and the Ministry of Interior, which will also be briefly looked at in this section.

When examining the above mentioned intelligence organisation, it is noticeable that although at a first glance the National Directorate of Security's establishment may seem like a clean cut from the old regime's apparatus (the KhAD), when looking closer at its development it is clear this is not the case.

The intention was to rebuild the organisation from scratch because, for the Coalition Forces, it was important to somehow remove the legacy of the intelligence services as "brutal torturers" from the minds of the Afghan population. Under strict control and directives of the United States, more specifically the Central Intelligence Agency, the National Directorate of Security was established in 2002 from the reorganisation of the scattered pieces of intelligence exploited by the Mujahideen during the war. Its initial purpose was to support the CIA and the United States Armed Forces in the fight against the Taliban and in their penetration capabilities in remote areas of the country. Unlike the KhAD, the NDS was immediately placed under the direct responsibility of the President and of the National Assembly³²⁰.

Its task today is mainly to look at the country's domestic security, to collect, analyse and share intelligence, to conduct operations abroad and to give policy support to the Authorities. When first established, it counted around 1000 people between officers and staff; it is however difficult to determine the current number of employees, although we can say that this has certainly more than doubled³²¹. Legally speaking, the NDS needs prior judiciary permission (from the Court) for any of the operations it carries out. Its main source of intelligence is the interaction with tribes, elders and local commanders³²². Most of its "new" staff has been trained by NATO and by the Department of Homeland Security (United States), while another big part of its personnel has been drawn from the former soviet-controlled organisations.

³²⁰ Wardack, D.P., *Why the NDS matters: the emergence of the Afghan intelligence Agency after 9/11* (2017).

³²¹ Piacentini, L., Masci, C., *Humint..questa sconosciuta (funzione intelligence evergreen)*, Rubbettino ed. (2014).

³²² Wardack, D. P., *Why the NDS matters: the emergence of the Afghan intelligence agency after 9/11* (2017), page 7.

Engineer Muhammad Aref Sarwari, also known as Engineer Aref, was the first NDS Director. An ethnic Tajik, he was the former Chief of intelligence of the Northern Alliance, under the late Mujahideen Commander Ahmad Shah Masood³²³. After the 9/11 terrorist attacks he had closely worked closely with the CIA and was thought to be the perfect man for the job. He had the support of the Coalition and the experience against the Taliban. He, however, proved to be unable to lead the organisation in becoming a professional, multi ethnic and broadly accepted one. He, instead, used it for his own ethnic and personal interests, reproducing schemes of the KhAD and working against the interests of former President Karzai³²⁴.

For this reason, in January 2004 he was removed, nominated “Advisor” to the President on intelligence matters, and replaced by Amrullah Saleh, another former member of the Northern Alliance, who had fought against the Talibans until 2001 and who was also very close to Masood. Considered by the International Community as one of the most competent security experts, it was believed that he could give a clean “new reputation” and image to the NDS, also thanks to his ethnical background (he is both of Panjshiri and Tajik origin³²⁵).

Saleh made the first real changes to the organisation during the first nine months of his mandate (which lasted until his resignation in 2010). He established recruitment on the basis of a CV rather than on ethnic or family background and foresaw training for his personnel. He positively impacted the general image of the intelligence in the country, its perception and, most importantly, he helped the morale of the personnel³²⁶. Unfortunately, his interventions were not enough to impact the functioning of the apparatus. Saleh and President Karzai both failed to foresee a comprehensive reform that would tackle the mindset of the entire intelligence system, still deeply affected by the legacies of the former authoritarian system.

Although the United States took charge in re establishing an Afghan intelligence community, the “new” organisation clearly lacked skilled staff and funds from the beginning³²⁷. To fill such structural gap, personnel once active in NDS’s predecessor, the KhAD, were reintegrated in the apparatus. It should have been clear at that point that the

³²³ Viewed by the Afghans as a National Hero. He led the resistance against the Talibans from 1996 to 2001.

³²⁴ Schroen, G., *How seven CIA officers opened the war on terror in Afghanistan* (2005), page 357.

³²⁵ From the Panjshiri Valley, known for being the area where the Afghan Mujahideen had fought multiple battles against the Soviet Army during the Soviet-Afghan war, 1980-1985.

³²⁶ Schroen, G., page 357.

³²⁷ Wardack, D.P..

NDS was going to represent a mere evolution of the KhAD, especially if no concrete reforms were to be applied. The NDS turned out to have the KhAD's same intelligence culture, the same practices and the same legacies³²⁸.

No reforms have ever been introduced since the NDS's establishment and issues like the absence of personnel expertise, or training, have led it, in the last 15 years, to multiple operational failures. A shared broad intelligence culture was never passed onto the personnel. The organisation lacked (and indeed still lacks) analysis capabilities mainly because three methodologies of intelligence processing cycle are in place and try to coexist: a soviet standard (which seems to be the dominating one), a jihadist guerrilla tactical process and a Western model (introduced with recently trained personnel)³²⁹.

The lack of identity, culture and chaos in the *modus operandi* have made the NDS ineffective in sharing intelligence and in coordinating with the other security and intelligence providers (in the Police and in the Ministry of Defense). The produced intelligence is often not trusted and considered "non modern"³³⁰, because it has failed to provide reliable assessments. The CIA and the NDS Directors have simply been unable to bring change to the intelligence culture of the organisation.

Although the NDS is still considered one of the most efficient components of the Afghan National Security Forces, the public perception and consideration of the apparatus is not distant from the KhAD's one, making the attempted reform of the organisation a failure. The Service has been more than once, in the past few years, accused of working outside a legal framework. It has used torture and brutality as intelligence *modus operandi*, leading the United Nations and Amnesty International to produce reports³³¹ in which, for example, they assess handing ISAF detainees to Afghan forces and intelligence as being "risky", basing their requests on the principle of non refoulement³³².

In an article published in 2014, Afghan author and journalist Musa Khan Jalazai, specifically pointed out the flaws within the organisation and the reasons behind its

³²⁸ Asey T., former Afghan Deputy Minister of Defense and Director General of the Afghan National Security Council, *Making Intelligence Work: A call to Reform and Re-organise the Afghan Intelligence Community*, *Small Wars Journal* (2019).

³²⁹ Asey T., <https://www.smallwarsjournal/jrnl/art/making-intelligence-work-call-reform-and-re-organize-afghan-intelligence-community>

³³⁰ Kristofferson, R., *Breeding for the village: success and failure in the hands of local power brokers* (2007).

³³¹ UNAMA produced multiple reports, one of which in 2010, reported tortures and scandals against detainees.

³³² International Law Principle which forbids a country to receive a person in that country where there is a substantial ground for believing that he would be in danger of being subject to torture.

incompetence: “a majority of the Afghan intelligence agencies officers have never been to schools, colleges and universities, while their appointments have been made on a political and ethnic base. They happened to be more like politicians and less like secret agents”³³³. This consideration leads us to another question: was a democratic process within the Service ever really initiated? Is the NDS truly depoliticised?

The Taliban’s capture of Kunduz, in 2015, has been the worst intelligence failure, where cooperation among the NDS, the National Security Agency of Afghanistan, the Ministry of Defense and the Ministry of Interior has proven to be very weak. The consecutive attacks in Kabul and the take over of the Islamic State in the country raised important questions and doubts about the credibility and competence of the entire security and intelligence apparatus. The inability to defeat the Taliban has also convinced the International Community that the counterinsurgency and counterterrorism strategy in the country has probably been wrongly designed since the very beginning. It is also worth noting that, following another recent failure, in September 2019, NDS’s Director Mohammad Masoom Stanekzai, was forced to resign: failed raids in Jalalabad, carried out during an operation of the infamous Unit 02 (part of the NDS Special Forces), killed innocent families, causing protests and strong dissent by the population.

As mentioned in the first paragraphs, the Afghan intelligence apparatus does not stop with the NDS. When the Afghan National Security Forces were established, the Coalition Forces foresaw the creation of intelligence organisations within other relevant ministries such as Defense and Interior.

The Afghan Military Intelligence service (AMI), for instance, under the direct control of the Minister of Defense, includes the Office of the Assistant Minister of Defense for Intelligence. Its mandate is to support military operations, which often overlap with the work of the NDS. The organisation is structured into four Battalions, *Kadaks*, which are: HUMINT, SIGINT, Counterinsurgency and Operations³³⁴. Throughout the years, AMI has also proven to have serious difficulties in operating and in bringing home successes. It has been unable to collect valuable information about ISIS and Taliban operations in the country, especially in remote areas, and it lacks trained officers, who are unable to interact with the population outside the Provincial HQ³³⁵. In war areas, AMI officers work closely with NDS operators, but often fail to cooperate both at a policy and operational level.

³³³ Jalalzai, M. K., *Reforming Afghan intelligence Agencies*, Daily Times, 23 December 2014.

³³⁴ Piacentini, L., Masci, C., page 53.

³³⁵ Jalalzai, M. K., page 5.

The Ministry of Interior also has an intelligence organisations for itself, under the control of the Minister³³⁶. The Directorate of Police Intelligence (DPI) mainly focuses its efforts on organised crime and insurgency activities. Its operations include contrasting local criminal networks and related terrorist activities, but also include minor police enforcement activities, relatable to petty crimes. It collects information and produces reports for the Minister. It is considered, overall, to be the most developed and advanced intelligence organisation of the Afghan Police³³⁷.

The Counter-Narcotics Police (CNPA) is also a very important organisation within the Ministry of Interior. It carries out intelligence and investigation activities to prevent, monitor and tackle drug crimes, which revolve around opium poppy cultivation, heroin production and trafficking. The issue of drug trafficking, as we have seen in the previous section, is still ongoing and even growing. The trafficking expands beyond national borders and hinders internal stability and the fulfilment of the requirements necessary for the democratic transition of the country. In the current precarious situation, the drug lords still retain an important degree of control over the territory (tribes and villages), preventing the Armed Forces and the political power from exercising their sovereignty over the nation. CNPA's activity has proven to be insufficient to contain, if not to eliminate, the drug issue and often still relies on the support of the International Community, which is also affected by the phenomenon.

An attempt to create a coordinating body for the above listed intelligence agencies has been made by President Karzai himself, who approved the creation of a National Intelligence Committee (NIC), which still seems to be in a developing stage³³⁸. This committee would be chaired by the Advisor for National Security and would be formed by all the Directors of the Intelligence structures within the Ministry of Defense, the Ministry of Interior and the Director of the NDS. Its task would theoretically include:

- coordinating and defining a unified intelligence policy;
- defining the guidelines on the responsibility of the different intelligence organisms;
- discussing and deciding on the priorities of the intelligence activity, at a national level;
- coordinating the analytical products and evaluation reports produced by the different intelligence organisations;
- establish the budget requirements for the growth and the operational activity of the

³³⁶ Cornelius, F., *Paramilitarisation and Security Sector Reform: the Afghan National Police*, DCAF (2011).

³³⁷ Piacentini, L., Masci, C.

³³⁸ Report in Progress Towards Security and Stability in Afghanistan - December 2012, US Department of Defense, Report to Congress, page 82.

intelligence bodies.

No updated information has been found on this organisation, which leaves us doubtful about its creation. The concept behind its establishment falls in line with the basic principle of efficiency and control of the country's intelligence activity, which leads to hoping the Afghan Authorities will take on this initiative in the short run.

In any case, current Afghan President Ashraf Ghani has taken some relevant steps to reform the Afghan security sector because he understands the importance of having a self-sufficient defense apparatus, able to effectively control the entire territory³³⁹. He has been, however, unable to tackle the intelligence sector which still remains a poorly organised/ trained and badly coordinated apparatus. In a situation where the country faces challenges due to ongoing intelligence proxy wars, foreign intelligence operations on the ground, foreign influence, interference and pressure, the entire intelligence system is more than ever in need of a new institutional culture and identity. In order to achieve operational autonomy, a comprehensive reform is necessary³⁴⁰.

³³⁹ Asey T., <https://www.smallwarsjournal/jrnl/art/making-intelligence-work-call-reform-and-re-organize-afghan-intelligence-community>

³⁴⁰ Feroz, E., *Is Afghanistan building a regime of terror with the CIA's help?* (published online article on February 6th 2020).

6.3. The Afghan case. Analysis of the reform, the failures and the lessons learned.

As exactly done for the Iraqi case in the previous pages, the Afghan intelligence services should also be analysed with reference to the same set of questions (the comparable variables) defined in the initial chapters of this research paper. The above descriptive paragraphs are complementary to this section; the aim is to apply the former to those defined variables, to determine how Afghanistan has responded to certain issues and conditions, and how the National Directorate of Security (the NDS) has behaved during the post conflict state building process. Just like in the case of Iraq, the intention is to analyse the applied reform model of the intelligence services and to ascertain the interaction between the NDS and the State institutions during stabilization and reconstruction.

The following pages should already serve as a first comparative base for the two case studies; for this purpose, the exact same variables (listed in sub chapter 5.3) will be analysed. For clarity, these are listed below (the analysis, just like with Iraq, will not necessarily follow the order in which the variables are reported):

- ◆ the overall security environment and conditions in the country when the process was initiated, inclusive of elements such as:
 - rate of terrorism incidents;
 - degree of perceived security;
 - attitude of the population towards security providers and change;
 - presence of foreign troops on the ground;
- ◆ the leading party in the reform/rebuild;
- ◆ the relationship between the intelligence services and the State, in terms of an eventual function of statecraft of the former during a specific time frame;
- ◆ the mandate given to the intelligence bodies;
- ◆ the legacies as obstructors or stimulators of change;
- ◆ the structure and competences of the intelligence services;
- ◆ the priorities in the short-term for the organisation and the governing authorities;
- ◆ the internal reforms, structure, personnel and recruitment.

The “overall security conditions” are an appropriate starting point as far as Afghanistan is concerned, because instability and war were dominating the country long before the involvement of the United States, in 2001. Afghanistan was in fact just coming out of a long period of conflict and civil wars, and its institutions, unlike Iraq, were not tied to an authoritarian regime previously ruling the country. Instead, they simply did not exist

as they should have. The West, with its intervention and its state building policy, attempted first a quick stabilisation of the country and then the creation of a procedural democracy. It did so, however, in a State in which its society completely lacked trust in the Authority and its institutions. The intervention should have targeted more the local needs; a “Western” standardised model was instead applied once again.

This societal attitude, combined with the fact that the United States’ intervention and the consequent NATO mission, ISAF, did not actually end the conflict within Afghanistan’s borders, as expected, made the initial steps of the state building scale even more precarious and highly sensitive to any destabilising factor (whether internal or external).

Afghanistan faced the same cultural and social legacies of the Balkans which, in the latter, NATO solved through its enlargement policies and by stimulating quick internal reforms, in exchange for a partnership with the Organisation. The same did not happen in Afghanistan; as a matter of fact, plans for the medium-term future of the country were simply not made.

The United States, let alone the International Community, did not want to engage in Afghanistan for too long. The aim was to fight against terrorism, the Taliban, and to not commit to a long term military engagement. This was soon proven through the steps taken by the Coalition in the rebuild process, starting with the Armed Forces and progressing to the National Directorate of Security. All choices made revolved around one objective: the country had to be stabilised, quickly, no matter the costs. The Afghan Security apparatus had to be made autonomous as soon as possible, even if this meant temporarily fixing institutions and not structurally reforming them.

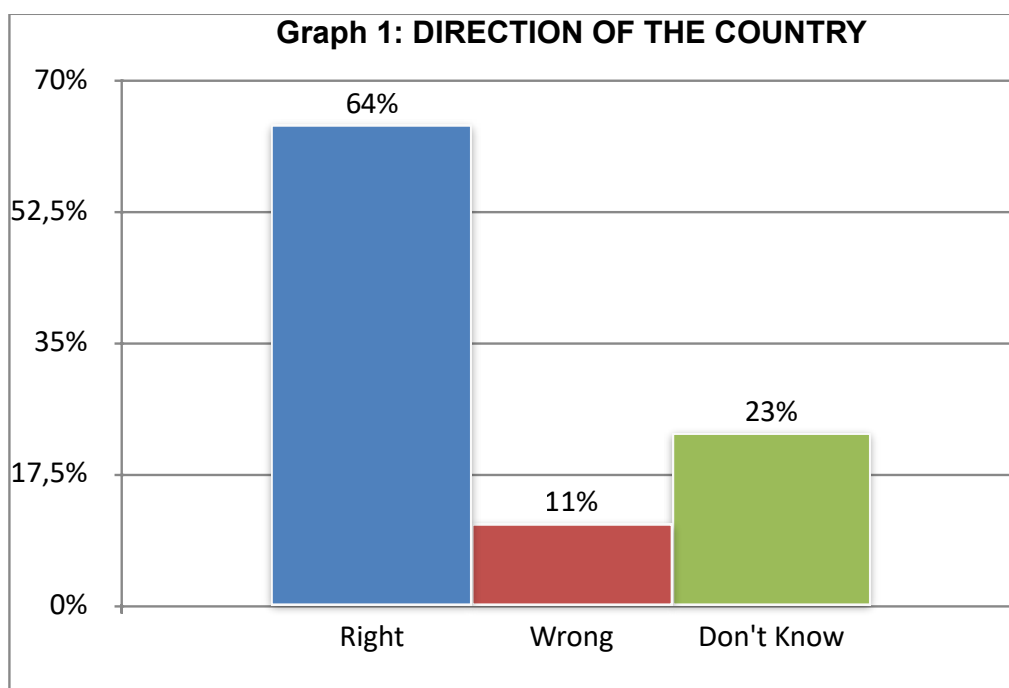
Despite the conditions on the ground, in Afghanistan, unlike in Iraq, the International Community had an initial advantage: the support of the population and its general positive attitude towards Karzai’s Presidency. This statement is supported by the following data, collected from a study³⁴¹ carried out by the Asia Foundation in view of the first elections, which were to be held in September 2004. What these data show is that although the country was dismantled and suffering from social, economic and security issues, at the beginning of the post conflict building process, the perceived general sentiment was fairly optimistic. Security was, of course, seen as one of the main issues, but not the only or the most fundamental one. Perhaps the population was used to the deteriorating security conditions, hence, once the people saw the possibility to change something, they prioritised other issues, such as the right to education, to health care, to infrastructure and

³⁴¹ Asia Foundation: *Voter Education Planning Survey, Afghanistan 2004 National Elections*, July 2004, https://asiafoundation.org/wp-content/uploads/2020/10/2004_Afghan-Survey.pdf

so forth; or perhaps they truly believed that the country had been stabilised or was on its way to fully being so.

Soon, unfortunately, such expectations were disattended and a change in popular attitude was registered. The following graphs are intended to support and portray the just above described initial “positive posture” and situation.

The Asia Foundation collected data by interviewing a random sample of 804 Afghans, from 29 of the 32 Provinces (for security issues not all were reachable) and the most relevant results have been reported in the form of a chart and in consideration of the variables which particularly comply to the objective of this section³⁴².



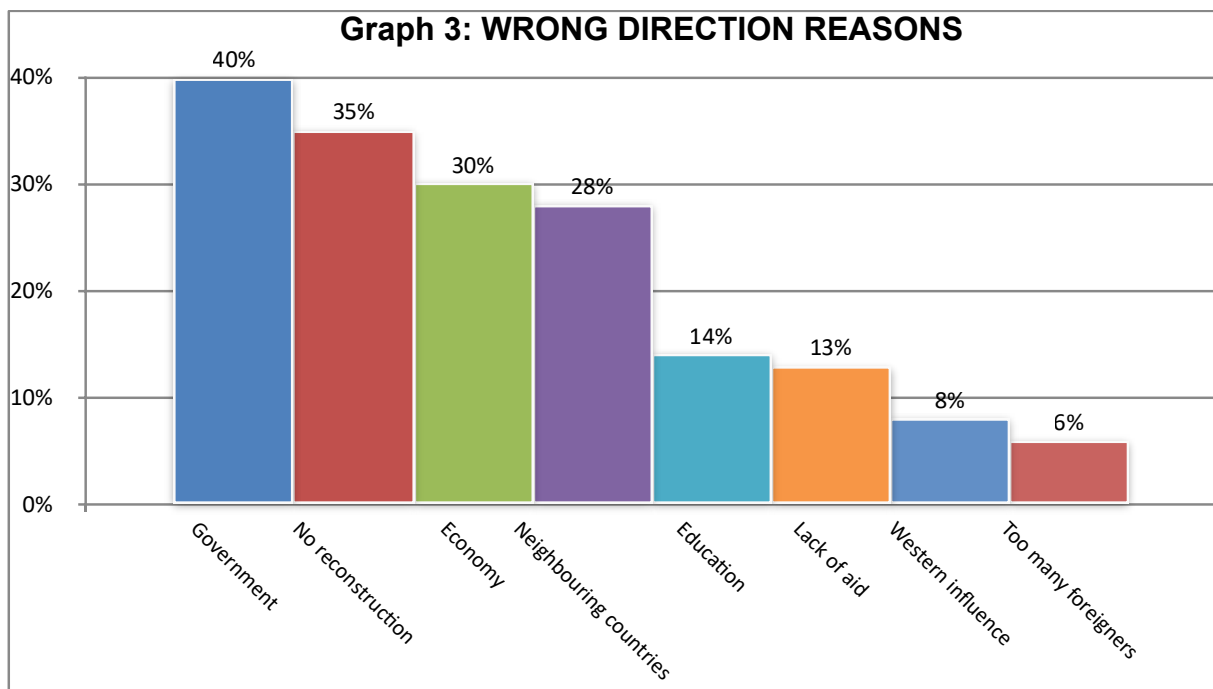
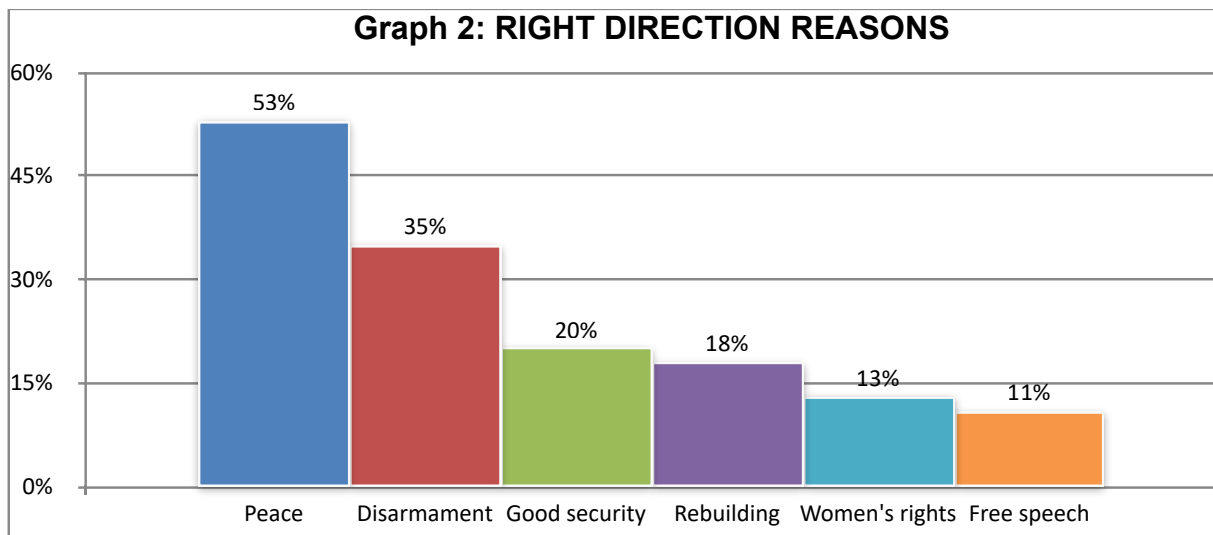
As shown in the above graph, 64% of the interviewed individuals thought that the country was generally headed in the right direction. No negative attitude towards foreign presence was detected at that stage, unlike in the Iraqi case.

What emerged, however, was that when the answers were broken down according to a geographical distribution, the results were quite different. As a matter of fact, the perception of the situation in the south and in the northwest areas of the country was reversed: 83% of the interviewed individuals in the northwest and 61% of those in the south believed that the direction towards which the country was heading was wrong³⁴³.

³⁴² Asia Foundation: *Voter Education Planning Survey, Afghanistan 2004 National Elections*, July 2004, https://asiafoundation.org/wp-content/uploads/2020/10/2004_Afghan-Survey.pdf

³⁴³ https://asiafoundation.org/wp-content/uploads/2020/10/2004_Afghan-Survey.pdf, page 16.

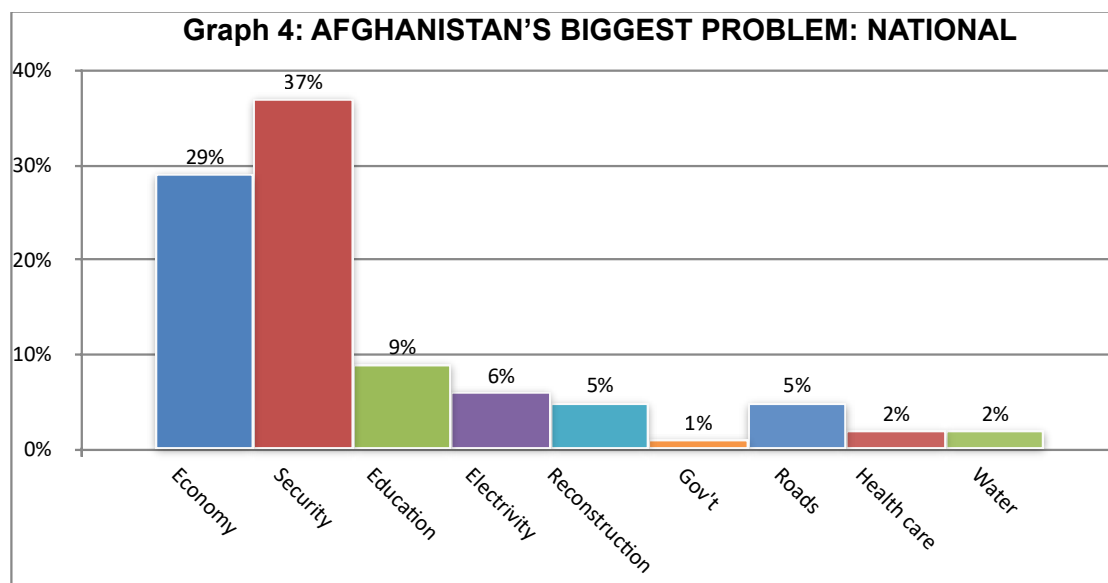
An explanation to such major difference can be found in the actual radius of action of the Karzai Administration and of its Security apparatus (including NATO troops). At that stage, most efforts were concentrated in and around Kabul, which probably caused a local distortion in the perception of the situation. In the peripheral areas, in fact, it seemed that the conditions were not any different than those before the US intervention in 2001, which we can assume to be the reason why the answers were so different.



Although the interviewed individuals should not be treated as the “entire” Afghan population (because clearly 800 people cannot be representative of a population), the findings in graphs 2 and 3 can still be used as an indicator for the outline of the peoples’

priorities. Graph 2, as a matter of fact, indicates that at that initial stage, Afghans hoped for disarmament, peace and a good security situation. Graph 3 reflects, instead, what the people believed to be the weak points of the “State to be”. For comparison purposes it may be worth underlining that, unlike Iraqis, Afghans were not concerned or “disturbed” by the presence of foreigners on their ground and their consequent influence in the country; they were rather more worried about the Administration’s incapability to provide for a proper reconstruction.

In addition to a geographical analysis an ethnic one should also be used, because in a country so deeply characterised and affected by such nuances, ethnicity can strongly condition the political mood and general perception towards the policy makers. What however appears in this study is that the regional collocation prevailed over ethnicity, especially at this initial stage of the transition: in fact, the same ethnic groups, but in different geographical areas, answered differently to the same questions, hence showing that ethnicity did not play a big role in giving the answers, unlike what was expected and what we have seen to be the case in Iraq.



Iraq and Afghanistan are mostly similar, however, in the people’s identification of the biggest issues and needs. As shown in graph 4, security was perceived as one of the biggest problems in the country by 37% of the interviewed individuals, but not as the most important one. The population was just recovering from the hard line of the Taliban government, which had progressively deprived Afghans of their rights and freedoms, limiting education, cultural expression, gender equality, etc. Hence, there is no surprise in seeing factors such as education, electricity and infrastructures at the top of the priority list. Overall, the social and economic aspects were cited with most concern, reinforcing the

concept that there was an urgent need to fill the institutional gap and start reconstructing the country starting from its basic need: roads, schools, health care and so forth.

The fact that to the majority of the interviewed individuals believed that Karzai was doing a good job³⁴⁴, proves that the transitional Government was seen favourably by the population and that the country was facing the initial phases of the democratic transition with an optimistic feeling. This was a most favourable condition for an Afghanistan provisional Government which, unlike Iraq, seemed to have the popular recognition and the support it needed to undergo a successful reconstruction. It was however unable to exploit it.

Unfortunately, the fact that not much emphasis was given to security in general, shows a lack of popular culture in terms of how important the security apparatus should be in the entire process and how vital the proactive role of an intelligence service can be in guaranteeing the functioning of all the other critical state functions and infrastructures. The population had given priority to their basic needs: water, electricity, education, health care, demonstrating how, socially speaking, the country was far behind in comparison to Iraq. Culture in “security” was indeed very low, and expectations from the intelligence services were practically zero. The legacies of previous security apparatuses were still very strong in the minds of the people: it was simply easier not to consider “security” at all.

As the transition did not take the expected turns, things begun to change and were immediately reflected on the security conditions. The transition had yet to produce a credible leadership backed by a real Afghan consensus and an effective governance had yet to be seen³⁴⁵. The Afghan security forces had not yet taken practical responsibility, rather only a formal one, and were therefore unable to control all major political centres and key areas of the country. Furthermore, they were unable to push the insurgents towards a reconciliation. There was still much instability on the ground and the overall security conditions quickly deteriorated and incidents began to rise³⁴⁶ (an escalation of the incidents doubled between 2005 and 2006 and reached over 12,000 in 2008). Between 2009 and 2013 the levels of violence did not see any change either and no meaningful cut was registered in insurgent activity³⁴⁷. Just like the Iraqi Forces, the Afghan military was unable to provide for the security of their people and had to rely on the NATO Forces present in the country. But their support was not enough to avoid casualties. The Afghan

³⁴⁴ Asia Foundation: *Voter Education Planning Survey, Afghanistan 2004 National Elections*, July 2004.

³⁴⁵ Cordesman, A. , *Transition in Afghanistan: 2009-2013*. Center for strategic and international studies.

³⁴⁶ Yasa, A.R., *From Security Sector to Endemic Corruption: the Case of Afghanistan* (2020), Vol 13, No.3.

³⁴⁷ Cordesman, A..

intelligence services were also unreliable and inefficient, unable to foresee threats against the Coalition; their support function to security, which would have been favourable in such a delicate phase, was non-existent. There was no security synergy among the security providers, and the consequences led to chaos once again³⁴⁸.

The number of casualties clearly increased during the same years and reached a peak between 2007 and 2010. The United States and NATO troops were the primary targets of the Taliban, of al-Qaeda and of the other terrorist groups throughout the country.

Although between 2010 and 2013 ISAF targets decreased and ANSF casualties rose steadily, a total of 3,531 soldiers from the Coalition lost their lives (of which 2,845 as a result of hostile actions) between 2001 and 2017 (2,399 US officials and 1,132 non-US)³⁴⁹.

The scarce attention given to the security sector in general, especially following the Bonn Conference, which represents the legal framework through which the international mission was established in the country, had created a void which was soon exploited by the militants. As a matter of fact, the Bonn Agreement had called for the establishment of the ISAF mission, but addressed security sector reform only indirectly³⁵⁰. It stressed the need to have an international force assist the Afghan armed forces until the latter was properly developed and reached autonomy, hence focusing on the need to ensure some form of security presence on the ground, without actually focusing in detail on the comprehensive method or even on a verification process to ensure the building of liable institutions³⁵¹. Consequently, fragmented approaches were adopted to reform the different components of the security sector, creating confusion on the ground. The Coalition henceforth thought that one way of controlling the exerted pressure by the militants was by increasing boots on the ground and by reinforcing the Afghan Armed Forces.

To counter the growing violence, the Coalition therefore decided to recruit more personnel, something which had been barely done between 2004 and 2005 (the Ministry of Defense had merely recruited barely 2000 people during that year³⁵²), and the Afghan Army was raised from 50,000 people, number at the end of 2007, to a total of 100,000

³⁴⁸ Jalalzai, M. K..

³⁴⁹ Special Inspector General for the Reconstruction of Afghanistan: *The Afghan National Defense and Security Forces, Lessons from the US experience in Afghanistan, Chapter 2* (September 2017) <https://www.sigar.mil/pdf/lessonslearned/SIGAR-17-62-LL.pdf#page=33>.

³⁵⁰ Kuovo, S., *State building and rule of Law: lessons from from Afghanistan*. NATO Defence College Forum Paper 6. March 2009.

³⁵¹ Kuovo, S., page 56.

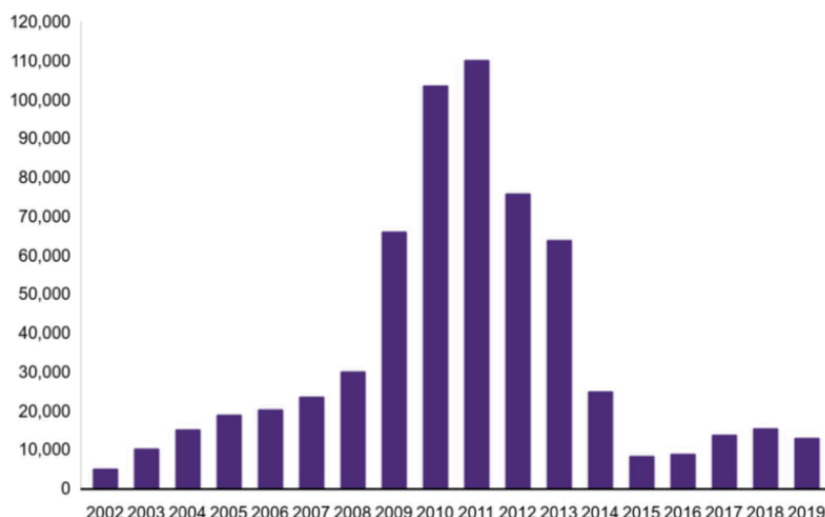
³⁵² Special Inspector General for the Reconstruction of Afghanistan: *The Afghan National Defense and Security Forces, Lessons from the US experience in Afghanistan, Chapter 2* (September 2017) <https://www.sigar.mil/pdf/lessonslearned/SIGAR-17-62-LL.pdf#page=33>.

units, by the end of the following year. The Police was also reinforced and doubled in just a couple of years³⁵³.

Another indicator of instability is the foreign presence on the ground. Just as for the Iraqi case, to counter the attacks against the Coalition and the NATO Forces, an increase of the military contingent was thought to be the solution. The years of greater instability, as shown in the graph below³⁵⁴, were between 2008 and 2013, during which the US presence (as well as that of other foreign troops) increased. After 2013 the number drastically fell because the International Community had to divert its efforts to Iraq, where the Islamic State was starting to become the cause not only of a regional war but also of an international terrorist campaign.

Also in this case there is no available information on how “happy” the population was to have such big foreign presence in their country, or on how this presence was perceived in terms of its dual projection as a “security or insecurity” indicator. Such detail would have been beneficial to this study, but an objective observation can still be made; foreign troops on the ground are easily classifiable as instability factors, regardless of the popular perception. Thus, given all of the above observations, it is not too daring to conclude that in Afghanistan, just like in Iraq, reconstruction was taking place in a highly unstable environment.

- Graph 5: US TROOPS DEPLOYED IN AFGHANISTAN BETWEEN 2002 AND 2007 -



What has not been considered yet is that NATO presence also created confusion on the ground. The fact that so many international actors were actively taking part in the

³⁵³ Cornelius, F., *Paramilitarisation and Security Sector: The Afghan National Police* (2011).

³⁵⁴ Special Inspector General for the Reconstruction of Afghanistan.

reconstruction of the country meant that different positions on what Afghanistan's future had to look like were being expressed. There was no unified vision of where the country had to be taken or on what fighting the war on terror meant: actors like NATO only wanted to get out of the country as soon as possible, regardless of the consequences. The fact that no structural reforms were being made to the Security Sector represented a risk: the moment the international troops withdrew from the country, this risk became a reality. The situation deteriorated once again, and security providers, like the National Directorate of Security, immediately proved unable to take on the job.

Along with instability and incidents (mainly of terrorist nature) all sorts of other minor criminal activities increased as well: daily abuses by gunmen against the population were registered, armed gangs operated throughout the territory, carried out petty crimes, theft, robberies, rapes, set up illegal checkpoints, and an economy based on the production and trafficking of drugs flourished. There was little oversight from the Police, which was often corrupt and participated in such illegal activities³⁵⁵, and not even the increased presence of foreign troops on the ground inverted this trend.

It is worth mentioning, at this point, another instability factor, which does not play any role whatsoever in the case of Iraq, but in the case of Afghanistan constitutes an important part of the efforts made by the International Community in order to stabilise the country (and for this reason it could not be disregarded). As mentioned in the above pages, the parallel economic system which run throughout the country for decades, is still one of the main elements of insecurity. Opium, morphine and heroin, all products which derive from poppy crop, play a decisive role in the domestic economy of Afghanistan. In 2014, when the NATO ISAF mission came to an end, this market produced a value which exceeded 3 billion dollars. And still today the income generated by poppy cultivations and drug trades, exceeds 50% of the country's legal GDP. Of course this income mostly favours insurgents, who live on the takes payed by the farmers. According to a Survey carried out by the United Nations Office on Drugs and Crime³⁵⁶ (UNODC) in 2018, 36% of poppy cultivation villages paid at least 5% of the income value in taxes to anti-governmental forces. In 2018, 29 million dollars were paid in taxes (and the fact that these groups collected, and continue to collect, taxes from other sources as well, such as regular agricultural production, should not be disregarded either).

³⁵⁵ Cordesman, A..

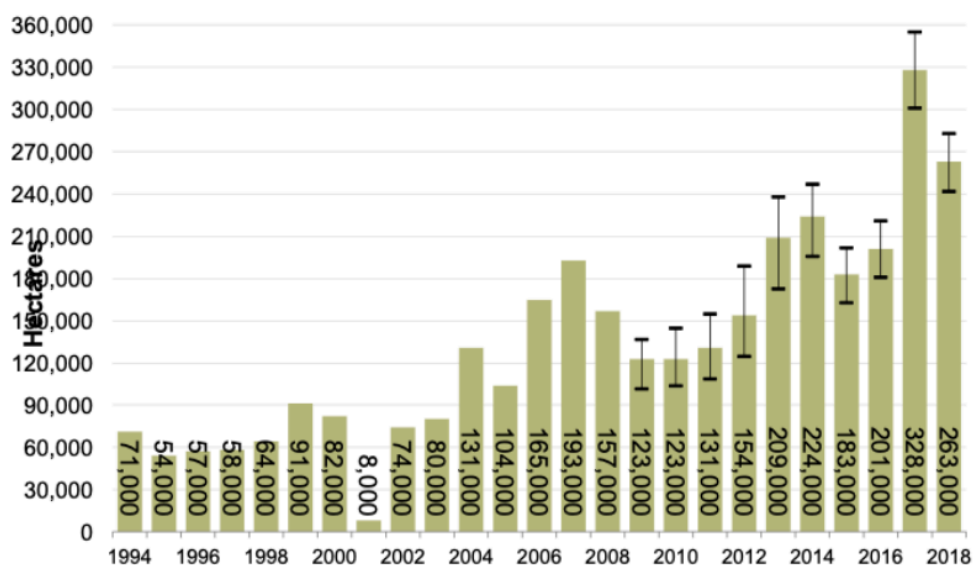
³⁵⁶ *Afghanistan opium survey 2018: challenges to sustainable development, peace and security*. United Nations Office on Drugs and Crime Research, July 2019.

Another consideration should be made at this point: the difficulty in eradicating this parallel economy lies in the contribution that the poppy cultivation makes to the population. According to the same UN study, poppy cultivation provides 411,000 full-time jobs which, if compared to the size of the Afghan Security Forces just mentioned above, exceed by almost 100 thousand the security forces in the country (in 2017 the total number of Afghan Security Forces was 336,942 people). This economic and social dependence is difficult to underestimate, and the graph below (12), which shows the trend in the poppy cultures between 2002 and 2013, demonstrates that regardless of the various security and financial interventions, positive effects were recorded only temporarily.

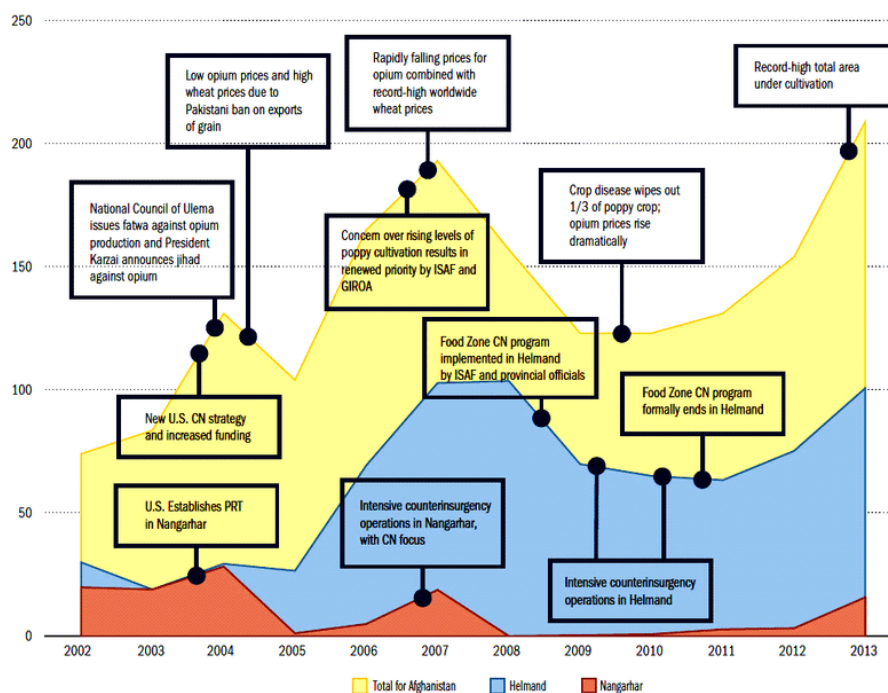
Despite the efforts and investments in countering narco-trafficking, this same graph shows that in a time-frame in which the NATO ISAF mission and the Afghan National Security Forces should have mostly been active in their dismantlement operations, the opium poppy cultures actually followed a positive trend (an increase).

Various military operations were carried out against the Taliban and against the Islamic State in the Khorasan Province (IS-KP), yet the latter remained resilient. The ongoing instability reduced economic growth, causing an already vulnerable population to be unable to withstand an environmental shock and even unwilling to undergo any sort of change, even if partially supported by the International Community. Many programmes have been organised by the International Community through the almost two decades of presence in the country: an example of the latter is the establishment of the 5 year programme (2013 - 2018) known as “Food Zone”, supported by the US Agency for International Development (USAID), which foresaw the implementation of legal alternatives to poppy cultivation in some specific areas, like for instance the Kandahar Food Zone. However, this programme only slightly mitigated the issue in the area. Another example is the military forces’ operations carried out by the Poppy Eradication Force which, together with measures implement by the local religious authorities (encouraged by the International Community), such as the issuing of Fatwas, have also contributed to the partial slow down of the growing trend. But such counter-narcotics programmes require long standing financial support and the continuous effort of the security forces. Unfortunately, such efforts, both financial and human, were not always regularly implemented because of the change in the priorities of the International Community. The result is that in 2018 poppy cultivation was at its second highest level since 2001.

- Graph 6: FLUCTUATION IN OPIUM POPPY CULTIVATION AND KEY EVENTS IN AFGHANISTAN BETWEEN 2002-2013 -



- Graph 7: OPIUM POPPY CULTIVATION IN AFGHANISTAN BETWEEN 1994-2018 (in hectares)-



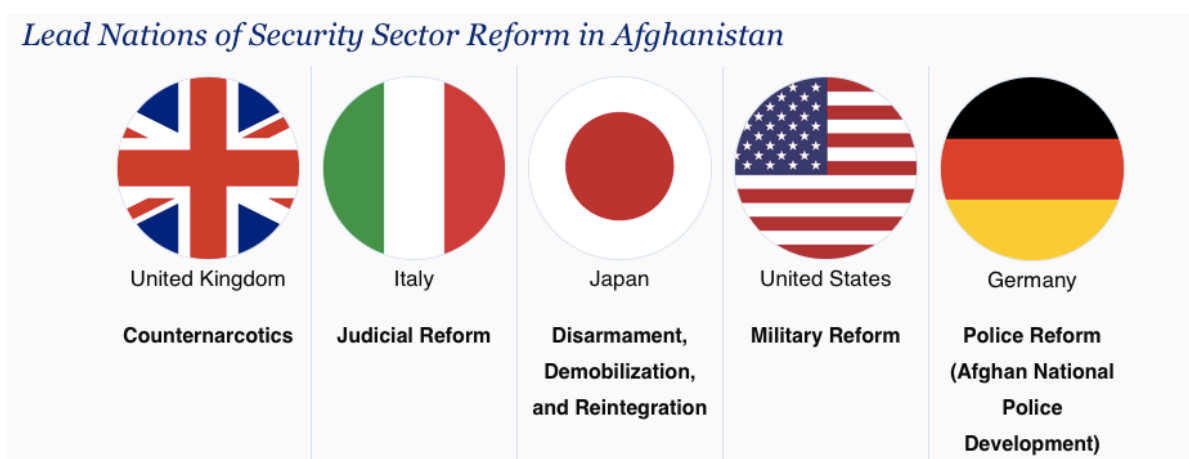
The above two graphs³⁵⁷ demonstrate, respectively, the fluctuations and the growth of the opium-poppy cultivation in the country between 2002 and 2013, despite the different counter-narcotics strategies and programmes and the overall growth curve in the actual number of poppy cultures.

³⁵⁷ *Afghanistan opium survey 2018: challenges to sustainable development, peace and security*. United Nations Office on Drugs and Crime Research, July 2019.

What we can conclude at this point is that all of the above listed security indicators have contributed to the volatility of the environment. In a highly vulnerable scenario, the International Community, and more specifically the United States, appear to have been more busy worrying about the Armed Forces than anything else, hence disregarding other factors which needed particular attention and a development programme along with the strengthening of the Armed Forces. The International Community believed that putting all efforts into quickly creating an autonomous security apparatus, able to deal with Afghanistan's internal problems, without a proper structural reform, would still be more effective than having international forces deployed on the ground for a long period. But the conditions were not ideal for such a plan to work, simply because the country lacked the first few steps of that state building "staircase", which we have seen to be vital for the entire process to work.

What also clearly appears at this point is that the state building process in the country was, evidently, an externally driven one, at multiple levels. International organisations, such as the United Nations and NATO, had missions established in the country (just like they had in Iraq), where single member countries took the lead and the responsibility of a single component of the state building process. Each country of the Coalition, as established during the Bonn Conference, was given a specific field of responsibility. The result of the partition of tasks is that the rebuild of the intelligence services was mainly led by the United States and more specifically by the CIA.

In any case, the below graph³⁵⁸ shows the distribution of the different competences and components of the Security Sector Reform among the leading nations of the International Coalition.



³⁵⁸ Special Inspector General for the Reconstruction of AfghanistanReconstructing: *The Afghan National Defense and Security Forces, Lessons from the US experience in Afghanistan, Chapter 2* (September 2017) <https://www.sigar.mil/pdf/lessonslearned/SIGAR-17-62-LL.pdf#page=33>.

Despite this, the responsibility for reform, at least on paper, was of course given to Afghanistan and its leadership. The International Community was very careful in officially declaring the Afghan Authority as the responsible party for the entire reform process, because the ownership had to be Afghanistan's. The reality, however, was different, not only because of the single nation led approach, which had been chosen as the "methodology" through which the country had to be supported. An important reason could be identified within the internal political dynamics. The Northern Alliance, which had slowly taken power all over the country, was in fact mostly engaged in political manoeuvres, drawing itself into the key ministries, through which it could exert power (such as the Ministry of Interior and the Ministry of Defense). Its role in the political arena of the country allegedly portrayed the process as an internally led one, but in reality this manoeuvred positioning of the Northern Alliance led to the creation of a non representative leadership. The Afghan ownership of the process was questionable.

Although the actual distribution of the responsibility may have seemed a useful way to "support" the provisional government, the outcome of such procedure was a complete lack of coordination among the different components of the security sector. A coherent and comprehensive policy was not applied. In fact, a lack of policy making for cross sector reforms quickly emerged. There was no overlap or parallel development of key sectors such as intelligence, for instance, and the judiciary and the police. And for a successful, independent, efficient intelligence service to operate, the coordination with the judicial authority is fundamental.

This lack of a comprehensive policy affected the reconstruction of the NDS in all its layers: in the recruitment policies, coordination and cooperation practices, accountability measures and regulations³⁵⁹. The Rule of Law was undermined, especially in relation to its role and function in defining the legal framework of the service, and no checks and balances mechanisms were developed. Furthermore, the extensive efforts of the International Community in building the Armed Forces and the Police did not leave much room for the appropriate development of the NDS, which at that stage could have supported the Afghan Authority and the Coalition Forces in the stabilization of the country. The following paragraphs will analyse these failures in detail.

The history of the NDS began with the need to make a clear break from the old organisation³⁶⁰: the legacies and negative image of the old apparatus were too strong and had to be dealt with. The initial response to rebuilding the NDS, as already mentioned,

³⁵⁹ Yasa, A.R..

³⁶⁰ Wardack, D.P., *Why the NDS Matters: the emergence of the Afghan intelligence Agency after 9/11*.

wasled by the CIA, just like in Iraq: the United States Special Operations Command Centre (SOCC), under the leadership of the United States' Central Command, was specifically tasked with restructuring both the Afghan Armed Forces and the NDS. However, an absence of integration and coordination between the two immediately emerged. When established, the NDS had to undertake to the Coalition's main target, identifiable with the ongoing conflict. Just like Iraq's National Intelligence Service (INIS), the NDS was established in a kinetic security condition.

From the start, the service lacked a proper organisation. The NDS was made independent from the Ministries of Interior and of Defence, and was placed under the direct responsibility of the President. All formalities and "democratic" practices were also taken care of, but the outcomes were not as expected. Although formally under the President's and the National Assembly's control, for instance, no oversight or control mechanisms were delineated. The NDS was still used as a tool for "single person's" purposes and interests and suffered from highly corrupt mechanisms. Its mandate was also not very clear. Its activity mainly concerned disruption operations rather than general stabilization and reconstruction. In other words, the CIA created an organisation able to formally and quickly restore the intelligence functions needed to support the war against the Taliban and al-Qaeda, but failed to put together an organisation able to self-sustain the comprehensive intelligence functions of a democratic state.

The CIA focused all establishing policies on its needs. For instance, since it needed the penetration capabilities and the networks of the former *mujahideen*, because they considered them to be an important node to fight terrorism, its intelligence operators followed the anti-Taliban relations built through their own intelligence networks and used those to recruit personnel for the Afghan intelligence service. Such criteria were, however, not enough to build a service *ex novo*.

As a matter of fact, the NDS soon demonstrated itself as being unable to collect high value information beneficial to domestic security, mainly because it was considered to have incapable personnel. The intelligence service could and should have played a significant role in providing real-time intelligence to NATO's International Security Assistance Force, for starters, but structural flaws were soon evident.

The recruitment policies were also certainly inadequate³⁶¹. More effort had to be put into the choice of the personnel that would constitute the country's intelligence apparatus. Not only did the CIA recruit under-trained and inexperienced personnel, but also placed officers who lacked leadership capabilities and professional qualifications in leading

³⁶¹ Yasa, A.R..

positions. Recruits were barely educated and poorly skilled, they had low technical knowledge and did not undergo proper training. Those who did have some expertise were former KGB trainees, previously trained by the Soviets or who had fought alongside the *mujahideen*, hence had different methodologies from the Western intelligence ones. The militant mentality of the personnel prevailed (and not only in the NDS). After all, most of the recruits were former *mujahideen*. Fighters were dragged from the the Armed, Police Forces and the Intelligence service because they were valuable in the fight against the Taliban. But this policy led to confusion, inefficiency and failure of the entire security system. The Western “work model” may have not necessarily represented the “best option” for Afghanistan’s intelligence service, but what can be agreed on is that choosing a standard to be applied at all levels, regardless of which one, may have been a valid starting point.

Another issue, in terms of personnel and recruitment, was the lack of ethnic diversity. No direct data is available on the ethnic imbalances within the NDS, but if we consider that it was established along with the Armed Forces, by the United States, and that similar policies were applied, just looking at the numbers of the ethnic distribution within the Afghan Army should be enough of an indicator of what the situation may have looked like inside the NDS³⁶². The below table shows the ethnic representation in the Army and in the Police in 2011³⁶³. Clearly, Pashtuns and Tajiks had a greater representation within the security sector, and the situation isn’t much different today. Such imbalance contributed to fostering suspicion from other groups and created obstacles for the accomplishment of a sense of national unity.

- Table8: AFGHAN NATIONAL ARMY AND AFGHAN NATIONAL POLICE: ETHNICITY -

	Pashtun		Tajik		Hazara		Uzbek		Others	
	ANA	ANP	ANA	ANP	ANA	ANP	ANA	ANP	ANA	ANP
Officer	42.4%	40%	39.1%	49%	7.9%	5%	4.5%	3%	6.1%	3%
NCO	51.8%	32%	38.2%	55%	9.6%	5%	3.2%	4%	1.5%	4%
Soldier / Patrolman	43.0%	47%	29.2%	35%	11.0%	4%	8.5%	7%	8.2%	7%
Total Force	45.7%	42%	33.3%	42%	10.2%	5%	6.3%	6%	5.8%	6%
National Avg	44%		25%		10%		8%		13%	

An initial conclusion is that there was an absolute need for clarity and to chose a direction, which did not seem to be a priority for the International Community. New intelligence gathering and assessment techniques should have been handed over by the CIA, which was fully capable of training Afghan intelligence officers on gathering information through human intelligence techniques. The NDS, in fact, still relies mainly on

³⁶² Special Inspector General for the Reconstruction of AfghanistanReconstructing.

³⁶³ Cornelius, F..

human intelligence, such as local farmers, shop owners, local businessmen, village leaders, who are all eligible targets of human intelligence operations. Unfortunately, given the economic and security conditions, the lack of a popular unified cultural identity, the lack of attachment to the country and/or the lack of a sense of service, such sources of intelligence cannot be considered reliable. If we combine all these independent variables with the lack of training, the lack of a homogeneous intelligence culture and character, the outcome is total confusion, flaws in the management and an overall poor quality of the job.

The NDS also lacked (and still does today) technical and scientific know-how, which explains why the organisation relies mainly on human sources. The foreign financial investment and support has not been sufficient to take the organisation to a good enough operational level, thus causing it to repeatedly cumulate failures. It failed in many aspects of the intelligence cycle also because a clear framework, a doctrine of intelligence and operational targets were never established. The aftermath and habits of the former service were never removed, thus creating mistrust inside the agency and in the relations with the sister agencies (from the Defence or the Police) and often confrontation too, causing political discontent³⁶⁴.

Moreover, along with the separation of competences between the different Ministries, a close-knit relationship and operational coordination did not follow and this, in a situation of instability, not only would be required, but would also be necessary³⁶⁵. As a matter of fact, open sources have often reported that on numerous occasions the NDS has been blamed for not adequately liaising with regional Commands or with the Ministry of Defence, and for providing un-timely and inaccurate intelligence. This lack of coordination has been proven to be the reason why failures, such as the capture of Kunduz, were registered. In light of the repeated intelligence failures, President Karzai frequently changed the leadership of the Service. This brought not only instability within the organisation, but also no significant change to their operations. Thus, domestic contentions between the NDS and the other security providers broke the trust of many political leaders in Kabul³⁶⁶. The relationship between the intelligence service and the State was practically inexistent.

Overall, the NDS lacked institutional capacities; the country had been overwhelmed by decades of conflicts and the gaps created by such wars were never really filled. Many

³⁶⁴ Piacentini, L., Masci, C., *HUMINT..Questa sconosciuta*, page 62.

³⁶⁵ Wardack, D.P..

³⁶⁶ Wardack, D.P..

inconsistent policies emerged because of this lack of coordination. In spite of the failures, it seems that no specific measures were taken, throughout the years, to improve. Although recruitment policies were enhanced and the number of employees in the intelligence sector was increased, these efforts were not supported by funds, infrastructures, training, resources or equipment. Furthermore, no identity was being built, and no intelligence culture promoted. The only “visible” change was the frequent dismissal of Directors (political manoeuvres), which only demonstrates political indecision and the overall inability of the decision maker to lead the intelligence body towards any direction.

The organisation was, and still is today, in need of a reform which should be a comprehensive one. The applied “universal reform model” had not taken into consideration the intangible factors so far mentioned, such as the lack of leadership, the poor education level and high corruption (to be added on top of the security conditions), all of which undermine NDS’ operability³⁶⁷. The three main pillars of an intelligence service in a democratic state should have been tackled: the decision-making level, the operational level and the enforcement level. Unfortunately, still today, the tree lack definition, synergy, and coordination. Intelligence failures can occur due to missteps in any of these three pillars, especially where solid bases are missing. Therefore, in such conditions, it is inevitable to think of the NDS as a useless tool in the democratization process of the country. Not only was the process not tailored to Afghanistan’s social structure, security conditions, needs and legacies, but it was not synchronised with the other security sector components. The Afghan Authority never took the ownership of the process³⁶⁸.

Although it is the main intelligence gathering agency in the country and it shares its information with the policy makers, the domestic counterpart, the international partners, as well as with local, provincial Police commanders, the result is that, the NDS is still a relatively passive, dysfunctional organisation and far from being efficient³⁶⁹.

It is clear that the Afghan government, in the most crucial phase of the transition, was unable to provide for the security of the society, at all levels. Law enforcement institutions did not have the control and the monopoly of power throughout the country and chronicle corruption of its personnel prevailed, because personal interests won over “the state’s interests”. The local population perceived the National Security Forces, especially the Police, more as a threat rather than a security provider and the intelligence apparatus was

³⁶⁷ Wardack, D.P..

³⁶⁸ Piacentini, L., Masci, C..

³⁶⁹ Wardack, D.P..

simply not considered reliable³⁷⁰. Just like in Iraq, not only did Afghanistan's intelligence service not support the state building process, but it took part in causing further security issues and instabilities. No trend of action can be defined when observed in parallel to Iraq's experience because, also in this case, the intelligence services have been absent. With a history of repeatedly committing the same mistakes, the government has yet to introduce pragmatic reforms in order to strengthen its intelligence sector.

April 14th 2021 can be considered a new landmark in the history of Afghanistan: the day the NATO Coalition declared its intention to leave the country by September 2021, after 20 years of presence. In recent years Afghanistan had already seen the number of NATO personnel drop from 120,000 (ten years ago) to around 10,000 (in 2019), which paved the way for what has officially begun on May 1st 2021. There have certainly been improvements and positive changes in the quality of the Afghan Security Forces since ISAF was established³⁷¹; the Resolute Support NATO Mission (which begun in 2015), for instance, has had in the last year a more limited role if compared to the previous NATO Mission in the country, thanks to the financial and training support that the Coalition has given to the Afghan Security Forces. However, this improvement cannot be considered "good enough" for the Afghan Intelligence Apparatus to autonomously provide the country's security. Although some progress had been registered in the last few years and an optimistic positive trend deriving from the negotiations between the Taliban and the Central Government had also been detected, it is clear that conditions on the ground are far from being stable. The Coalition's decision to finally leave the country comes at a time where the transition to a complete stabilisation is yet to be fulfilled. Is the timing ideal? The activity of the intelligence services (and of the Armed Forces as well) is being hampered by internal attacks, which have further increased since the beginning of the last phase of the retreat (May 1st 2021).

As we have seen, insider attacks have the potential to negatively influence the political landscape of a country, and Afghanistan's is still very frail. As a matter of fact, the insider threat, which is both a tactic used by the enemy and a cultural habit due to the complex demographic structure previously highlighted, is still real and evident. In the past, the joint work between the ISAF forces and the Afghan National Security Forces surely helped mitigate, the "residual risk" towards those involved in the reconstruction process. However, how will the situation change now that the deterring factor (the ISAF forces) will no longer play such role in the country?

³⁷⁰ Jalazai, M.K., *Reforming the Afghan Intelligence agencies*.

³⁷¹ Long, A., *After ISAF: partners and proxies in Afghanistans after 2014*, pages 22-38 (2016).

The prediction is that the Taliban, which have already proven their intention and capability to resurge, and the other militant forces active on the ground, will not easily cease to fight to gain territorial control and will hence continue to intimidate the population, carry out terrorist attacks against State forces and pursue “black economy” markets through all sorts of illegal activities. Only a truly efficient intelligence service would be able to prevent or perhaps even neutralise such activities and therefore positively support the remaining stages of Afghanistan’s democratic transition. Unfortunately, given the facts and the current conditions of the Afghan security apparatus, let alone of the intelligence services, it is not too daring to say that the Coalition's decision to leave Afghanistan will most likely take the country back to *deja vu* .

7. CONCLUSIONS.

7.1. Comparing the two case studies.

As we have seen throughout the previous two chapters, the two cases have been chosen as a comparative study because they share traits beyond the objective fact that both have been under severe conflicts, state failure and a reconstruction process.

Both Iraq and Afghanistan are characterised by a complex and hybrid society, strongly reliable on religious traits and tribalism, a fact which has been at the basis of the research and of the comparative development. Evidently, both countries have been under several regimes and have fought for their freedom, but unlike others in the broader Middle East, where non-state institutions have fought to achieve national liberation and have participated in the establishment of a new social system (regardless of the chosen “new” form of state), this has not been the case for Iraqi and Afghan non-state institutions. As a matter of fact, although the latter may have undergone some social evolution throughout the years, the traditional social structures (tribes and village communities, along with everything that derives from them) have not fully adapted to or integrated into the newly established States; on the contrary, they still autonomously determine and affect the social nuances of their population.

These traditional structures condition state functions often through the mediation activity of informal local authorities/leaders, which follow their own Rule of Law (i.e. the *Pashtunwali* Code or specific interpretations of the Shari’a Law linked with tribal habits). Regulations are often exploited by the tribal leaders in power (who pursue their personal interests rather than the State’s), who are favoured by the existence of previously well-established networks. These, as we have seen in the previous sub chapters, have not been effectively dismantled (and not even tackled) when the “new” Iraqi and Afghan States were being designed.

Afghanistan is certainly a unique case because of the multi-tribal social composition, which is undoubtedly more complex than the Iraqi one. What is also evident, unfortunately, is that the State established by the Coalition Forces after the US invasion, has tried to impose its legitimacy on the basis of codes that are not broadly recognised. The majority of the population has failed to accept the latter because it is considered to be far from the peasants’ world and from the tribal *Pashtunwali* Code, which has been well embedded during the many years of the Taliban rule. This *Pashtunwali* code is considered to be above even Islamic Law and because of the incompatibility between state law and rural

cultural traditions, Afghanistan's recent history can only be characterised by multiple revolts against the central power. The State has failed to penetrate the different social strata because it has imposed its Rule of Law without harmonising it with the existing strong tribal traditions.

Iraq, on its part, has not done any better. The Coalition Forces failed, since the very beginning, to create an inclusive State which would embrace the different religious and ethnic components. National reconciliation was never fully achieved and the strong de-Ba'athification policies only contributed to creating a more divided environment, where marginalisation prevailed over unity. Such marginalisation is perhaps the reason why the terrorist group, the Islamic State, emerged, gained initial popular consent and took control of part of the country's territory. Its defeat has left the country in a state of confusion and has further marginalised those communities which had been under the rule of Daesh. Reconciliation therefore remains a crucial aspect of the country's path to stabilisation. The choices made by the ruling elite fuelled the growth of mistrust among parties and favoured the activity of the extremist groups; Iraq cannot afford to make the same mistake today and if it does not want reconciliation to be a cause of instability in ten years' time, it should intervene to bringing communities to peacefully coexist once again.

The religious and tribal/ethnic components have not only been at the basis of the study, but have also proven to be fundamental to the explanation of certain developments and failures within the reform of the security sector (and of the intelligence services as well), and their incapability to control and to secure the territory. Disassembling and then re-incorporating "traditional customary systems" into newly established centres of power is not a linear process, and this is true for all State functions, especially the security apparatus, which has a specific role in providing stability³⁷². Trying to forcefully incorporate tribal/local leaders in a newly established government, even when the intent was to give legitimacy to the "externally" formed government, has not produced the expected results, neither in Afghanistan nor in Iraq³⁷³. The approach has in fact been counterproductive in both cases because tribal leaders have often proven to be unwilling to cooperate with the Central Authorities.

When an old governance fails to be integrated and to cooperate with a new one, it is inevitable for political instability to arise. The case studies have demonstrated that this instability and the power vacuum that derived from it (along with other factors which we

³⁷² Boege, V., Brown, A. page 8.

³⁷³ Boege, V., Brown, A..

have analysed), have favoured the emergence of new entities to which society has inevitably turned for support. The disregard for strong social, ethnic and confessional components and the clashes that follow because of this are the reason why phenomena like *jihadism* or insurgency emerge, even while a state building process is formally undertaken and supported (financially and militarily) by third parties. If we take a look at all the "Islamic Emirates", for example, which today hinder stability in the "hosting" countries (not only in Iraq and Afghanistan but also in Syria and in Northern Sinai, just to mention a few), we notice that the common factor lies in the localisation of their activity: they flourish in those tribal areas far from the State's control, where state organisations fail to reach their influence and functionality³⁷⁴.

The terrorist groups which operate in these areas normally fight the ruling government through the use of jihad and by exploiting tribal networks. There is nothing new in such a practice, since the latter is not recent history but dates back to at least the Colonial times, when jihad was used as a tool for resistance and freedom fighting³⁷⁵. The concept and practice has however since then evolved and the targets and scopes of jihadism have deeply changed. What has not changed is the fact that tribes often represent a safe heaven for these phenomena, allowing jihadists to find support in societies. Although the customs, the laws and tribal beliefs do not match with jihadism and the differences are instead deeply rooted in society practical reasons and common end-states have proven to be a good enough reason for those differences to be appeased and to bring these two components to cooperate.

The reform of the institutions in Iraq and in Afghanistan, especially of the security sector, should have addressed the above mentioned challenges and should have tried to promote a new state-centric culture where all parties would feel equally represented and engaged in the process. The advantage of such a posture lies in the fact that bringing the population on the side of the institutions and against non-state actors is an effective way of supporting state apparatuses, like the intelligence services, in their role as security providers.

The fact that, unlike Iraq, Afghanistan has never had a culture in State institutions, not even passed on from the previous regimes which have ruled the country, makes the two cases partly different and puts Afghanistan in a position of further disadvantage. Although building institutions *ex-novo* may at first seem an advantage, *de facto* a lack of

³⁷⁴ Collombier, V., Roy, O., *Tribes and Global Jihadism* (2016), page 2

³⁷⁵ Collombier, V., Roy, O..

culture makes it even more difficult for a society to accept radical changes in the social structure and in its governing bodies. Building such culture requires an effort on education processes and a comprehensive bottom-up approach in the building of the institutions.

The mere state-centric approach may not be the most suitable one to determine what really contributes to a political stabilization; it is more important for the situation on the ground to be closely evaluated. Both Iraq and Afghanistan have been, and still are, “weak states” (by which we mean fragile and lacking in certain State functions, just as described in the previous chapters) because general reform procedures were implemented instead of *ad hoc* ones. This approach has been applied to all institutions, and intelligence services have not been exempt from such a mistake.

At the beginning of this research paper, a set of questions were posed, because they included important concepts that differentiate a functioning intelligence service from an “inefficient” one. The questions were:

- whose interests did the intelligence services in the post conflict time serve?
- what was their purpose and function?
- were they reformed to serve the greater interests of the newly established State?

These three questions address the principles which represent a democratic state, extended to all its functions and tools. Given that the intelligence services are the propellers of domestic and external security and a tool in the hands of the decision maker, for the promotion of the national interests, answering these questions should help determine whether their reform process has responded to the democratic principles of accountability, efficiency and transparency.

As we have seen in the previous chapters, these organisations have indeed undergone different reform processes but have proven to be unable to effectively perform the way an intelligence service should (in a democratic country), and this for a different set of reasons that range from the conditions under which they were reformed/established, to the regulations that define their status. The following paragraphs aim at answering the above questions, taking into account these conditions. Looking at the traits and at the similarities which have emerged throughout the previous chapters will help us understand the reasons behind the failures of the International Community, and of the “new” institutions, in establishing their intelligence services.

From the analysis of the evolution of the intelligence services, before Saddam and after (as far as Iraq is concerned) and before the Taliban rule and after (for the case of Afghanistan), and from the observations made through the evaluation of common variables, identified in the two chapters pertaining the single case studies, the following

common elements have emerged, which should also answer the above three questions.

To begin with, when state building procedures were initiated, both countries were still dealing with internal turmoil. A complete ceasefire, which is a fundamental condition for the process to be successfully undertaken, was never accomplished. Clashes between state institutions and non-state actors persisted even after the removal of Saddam from power (in Iraq in 2003), and after the end of Mullah Omar's rule (in Afghanistan in 2001). Both countries remained in a continuous state of instability.

The fact that clashes between state institutions and non-state institutions persisted led to the failure in achieving another important trait of a reconstruction process: reconciliation. The various communities (regardless of the tribal, confessional or ethnic identities) were unable to peacefully coexist because of the legacies of the previous regimes which were not properly addressed. The social conflicts endured and have contributed to the emergence of security challenges, namely terrorist groups (the Islamic State of Iraq and the Levant and its Afghan Branch of the Khorasan Province), which have put the intelligence services under a lot of pressure. This pressure applies both to the host nations and to the third countries supporting the state building process. Even almost 20 years after the conflicts which removed Saddam's and Mullah Omar's rule, the lack of reconciliation is affecting social stability and obstructing the state building process.

Another common element which has emerged pertains to the environment in which the intelligence services were addressed. Reforming or attempting the creation of intelligence services where destabilising factors prevail, which range from social, to economic, to military, has demonstrated to have hindered, more than once, the entire process, slowing it down and affecting its outcome. The different insecurity indicators have been analysed, for both case studies, in relation to the effects produced; although some indicators have proven to have a more deterring effect in one case than in the other (let us think of the parallel illegal economy deriving from the cultivation of opium, which contributes to the operational capabilities of the Afghan anti-governmental forces), the overall effect and consequent results are the same.

Alongside the environment, the analysis of each case study has also shed light on the importance of legacies during the transition phase. The intelligence services in the previous regimes, in both countries, have in fact strongly affected the perceptions of the population, which still view with mistrust the role of such organisations. Both countries are characterised by a legacy which sees, in its past, strong, brutal and unaccountable secret services, serving the interests of the elite and persecuting any regime opposition.

Removing such negative legacies and ideas from the minds of the population, and

reaching a broad consensus and acceptance, is one of the greatest challenges, which has yet to be fully achieved.

What also has yet to be achieved is a popular unity. No real effort has in fact been made to overcome sectarian divides and the sense of ethnic, confessional belonging. The mindset of collectivity has yet to change. Ethnic members still report directly to their religious or tribal leaders because a “central state” culture is still very weak (especially in Afghanistan), if not yet perceived at all. Even weaker is a shared intelligence culture, not only by the intelligence operators themselves, but also by the population which is very distant from the intelligence community.

This is probably also because, as we have seen in both case studies, both the Iraqi National Intelligence Service (INIS) and the National Directorate of Security (NDS) were first re-established to serve the interests of the third parties present in the country (the United States, NATO and the Coalition Forces) and not of the population; priority was indeed not given to an overall support of their democratisation process. The fact that the initial phase was not a domestically driven one and that it did not serve the national interests of the new institutions, projected (in the eyes of the population and of the opposing political parties) a mistrustful image of the intelligence services right from the start. While this image has been slowly and partially cleared as far as the Iraqi intelligence services are concerned, the same cannot be said for the Afghan ones, who are still viewed negatively by the population.

Furthermore, another aspect to take into consideration is the fact that intelligence services have not been built ex novo, although it may appear so (at least on paper). As we have seen, third parties have only partially rebuilt these organisations, often simply focusing on changing the name, drawing a new set of regulations, and appointing the “right person” for the job (to lead the service), without actually dismantling the old, deeply rooted networks, tied to the old legacies. We have also seen personnel from former regime organisations being re-employed (probably for practical reasons), or new employees hired without any expertise or experience, creating a chaotic environment. Although training has been carried out, again a common intelligence culture has not been promoted.

Furthermore, the fact that a common intelligence culture was not promoted did not allow for the religious and ethnic divides within the intelligence organisations to be addressed. Personnel was at first recruited on the basis of ethnic belonging. In the case of Iraq, it took some 10 years for such limits to be completely overcome and for a comprehensive organisation to be seen. Afghanistan is still far from such a reform. However, some critical issues still exist in both cases: no recruitment is possible, for

instance, if there is no affiliation or link with influential people or with active intelligence officers. Recruitment for employment in the intelligence services, therefore, still remains a politicised procedure. Attempts to achieve diversification and transparency, and to distance certain procedures from old legacies, have not been very successful either. Despite everything, Iraq is way ahead in that path (compared to Afghanistan) because its Services have collected some successes and have gained the appreciation of the population, especially in the fight against Daesh. The Afghan intelligence service, on the contrary, is still very detached from the society and has to deal with popular mistrust and suspicion, also deriving from the political class.

Intelligence services in both countries have also witnessed cases of corruption, where preferential treatments and nepotism prevailed. Overall, both countries' institutions are still considered highly corrupt. The embezzlement of international funds destined to reconstruction is just an example of such corruption. The intelligence services, unfortunately, have not been exempt from such a trait. There have been cases, for instance, of dissidents leaving the organisations to join extremist networks for financial reasons (since the salary in the intelligence services was considered to be too low); this is just one of the examples of corruption prevailing over the sense of duty. Iraq has partially addressed the issue by implementing favourable reforms in the salary of its personnel. Afghanistan, instead, still faces the problems of high corruption and embezzlement.

Another evident common aspect is that, for many years after their establishment, both the INIS and the NDS relied (not only economically and logistically) on external actors. Despite the ongoing presence of the United States, and the privileged relationship with the latter, Iraqi intelligence is today considered to be autonomous but still faces issues in terms of budget and resource allocation. The Afghan NDS, on the other hand, has been formally free from any external interference, especially since the departure of NATO Forces in 2014³⁷⁶, but has also since then proven to be incapable of fulfilling its duties and unable to reject external influences. Furthermore, the presence of foreign troops on the ground has been an important indicator for both case studies; it has allowed for the general security situation on the ground to be fully understood. In fact, generally speaking, troops deployed in country's territory, as we have seen, can have a double effect on the psychology of the population: a big number of visible troops may convey a sense of protection and safety; that same number of troops, on the other hand, may convey the feeling of insecurity, making "insecurity" proportional to the number of deployed troops. This level of perceived insecurity, in countries where a lack of intelligence culture persists,

³⁷⁶ Long, A., *After ISAF: partners and proxies in Afghanistan after 2014* (2016).

is automatically passed onto the intelligence services as well. The foreign presence, in the eyes of the population, is directly proportional to the degree of control over all security institutions, including intelligence, hence contributing to the popular mistrust towards these organisations. This seems to have been the case both in Iraq and in Afghanistan.

Despite the clear mandates, statutes and definition of the governmental/ministerial Authority responsible for each intelligence agency, their activity lacked a coordinating body in both countries. After the separation of competences between the different services (whether military or civilian, internal or external and so forth), a close-knit relationship and operational coordination did not follow, and the operating areas of one service often overlap with the other intelligence service from the Ministry of Defense or from the Ministry of Interior. As we have seen, in a situation where instability factors prevail, not only would such a coordination be required, but it would also be necessary. This lack of coordination has led to inefficiency, redundancy and to a waste of resources and it has been proven to be the reason why intelligence failures were registered. Therefore, the relationship among services, their interactions, a coordination and the distribution of their competences are all poorly defined by the Legislator and the governing authorities. Although, as per the relevant statutes, the intelligence services of both countries are formally subject to judicial operational authorisation, their control mechanisms are very unclear and not transparent, and as we have seen in the initial chapters, control mechanisms are crucial for impartiality and for the checks and balances of the activity of any intelligence organisation³⁷⁷.

Both case studies have also shown that while great importance has been given to the reform of the Armed Forces, right from the beginning, intelligence services were not immediately taken into account. The International Community seems to have concentrated its efforts mainly on the Armed and Police Forces, ignoring intelligence bodies which, instead, were in great need for funds, training and reorganisation. When it comes to intelligence services we could say that it should be imperative for the management heads to run a pre-simulation assessment before initiating any operation. Certain failures (such as understanding the operation, the agency's ability to conduct, coordinate and cooperate with the various actors on the ground) and the deficient dissemination of information, occur because of the inadequate training of the officers and of the intelligence operators. The few experienced intelligence officers operating within the services, and the CIA's inability to train and to recruit efficiently, has left the organisations with no choice but to employ Soviet trained officers or former Ba'athists. In order to make the two intelligence agencies effective and professional organisations, policy makers should have focused their attention

³⁷⁷ Wilson, P., *Analysis: The contribution of intelligence services to security sector reform* (2012).

on their training and their recruitment policies.

Although great importance was given to the reform of the Armed Forces both in Iraq and in Afghanistan, the two cases have shown that rather than a comprehensive state building process, the International Community conducted training missions and re-equipment programmes. NATO Counterinsurgency strategy, for instance, was supposed to securitise the Security Sector, distinguishing it from mere training, which however did not happen. Furthermore, the analysis of both cases inevitably leads us to question the orthodox Security Sector Reform model. This is because its basic principle, according to which individual security should be provided for immediately, and only at a later stage a long-term peace process initiative should be applied, appears to not have been the most appropriate one for either country. Although literature and concrete cases have shown that such principles may be effective when applied to the function and work of the armed forces, and in some cases to civil society as well, can this same principle also be applied to the intelligence services?

The initial posture of the International Community with regards to the intelligence services has been another important trait and commonality between the two cases: as a matter of fact, it has evidently been a mistake both in Iraq³⁷⁸ and in Afghanistan³⁷⁹. This, and the following inability of the political class to give “a direction” to the reform and a consequent mandate to the intelligence apparatuses, has contributed to their flaws and failures which, as we have seen, have driven the two countries into further instability. Examples of such failures are the Islamic State’s takeover of Falluja and Mosul (in Iraq) in 2014, from where it then extended its Caliphate, and the 2015 Kunduz attack (in Afghanistan), after which the Islamic State’s Province of the Khorasan entered Kabul and took over control.

The intelligence services of the two case studies, especially in the first stages of the state building course, have been unable to support the institutions in the stabilization process. This has been proven, first of all, by their inability to prevent extremist groups from taking control over certain areas of the country (especially in the long-term, between 2014-2017). 15 years into the democratization programme, Iraqi intelligence agencies have shown their progress and capability in securing the monopoly of power to some extent. Defeating the Islamic State and regaining control of parts of the land once lost to the terrorist group has been the main conquest which has proven to Iraqis (despite all

³⁷⁸ House of Commons Defence Committee, *Iraq: An Initial Assessment of Post-Conflict Operations*, Sixth Report of Session 2004-05.

³⁷⁹ Saikal, A., *The United Nations and Afghanistan: contentions in Democratization and State Building* (2012), *International Peacekeeping*, Vol. 12, Nr.2 .

existing internal issues) their capability as security providers. The same cannot be said for Afghanistan. Although al-Qaeda may seem to have been defeated by the United States' forces, the country still remains a battlefield. Taliban fighters still control large parts of the country and vast rural areas are far from being under the Afghan National Security Forces' control and are hardly penetrable by its intelligence. External actors are in fact stronger than State institutions and still condition the stabilization process and order. Although the State should be the main actor exerting power on the ground and working to "provide security", de facto the Afghan Authorities do not concretely express their influence and presence throughout the territory they claim to control. The war in Afghanistan is still ongoing.

Furthermore, what has emerged is that the intelligence services in either country have not been used as a tool to accompany the institutions in the democratisation process because the organisations were, and still are today, tied to the domestic political dynamics. Both the Iraqi and Afghan intelligence services are very politicised and are affected by the religious and ethnic divides, which still strongly condition the policies and political choices of the two countries. Although very influential within the decision making process, their role as mediators in conflict resolution has not emerged in any of the two case studies. Both countries are still in a precarious condition: the retreat of the foreign troops from Afghanistan will most likely exacerbate the security environment, especially because the quality of the Afghan Security Apparatus (intelligence included) is not "good enough" to allow it to operate autonomously (and this will probably become even more evident once the NATO forces have left the country by September 2021). As far as Iraq is concerned, on the other hand, it is plausible that NATO presence will increase in the coming years in response to the aftermath of the Islamic State. One thing is certain: the "monopoly of power" in both cases is at the moment farfetched.

The above observations have helped answer the questions raised throughout the study and will also help us draw the conclusions in the following chapter. At this point, one thing can be said: the overall success of the reform of the intelligence services in a post conflict scenario is strictly related to the feedback and to the effects that make the new institutions deviate from the "old" path. The intelligence apparatuses in both countries are still today working to obtain full civilian trust, recognition and acceptance, all necessary elements for the definition of that "feedback" which will determine their existence as "democratic" organisations.

7.2. Conclusive remarks.

As mentioned in the initial chapter of this thesis, the aim of the research has been to carry out a comparative analysis of the intelligence services of two countries, Iraq and Afghanistan, in order to try to define how their intelligence apparatuses have evolved during the post conflict reconstruction, and try to determine whether they have influenced or affected the stabilization and reform process of their country. The overall objective to give an account of the intelligence services in their function of statecraft, during the specific time-frame of post conflict reconstruction, has been met thanks to the development of the comparative analysis. The collected data, which has observed the interaction between the interested bodies and the newly established state institutions, has shown that, although intelligence services in both countries have played an important role in the overall stabilisation process without however being fully successful in undermining the identified instability factors, a standardised model for a “correct” reform and a proper exploitation of the intelligence services in the reconstruction of a state cannot be implemented.

As discussed throughout this research paper, intelligence services have a pivotal role in the functioning of the government of a democratic State, especially in a world where the constantly changing international relations impact a country’s strategy and internal and foreign policies. In order for the decision maker to make the most appropriate choices, in the best interest of the nation, he should always have at his disposal, and in advance, all necessary information which results from a valid intelligence cycle. Intelligence services are therefore the tool through which knowledge, needed to support the best possible decision of the governing authority, is produced.

It is unthinkable to have a State without an intelligence apparatus, regardless of its functions and structure. It should therefore be the State’s prerogative to make the most of it and to provide for the full integration of such bodies in the State apparatuses. Its role supporting decision makers and in ensuring the security and the interests of the state are reasons why intelligence services are such an important component of a modern democratic state. The main purpose of an intelligence agency is therefore the pursuit of internal stability, ad to support the foreign and defense policies of a State, through the identification and the countering of those threats which may range from terrorism, to foreign economic adverse initiatives, to cyber threats and so forth.

This concept should be at the basis of the accreditation of the role of intelligence services in all contemporary societies; the promotion of the “intelligence culture” should be

a priority and should be made compatible with the history and the experiences of the single country because not only does this bring the population closer to the institutions which represent it, but it also favours stability where other factors hinder it. This culture should be developed within the intelligence community first, then within the public institutions responsible for its activity and finally throughout the public. A positive impact on the public opinion automatically means that the structure of the intelligence body itself is stronger thanks to a democratic consensus.

In this last sentence lies the core of the research question. The purpose of the comparative analysis has been in fact to try determine whether this optimum has been sought, if not achieved, in the two analysed countries. This explains why factors such as historical background, cultural nuances, tribal and religious traits and social indices had to be examined. The evolution of the research is clearly represented by the chapters of this thesis which, in order for a comprehensive conclusion to be reached, had to be divided into two phases.

The phases of the research respectively correspond to chapters one to three, for the first phase, and four to six, for the second phase. The first phase has been necessary to introduce the topic and to lay the basis for the development of the case study. The theoretical dimension of the research paper has been defined in this section, along with the foundations of modern intelligence services and historical precedents of countries undergoing post conflict state building. This part has been fundamental for the definition of the gaps in existing literature, especially with regards to the focus chosen for this research, henceforth validating the purpose and usefulness of this paper.

As stated in the introduction, this research paper has explored areas that constitute current affairs, despite the specificity of the topic analysed. What has been concluded in this first section is that many authors have tackled the broader concept of State Building and Security Sector Reform, but most of them have failed to specifically include intelligence services when addressing actors involved in the stabilization process of the country (intelligence services, for instance, have often been addressed by most authors merely as a bureaucratic cog). The state of play identified at the beginning of the research demonstrates the lack of precedents and the originality of the approach chosen for this research. Some literature has of course been more relevant and appropriate than others, but all of it has been useful to help the identification of the general trend of studies developed in the “intelligence discipline”. The conclusion is that the intelligence field lacks the sort of specificity addressed by this research paper, hence the intent has been to fill this gap and to contribute to the current literature. Thus, the ultimate aim of this research

paper has been to try to compensate this gap in modern literature, by giving an empirical contribution.

The second phase of the research has been initially developed with what we could call a “bridge” section between the foundations and the core. Chapter four, for instance, looked at the practices of State Building and Security Sector Reform, underlying how the current doctrine and the broadly accepted connotations of such practices could not have been fully applicable to the study. This was because they lacked focus in the aspect which best responded to the research question, namely the intelligence services. A theoretical framework needed to be defined and this section has allowed us to do so; hence, once concluded, the core of the research has been developed upon it.

That is when the research units, the case studies, have been brought into the game. The two cases have been tackled first separately, through an overview of their historical background and of the key events that have affected the course of their history. This thesis has undertaken analysis of the data and of the relevant indices, most of which related to the intelligence services (their statute, actions and role), especially during the first years of the countries’ reconstruction. At this stage, the first conclusions were drawn and initial assumptions were made for each case study: upon those, a comparative analysis has been developed, which has resulted in the definition of the observations and of the conclusions in this final chapter, hence giving an answer to the research question.

Some important conclusions have been initially made just by looking at the results of the historical precedents, conclusions which must not be disregarded because when juxtaposed to the case studies, they bring out a number of mistakes made by the International Community from day zero. Among the first conclusions to be pointed out, the first one is that a fixed model for the reform of the intelligence apparatus of a state undergoing transition from a non democratic regime is almost impossible to define. Evaluating the models used to reform the intelligence services of the emerging democracies in Central and Eastern Europe, for instance, certainly has its value, but using the same model in current cases of post conflict state building is rather complicated for multiple reasons (which have been analysed in the previous chapters). However, the good news is that all cases share one fundamental aspect: the need to respond to security threats that affect the reform contexts (though in each case it may be in different ways). Furthermore, the amount of actual democratic control to be implemented, which naturally follows the need to respond to certain threats, should be ensured for operational efficiency, but may differ in degree from one case to another, depending on the cultural and social legacies of the country. This is another issue which makes reform not always a linear

process and as such, must not be underestimated.

As all other components of a democratic state, the reform of the intelligence services should not be considered in terms of a single “correct model”. The broad existing literature has in fact shown that during transitions from authoritarian to democratic rules especially in the Arab world where “hybrid regimes” tend to exist, the focus on “democracy” as an abstract political concept, or as a fixed political model, has not allowed for a peaceful political regime change to occur in first place. This is why authoritarian regimes have often endured. Treating all intelligence services of these countries with the same “focal lens”, with similar standards and replicable procedures, has been proven to be a mistake. Just as much as some definitions of democracy which would have seemed reasonable in the twentieth Century are no longer considered reasonable today, because the concept has very much evolved, the same flexibility should be applied to the notion of democratic intelligence services, especially during the transition phase of a state whose society is reliant on historical and cultural legacies.

What has also been immediately concluded is that, however, both Iraq and Afghanistan never actually ended the political struggle and a durable peace agreement has never been reached. This has affected the outcome of the entire process, especially in its initial stages, which is why for the purpose of this research it is more appropriate to consider the protagonists of these case studies as “emerging” from conflict or, in other words, as states engaged in a process characterised by a continuum, with advances and setbacks.

Another conclusion that can be reached from the analysis of the first pages of this research is that the historical precedents have shed light on lessons learned from other post authoritarian regimes, which seem to have been disregarded. As a matter of fact, what has emerged just by looking into past similar cases is that post authoritarian regimes should be tackled first by creating a solid legislature and then by establishing legitimacy and a popular consent. Before actually speaking about reforming all security providing institutions, in particular the intelligence services, a broader legitimacy should be achieved. In fact, the parliaments in transition are often unable to tackle the issue of the intelligence services’ legacy because of the lack of a solid legislature. This lesson already existed in literature, yet it seems to have been completely disregarded in the cases of Iraq and Afghanistan. The consequences of such failure, as we have seen, result in ongoing peace talks (even after twenty years), in a missed reconciliation, in a chaotic social structure, and in the popular mistrust of its security organisations, and more specifically of its intelligence services. The success of the process has been proven to be strictly related to the positive

feedback effect that make the new institutions deviate from the existing path. How do we then gain that civilian trust and the trust of all (diverse) local communities? The answer to this question seems to not have been a priority either for the International Community intervening in the two countries or for the local governing authorities.

These first conclusions have been crucial for the development of a more appropriate approach of analysis for the two case studies, chosen for this research paper because of their similar starting point after the war had torn their societies apart. Both Iraq and Afghanistan have in fact been dismantled by conflict and have had to rebuild their institutions from scratch. They both have similar cultural and social traits, which have made the comparison possible, and both have seen a third-party support in their reconstruction, without which, most importantly, the difficult process might have not begun in the first place. Both cases, furthermore, lacked functioning public institutions when the reconstruction begun, and were characterised by a high social fragmentation; these traits have made them perfect in terms of a comparative analysis, but have also shed light on the high complexity of these two scenarios.

This complexity has been further accentuated by the fact that Iraq, as we have seen from the conclusions drawn in the previous sub-chapter, is still far from being fully stabilised and the devastating effects of the Islamic State only partly justify such instability. Afghanistan, likewise, is also far from being secured; the central government struggles with the Taliban who have shown to be resilient and who are trying hard to gain a recognised role in the political arena of the country. The persistence of instability factors is strictly related to the fact that both countries are still dealing with highly vulnerable and highly fragmented institutions, another trait which has emerged throughout the comparative analysis. Although progress has been made, and it is undeniable, it has been proven that the institutions and administrations are still lacking in their capability to guarantee basic services to the population, especially if compared to the standards required by modern Western democracies.

Moreover, the fact that institutions in both countries are still relying on foreign/international presence, more specifically on the various (NATO and non) military missions and on the financial support that comes from them, for a minimum level of functioning to be sustained, indicates that the process of reconstruction is far from being concluded. Needless to say that even the intelligence services themselves are fully dependant on such foreign support, both in Iraq and in Afghanistan, which explains and partly justifies why it is difficult for these bodies to achieve operational autonomy.

What the comparative analysis has also demonstrated, as previously mentioned,

which partially matches the initial prediction in the first chapter, is that the intelligence services in both countries have been playing an important role in the contrast of those factors which constantly undermined stability in their countries; however, what has also emerged is that neither of them have proven to be successful in actually doing so. As far as Iraq is concerned, for instance, we could say that its intelligence services have reached a “good enough” level required by the standards of an effective reform during state building, but that the overall security conditions on the ground do not match the “good enough” requirements of that same process, hence indicating a commitment in undertaking a certain role, but a failure in ensuring the expected outcomes. On the other hand, while Afghan intelligence services are far from being at that “good enough” level, the security conditions on the ground have slightly improved, though it is still far from being stable. Unfortunately, the overall result is the same since a malfunctioning intelligence apparatus necessarily affects the security environment, and a fragile environment interferes with the performance of the intelligence bodies. What can be said, instead, both for Iraq and Afghanistan, is that the comparative analysis has brought us to the conclusion that their intelligence organisations cannot be considered able to play that “neutral role” which is required in the definition of intelligence services operating in a democratic State.

Therefore, we could say that the overall objective to give an account of the intelligence services in their function of statecraft, during the specific time-frame of post conflict reconstruction, has been met, and that the interaction between these bodies and state institutions has been thoroughly identified and analysed. The collected data between the two cases, nevertheless, did not specifically bring out a trend of action which could be used in the future as a standard model for a “correct” exploitation of the intelligence services in post conflict state building. But similarities, determined by the combination of certain variables, have been identified, and these allow for recommendations to be made, which should be taken into account when analysing other similar cases (and hopefully when planning future state building operations and intelligence services reforms).

Thanks to the flaws in the methods followed to rebuild both Iraq and Afghanistan, identified and described in detail in the previous sub chapter, recommendations and conclusions could be made on how the intelligence services of both countries should and could further progress in order to reach that “supporting role”. They could do so by following two main directions and dimensions: an internal and an external one.

The internal one is strictly related to its contribution to the maintenance of internal stability. In a case where instability prevails and internal conflict characterises domestic dynamics, intelligence services can look for ways to re-establish dialogue among the

actors involved in the internal conflict. The main objective, in such case, should be the realisation of a re-organisation of the social relations, which could support the reconstruction of an environment where parties coexist. Intelligence services should therefore serve as that neutral party, able to isolate, in a systematic manner, the reasons for conflict, developing options and evaluating alternatives which could lead to a broadly accepted agreement, able to satisfy the interests of all involved parties. An important emphasis should be given to the communication between the different ethnicities or religious creeds, which should be favoured, promoted and supported by the intelligence services. A cooperation protocol should be, for instance, established and should be taken care of by the Human Intelligence (HUMINT) component of these organisations, which is the most suitable for the definition of an effective communication with the population. The ultimate end, of course, is allowing the State institutions to finally enter the mediation processes once issues are appeased, and finally achieve a real reconciliation and cease fire. Considering that both case studies are still facing reconciliation issues, such intervention from their intelligence services would be more than welcome.

In both case studies, intelligence services have been unable to serve this function for three main reasons: first, because they were immediately dismantled regardless of whether such choice would have been the best option for the country; second, because a reconstruction did not immediately follow and an intelligence gap prevailed; third, because once rebuilt, intelligence services were too weak, corrupt and inefficient to exploit the networks and HUMINT techniques necessary to achieve the role of mediator. Consequently, the necessary mediation was carried out by external actors, distant from local dynamics, the reason for which such process was not supported nor accepted by the parties involved in the conflict.

A chance was clearly missed at the time, but intelligence services in both countries still have a chance, today, to help their state institutions in finally accomplishing the end of the conflict. Given the advantages represented by this “mode of action”, it could be easily considered as a reference model: this model, which finds its foundations in the establishment of the first step of the state building scale, which foresees a mandatory reconciliation phase and a collective intention to proceed in the same direction, could be considered a common ground for all countries undergoing post conflict state building.

As far as the external dimension is concerned, this mainly pertains the credibility of the organisations and of the State they represent. This credibility is necessary for the State to truly achieve and protect the sovereignty once powered by revolutions, invasions, conflicts, terrorism and so forth. Intelligence services should protect this sovereignty

through what is known as parallel diplomacy, giving priority to collective/ national interests and not to personal or tribal ones. Procedures and methodologies should be implemented so as to conciliate national interests with partner countries, and defuse tensions, not only with Western countries still engaged in the reconstruction of their institutions, but also with bordering states (like Iran as far as Iraq is concerned, and Pakistan for Afghanistan), which fail to conceal their real geo-political and geo-economic interests in the two countries.

Of course, in order to achieve both the internal and external functions, it is crucial for the intelligence services to achieve complete self-sufficiency as soon as possible. The function of these organisations is vital to prevent internal and external threats from interfering with the state building roadmap. Such process should of course be supported by a true political and democratic change. Only with such change then will the intelligence services be able to serve their country with loyalty, guaranteeing a secure environment, able to satisfy the national interests.

Intelligence services should finally work closely with, and in synergy with, the other security providers, although competences should be thoroughly distributed and respected. All intelligence bodies, located in the different ministries (Interior and Defense), should be placed under the responsibility of a delegated authority from the government, which should in fact favour synergy. This would result in no overlapping of competences, in the coordination of the activities, and in the sharing of information, hence in an overall efficiency. Of course, the activity should be overseen by a parliamentary control committee.

In terms of cooperation with other security providers, for example, border Police in Afghanistan is crucial for the control of the borders, for countering the trafficking activities and the illegal immigration. Intelligence services should work closely with them, should undergo specific training, for example in the field of economic intelligence or financial crimes, and should train personnel in order to counter corruption. In Iraq, on the other hand, all security providers should work on the same side, and avoid boycotting each others' operations, or try to prevail over the other and discredit the actions of one or the other security force.

The above recommendations and the twenty observations emerged from the comparative study in the previous sub-chapter, allow for the final conclusions to be drawn. At the beginning of this research thesis, three rhetorical questions were posed, which needed to be answered by the end of this paper. In their answers we find the conclusions to this study:

1. the newly established intelligence services both in Iraq and in Afghanistan failed to

serve the interests of the State because of the inner structural flaws and because of the flaws in the surrounding environment. These have influenced - and still do - their interactions with State institutions, hence affecting the outcomes of their work;

2. the intelligence services were re-established without a proper long-term vision. Where did the legislators and the decision makers see the intelligence services to be in 20 years time? What should they have looked like in order to be considered functional and efficient? How should they have been established in order for the machine to be autonomously working in the long-run? What appears to have happened, instead, is their establishment in response to “immediate needs”, something which would have been acceptable, in an initial phase, were those needs to be mostly the population’s. The above pages, however, clearly demonstrate that the latter has not been the case and that intelligence services of both countries have been adjusted according to the needs of the “third parties” involved in the reconstruction processes, which leads us to the third conclusion;
3. the intelligence services were used as a tool to serve actors involved in the post conflict state building process, whose interest did not necessarily match with the “greater interests” of the democracy protecting bodies (organisations which the intelligence services should serve).

The institutions should therefore strive for the accomplishment of the basic principles applicable to intelligence services, identified in the initial pages and proved to not have been achieved during the reconstruction or the transition period:

1. intelligence services should be free of any external control. Although in the two case studies the intention to eventually remove foreign forces exists, this should be accompanied by a project, a plan, adequate training and support. Before the departure of the “supporting actors”, the change should come from deep within the organisation;
2. the reform of the intelligence service should be a locally owned process, and we have seen this to be especially crucial for the achievement of the third point;
3. the intelligence services should be accepted and acknowledged by the population: without this acceptance, stability cannot be reached, a proper support to governing authorities cannot be ensured, and one national view can never be obtained.

The fact that the above principles have not been attained resulted in the following: although having defeated the Islamic State or the Taliban and al-Qaeda, Iraq and Afghanistan still remain a battlefield. Iraq is still dealing with the aftermath of Daesh and the relative reconciliation issues; Afghanistan, on the other side, is still dealing with Pakistan sponsored terrorist factions, and with the rise of the Taliban, which are inducing

violence on the streets. We can therefore easily affirm that the situation is highly precarious.

The stabilization of both countries should be addressed, even today, with priority by the International Community, despite the recent decision of the international Coalition to leave Afghanistan. Both cases have always been regarded as having a considerable impact on the security of the Western world, and in particular on NATO countries, and this is mainly because of the contribution that their local insurgencies have brought to international terrorism. NATO has in fact always identified terrorism as one of the imminent threats to be tackled by the North Atlantic Alliance. However, despite everything, Afghanistan will soon see the 20-years long presence of NATO troops on the ground come to an end, despite a political solution not being reached yet and the country still undergoing a peace process. Iraq, on the contrary, will probably see a growing presence of the NATO forces because of the residues of Daesh. Training and education programmes will of course be the core of the NATO Mission in Iraq through an advisory, training and capacity building mission (established in 2018), which mainly aims at preventing the return of the Caliphate. The long term objective is to have Iraq's security sector stable and, more importantly, an intelligence service able to act autonomously and able to overcome the difficulties caused by terrorist groups like Daesh. The terrorist threat in Iraq has not yet been completely overcome. Afghanistan, on the other hand, had registered some progress in that sense until April 2021, but recent events have caused a set-back in progress. Intra-Afghan negotiations are of course still ongoing and the hope is that a reconciliation will soon be reached; unfortunately the reality is that the conditions on the ground are still somewhat alarming.

The auspice is to soon see both countries stabilised and to see their institutions and their intelligence services properly functioning, in line with the precepts of the "good enough" levels required by the ultimate stages of post conflict state building. The current conditions, however, indicate that it is still too early to speak of a complete stabilisation, and even less of a military withdrawal (of the international forces) and the consequent achievement of the required "monopoly of power" by the governing authorities.

BIBLIOGRAPHY - Primary Sources.

- Bonn Agreement (5th December 2001). Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions.
- Crs Report for Congress (March 2004). Afghanistan: Post War Governance, Security and US Policy.
- Crs Report for Congress (June 2008). Measuring Stability and Security in Iraq.
- House of Commons Defence Committee, *Iraq: An Initial Assessment of Post-Conflict Operations*, Sixth Report of Session 2004-05.
- International Organisation for Migration (IOM - 2019). Compendium of Projects 2010-2017, *Disarmament, Demobilisation and Reintegration*.
- International Organisation for Migration (IOM - 21 August 2019). Iraq Mission, Displacement Tracking Matrix.
- Iraq Index Tracking Variables of Reconstruction of Security in Post-Saddam Iraq. September 28th 2006. The Brookings Institute.
- International Republican Institute, "Survey of Iraqi Public Opinion, June 14 – 24, 2006".
- Miller M.: Plain Speaking 1974 (oral biography).
- OECD, (June 2011). *Supporting State Building in Situations of Fragility and Conflict: Policy Guidance*. Policy Brief.
- Report to Congress (March 2008). *Measuring Stability and Security in Iraq*. In accordance with the U.S. Department of Defense Appropriations act 2008.
- Republic of Iraq, Council of Ministers, Counter Terrorism Service, *Iraqi Counter Terrorism Strategy, 2008–2012, Summary*, 5.
- United Nations Office on Drugs and Crime Research (UNODC) - (2014): Afghanistan Opium Survey.
- United Nations Office on Drugs and Crime Research (UNODC) -(July 2019). *Afghanistan opium survey 2018: challenges to sustainable development, peace and security*.

- UN General Assembly Resolution N. 1514, 1960.
- U.S. DOD, *Measuring Stability and Security in Iraq*, November 2006, Report to Congress in accordance with the Department of Defense Appropriations Act 2007 (Section 9010, Public Law 109–289).
- US Department of Defense, Report in Progress Towards Security and Stability in Afghanistan - December 2012 - Report to Congress.
- Hansard, Parliamentary Reports UK (www.hansard.parliament.uk)

BIBLIOGRAPHY - Secondary Sources.

- Abbas, H. (March 2008). Reform of Pakistan's Intelligence Services. Weitendost publication.
- Ada, W. Finifter Ed. (1993). *Political Science: the State of Discipline II*. Washington D.C. American Political Science Association.
- Addison, T. (2003). *From Conflict to Recovery in Africa*. Oxford University Press.
- Al Bayan Centre for Planning Studies (2016). *National Reconciliation in Iraq: a comparative study*.
- Al Marashi, I. (2003). *An insight into the mindset of Iraq's security apparatus*, Intelligence and National Security, Vol 18 Nr. 3.
- Al Maresli, I. (2002). *Iraq's Security and Intelligence Network: a guide and analysis*. Middle East Review of International Affairs.
- Al Ruhaimi, A. (2014). *The Da'wa Islamic party: origins, actors and Ideology*, in Modern Middle East Authoritarianism, Routledge.
- Ansorg, N. (2017). *Security sector reform in Africa: donor approaches vs local needs*, Journal of Contemporary Security Policy.
- Ansorg, N. and Gordon, E. (2021). *Co-operation, Contestation and Complexity in Post-Conflict Security Reform*.
- Aravena, R. (2005). *Security System Reform in Latin America and the Caribbean*, in OECD Security System Reform and Governance. DAC Guidelines and Reference Series.
- Asey, T. (2019). Former Afghan Deputy Minister of Defense and Director General of the Afghan National Security Council, *Making Intelligence Work: A call to Reform and Re-organise the Afghan Intelligence Community*, Small Wars Journal. <https://www.smallwarsjournal/jrnl/art/making-intelligence-work-call-reform-and-re-organize-afghan-intelligence-community>
- Asia Foundation (July 2004). *Voter Education Planning Survey, Afghanistan 2004 National Elections*.

- Baas, M., Jennings, K. M. (2005). *Insecurity and development: the rhetoric of failed states*, European Journal of Development Research. Vol. 17, Nr. 3.
- Backer, D. (2004). *Cross National Comparative Analysis*, in Chapman, A. H van der Merwe & V. Baxter (Eds), *Assessing the Impact of Transnational Justice: challenges for Empirical Research*, Washington, DC: USIP Press. March 2007.
- Baram, A. (1998). *Building towards Crisis: Saddam Hussain's Strategy for Survival*, Washington Institute for Near East Policy.
- Barnett, R. (2002). *The Fragmentation of Afghanistan*, Yale University Press.
- Bay, S. (2009). *Intelligence and State Building: the case of Kenya*. LUND University.
- Bennet, G., *Iraq's Security and Intelligence Structures: More Problems*, Conflict Studies Research Centre (May 2006).
- Biddle, A. (May 10th 2011). *Long Term Goals of Afghanistan and their Near- Term Implications*. Statement before Senate Foreign Relations Committee.
- Bradsher, H. (1999). *Afghan Communism and Soviet Intervention*, Oxford.
- Boege, V., Brown, A., Clements, K., Nolan, A. (2008). *Hybrid Political orders and emerging States*, Berghof Research Centre for Constructive Conflict Management.
- Bogdandy, V. and Wolfrum, R. (2005). *State Building, Nation Building and Constitutional Politics in Post Conflict Situations: Conceptual Clarifications and and appraisal of different approaches*. Yearbook of the United Nations Law, Volume 9.
- Born, H. and Leigh, I. (2007). *Democratic Accountability of Intelligence Services*. Geneva Centre for the Democratic Control of Armed Forces, Policy Paper 19.
- Born, H. (2009). *Security Sector Reform in Challenging Environments: insight from comparative analysis*. DCAF Publications.
- Born, H., Loch J., Ian, L. (2005). *Who's watching the spies: establishing Intelligence Services accountability*. Potomak Books, Dulles - VA.
- Bozhilov, N. (October 2002). *Reforming the Intelligence Services in Bulgaria: The*

experience of the last decade. Paper prepared for a workshop on “Democratic and Parliamentary Oversight of the Intelligence Services”, Geneva Center for Democratic Control of Armed Forces.

- Brahim, L. (June 2007). *State building in crisis and post conflict countries*. Speech of Former Special Adviser of Secretary General of the United Nations at the 7th Global Forum on Reinventing Government Building Trust in Government.
- Brzoska, M. and Heinemann-Gruder, A., (2004). *Security Sector Reform and Post Conflict Reconstruction Under International Auspices*. Geneva Center for Democratic Control of Armed Forces (DCAF Publications).
- Brzoska, M. (2006). *Criteria for evaluating post conflict reconstruction and security sector reform in peace support operations*. International Peacekeeping, Volume 13.
- Bruneau T. C. and Dombrosky K.R. (2009). *Reforming Intelligence: the challenge of control in new democracies*. Chapter 6 in “Who Guards the Guardians and How”. (2006) University of Texas Press.
- Bruneau, T. C. and Steven, C. B. (2011). *Reforming Intelligence: Obstacles to Democratic Control and Effectiveness*. University of Texas Press.
- Bryden, A. and Hanggi, H. (2004). *Reform and Reconstruction of the SSR*. Yearbook 2, Geneva Center for Democratic Control of Armed Forces.
- Call, C. T. (November 2003). *Democratisation, War, and State-Building: Constructing the Rule of Law in El Salvador*. Journal of Latin American Studies, Volume 35.
- Call, C. T. (October 2002). *War Transitions and the New Civilian Security in Latin America*. Comparative Politics, Volume 35, Nr. 1.
- Canovan, M. (2004). *Sleeping Dogs, Prowling Cats and Soaring Doves: three paradoxes of Nationhood*. In M. Seymour, The fate of the Nation State, McGill Queens Univ. Pr.
- Caparini, M. (2010). *Controlling and overseeing Intelligence Services in Democratic States*. DCAF Publications.
- Caparini, M. and Born, H. (2007). *Democratic Control of Intelligence Services: containing Rogue Elephants*. DCAF Publications.

- Caparini, M. (2014). *Comparing the Democratization of Intelligence Governance in East Central Europe and the Balkans*. Intelligence and National Security, Volume 29, Issue 4.
- Caplan, R. (2005). *International Governance of War-Torn territories: Rule and Reconstruction*. Oxford University Press.
- Caplan, R. (2004). *International Authority and State Building: The Case of Bosnia and Herzegovina*. Global Governance, Volume 10, Nr. 1, Lynne Rienne Publishers.
- Cawthra, G. and Luckham, R. (2005). *Governing Insecurity: Democratic Control of Military and Security Establishments in Transitional Democracies*. London: Zed Books.
- Chandler, D and Sisk, T.D. (2013). *State building through the Security Sector Reform*. Routledge Handbook of International State Building.
- Charles, T. (2007). *Constructing Justice and Security after War*, Washington, D.C. US Institute for Peace, Call ed.
- Chivvis, C. and Crane, K. (2012). *Libya's post Qaddafi Transition - The National Building Challenge*. RAND Corporation.
- Cole, P. and Wehrey, F. (2013). *Building Libya's Security Sector*. Carnegie Endowment.
- Coll, S. (2004). *La Guerra Segreta della CIA*. Rizzoli - Degli Abbati Carlo.
- Collombier, V., Roy, O. (2016). *Tribes and Global Jihadism*.
- Cordesman, A. H. (2009). *Iraqi Force Development*, Centre for Strategic and International Studies.
- Cordesman, A. (February 2007). *Reconstruction in Iraq: The Uncertain Way Ahead*, Center for Strategic and International Studies.
- Cordsman, H.A., Khazai, S. Dewit, D. (2013). *Shaping Iraq's Security Forces*, Centre for Strategic and International Studies.
- Cornelius, F. (2011), *Paramilitarisation and Security Sector Reform: the Afghan National Police*, DCAF.
- Cossiga, F. (2002) *Abecedario*, Rubbettino ed.
- Cottey, A. (2003). *Afghanistan and the new dynamics of intervention: counter- terrorism*

and nation building. SIPRI (ed) Armaments, Disarmament and International Security.

- Council of the European Union, Report 26th April 2001. *Afghanistan: "Security Services in Communist Afghanistan (1978-1922): AGSA, KAM, KhAD and WAD*.
- Cox, M. (2001). *State Building and Post Conflict Reconstruction: lessons from Bosnia*. Center for Applied Studies in International Negotiations.
- Davis, E. (2014). *Modern Middle East Authoritarianism*, Routledge.
- De Groot A. D. (1961) *Methodology: Foundations of Inference and Research in the Behavioural Sciences*. Belgium: Mouton & Co.
- Denece, E. (2014). *The Revolution of Intelligence Affairs 1989-2003*. International Journal of Intelligence and Counterintelligence. Volume 27, Issue 1, page 27.
- Diamond, L. (1999). *Developing Democracies Towards Consolidation*. Baltimore, John Hopkins University Press.
- Diamond, L. (2002). *Thinking about Hybrid Regimes*. Journal of Democracy, Volume 13, number 2 (April).
- Diamond, L. (2010). *Why Are There No Arab Democracies?* Journal of Democracy, Volume 21, number 1 (January).
- Dobbins, J. (2007). *The Beginner's Guide to Nation-Building*. RAND Publications.
- Dobbins, J. and Wehrey, F. (2012). *Libyan post Qaddafi Transition - The Nation Building Challenge*. RAND Publications.
- Dobbins, J. (2004). *America's Role in Nation-Building: From Germany to Iraq*. RAND Publications.
- Dorronsoro, G. (June 2011). *Afghanistan: The Impossible Transition*. The Carnegie Papers.
- Dottori, G. *Afghanistan dai sogni di gloria al trionfo del caos*, Limes 1/2009.
- Downie, R. (January 2013). *Building Police Institutions in fragile States: Case Studies from Africa*. Center for Strategies and International Studies (CSIS).
- Dozier, K. (May 2014). *CIA Falls Back in Afghanistan*, Daily Beast.

- Dziedzic, M.J. (2001). *Peace Operations: Political-Military Coordination*. Washington D.C.: National Defense University Press.
- Edwards, L. M. (December 2010). *State-building in Afghanistan: a case showing the limits?* International Review of the Red Cross, Volume 92, Nr, 880.
- Eizenstat, S. (January/February 2005). *Rebuilding Weak States*. Foreign Affairs Journal.
- Estevez, E. (2007). *Developments on the democratization of intelligence in Argentina: trends in secrecy policy. Implications for comparing transitional settings*. 4th ECPR Conference, Pisa, Italy, 6th September 2007.
- Farson, S., Gill, P., Phythion, Mark. and Sphiro, S. (2008). *Handbook of Global Security and Intelligence*. Volume I and II. Wetsport, CT and London. Praeger Security International.
- Ferguson, C and Isima, J. O. (2004). *Providing Security for People: enhancing security through police, justice and intelligence reform in Africa*. Shrivenham: Global Facilitation Network for Security Sector Reform.
- Feroz, E. (2020). *Is Afghanistan building a regime of terror with the CIA's help?* (published online article on February 6th 2020).
- Flournoy, M. A. (2006). *Nation Building: Lessons Learned and Unlearned*. In Fukuyama ed. *Nation Building Beyond Afghanistan and Iraq*.
- Foreign Affairs, *The Future of Afghanistan and U.S. Policy. Ten Years after Bonn* (December 15th 2011).
- Fukuyama, F. (2004). *State Building: Governance and World Order in the 21st Century*. Cornell University Press.
- Fukuyama, F. (April 2005). *The Imperative of State Building*. Journal of Democracy, Volume 15, number 2.
- Fukuyama, F. (July 2007). *Liberalism vs. State Building*. Journal of Democracy, Volume 18, number 3.
- Fukuyama, F. (2006). *Nation-Building: Beyond Afghanistan and Iraq*. Baltimore: Johns Hopkins University Press.

- Gill, P. (1994). *Policing Politics: Security Intelligence and the liberal Democratic States*. Routledge.
- Gill, P. (January 2003). *Democratic and Parliamentary Accountability of Intelligence Services after September the 11th*. DCAF Publications.
- Gill, P. & Phytian, M. (2006). *Intelligence is an insecure World*. Polity Press, Cambridge.
- Gill, P. and Andregg, M. (2014). *Comparing the Democratization of Intelligence*. Intelligence and National Security, Volume 29, issue 4.
- George L. A. and Bennett A. (2005). *Case Studies and Theory Development in the Social Sciences*. Belfer Center for Science and International Affairs, Harvard University, MIT Press, Cambridge, Massachusetts.
- Goodson, L. P. (2001). *Afghanistan's endless war: State Failure, Regional Politics and the Rise of the Taliban*. University of Washington Press.
- Grare, F. (2009). *Reforming the Intelligence Agencies in Pakistan's Transitional Democracy*. Carnegie Endowment.
- Grindle, M.S. (2004). *Good Enough Governance: Poverty Reduction and Reform in Developing Countries*. An International Journal of Policy, Administration and Institution, Volume 17.
- Gridle, M. S. (2007). *Good Enough Governance Revisited*. Development Policy Review issue 25.
- Groete, R. (2004). *Separation of Powers in the New Afghan Constitution*. Zao Rv. Nr. 64.
- Guest, K. (2010). *Dynamic interplay between religion and armed conflict in Afghanistan*, International Review of the Red Cross.
- Guter, K. (2008). *Latin America Intelligence Services and the Transition to Democracy*. Journal of Intelligence History.
- Halden, P. (August 2010). *Systems Building before State Building: on the systematic preconditions of State Building*. Conflict, Security & Development. Volume 10, issue 4.
- Hannah, G., O'Brien, K., Rathmell, A. (2005). *Intelligence and Security Legislation for Security Sector*, RAND Corporation.

- Hastedt, G. (1991). *Controlling Intelligence: Defining the Problem*. In Glenn Hastedt Ed. *Controlling Intelligence*. London: Frank Cass.
- Hendrickson, D. (2002). *The Challenge of the Security Sector Reform*. Oxford University Press.
- Herman, M. (1996). *Intelligence Power in Peace and War*. Cambridge University Press.
- Hodes, C. and Sedra, M. (August 2007). *The Search for Security in Post Taliban Afghanistan*. International Institute for Strategic Studies (IISS), London.
- International Crisis Group (26 October 2010). *Loose Ends: Iraq's Security Forces between U.S. Drawdown and Withdrawal*, Middle East Report Nr. 99.
- Jackson, P. (2008). *SSR and Post Conflict Reconstruction: armed wing of State Building*. The Centre for International Governance Innovation.
- Jalazai, M. K. (2014). *Reforming Afghan intelligence Agencies*, Daily Times.
- Jalalzai, M.K. (1999). *Sectarian Violence in Pakistan and Afghanistan*. Lahore system books.
- Jebnoun, N., Kia, M. and Kirk, M. (2013). *Modern Middle East Authoritarianism*. Roots, Ramifications, and Crisis. Routledge.
- Jeffery, K. (2010). *MI6: The history of the Secret Intelligence Service 1909-1949*. Bloomsbury Publishing Plc.
- Joffe, A. (1999). *Dismantling Intelligence Agencies*. Crime, Law and Social Change. Vol. 32.
- Jomini. A. H. (1862). *The Art of War*. Originally published by J.B. Lippincott & Co., Philadelphia. Restored Edition is © 2008 Legacy Books Press, Canada.
- Kahana, E. and Suwaed M. (2009). *The A to Z of Middle Eastern Intelligence*. Scarecrow Press.
- Kaminski, M & Nalepa, N. (2004). *Judging Transitional Justice: An Evaluation of Truth Revelation Procedures*. Center for the Study of Democracy, Paper 04-15, University of California, Irvine.

- Keller W. (1989). *The Liberals and J. Edgar Hoover: rise and fall of a Domestic Intelligence State*, Princeton University Press.
- KIPRED Institute, (May 2006). Intelligence Agencies in Kosovo: dismantling, osmosis or integration.
- Kirk, H. Sowell (January 2014). *Maliki's Anbar Blunder*, Foreign Policy Magazine.
- Klass, R. (1987). *The Great Game Revisited*. Linz, J. and Stepan, A. (1996). *Democratic Transition and Consolidation: Sounthern Europe, South America and Post Communist Europe*. Baltimore, John Hopkins University Press.
- Knight, M. (2016). *The Future of Iraq's Armed Forces*, Al Bayan Centre for Planning and Studies, Baghdad, Iraq.
- Kristofferson, R. (2007). *Breeding for the village: success and failure in the hands of local power brokers*.
- Liakhovsky, A. (2000). *The Civil War in Afghanistan*, National Security and the Future.
- Lijphart A. (1971). *Comparative Politics and Comparative Method*, American Political Science Review Nr. 65.
- Linz, J. (2000). *Totalitarian and authoritarian regimes*. Boulder: Lynne Rienner Publishers.
- Long, A. (2016). *After ISAF: partners and proxies in Afghanistans after 2014*. Taylor and Francis online Journal.
- Lovotti, C., Salesio Schiavi F. (2019). *Iraq: una fragile ripresa nell'instabilità regionale*. Rivista online Istituto degli Studi di Politica Internazionale.
- LUND University, (2009). *Intelligence and State Building: the Case of Kenya*. Autumn Publication.
- Luras, H. (2014). *Democratic Oversight in Fragile States: The Case of Intelligence Reform in Bosnia and Herzegovina*. Intelligence and National Security, Volume 29, Issue 4.
- Law of Administration for the State of Iraq for the Transitional Period, Chapter 3, Article 27 D.

- Menocal, A. R. (November 2011). *State Building for peace: a new paradigm for international engagement in post conflict fragile states?* Third World Quarterly, Volume 32, Issue 10.
- Miles MB. and Huberman AM. (1994). *Qualitative Data Analysis*, Thousand Oaks, CA: Sage Publications.
- Mitrokhin, Kolomiets A. (2013). *Raskazivaiut Afgantsi. Pro Komandirovku' Na Voinu, Suvorovskii*.
- Munir, M. (2011). *The Layha for the Mujahideen: an analysis of the code of conduct for the Taliban fighters under Islamic law*, International Review of the Red Cross.
- Nasr, R. (2002). *Islam, the State and the rise of Sectarian Militancy in Pakistan*. In ed. Jaffrelot, C. (2002) - *Pakistan: Nationalism without a Nation*. Manohar Publications.
- O'Brien, M. (2012). *Foreign Internal Defense in Iraq: ARSOF Core Tasks Enable Iraqi Combating-Terrorism Capability*," Special Warfare.
- O'Connell, K. (2004). *Thinking about Intelligence Comparatively*. RAND Intelligence Policy Center, Brown Journal of World Affairs.
- OECD, (2010). *The State's Legitimacy in Fragile Situations: Unpacking Complexity, Conflict and Fragility Series*.
- Oliner, O. (2011). *Building Afghanistan's Security Forces in Wartime. The Soviet Experience*, RAND.
- Osservatorio di Politica Internazionale, (2011). *Il futuro della Libia e Afghanistan tra debolezze interne e intervento esterno*. Istituto per gli Studi di Politica Internazionale (ISPI).
- Ottaway, M. S. (2003). *Democracy Challenged: The Rise of Semi-Authoritarianism*. Washington D.C. Carnegie Endowment for International Peace.
- Parigi, G. (2009). *Iraq: una questione aperta*. Ed. Bietti (Milano).
- Paris, R. (2004). *At War's End: Building Peace After Civil Conflict*. Cambridge University Press.
- Paris, R. (2002). *International Peace Building and 'Mission Civilisatrice'*. Review of

International Studies, number 28. British International Studies Association.

- Perito, R. (August 2009). Afghanistan's Police: The Weak Link in Security Sector Reform. United States Institute of Peace (USIP), Special Report No. 227.
- Piacentini, L., Masci, C. (2014). *Humint: questa sconosciuta*.
- Ponzio, R. J. (April 2007). *Transforming Political Authority: UN Democratic Peace building in Afghanistan*. Global Governance 13.
- Prospettiva Generale, (2013). Teatro Afgano. Centro Militare di Studi Strategici (CeMiss), Ministero della Difesa. Rubetto.
- Rathmell, A. (2005). *Planning Post Conflict Reconstruction in Iraq*. International Affairs Vol. 81, Issue 5.
- Rathmell, A., Oliner O., Kelly T. (2005). *Developing Iraq's Security Sector: The Coalition Provisional Authority's Experience*. RAND.
- Rayment, S. "Secret MoD Poll: Iraqis Support Attacks on British Troops," London Sunday Telegraph, October 23, 2005.
- Reynolds A. (April 2006). *The Curious Case of Afghanistan*. Journal of Democracy 17.
- Robinson, N. (November 2003). *State Building and International Politics: the emergence of a new problem and agenda*. Routledge, in Rutting, T. -Current Political Parties in Afghanistan.
- Robinson, N. (2007). *State Building and International Politics*. Routledge.
- Rotberg, R. I. (2003). *Failed States, Collapsed States, Weak States: causes and indicators*. Ed. State Failure and State Weakness in Time of Terror.
- Roy, O. (2002). *Afghanistan - l'Islam Afgano*, II Edition (translated from Italian) - ECIG - Geneva.
- Rubin, B.R. (2002). *The Fragmentation of Afghanistan: State Formation and Collapse in the International System*. Yale University Press.
- Saikal, A. (April 2012). *The United Nations and Afghanistan: Contentions in Democratization and State Building*. International Peacekeeping, Volume 19, Nr. 2.

- Sedra, M. (2013). *The Hollowing-out of the liberal peace project in Afghanistan: the case of the SSR*. Central Asian Survey, Col. 32, Issue 3. Pages 371-387.
- Sedra, M. (June 2014). *A Job Half Done: SSR and the Afghan Transition*, ISPI Analysis no. 260.
- Seymour M. (2004). *The Fate of Nation State*. McGill Queens Univ. Pr.
- Shlumberger, O. (2007). *Debating Arab Authoritarianism: Dynamics and Durability in Non democratic Regimes*. Stanford University Press.
- Schroen, G. (2005). *How seven CIA officers opened the war on terror in Afghanistan* (2005).
- Shulsky, A. N. and Schmitt, G. J. (2002). *Silent Warfare: Understanding the world of Intelligence*. Free Press 3rd Edition.
- Simonsen, S. G. (2005). *Addressing Ethnic Divisions in Post Conflict Institution Building: lessons from recent cases*. International Peace Research Institute (Oslo).
- Sinan, A. & Reese, A. (2014). *Beyond the Islamic State: the Sunni Insurgency in Iraq*, Institute for the Study of War, Report 24.
- Sirrs, O.L. (April 2013). *Reforming Egyptian Intelligence: Precedents and Prospects*. Journal of Intelligence and National Security. Volume 28, issue 2.
- Special Inspector General for the Reconstruction of Afghanistan (2017): *The Afghan National Defense and Security Forces, Lessons from the US experience in Afghanistan*, Chapter 2. <https://www.sigar.mil/pdf/lessonslearned/SIGAR-17-62-LL.pdf#page=33>.
- Stratfor (Jan 2012). *An uncertain future for Iraq's Intelligence Service* (online publication).
- Stan, C. (2014). *Challenges of Iraqi Intelligence in post-Saddam era*, National Defense University (Bucharest).
- Starr, F. (2006). *Sovereignty and Legitimacy in Afghan Nation-Building*. In Fukuyama ed. *Nation-Building*.
- Sun Tzu, *The art of war*. Ed. 2011 Collins Publishers.

- Syed, A. (July 2006). *Role of Intelligence Agencies*. Dawn Publications.
- Thabit, A. (2011). *A Short History of Iraq*, Longman (London)
- Their, A. and Chopra, J. (2004). *The road ahead: political and institutional reconstruction in Afghanistan*. In ed. Barakat, S., *Reconstructing war-torn Societies: Afghanistan*. Third World Quarterly Volume 23, issue 5.
- Tonita, M. (2010). *The Security Sector in Afghanistan: Slow and Unsteady*. Sage Publications.
- Treverton, G., Jones, S., Boraz, S., Lipsky, P. (2005). *Towards a Theory of Intelligence. Workshop Report*. RAND National Security Research Division.
- Tripp, C. (2007). *A History of Iraq*. Cambridge Press.
- UN *Special Commission to Investigate Daesh Crimes in Iraq*, The Middle East Monitor, 17th August 2019.
- US Institute for Peace, (2003). *Unfinished business in Afghanistan*. U.S.I.P Report.
- Van Linschoten, A. S. (2013). *Turning point, Afghanistan prepares for presidential transition*, Janes Intelligence Journal.
- Vitkauskas, D. (1999). *The Role of Security Intelligence Services in a Democracy*. North Atlantic Treaty Organization, Democratic Institutions Fellowship.
- Von Clausewitz C. (1873). *On War*. Translation by COL James John Graham (London: N. Trübner).
- Wardack, D. P. (2017). *Why the NDS matters: the emergence of the Afghan intelligence agency after 9/11*.
- Watts, L.L. (2007). *Intelligence Reform in Europe's Emerging Democracies*. *Studies in Intelligence*, Vol 48, Nr.1.
- Waheedullah, M. (July 2009). *Can Afghanistan's new "Guardian" militia restore security in the provinces?*. *Terrorism Monitor*, Vol. 7, Nr. 20.
- Weber, M. (1984). *Soziologische Grundbegriffe*.
- Weeks, G. (2008). *A Preference for Deference: Reforming Military Intelligence Role in*

- Whaites, A. (2008). *States in Development. Understanding State Building*. Working paper of the Department for International Development (UK). Governance and Social Development Group Policy and Research Division.
- Wilcke, C. (2006). *A Hard Place: The United State and the Creation of a New Security Apparatus in Iraq*.
- Williams, K. and Deletant, D. (2001). *Security Intelligence Services in New Democracies. The Czech Republic, Slovakia and Romania*. Palgrave Publication.
- Williams, K. (2007). *Czechoslovakia 1990-1992, and Slovakia since 1993*, in Watts, L. L., *Intelligence Reform in Europe's Emerging Democracies*, Studies in Intelligence, Vol. 48, Nr.1.
- Wilson, P. (2012). *Analysis: The contribution of intelligence services to security sector reform*.
- Witty, D. (2015). *The Iraqi Counter Terrorism Service*, Centre for Middle East Policy, Brookings Institution.
- Witty, D. (2018). *The Iraqi Counter Terrorism Service: From the War on ISIS to the Future*. <https://www.iraqincontext.com/single-post/2018/01/23/The-Iraqi-Counter-Terrorism-Service-From-the-War-on-ISIS-to-the-Future>.
- Yasa, A.R. (2020), *From Security Sector to Endemic Corruption: the Case of Afghanistan*, Journal of Strategic Security, Vol 13. No3.
- Zetocha, K. (2013). *The Political Regime Change and Security: The Political Science Theory and Reform of Security Bodies*. Obrana a strategy Vol. 12., Nr. 2. University of Defense.