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Past and Present Experiences of Counterterrorism: the Italian Case



Master's Thesis

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Introduction

Since 9/11, the world has had to deal with the phenomenon of terrorism on a much greater scale. Recent trends in conflicts, such as a greater involvement of civilians (Heaton, 2005; Downes, 2011) and the emergence of non-state actors as key players in global governance (Börzel, 2000; Mulaj, 2010) are all well represented in the rise of international terrorist organizations. A phenomenon, though, that is not new, as many episodes of terrorism took place during the 20th century and before. What is new is the fact that terrorism has now become one of the top issues in national and international security agendas (see for example UN Resolution n. 2178, 2014).

If during the 20th century most countries chose to deal with domestic terrorism as a traditional criminal threat (examples are European countries such as the UK, Germany and Italy, see Campbell, 2005; Berendse and Cornils, 2008; Marone, 2017), after 9/11 the U.S. led what is commonly referred to as the “War on Terror”, a military approach which brought the fight to the countries, or at least some of them, where the terrorist groups had their bases (Jackson, 2005; Crelinsten, 2009). However, the dichotomy between criminal and military approaches to counterterrorism has been in place long before 9/11, and the two have been widely discussed by scholars (Crelinsten, 1998; Bhounik, 2005; Carter, 2017). In this context, the debate has focused on evaluating pros and cons of the two models, their consequences in real life and their impact on civil rights (see for example Head, 2002; Bhounik, 2005).

Nevertheless, scientifically evaluating counterterrorism effectiveness is a tricky business. Previous studies have found that there is a general lack of attention on this topic, and even when there is, both qualitative (see Van Um and Pisoiu, 2015) and quantitative problems (see Spencer, 2006) arise. Instead, scholars have often looked at the policies of single states to try and learn from their successes and failures (just to name a few, Yonah, 2002; Bhounik, 2005; Yonah, 2006; Carter, 2017). This research paper will try to do exactly that, with Italy as our case.

Italy has also had to deal with domestic terrorism during the 20th century. With nearly one third of the population voting for the Italian Communist Party (PCI), Italy was one of the ‘hotspots’ of the Cold War (Brogi, 2011). The tensions between the pro-West factions, the left-wing parties (often close to the Soviet Union) and a colorful variety of radical extra-parliamentary groups made the country very susceptible to manifestations of terrorism. In fact, more than 4,000 episodes of terrorism took place in between World War II and the fall of the Soviet Union (the most intense period being the so-called

‘Years of Lead’, 1969-1980), leaving thousands of casualties (Della Porta, 1995, p. 106). The terrorist groups that carried out these violent campaigns came from different backgrounds. Actors as different as separatists, left-wing extremists, right-wing groups, anarchists and, later on, even the Sicilian Mafia (Tappero Merlo, 2006) resorted to violence to enforce their political demands. What is important for the purpose of our research are the policies that Italy developed to counter these threats, which, after a period of uncertainty, started showing results and proved pivotal in dismantling domestic terrorist organizations.

Over the same period, Italy shared this struggle with other Western European countries such as Germany, France and Spain. After 9/11, though, Italy has not suffered any major terrorist attacks of Islamic nature, one of the few countries in Western Europe to be spared from such events (Groppi, 2017, p. 20). Several reasons were presented to explain this situation. First of all, the Islamic population in Italy is relatively small and so is the danger of radicalization compared to other European countries (Groppi, 2017, pp. 22-23), although this is rapidly changing as immigration has become a huge sociopolitical issue for the country in recent years (see for example Bulli and Soare, 2018; Dixon et al., 2018). Other sources have gone as far as citing the Mafia as a reason for such low levels of radicalization (The Economist, 2017), a curious idea considering that the criminal organization has often been regarded as a security issue, rather than a security provider. In a possibly sounder effort, some have attributed the merits to the past experiences with terrorism and organized crime, as well as the countermeasures implemented by the country over the last 20 years (Kirchgaessner and Tondo, 2017). After 9/11, new measures were developed to face the jihadist threat. So far, these measures appear to have been enough to keep the problem under control. However, there are concerns about a possible increase in the level of risk posed by terrorist organizations in Italy (Groppi, 2017; Vidino and Marone, 2017).

The purpose of this research will be to take a look at the past and present Italian experience with counterterrorism (CT) in an attempt to trace continuities and differences throughout its history, especially pre- and post-9/11, assessing the influence this event had on Italian CT. The first chapter will analyze the literature on counterterrorism, focusing on the CT models. Then, we will present a brief summary of the Italian experience with terrorism during the 20th century. The third chapter will examine the present situation in Italy, the evolution of the demographics and the presence of Jihadist groups on Italian territory, then outline the CT policy after 9/11. The fourth chapter will analyze the data examined and, using the CT models as a theoretical reference, point out differences and elements of continuity within the Italian counterterrorism response before and after 9/11. Our research question can be framed as: *“What were the continuities and discontinuities of the Italian counterterrorism response starting from 1969 to the present day?”*

Chapter 1

Counterterrorism: a look at the State of the Art

Unlike terrorism, which has been at the center of a major debate over its definition, conceptual work regarding counterterrorism has been much less developed (Lewis, 2015, p. 1). This could be due to a variety of reasons: terrorism probably generated more interest than counterterrorism. Also, counterterrorism is not a contested term, or at least not in the same way that terrorism is. In any case, the majority of the conceptual analyses about the subject still revolve around more ‘practical’ concepts rather than theoretical ones (Lewis, 2017, pp. 5-6). Pillar (2012), for example, before addressing the essential elements of counterterrorism, points out that the interest in promoting counterterrorism measures for a certain state does not depend only on the actual terrorist threat, but also on the contemporary political situation in the country (p. 458).

A similar question has been raised regarding approaches to counterterrorism. Following a common assumption, before 9/11 counterterrorism was regarded solely as a domestic law enforcement issue (“September 10th” thinking). Afterwards, fighting terrorism became a global matter, following the narrative of the so-called “War on Terror” (“September 12th” thinking) (Crelinsten, 2009, pp. 6-7). In this view, states were more likely to react harshly to domestic terrorist threats rather than external ones (Crenshaw, 2010, p. 3).

However, counterterrorism is a complex issue that cannot be so easily conceptualized. In fact, the September 10th/September 12th dichotomy fails to highlight the continuities in counterterrorism strategies before and after 9/11, which might be much more pronounced than the differences. According to Crelinsten (2009), then, “September 10th” thinking and “September 12th” thinking can be more appropriately characterized as two different approaches to counterterrorism, rather than as different stages in its evolution. The first highlights the legal aspect of the fight against terrorism, focusing on domestic (and international) law, understanding the root causes of terrorism and countering it through democratic means. The second focuses on the military and privileges armed intervention, even if not easily justifiable from a legal perspective (Crenlisten, 2009 pp. 9-10). These approaches, also called Counterterrorism models, are mainly conceptual tools and do not reflect such a marked distinction in real life policies, which often include elements that could be associated with both models. Nonetheless, they are useful tools when it comes to examine a country’s response.

Categorizing Counterterrorism

Few attempts have been made to categorize CT measures, and most of them do not rely on hard data to substantiate their conceptualizations (van Dongen, 2010, p. 228). The CT models conceptualization was first elaborated by Crelinsten, who divided counterterrorism measures into two main approaches: the 'criminal justice' model and the 'war' model (1989, pp. 244-246). This division is fundamentally based on the actors who are trusted with the responsibility to counter terrorism (law enforcement; military). Also, the perception of terrorist attacks varies, as they are either seen as a crime or as an act of war.

Over the course of the years, believing that changes in the nature of terrorist threats affected this conceptualization, other scholars have elaborated their own interpretations. For example, Posner (2002) has proposed a new model, called 'regulatory', in which terrorism is regarded as a threat to public health. Thus, the responsibility to counter it is placed on regulatory agencies such as the American Drug and Food Administration. In 2005, Bhounik proposed the 'Intelligence' model, which sees intelligence agencies as the main enforcers of CT (p. 297). Pedahzur and Ranstorp (2001), instead, aimed at addressing the 'grey areas' in between the two traditional models. Ever since 9/11, they argue, the responses of liberal democracies have become mixed and cannot be properly categorized through them. Therefore, they elaborated their Expanded Criminal Justice model (ECJM), which accounts for states treating terrorism as more than a simple crime but still adhering to democratic principles for the most part.

Crelinsten (2009) also categorized CT measures based on their targets and scope: coercive CT includes all those measures for which states rely on the use of force to fight terror (p. 48); proactive CT deals with the intelligence activities needed to prevent terrorist plots (p. 89); persuasive CT relates to propaganda and the fight for the 'hearts and minds' of a nation against terror (p. 122); defensive CT focuses on target hardening and other preventive measures aimed at diminishing the likelihood of attacks taking place, or collateral effects when one does (p. 158). Measures pertaining to these typologies can also be found within either of the traditional models.

For the purpose of our research, we will look at the Italian CT policy through the framework of the traditional CT models as elaborated by Crelinsten (2009). However, we will also take the Intelligence model elaborated by Bhounik into consideration, since some features of Italian CT appear to fit well into this category. The Extended Criminal Justice model (Pedahzur and Ranstorp, 2001) will also fit in as an additional conceptual tool. In our review, we will mostly focus on reactive and proactive CT measures. This is not because measures belonging to different categories, such as target hardening, were never implemented, but rather because they were not considered as a distinctive feature of Italian CT in previous literature. In the next section, we will present an overview of the CT models and their main features.

The Criminal Justice model

The main characteristic of the Criminal Justice model is that it treats terrorism as a crime, meaning that the response to terrorism relies on the rule of law and criminal prosecution (Bhoumik, 2005, p. 298). It is an inherently reactive approach, since criminal law requires for an act to be committed before it can be persecuted. In a democratic state, the main ideological assumptions supporting a similar approach is that countering terrorism should never lead to violation of democratic principles (Carter, 2017, p. 18). What follows is that in this model accountability is a factor, and public opinion counts (Farson, 1991, p. 206). The main difference between terrorism and other violent crimes, then, resides in its political motivation (Miller, 2009; Carter, 2017)

Because it is so deeply rooted in the rule of law, the criminal justice model is typically a domestic approach (Bhoumik, 2005, p. 299). International aspects that can be considered part of a criminal justice model are the collaboration between law enforcement agencies from different countries (e.g. Europol, 2017); international cooperation in seizing financial resources destined to help terrorist causes; sanctions imposed by international bodies on countries that refuse to persecute terrorism (Wilkinson, 2006; Wilcox, 2002).

The Criminal Justice model holds several advantages over other models. First of all, persecuting terrorism through the rule of law means doing it without infringing democratic rights. It is inherently less violent than other counterterrorism approaches, and it has also proven to decrease terrorist violence (Hewitt, 1984). The criminalization of terrorist acts calls for moral condemnation of terrorism as a whole, positively influencing the public opinion (Bhoumik, 2005, p. 299). Also, since the prosecution of terrorism is dictated by law it is less likely to be influenced by temporary political preferences, again safeguarding democratic principles (Wilkinson, 2006, p. 115).

The Criminal Justice model also has several flaws. First, terrorist groups are usually better organized than criminal ones. Due to their political motivations, they are more likely to receive support from the local civilian population or from abroad, which makes them more resilient (Heymann, 2000, p. 113). Furthermore, keeping in mind that measuring deterrence is a complicated matter, criminal punishment might not be effective as a deterrent against terrorism for several reasons: the nature of some terrorist tactics, like suicide bombings, makes deterrence by punishment completely irrelevant (Heymann, 2000, p. xi). In the long term, that might also be true for non-suicide terrorism, especially if poor economic conditions are to be considered one of the causes of radicalization (however, this conclusion might be controversial, see for example Krueger and Maleckova, 2002; Newman, 2006; Piazza, 2011; Akhmat et al., 2014). Moreover, the moral condemnation of the act might make reconciliation with terrorism impossible. Also, the reactive nature of the model could make it inappropriate to counter the scale and mutable nature of contemporary terrorist threats (Bhoumik, 2005, p. 300). The fact that the model is rooted in the rule of domestic law raises several issues when it comes to pursuing fugitives abroad. Furthermore, the rule of law provides the defendant with a vast set of protections that could make preventive custody nearly impossible (Chesney and Goldsmith, 2008, p. 1098).

The War model

The War model relies primarily on the use of military power, coercion and retaliation as a counterterrorism strategy. Terrorism is not regarded as a criminal issue, but as a national security one. The use of force, normally considered a last resort, becomes the main CT tool (Bhoumik, 2005, p. 303). While the Criminal model prioritizes compliance with the rule of law, the War model focuses on the security of the State and its citizens. From this perspective, terrorism is not a crime but an act of war. Therefore, the goal is to eliminate it through military strategy (Carter, 2017, p. 21). Due to this extreme necessity, accountability is less important: rules of war take precedence over civil law (Taft, 2003).

The War model is a relatively new approach to counterterrorism. Before the early 1980s, terrorism had always been approached by states as a domestic criminal law problem (Chesney and Goldsmith, 2008, p. 1094; Bhoumik, 2005, p. 303). In the 1980s, when State-sponsored terrorism started to become a relevant phenomenon for policy-makers, a regular domestic approach started to look inadequate to fight it (see Schachter, 1989; Erickson, 1989). The 9/11 events brought back these ideas. The US government, following the 'War on Terror' rhetoric, moved to invade Afghanistan, bringing the fight to Al Qaeda and Osama bin Laden, responsible for the attacks (Jackson, 2005). Some argue that modern terrorism has blurred the line between the two models, which are now closer to each other (Chesney and Goldsmith, 2008).

The War model appears to be reactive in nature: retaliation comes after some sort of offence has taken place. Nonetheless, strategies such as preventive drone strikes are proactive measures, so the 'timing' of the model can be considered mixed (Bhoumik, 2005, p. 303).

Just as regular inter-state conflicts, a military approach to counterterrorism has an international dimension. However, in the great majority of cases terrorist groups are non-state actors and thus, by viewing terrorists as enemy combatants, the model is somehow willing to bend international conflict laws. Such laws establish specific criteria to define legitimate enemy combatants (fighting for a State or being part of a regular armed force), which most terrorists do not meet (Taft, 2003, p. 320). Furthermore, by seeing terrorists as unlawful combatants, this approach often denies them the 'prisoner-of-war' status and relative rights (Travalio and Altenburg, 2003, p. 100).

The War model grants several advantages. Its proactive dimension makes it more effective in preventing attacks. Also, retaliatory action after a terrorist attack could theoretically take place in compliance with both 'just war' principles and international conflict law, making the model morally sustainable. It could also be considered an adequate response to the pressure that follows an attack, at least from a public perspective, avoiding social retaliation against minority groups as a revenge gesture. (Bhoumik, 2005, p. 304).

The model also presents questionable aspects. Deterrence is far from being a certain consequence of military action. Retaliation could unite a population against the aggressor, or make a State that is simply incapable of fighting terrorism on its own truly hostile (Heymann, 2000; Carter, 2017). Some

have argued that military action increases the potential for terrorism rather than eliminating it, and that terrorist groups often look to generate similar responses (Duyvesteyn, 2010). Another negative aspect of the War model is the pressure it puts on human rights, just as war does. Furthermore, seeing terrorism as a political act rather than a criminal one makes international cooperation harder, since it would require political agreement between different actors (Crelinsten and Schmid, 1992). Finally, since terrorists are usually non-state actors, traditional military assumptions about enemy combatants might not apply, undermining effective retaliatory action (Chesney and Goldsmith, 2008).

Third models: Extended Criminal Justice (ECJM) and Intelligence

The two-model conceptualization is not always an appropriate tool to represent reality, and it has therefore been criticized. Crelinsten himself acknowledged this issue, especially regarding the Criminal Justice model: in his opinion, states might come to perceive terrorism as an extraordinary threat, thus testing criminal law boundaries (Crelinsten and Schmid, 1992, p. 333). To address this issue, Pedhazur and Ranstorp elaborated a new model, the Extended Criminal Justice model. This model accounts for the differences between the traditional Criminal Justice model and the approach taken by many liberal democracies in recent years, especially after 9/11. In this model, states regard terrorism as an exceptional threat and are therefore willing to extend the traditional boundaries of the rule of law to effectively counter it (Pedhazur and Ranstorp, 2001, p. 6). This means approving ad-hoc legislation and creating special anti-terrorism units. In other words, terrorism is not regarded as an act of war like in the military model, but it is still an extraordinary threat, to be addressed through special measures. These measures often challenge traditional democratic accountability without violating it completely (Pedhazur and Ranstorp, 2001, p. 5). The goal is still to arrest and prosecute terrorists, but there is a focus on surveillance, data gathering and other proactive measures. In this context, traditional law enforcement units are often joined by intelligence agencies and special units in conducting terrorism-related investigations.

The Intelligence model elaborated by Bhoumik presents some similarities to the ECJM. In this case, the primary tool of counterterrorism is the intelligence apparatus of the State. In the Intelligence model terrorism is also seen as a more urgent threat than regular crime, questioning the effectiveness of conventional procedures (Crelinsten and Schmid, 1992; Cowan, 1991). The Intelligence model is considered a proactive approach to counterterrorism. This need to prevent violent action makes it more secretive and less compliant with the rule of law (Bhoumik, 2005, p. 301). Secrecy makes controlling intelligence action difficult, increasing the potential for negative consequences in terms of rights violation and power abuses. Intelligence agencies are regulated by laws and statutes, but since most of their work requires secrecy to be properly conducted, compliance can be quite difficult to

verify. In short, as Bhounik writes, “because of a lack of openness and the potential for arbitrary enforcement, the Intelligence model undermines the rule of law” (2005, p. 303).

Methodology

This paper will attempt to establish continuities and differences in the history of Italian counterterrorism, making a chronological distinction between pre- and post-9/11 strategies. The main methodological tool we will employ is historical process tracing, using Mahoney (2015) as our primary reference in this sense. We will be looking at Italian CT policies during the second half of the 20th century and trace continuities with the policies implemented after 9/11.

The pre-9/11 period will focus on the second half of the 20th century. Although Italy undoubtedly had experiences with terrorism before World War II (the acts of fascist and leftist organizations right after World War I, for example), terrorism was considered as its own issue only after the country experienced major terrorist activities on national soil in the 1960s (Marone, 2017). Therefore, a specific CT policy was implemented only after such developments, making the second half of the 20th century the ideal moment to begin our analysis.

We mentioned continuities and discontinuities as the variables we are attempting to trace over time. In terms of counterterrorism, we could define these concepts in different ways: it could be the continuity of a specific policy or strategy, meaning its retained application over time, or the opposite. It could be the continued adherence of a certain policy to a certain CT model (or models) or the introduction of new strategies that belong to a different model. For the purpose of this research, we will define continuities and discontinuities in CT as the adherence, or the opposite, of Italian policies to a specific approach to counterterrorism, using the CT models as our theoretical framework. To measure such adherence, we elaborated four factors to be used as indicators of the belonging of a policy to one of the models, based on the literature we analyzed in this chapter:

- Reactive/Proactive: the aim of a policy could be to prevent attacks from happening or to prosecute the perpetrators after the fact. As we saw, reactive policies tend to be associated with the Criminal Justice model, while prevention is more typical of the War and the Intelligence models. However, the third model will help us mediate between these two poles.
- Reliance on law enforcement/ military/ intelligence agencies: within the various models, the responsibility to enforce countermeasures is entrusted either on law enforcement agencies, on the military or on the intelligence agencies. As in reality the difference is less marked and all these actors could play a role in the fight against terrorism, we will look at which one appears to play the most prominent one in our case.

- Accountability: this factor refers to the level of control on those who enforce CT measures, in relation to both public opinion and legislators. As we saw, measures within the Criminal Justice model are often associated with high accountability, while War and Intelligence measures are considered more difficult to keep in check.
- Issues with democratic rights: strongly related to the previous factor, this refers to past and present issues related to certain measures and the respect/infringement of domestic and international humanitarian laws. Again, Criminal Justice tends to hold these values in higher contempt than War and Intelligence.

	The Criminal Justice Model	The War/Military Model	The Extended Criminal Justice Model	The Intelligence Model
Reactive/Proactive	Reactive	Reactive, but with a proactive dimension (e.g. drone strikes)	Focus on proactive measures but in function of prosecution (reactive)	Proactive
Reliance on law enforcement/military/intelligence agencies	Law enforcement	Military, Army	Law enforcement, Special anti-terrorism units, Intelligence agencies	Intelligence agencies
Accountability	High, control mechanisms and exposed to public opinion	Low, rules of war override civil law	Quite high on paper, but often challenged by invasive measures	Quite low, the need for secrecy overrides traditional accountability
Issues with democratic principles and civil rights	Very limited, constitutional guarantees take precedence	Common, the rules of war applied to terrorism often challenge the principles of humanitarian law	Limited, but some measures do present controversial aspects (e.g. excessive surveillance)	Present, secrecy makes control difficult and this opens the door for potential violations and power abuses

Tab. 1: the four factors and their association with the four models of counterterrorism we described.

Again, we do not expect Italian CT policy to completely fit within one model or the other, as this is nearly impossible in real life. Because of that, these factors are also designed to take mixed responses and ‘grey areas’ into account.

Chapter 2

The Italian experience with counterterrorism before 9/11: overview and analysis

During the Cold War, terrorism developed almost everywhere in Europe, particularly during the 1970s. In Italy, these threats reached such high levels that they represented a serious challenge to the legitimacy of its institutions. According to Della Porta, three factors have to be considered to understand the peculiarities of the Italian case: the high number of organizations that actively engaged in social and political protests; the endurance of the protests (1968-1980s); the escalation of violence caused by repression and reactionary political strategies (1995, p. 112). In this chapter, we will present an historical overview of this experience and analyze it using our methodological framework.

From the first instances to the “Years of Lead”

The first real experience with terrorism of the newborn Italian Republic took place during the 1950s, in South Tyrol. This German-speaking region, formerly Austrian, became part of Italy after World War I. In the 1950s, some Tyrolean radical groups felt that the Italian government was not taking the region's needs into account and decided to resort to violence. Said violence mostly consisted in acts of sabotage against public and private organizations. The situation was solved in 1971, with an Italian-Austrian treaty granting wide political autonomy to the region and preventing escalation (Marone, 2017, p. 480).

The end of the 1960s marked the emergence of terrorism throughout Western Europe. In Italy, it was the beginning of a season of violence known as the ‘Anni di Piombo’ (literally the ‘Years of Lead’, 1969-1982), during which 4,362 events of political violence took place within the country, resulting in 1,092 casualties (Della Porta, 1995, p. 106). The bombing of Piazza Fontana, Milan on December 12, 1969, is generally considered the beginning of this period. That afternoon, a bomb exploded in a bank, killing 16 people and injuring more than 90 (Drake, 1999, p. 72). The investigation that followed was long, inconclusive at times and polluted by many allegations of corruption and deviation. At first, responsibility was pinned on anarchist groups, but, years later, the real perpetrators were identified as members of right-wing organizations. Until 1974, the great majority of terrorist attacks were carried out by right-wing extremists (Marone, 2017, p. 481), but often attributed to left-wing ones (Sprinzak, 1995, p. 39). In some cases, the responsibilities behind these events are still unclear.

The majority of the right-wing groups were born as extra-parliamentary movements after the main right-wing party, the MSI (Movimento Sociale Italiano), took a moderate stance to gain consensus in the 1960s. The most radical members defected and founded new groups. Some of them decided to embrace violence. The most notable among these groups were Ordine Nuovo (New Order), Avanguardia Nazionale (National Vanguard) and, later on, the NAR, Nuclei Armati Rivoluzionari (Weinberg and Eubank, 1988).

Many of these right-wing groups were protected at the highest levels by deviated parts of the secret services. This was done in the context of the so-called 'strategia della tensione' (the tension strategy), a plan to destabilize democracy through violence and push Italy towards a more authoritarian form of government. This plan was conceived after 1963, when the Italian Socialist Party (PSI) joined the government coalition for the first time (for a more in-depth look at the strategy, see Celani, 2004; Dondi, 2015; Giannuli, 2018).

In 1968 and 1969, after a massive wave of protests and strikes, the violent part of the 'strategy' was enacted. Inspired by the 'Colonels' coup (Greece, 1967), these plans were often enacted with the financial and strategical support of members of SISMI (Police intelligence agency) and SIFAR (Military intelligence agency), as overwhelming evidence would reveal years later (Weinberg, 1995, p. 229; Celani, 2004, p. 58). Right-wing terrorist groups gradually diminished their activities after the mid-70s. Other groups were active between the end of the 70s and the beginning of the 80s (such as the NAR), but they appeared to be conspicuously weaker than their predecessors (Marone, 2017; Weinberg and Eubank, 1988).

After the mid-70s, left-wing terrorist groups grew to become the most challenging opponents for the Italian state. Extra-parliamentary left-wing organizations, mainly inspired by Marxist or anarchic views, had always been a strong political presence in republican Italy. The universities in particular were proper 'forges of rebellion', especially after the contestations of 1968 (Silj, 1977, p. 33). In the 70s, some of these groups accepted the use of violence as the only possible instrument against an oppressive capitalist State. The most notorious group, the Red Brigades, became the most dangerous terrorist collective in Europe.

The Brigades grew, virtually unnoticed by the Italian security apparatus, until April 1974, when they kidnapped Genoa's attorney general Mario Sossi (Marone, 2017, p. 482). Unlike the right-wing indiscriminate mass-killing strategies, the Red Brigades usually chose very specific targets, either representatives of the State, entrepreneurs or buildings, companies and symbols that in their view represented the oppression of the capitalist 'establishment' (Sundquist, 2010, p. 55). Another distinctive feature were their relations with similar groups in other European nations, such as the French *Action Directe* (AD) and the German *Rote Armee Fraktion* (RAF). They were also in contact with Arab and Palestinians groups, often their main source for weaponry and logistics. These connections, albeit some of their implications are still unclear, helped the Brigades survive when the

Italian counterterrorism efforts started to become effective and made their dismantling more difficult (Tappero Merlo, 2006, pp. 105-107).

The State responds: first countermeasures

The first reactions of the Italian security apparatus to the terrorist wave of violence were drastically underwhelming. First of all, the responsibility of Piazza Fontana and other smaller attacks was pinned on a generic 'left-wing subversion', rather than follow the right-wing lead (Silj, 1977, p. 81). Law enforcement was not ready to face this new kind of threat and the intelligence agencies failed to recognize the entity of the danger (Das, 1990, p. 91).

However, the left-wing targeted acts pushed the State into taking more effective action. New legislation on public order was the first step. The Legge Bartolomei of October 1974 legitimated fast-track trials and introduced more severe punishment for all weapons-related crimes (Marone, 2017, p. 483), while the Legge Reale of May 1975 increased police's coercive powers and made bail rules stricter (Vettori, 2007, p. 9). These measures faced fierce critiques due to their impact on civil rights. Furthermore, they were seen as intended to merely reassure the public opinion, rather than to have a real effect on terror.

By then, politically motivated violence was not yet understood as an independent phenomenon and was regarded as another aspect of common crime. Nevertheless, more measures were introduced: in the spring of 1974, two special anti-terrorism agencies were created. First, the General Inspectorate for Action against Terrorism; the second, named Special Nucleus of Judiciary Police, was established in Turin under command of Carabinieri's General Carlo Alberto dalla Chiesa (Marone, 2017, p. 483). In less than two years, these agencies dealt a near-deadly blow to left-wing terror, disbanding most of the groups and leaving only a handful of BR members at large (Della Porta, 1995, p. 114). A great deal of these early successes was obtained by infiltrating informers and undercover officers within the ranks of the terrorist organizations (Tappero Merlo, 2006, pp. 103-105). Despite their success, both units were disbanded in 1976 for unclear reasons. The odd circumstances fostered allegations of corruption in the following years (Marone, 2017, p. 483).

It is worth noting that, by 1975, many believed terrorism was not to be considered a primary security concern anymore. Unfortunately, the most violent season of Italian terrorism was yet to begin (Della Porta, 1995). The Red Brigades, under the new leadership of Mario Moretti, began a new campaign of violence aimed at 'striking at the hearth of the State' that culminated, in March 1978, with the kidnapping of Democrazia Cristiana (DC) party's President Aldo Moro. (Tappero Merlo, 2006, p. 101).

The kidnapping of Aldo Moro: a watershed event for counterterrorism

The kidnapping shocked public opinion and pushed the government into immediate action. The so-called Legge Moro, approved just a few days into the President's captivity, conceded shorter sentences to terrorists that released hostages and collaborated with the police. In addition, it eased the processes to place phone taps and other investigative techniques that substantially increased the powers of the intelligence apparatus. A new special anti-terrorism unit was created by the Interior Ministry, with General Dalla Chiesa in command, no Parliament supervision. This new task force enjoyed a wider margin of autonomy, better intelligence-gathering instruments and would prove greatly effective in the following years. However, the efforts to save Aldo Moro would sadly be insufficient: the DC President was found dead about 40 days after his kidnapping (Marone, 2017, p. 484). His killing was the beginning of the end for the Red Brigades. Even some of their most strenuous sympathizers ended up changing their minds after the murder, gradually isolating the terrorist group and making it an easy target for the police (Tappero Merlo, 2006, p. 101).

In terms of legislation, the Moro case played a major role in fostering change. Between 1979 and 1980 the famous Legge Cossiga was elaborated. The law finally added specific terrorism-related felonies to the criminal code, such as "association for the purposes of terrorism", together with increased police powers, longer preventive detention and other repressive measures (Dunham, 2002, p. 160). Furthermore, the Legge introduced the possibility of a reduction of life sentences to 12 years for former terrorists that decided to cooperate with authorities (a similar process was undertaken over the same years regarding organized crime) (Chalk, 1995, p. 22). This move would prove particularly effective in fighting Italian terrorism, and it was only the first step in this sense. A few years later, in 1982, the so-called Legge sui Pentiti ('Repentants') established that terrorists who cooperated with public authorities could be granted vast reductions of sentence, depending on how helpful their revelations would prove. These two laws combined are considered to be the main reasons behind the successes of Italian CT (Hof, 2013, p. 109).

Terrorism after the "Years of Lead" and the end of the Cold War

These measures were the last blow dealt to an already weakened Italian terrorism. In the 1980s both the left and right factions, although still active, lacked the cohesion and organizational strength displayed in the previous decade. The reasons were manifold: first of all, the new laws were a considerable asset in the hands of law enforcement, especially the Legge dei Pentiti. On the other hand, the socio-political environment in Italy had changed: as the wealth of the nation grew, the socio-economic gaps that provided the terrorists with their ideological support shrunk, and so did their numbers (Vettori, 2007, p. 11).

Their violence, in many cases, became the expression of a personal will to spread chaos rather than a real hope to achieve significant political changes (Weinberg and Eubank, 1988, p. 537). The Bologna station massacre in 1980, where a right-wing group detonated a bomb killing 85 people and injuring 200, was the last major attack of the 'Years of Lead'. After 1982 the problem of left- and right-wing terrorism was largely solved: about 54% of the people involved in terrorism was identified and arrested by 1983, and 60% of their weaponry confiscated (Tappero Merlo, 2006, p. 104).

In 1982, the Italian intelligence apparatus was once again completely reformed, mainly because most of the highest officers were involved with the infamous P2 (Propaganda 2), a deviated Masonic lodge that counted many influential persons in its ranks, who aimed at pushing the country towards more authoritarian forms of government (Lollo, 2016, pp. 62-65; for more information about the P2 see Flamigni, 1996; Galli, 2016).

After the fall of the Soviet Union, in 1991, the political scenario changed drastically. Over the course of the 90s and into the new millennium, right-wing and left-wing terrorist groups kept operating, but on a different scale and with very different goals. The right-wing groups now used violence to protest against lax immigration policies and perceived loss of national identity, while the left-wing groups, together with some new anarchist formations, took an anti-globalization and anti-corporative stance (Tappero Merlo, 2006, pp. 107-109). However, these new expressions of terrorism never really posed a threat to the authority of the State, and the impact of their actions was considerably smaller in comparison (Marone, 2017, p. 487).

In the 1980s the Sicilian Mafia, the most powerful criminal organization in Italy, feeling threatened by new anti-mafia laws and the sentences of the so-called 'maxi-trial' (1986-1992, see Giordano, 2011), decided to resort to terrorism. In the past, the Mafia had had direct contacts with Italian terrorist organizations. It was proven, in fact, that the criminal organization and the BR cooperated during the 80s and the 90s, the former to exploit the coercive power of the terrorists, the latter to take advantage of the economic means of the Mafia to rebuild the organization (Tappero Merlo, 2006, p. 108). In short, when they found themselves with their back against the wall, these two apparently opposite worlds decided to join forces in their fight against public authorities (for more information about the nexus between terrorism and organized crime see Makarenko, 2004; Sanderson, 2004).

In 1984, Mafia responsibilities were proven in the case of the Rapido 904 train, when the detonation of dynamite placed inside the train killed 17 people and left more than 200 injured (Di Giovacchino, 2005, p. 157). In the 90s, they started to target people, like judges Giovanni Falcone and Paolo Borsellino, then buildings, monuments and other important parts of the cultural heritage of the country. The tools used to stop this campaign were the same used to stop terrorism during the 'years of lead': repentance, the creation of specific anti-Mafia agencies (such as the Investigative Anti-Mafia Direction) and anti-Mafia laws (for example, the new 'Mafia conspiracy' offence). In a few years, Mafia terrorism was eliminated, unlike the Mafia which is still very much alive and operative nowadays (Tappero Merlo, 2006, p. 108).

Analysis: the Italian counterterrorism strategy before 9/11 and the CT models

After providing historical context, it is time to analyze Italian CT through our four factors. When it comes to **reactive** or **proactive** measures, most of the measures we have described focused on reactive responses, such as increasing sentences for terrorism-related crimes, or decreasing them in case former terrorists decided to cooperate and become informants. This focus is seemingly compatible with a criminal justice approach. However, infiltration, one of the most effective strategy, could be considered as substantially proactive, as it aims to dismantle terrorist organizations from within before they have the opportunity to carry on attacks. For this reason, and for the secrecy that a similar strategy needs to be effective, it could be considered as related to the Intelligence model.

For what concerns the **reliance on different agencies** to implement counterterrorism measures, the Italian response was clearly multifaceted: law enforcement played a prominent role, and its powers were in fact extended to fight terrorism (see Legge Reale and Legge Cossiga), but other agencies were involved as well. Special anti-terrorism units were created to counter left-wing subversion, such as the General Inspectorate for Action against Terrorism and the Special Nucleus of Judiciary Police, and the intelligence services were widely involved, although such involvement was at times very controversial. In any case, this mixed reliance seems to be in line with the Extended Criminal Justice model.

Accountability is a more complex issue. On paper, every new law and the measures included were subjected to the scrutiny of public opinion, as in any liberal democracy. However, as we saw, some measures needed a high level of secrecy to be effective, and as a consequence accountability inevitably decreased. The most notable example is probably the involvement of corrupted sectors of the intelligence agencies in some of the attacks, which was confirmed only many years later. In this case, accountability seems related mainly to criminal justice, but partly to the Intelligence model as well.

Counterterrorism measures were often connected to **issues with civil rights**. In pre-9/11 Italy, the critiques focused on the powers that were granted to the police and other law enforcement agencies, the possibility to extend preventive detention, the removal of bail, the use of weapons etc. However, as expected in a democratic country, constitutional guarantees were always in place and the controversies were relatively limited. In any case, they were present, and as such the Extended Criminal Justice model appears to be the most appropriate approach to describe this situation.

All four factors appear to point towards a criminal justice approach to counterterrorism, whether through the lenses of the 'classic' model or the extended one. However, some elements seem more closely related to the Intelligence model, especially when high secrecy and low accountability are involved. Taking all the information we analyzed into account, it is possible to say that, before 9/11, Italy approached terrorism as a crime and attempted to counter it following the rules of the **criminal justice** system (and the related models). Nevertheless, some aspects, the most negative ones in terms

of degeneration, secrecy and corruption, can be ascribed to the **Intelligence** model. Thus, we could settle for a mixed **Criminal Justice/Intelligence** response.

Chapter 3

Terrorism and Counterterrorism in Italy after 9/11: the Jihadist threat

In this chapter, we will see how Italy has decided to address the Jihadist threat, both as a member of the international community and as a sovereign State. Before examining CT policies in detail, we will present an overview of the Muslim presence in Italy, outlining past accidents related to Islamic terrorism and the risks of further radicalization in the future.

Muslim population, radicalization and jihadism in Italy, so far

When compared to other major European countries, such as France, Germany or the UK, Italy has a significantly smaller Muslim presence, both in percentage and absolute terms. With about 2 million people, Italy is comparable to Spain for what concerns its Muslim population (Groppi, 2017, p. 20). The differences, though, go beyond sheer numbers: the majority of the Muslims arrived in Italy in recent times, meaning that most of them are first-generation immigrants. An important subject of debate, especially after the Paris attacks in 2015, was the belonging of a vast majority of home-grown jihadists to the second- and third-generation of Muslim immigrants, frustrated in their expectations by a shrinking labor market. In Italy, though, members of the second generation are just now entering adulthood (Vidino and Marone, 2017, p. 5).

Another difference may lie in the quality of life that Muslim immigrants experience in Italy. According to a 2017 survey, most of the Italian Muslim population is satisfied with their lives and as such they should be less susceptible to radicalization (Groppi, 2017, p. 21). However, in the past few years, as immigration from North Africa rose up to hundreds of thousands of individuals per year (see Colucci, 2019), this situation started to change. The issue was quickly politicized and more restrictive laws were approved (see Algostino, 2018). In the long term, more restrictions, together with the economic crisis caused by the Covid-19 pandemic, could negatively impact the quality of life of the Muslim population and thus impact radicalization as well.

Currently, though, there are various indicators that radicalization in Italy is lower than in other European countries: the reaction of the Italian Muslim community to the Charlie Hebdo attacks in France, for example, was one of unanimous condemnation, unlike other European communities. Another example can be found when looking at the phenomenon of foreign fighters (radicalized

individuals that leave their countries of residence to join irregular militias, such as the Islamic State, in ongoing conflicts, such as in Syria), one of the major trends currently associated with radicalization in Europe. Although more than 100 fighters have departed from Italy, this number is less than 10% the fighters that left from France, and less than a third of the numbers of Germany and UK (Groppi, 2017; Vidino and Marone, 2017). Interestingly, the most notorious cases of Italian foreign fighters involved Italian converts rather than immigrants from Muslim countries (see for example Maria Giulia Sergio, in Serafini, 2019). These cases represent an interesting percentage within the total of Italian foreign fighters, although not the majority (Boncio, 2017, pp. 2-5). Finally, resentment towards Italy within the Muslim community is significantly lower when compared to countries that have been more actively involved in recent Middle Eastern conflicts, such as France and the UK (Groppi, 2017, p. 21).

Despite relatively lower levels of domestic radicalization, though, Italy is one of the first European countries to have experienced major jihadist activity on its national soil. In fact, it is possible to find glimpses of such activity as early as the first half of the 1990s (Vidino, 2014; Groppi, 2017). Lower radicalization determined less home-grown jihadists, but jihadist cells have nonetheless been operating in Italy for more than 20 years, especially in the north, with Milan as their most active center (Marone, 2017, p. 487). These groups did not see Italy as a target for terrorist attacks but rather as a logistical hub and a safe harbor for their members (Vidino, 2014 ; Groppi, 2017).

Of the 20-some known terrorist attack plans directed against Italian targets, almost none reached advanced planning stages. However, a few attacks did take place. Between November 2001 and May 2002 Domenico Quaranta, a Sicilian handyman who was radicalized in prison, detonated four rudimentary home-made explosive devices in different locations between Agrigento and Milan. Fortunately, there were no casualties and Quaranta was apprehended by the Italian police in July 2002 (La Repubblica, 2002). In Modena, 2003 and Brescia, 2004, two Muslim men detonated similar low-quality explosives, killing themselves in the process without injuring anybody else (Vidino, 2013, p. 18). In 2009, Lybian Mohammed Game, who had resided in Milan for many years, tried to enter a military base in Lombardy with his car and, when confronted by one of the guards, detonated a bomb that killed him and caused a slight injury to the officer (Vidino, 2013, p. 19).

The first three cases are expressions of another major trend associated with radicalization in Europe, that of the 'lone wolf' terrorist. These are individuals not connected to organized terrorist groups, radicalized mostly through online propaganda, that plan, organize and execute terrorist plots on their own without any external help. This phenomenon is considered to be particularly problematic, since effective preventive measures against such individuals are quite hard to implement. Mohammed Game, on the contrary, was helped by several more individuals that were also arrested. The Game case is considered to be a watershed event in bringing homegrown radicalization to the attention of public authorities, although Game was not born in Italy and the case of him being a homegrown jihadist is debatable (Vidino, 2013, p. 19).

Nowadays, radicalization levels in the country might be increasing. In these regards, Marone and Vidino (2017, pp. 5-6) outlined four cases happened in the last few years that alerted the authorities. First, the responsible for the Berlin 2016 market attack, Anis Amri, had been radicalized in Italy. Second, 20-years Tunisian-Italian Ismael Hosni, arrested in 2017, was found to be an Islamic State sympathizer. Youssef Zaghba, a member of the terrorist cell who carried out the 2017 London Bridge attack, had Italian citizenship and was stopped at the Bologna airport in 2016 for attempting to travel to Syria. Finally, Ahmed Anachi, a Tunisian responsible for a knife attack in Marseille, had previously lived in Italy with his brother, also a foreign fighter. These events, together with the rising tension in Libya, migratory fluxes from Africa and the social tensions they generate, the rise of conservative parties which are exacerbating such tensions for political purposes, point towards a rising jihadist threat in Italy (Boncio, 2017; Groppi, 2017).

Counterterrorism in Italy after 9/11: the international aspect

International cooperation on terrorism and counterterrorism was the first line of response after 9/11, in the form of UN-sponsored treaties and other international conventions. As a member of UN and NATO, Italy was one of the first countries to answer the call. Italy signed all 13 international conventions that followed the UN Global Counter-Terrorism Strategy elaborated between 2001 and 2013. As a member of G8, Italy adhered to the Counter Terrorism Action Group (CTAG), a working group elaborated by the Eight to discuss issues related to terrorism and security. Since 2011, a US-led initiative replaced CTAG with the Global Counter-Terrorism Forum, and Italy was one of the 30 countries who promoted it. Italy is also a member of the Rome-Lyon group, a forum predisposed to gather and exchange information on terrorism and organized crime (OSCE Permanent Delegation, 2013, p. 8).

Another important level of action in terms of international cooperation is obviously the European Union. Besides being a member of information hubs such as Europol and Eurojust, Italy actively contributed to the elaboration and update of the Action Plan against Terrorism, which contains a number of key CT measures and was first adopted on the 28th of September 2001 (OSCE Permanent Delegation, 2013, p. 9). It has then been followed by the European Strategy against Terrorism in 2005, which is articulated in 4 pillars: prevention, protection, persecution and answer. Most of the measures adopted have then converged into the 2015-2020 European Security Agenda elaborated by the Commission (Di Agosta and Paciullo, 2017, p. 216). A recent example of such measures is the introduction of the ICAO standard for electronic passports, mandatory for all EU-members, whose aim is to strengthen internal borders control.

On top of all these international conventions and open cooperation, Italy also collaborated with foreign intelligence agencies to conduct operations on Italian soil, operations that were often deemed

controversial and reckless. An example is the ‘extraordinary rendition’ of radical Egyptian imam Abu Omar, in February 2003, carried by both Italian and American (CIA) intelligence officers. The imam was extradited to Egypt where he was incarcerated and allegedly tortured, an allegation that brought an Italian judge to indict members of the two intelligence agencies in a complicated legal case (Marone, 2017, p. 490).

Counterterrorism in Italy after 9/11: domestic policy

Italy took just over a month to react to 9/11, with bill n. 374 presented on the 18th of October 2001 and converted into law in December (Borracci, 2017, p. 2). The bill introduced new offenses, such as the crime of conspiracy to commit acts of international terrorism, the crime to provide assistance to criminal conspirators, the definition of any act of violence against a foreign state, institution or any international organization as an act of terrorism. The bill also increased the legal space for preemptive measures such as court-authorized wiretapping, arrest-warrants delays and asset seizing in case of terrorism investigations, measures that were previously approved only for different categories of crimes such as illegal immigration and money laundering (Marchisio, 2006, p. 117). New dispositions, then, centered on both repressive and preventive measures.

The next reform was designed and approved in 2005, following new UN and EU resolutions. Law n. 144 again intervened on the existing norms by reinforcing specific typologies of terrorism-related criminal offenses, such as ‘public provocation to commit terrorist offenses’, ‘recruitment for terrorism’ and ‘training for terrorism’. It also further enhanced Police powers, extending the time for no-charges arrest (from 12 to 24 hours) and the interrogation of suspects without a lawyer present. To further reiterate the importance of pre-emption, the offenses did not have to be effectively committed for the charges to be formulated (Ivi, p. 120).

The third reform was approved in the first semester of 2015, law n. 43. The reform was introduced after the attack on Charlie Hebdo in January 2015, just as the previous ones were introduced respectively after 9/11 and the attacks in Madrid, 2004 and London, 2005 (Polizia Moderna, 2016, pp. I-II). This ‘package’ of norms constitutes the base for Italian CT policy.

A good place to start in this sense is the extension of the norms regarding proselytism and military training with the purpose of terrorism: the previous 2005 reform contemplated punishment for trainers, trainees, recruiters but not recruits, a detail corrected by the new norm that assumes particular importance when it comes to countering the ‘foreign fighters’ phenomenon. In this sense, persecution was also extended to those who organize, finance or advertise travelling to foreign countries with the purpose of joining a terrorist organization (Borracci, 2017, p. 12). The reform also introduced punishment for any individual who autonomously acquires information and material to carry out terrorism-related acts (Marone, 2017, p. 489). Strictly tied with these modifications is another key

point of the new legislation, which focuses on preventing the diffusion and distribution of terrorist-related material on the internet and tackling online radicalization (Borracci, 2017, pp. 7-8).

The reform extended the legal space that allows for the implementation of one of Italy's key strategies: deportation of foreign individuals suspected of terrorist activities. In most cases, this tool has been employed when there is strong evidence of links between an individual and terrorism, but not enough to withstand prosecution (Marone, 2017, p. 491). Deportations can be authorized by the Interior Ministry, the local Prefecture or a court of law, when implemented in lieu of a custodial sentence (Polizia Moderna, 2016, pp. III-X). Moreover, deportation can be used against EU citizens in extraordinary cases, but not against Italian citizens (Marone, 2017, p. 491). In any case, deportation does not imply the interruption of investigations on those involved, which can continue in an attempt to individuate other potentially dangerous individuals (Polizia Moderna, 2016, p. X). It is not possible to proceed with deportation if the individual in question is at risk of suffering any form of discrimination based on race, language, gender, religion or any other personal feature and belief in his/her native or destination State (Ivi, p. VI). However, criticism in this regard has been voiced: already in 2006, Marchisio highlighted a tendency in increasing the number of preventive expulsions, favoring security necessities over personal rights (P. 124), a tendency that has also been observed by Marone in 2017 (P. 492).

Furthermore, new instruments were provided to police and, most importantly, intelligence agencies. In 2007, the intelligence apparatus was again subjected to a substantial reform. Two new agencies were created, the Agency for Internal Security and Information (AISI) and the Agency for External Security and Information (AISE) (Borracci, 2017, p. 11). They are both under the supervision of the Presidency of the Council of Ministers, which has exclusive responsibility for intelligence policy (Marone, 2017, p. 490). Under the new legislation, these agencies are entrusted with the pre-emptive aspect of counterterrorism. To do so, they were provided with new legal instruments, such as the possibility to interrogate convicts to gather information, the extension of functional guarantees (usually granted to police officers) to their own members and, most importantly, an extension of the special residency permits granted to cooperating witnesses. Introduced in 2005, these permits are granted to foreign citizens who cooperate with Italian authorities on investigations regarding specific typologies of crimes. Since 2015 'transnational criminal activity', which includes international terrorism, has been added to these typologies (Di Agosta and Paciullo, 2017, p. 221).

For what concerns the coordination of terrorism investigations, the new legislation placed them under the coordination of the National Anti-Mafia Directorate, which now adds 'Antiterrorism' to its denomination, a move that clearly links terrorism and organized crime investigations on the procedural level (Marone, 2017, p. 489). These links do not stop here, as the twofold pre-emptive/repressive approach implemented against terrorism has been compared to the one used against the Mafia. According to Di Agosta and Paciullo, the two threats resemble themselves both on

a ‘cultural’ level, for their ability to radicalize their followers and penetrate specific socio-cultural contexts, and on the operational one, for their subversive and transnational features (2017, p. 219).

The latest major development in CT legislation, law n. 48 18th of April 2017, highlights new directions in countering threats such as ‘lone wolves’ and returning foreign fighters. The key principle of such direction is a so-called ‘cooperative pre-emption’, based on the collaboration between police forces and local authorities, granting more powers to peripheral entities, such as Regions and Provinces, on security matters. The goal for State authorities is to intensify their cooperation with such peripheric entities, especially regarding information, to improve territorial coverage against potential threats (Borracci, 2017, p. 31). This new de-centralized direction might be the key for future developments in Italian CT policy (Pappalardo, 2018, p. 26). Finally, it is worth mentioning the surveillance program implemented by the Penitentiary Police inside the prisons, considered to be potential hotbeds for the spread of radicalization (see for example Rappaport et al., 2012; Khosrokhavar, 2013), which contemplates the separation and careful observation of at-risk inmates (Pappalardo, 2018, p. 35).

Analysis: the Italian counterterrorism strategy after 9/11 and the CT models

The legislation we analyzed focused on prevention and, as such, introduced many new **proactive** measures. Law n. 374, 2001, for example, extended the legal space in which it is possible to implement wiretapping, arrest-warrant delays and other preventive measures that were not previously associated with counterterrorism. However, new offences and new legal instruments to aide prosecution were also developed. A good example of this is law n. 144, 2005, which introduced a number of new offences, such as ‘public provocation to commit terrorist offenses’, ‘recruitment for terrorism’ and ‘training for terrorism’, offenses that do not require the crime to be effectively committed if the intention to do it can be proven. In this sense, it is clear that the emphasis on prevention appears to be closer to the Extended Criminal Justice model rather than the traditional one. However, measures such as preventive expulsions are often used specifically to avoid prosecution, so they appear to belong to a strictly proactive realm more in line with the Intelligence model.

As for the **reliance on different authorities to implement CT measures**, the results are once again quite evident. Post-9/11 legislation increased police powers, granted new prerogatives to the reformed intelligence agencies, AISI and AISE, and created a new coordinating authority (or, better, extended the prerogatives of an existing one) in the National Anti-Mafia and Antiterrorism directorate. This type of mixed responsibility again points to the ECJ model.

Accountability is much less immediate to determine. Again, it seems that the measures and legislation introduced after 9/11 follow the rules of the criminal justice system and, as such, are available for the scrutiny of public opinion, who can hold the legislators accountable. However, the

most relevant example of controversy in this sense is once again the measure of preventive expulsion. It is difficult, in fact, to imagine how someone could be held accountable if this measure were wrongly implemented, first of all because, without prosecution, it would be nearly impossible to prove so. Furthermore, if the suspect is expelled, one has to wonder who could attempt to prove their innocence once they are out of the country. For all these reasons, accountability also appears to be closer to the ECJ model rather than the traditional one.

The laws we examined appear to **respect constitutional guarantees and civil rights**. However, a few issues emerge when conducting a deeper analysis. For example, preventive wiretapping and personal surveillance in general have fostered concerns in terms of respecting the privacy of the suspects. Also, the concerns we made with preventive expulsions in terms of accountability could easily be made in terms of constitutional guarantees as well. For these reasons, the ECJ model once again appears to be the most appropriate one to describe our case.

In conclusion, it seems that the four factors point towards a criminal justice approach to counterterrorism in post-9/11 Italy. However, elements such as the focus on prevention, mixed responsibilities, partial accountability and potential issues with civil rights point towards the **Extended Criminal Justice** model, rather than the traditional one. Furthermore, some measures, such as preventive expulsions, present some grey areas that make them more suitable for an **Intelligence** type of approach. In short, we could define the Italian CT approach after 9/11 as a Criminal Justice approach with some Intelligence elements.

Chapter 4

Findings: analyzing continuities and discontinuities throughout Italian CT history

Italian CT Before and After 9/11: a Comparison

	Before 9/11	After 9/11
Reactive/Proactive	<p>The most important legal measures (Laws Bartolomei, Moro, Cossiga, Legge dei Pentiti..) all focused on reactive measures, such as stiffening of sentences or concessions to former terrorists turned informants. On the other hand, infiltration, which was one of the main instruments used to dismantle local terrorist groups, could be considered as a proactive measure and needs to be covered by a high level of secrecy to work.</p> <p>CT models: Criminal Justice/Intelligence</p>	<p>All the laws we examined introduced preventive measures, such as wiretapping and asset seizure, together with new offences that enhanced the State capacity for prosecution of such crimes. Some measures, such as the preventive expulsion of foreign citizens bypass prosecution and, as such, belong to a purely proactive dimension.</p> <p>CT models: ECJ/Intelligence</p>
Reliance on law enforcement/military/intelligence agencies	<p>Reliance on law enforcement such as the police, but also on special anti-terrorism units (General Inspectorate for Action against Terrorism, Special Nucleus of Judiciary Police..) and intelligence agencies (SISDE, SISMI..)</p> <p>CT models: ECJ</p>	<p>Post 9/11 extended law enforcement powers, enhanced intelligence agencies prerogatives and also created new special agencies to coordinate counterterrorism efforts, such as the National Anti-Mafia and Antiterrorism Directorate.</p> <p>CT models: ECJ</p>
Accountability	<p>Public opinion was always taken into consideration when introducing new measures (see Legge Bartolomei), but the role of intelligence agencies in some instances (such as the Piazza Fontana bombing) was covered for years, pointing to a low degree of accountability</p>	<p>As reforms based on criminal prosecution, the laws we examined appear to present a high degree of accountability, as they are developed and approved publicly. However, measures such as preventive expulsion might bypass accountability, as it would be</p>

	for their actions. CT models: Criminal Justice/Intelligence	difficult to prove who and what was wrong without prosecution. CT models: ECJ
Issues with democratic principles and civil rights	Despite the issues with some of the measures (such as the police powers granted by Legge Reale), the number of issues can be considered as quite low. CT models: ECJ	Respect for constitutional guarantees and civil rights appears to be central in the laws we examined. Nevertheless, controversies are present, such as the concerns regarding personal privacy connected to the new surveillance measures. CT models: ECJ

Tab. 2: the four factors and their associations with the CT models respectively before and after 9/11.

Table n. 2 summarizes how the four factors interact with the four CT models we presented as our theoretical background. By looking at the table, it is already possible to highlight some continuities and differences between the pre- and post-9/11 timeframes.

The **pre-9/11** period appears to be characterized by a criminal justice approach. Nevertheless, the less transparent elements appear to be closer to the Intelligence model. The **post-9/11** approach seems to be clearly influenced by the Extended Criminal Justice model, but it also presents some elements that bypass prosecution and as such are also closer to an Intelligence approach. It is also possible to compare the results for each one of the four factors. In terms of **reactive/proactive** strategies, both timeframes showed a clear focus on prosecution of terrorism as a crime, but the post-9/11 period brought forward a much greater focus on preventive measures rather than purely reactive ones, typically associated with traditional criminal prosecution. In both periods of time the Italian state **relied on different actors** to implement its CT measures, from law enforcement agencies to the intelligence services, also creating special anti-terrorism units such as the General Inspectorate for Action against Terrorism during the ‘Years of Lead’, or the National Anti-Mafia and Antiterrorism Directorate in 2015. **Accountability** is generally quite high in both cases, as one would expect in a liberal democracy, but if the post-9/11 period presents several issues that have been publicly discussed, the actions of some branches of the intelligence agencies during the ‘Years of Lead’ have only recently come to light, thus many of those involved could not have been held accountable for their actions. Both periods presented measures that have raised **issues in terms of civil rights**, but they were relatively limited.

Continuities and Discontinuities in Italian Counterterrorism

Both before and after 9/11, although with some differences, Italy has remained faithful to a **criminal justice** approach to counterterrorism, meaning the issue of terrorism has been treated as a crime, albeit an extraordinary one, and countered through criminal prosecution rather than military acts or covert intelligence operations. This approach, however, did present some exceptions: in fact, it is possible to find some measures and operations that do not follow the standards of criminal prosecution, both before and after 9/11. In both cases, we have identified these elements as part of an **Intelligence** approach, due to their capacity to bypass or avoid the regular procedures that characterize the criminal justice system. In a sense, these were some of the most controversial and ‘darkest’ elements of the Italian CT experience throughout the periods of time taken into account by this research. As such, we could identify the Italian approach as a criminal justice one, but with some ‘degenerations’ and exceptions that digress from it and are closer to the Intelligence CT model, which requires more secrecy and less compliance with the rule of law.

Looking back at the review of the counterterrorism measures presented in chapter 2 and 3, it is possible to point out more elements of continuity that are not directly related to our four factors. A good example in this sense could be some of the strategies themselves. In fact, the same ‘stick-and-carrot’ logic could be seen behind ‘pentitismo’, which accorded reduced sentences to former terrorists that decided to cooperate with justice, and the special residency permits currently offered to foreigners that accept to cooperate with law enforcement on terrorism-related matters. This logic shows a will to go beyond a purely repressive strategy and acknowledges the benefits of making concessions to those that are willing to help. Considering all the peculiarities of the case, this element and the criminal justice approach seem to have worked well for Italy throughout the years.

The continuities are not limited to the positive aspects of Italian CT. Controversies about the consequences of some CT measures for democratic principles and civil rights have also been raised in recent debates. As an example, we mentioned the extensive use of preventive expulsions for terrorism-related reasons, but many more cases could be made in these regards, such as the debate surrounding the use of preventive wiretaps and privacy violations. In general, despite a criminal justice approach, Italy is not immune from concerns regarding the consequences of CT measures, just as many other European and extra-European countries.

There are also some differences worth pointing out between the two periods of time we analyzed. As we mentioned, there is a substantial adherence to a criminal justice approach to counterterrorism over time, but some elements have changed after 9/11. In fact, the post-9/11 approach presents many more elements in common with the Extended Criminal Justice model, rather than the traditional one. This is due to an increased focus on prevention, rather than repression. This is in line with an international security trend that aims at preventing crimes and terrorist attacks from happening, rather than focusing on prosecution after the fact. A trend that Italy, in compliance with international treaties on the matter, has also followed (see Chapter 3). In this context, greater importance is placed on surveillance

measures that concern information and communication technologies, which terrorists use to communicate, proselytize and spread propaganda, and on executive measures that sometimes bypass conviction and prosecution in favor of prevention. Precisely because measures such as preventive expulsion are implemented before a crime is actually committed, it is legit to wonder if in these cases there is always a justification for their use or if they might just be the easiest way to deal with the issue, with little concern for the civil rights of those involved.

Most Notable Features of Italian CT

There are some peculiarities of the Italian case that are worth discussing. The first element that could be highlighted is the trend to counter both terrorism and organized crime through the same tools, in terms of legislation and investigative procedures. Although this is not a unique feature (in fact, it is often regarded as a good practice, especially when it comes to countering the so-called ‘nexus’, see Global Counterterrorism Forum, 2018, p. 3, 11), in the case of Italy it is certainly due to Italy’s long and wearing history with both issues, and the fact that there was an overlap between the two at times. This was the case with mafia using terrorist tactics at the beginning of the 1990s, for example, or terrorist groups cooperating with criminal organizations for financial and logistic reasons during the ‘Years of Lead’. In terms of legislation, most of the measures were initially developed in regards to either terrorism or organized crime and then extended to cover the other issue when the situation required it (this was the case, for example, with preventive wiretapping, see Agostini, 2017).

In operational terms, the coordination of investigations on both issues was recently placed under the National Antimafia and Antiterrorism Directorate, or DNA. Although the actual investigations are still carried by the local prosecution offices, the DNA gathers the relevant information from the local offices in its own database, which is then used to provide support (Marini, 2019). This convergence is an interesting feature of Italian CT, albeit not a unique one, and, so far, it seems to have been a valid strategy. We mentioned in our introduction that some rather questionable theories ascribe Italy’s apparent resilience to Jihadist terrorist attacks to the presence of the Mafia (p. 2). Ironically, this might be true, not because of the Mafia’s paramilitary presence, but because of what Italian law enforcement learned from years of fighting against this threat. In this sense, the experience that Italian authorities had developed in countering Mafia terrorism in the early 90s allowed them to be better equipped to counter similar strategies (although used by different actors) after 9/11. In turn, the measures used to counter Mafia terrorism were heavily influenced by those used to fight political terrorism during the ‘Years of Lead’, in a virtuous circle that shaped, and continues to shape, modern Italian counterterrorism.

Another feature worth noting, strictly connected to the first one, is the ability to adapt, over time, to the different threats Italy had to face, but without abandoning the principles that guided its action.

Despite a 'slow start', Italian CT has shown a relevant capacity to adapt to an incredible variety of threats, all concentrated within 30-40 years of its history. The various agencies that dealt with terrorism were able to elaborate new strategies, abandoning the ones that became obsolete, and at the same time stay faithful to the model the country always followed to deal with similar threats (with some exceptions, of course). The strategies we mentioned could be taken as an example: after 9/11, surveillance and prevention became key, while infiltration, which worked so well during the 'Years of Lead', probably became more difficult to implement with Jihadist terrorist groups. At the same time, the same rationale could be seen behind pentitism and special residency permits. This kind of flexibility could prove to be an important asset when facing such a multifaceted and constantly evolving threat as terrorism.

Finally, even within a criminal justice approach to CT, Italy, as many other countries inside and outside Europe, is experiencing tension between security measures and democratic principles. This is an issue that is part of a larger debate about securitization of issues previously considered as regular crimes, the growing importance of prevention over prosecution after the fact and the impact all these trends have over human rights and constitutional guarantees. Italy, as our research showed, is not immune from these concerns. The impact of Italian CT measures on human rights is an interesting avenue for future research, especially if, as some scholars suggest, the level of threat in the country is actually on the rise.

Conclusions

Terrorism is currently one of the top priorities on the national and international security agenda, and this has been particularly true after 9/11. The issue, nonetheless, is not new, and has been a security problem for many countries throughout the 20th century. In this context, research has often focused on attempts to empirically evaluate the effectiveness of various counterterrorism strategies. As this is not an easy task, others have focused on categorizing counterterrorism responses based on their characteristics. This categorization is represented by two classic counterterrorism models, the Criminal Justice model and the War model.

Expanding on these models and adding more theoretical insights from other studies, our research aimed at analyzing the counterterrorism policy of a chosen country, Italy, tracing the elements that have remained substantially the same before and after 9/11 and those that, inevitably, have changed. To do so, we have chosen four factors to be used as indicators: reactive/proactive focus; reliance on law enforcement/military/intelligence agencies to implement CT measures; accountability; issues with democratic principles and civil rights. These factors have been used to highlight compatibilities with four different CT models: Criminal Justice, War/Military, Expanded Criminal Justice, Intelligence. The methodological framework we elaborated was then used to analyze two different periods of Italian counterterrorism, starting from the second half of the 20th century to the present days, using 9/11 as a dividing point. We chose to start from the second half of the century since it was then that Italy started approaching terrorism as a specific issue and first elaborated a proper counterterrorism policy.

The study highlighted a few important points regarding the Italian experience with counterterrorism. First of all, in terms of continuities, the Italian approach was consistently compatible with the criminal justice models of counterterrorism, treating terrorism as a crime (albeit an exceptional one) and focusing on criminal prosecution. Italy has also been consistent in following a 'stick-and-carrot' logic in implementing some of its main CT strategies over the years, enhancing its repressing prerogatives but also acknowledging the benefits of making concessions to those who decided to cooperate. Furthermore, although in the relatively limited dimension associated with liberal democracies, Italian strategies have not been immune from issues with civil rights and constitutional guarantees throughout the years.

The research has also pointed out several differences between the pre- and post-9/11 approaches. The most important one in this sense is the post-9/11 focus on preventive measures rather than purely repressive ones. These measures, following an approach that has been internationally recognized, focus on preventing terrorist events from happening rather than prosecuting them after the fact. In this context, measures that bypass traditional criminal justice proceedings and encourage extensive surveillance, especially in relation to the internet and communication technologies, have become increasingly important. These measures have brought with them many concerns regarding their excessive invasiveness in terms of privacy and human rights.

Throughout the research, some peculiar features of Italian counterterrorism have emerged. One is the extensive experience of the country with both terrorism and organized crimes, two issues that have also overlapped over the course of the years. Because of this overlap, the country has often extended countermeasures from one issue to the other, and has also coordinated the efforts to fight them. Strictly connected to this is the ability to adapt to different threats over the years without losing track of the guiding principles that, as we saw, remained substantially unchanged. Furthermore, as many other countries, Italy is also experiencing a growing tension between the need for security, and the respect for democratic rights. Italy definitely presents itself as an interesting case for terrorism studies. Its long and difficult experience with domestic terrorism, historical events such as the kidnapping and killing of Aldo Moro, the terrorist actions of the Sicilian Mafia, the early activities of Jihadist groups on Italian soil but the relative absence of major terrorist attacks in this sense, these are all elements that concur in making the Italian case unique from a European, but also global, perspective.

Every research comes with limitations, and this one certainly has its own. In Chapter 1, we presented the CT models as the theoretical base for our study, and we chose four of these models as reference: the Criminal Justice model, the War model, the ECJ model and the Intelligence model. Inevitably, our research and its results have been influenced by this choice, since there are many other models that could produce different results. We chose these four models because they appeared to be better suited to the study, and because for reasons of time and space it was not possible to analyze too many of them, but, as a starting point for future research, it would be interesting to analyze the case of Italy using different models as theoretical reference. We already named the Posner regulatory model as an example, but the Critical Terrorism Studies model elaborated by Lindhal (2017), which attempts to emancipate itself from the more traditional ones, or the hybrid model proposed by Steinberg and Estrin (2014), which seeks to put together elements from both the military and criminal justice approaches, are also excellent examples. In conclusion, the case of Italy certainly presents more valuable insights for counterterrorism studies. As the terrorist threat constantly evolves, so do the theoretical conceptualizations we elaborate to better understand it and counter it appropriately. New analyses are undoubtedly necessary to further improve our knowledge on the subject, and the Italian CT experience, with all its peculiarities, is no exception in this sense.

Reference List

Agostini, Bianca. "La disciplina delle intercettazioni preventive nel sistema antiterrorismo." (2017).

Akhmat, Ghulam, Khalid Zaman, Tan Shukui and Faiza Sajjad. "Exploring the root causes of terrorism in South Asia: everybody should be concerned." *Quality & Quantity* 48.6 (2014): 3065-3079.

Alexander, Yonah. *September 11: US reactions and responses*. ESRC Conference of the St Andrews/Southampton Research Project on the Domestic Management of Terrorist Attacks, 2002.

Alexander, Yonah. *Counterterrorism strategies: Successes and failures of six nations*. Potomac Books, Inc., 2006.

Algozzino, Alessandra. "Il decreto "sicurezza e immigrazione"(decreto legge n. 113 del 2018): estinzione del diritto di asilo, repressione del dissenso e diseguaglianza." (2018): 167-199.

Bartali, Roberto. "Red Brigades (1969–1974): An Italian phenomenon and a product of the Cold War." *Modern Italy* 12.3 (2007): 349-369.

Berendse, Gerrit-Jan, and Ingo Cornils. *Baader-Meinhof returns: history and cultural memory of German left-wing terrorism*. No. 70. Rodopi, 2008.

Bhoumik, Arunabha. "Democratic Responses to Terrorism: A Comparative Study of the United States, Israel and India'(2005)." *Denver Journal of International Law and Policy* 33: 285.

Boncio, Alessandro. *Disfatta Isis e foreign fighters di ritorno: il caso italiano*. No. 66. ISPI, Working Paper, 2017.

Borracci, Guglielmo. "Il rapporto tra Intelligence e forze di Polizia nella Strategia Nazionale Antiterrorismo. Il Potenziamiento degli strumenti info-operativi nella rete delle Prefetture.". *Ministero*

dell'Interno (2017). Retrieved from <http://culturaprofessionale.interno.gov.it/FILES/docs/1260/TESTO%20INTEGRALE%20Borracci.pdf>

Börzel, Tanja. "Private actors on the rise? The role of non-state actors in compliance with international institutions." *The Role of Non-State Actors in Compliance with International Institutions. MPI Collective Goods Preprint* 2000/14 (2000).

Brogi, Alessandro. *Confronting America: the Cold War between the United States and the communists in France and Italy*. UNC Press Books, 2011.

Bulli, Giorgia, and Sorina Christina Soare. "Immigration and crisis in a new immigration country: The case of Italy." *Hrvatska i komparativna javna uprava: časopis za teoriju i praksu javne uprave* 18.1 (2018): 127-156.

Burke, Jason. "Al Qaeda." *Foreign Policy* (2004): 18-26.

Campbell, Colm. "'Wars on Terror' and Vicarious Hegemons: The UK, International Law, and the Northern Ireland Conflict." *International & Comparative Law Quarterly* 54.2 (2005): 321-356.

Carter, Brittnee Ashten. *Analyzing the Criminal Justice and Military Models of Counterterrorism: Evidence from the United States*. Diss. University of Kansas, 2017.

Celani, Claudio. "Strategy of tension: The case of Italy." *Executive Intelligence Review* 31.14 (2004): 39-45.

Chalk, Peter. "The liberal democratic response to terrorism." *Terrorism and Political Violence* 7.4 (1995): 10-44.

Chesney, Robert, and Jack Goldsmith. "Terrorism and the convergence of criminal and military detention models." *Stan. L. Rev.* 60 (2008): 1079.

Colucci, Michele. "Foreign immigration to Italy: crisis and the transformation of flows." *Journal of Modern Italian Studies* 24.3 (2019): 427-440.

Cowan, William V. "Intelligence, Rescue, Retaliation, and Decision Making." *Terrorism and Politics*. Palgrave Macmillan UK, 1991. 1-22.

Crelinsten, Ronald D. "The discourse and practice of counter-terrorism in liberal democracies." *Australian Journal of Politics & History* 44.3 (1998): 389-413.

Crelinsten, Ronald D. "Counterterrorism. Cambridge: Polity." (2009).

Crelinsten, Ronald D., and Alex P. Schmid. "Western responses to terrorism: A twenty-five year balance sheet." *Terrorism and Political Violence* 4.4 (1992): 307-340.

Crenshaw, Martha, ed. *The consequences of counterterrorism*. Russell Sage Foundation, 2010.

Das, Dilip K. "Impact of antiterrorist measures on democratic law enforcement: The Italian experience." *Studies in Conflict & Terrorism* 13.2 (1990): 89-98.

Della Porta, Donatella. "Left-wing terrorism in Italy." *Terrorism in context* (1995): 105-159.

Di Agosta, Eugenio and Grazia Paciullo. "Le misure antiterrorismo: profili di competenza del Ministero dell'Interno". *Ordinamento e attività istituzionali del Ministero dell'interno*, (2017): 215-230.

Di Giovacchino, Rita. *Il libro nero della Prima Repubblica*. Vol. 26. Fazi Editore, 2005.

Dixon, Tim, Hawkins, Stephen, Heijbroek, Laurence, Juan-Torres, Míriam, and Demoures, François-Xavier. "Attitudes towards National Identity, Immigration and Refugees in Italy." *More in Common* (2018): 1-131.

Dondi, Mirco. *L'eco del boato: Storia della strategia della tensione 1965-1974*. Gius. Laterza & Figli Spa, 2015.

Downes, Alexander B. *Targeting civilians in war*. Cornell University Press, 2011.

Drake, Richard. "Italy in the 1960s: A Legacy of Terrorism and Liberation." *South central review* 16 (1999): 62-76.

Dunham, Matthew E. "Eliminating the domestic terrorist threat in the United States: a case study on the eradication of the Red Brigades." *Dick. L. Rev.* 107 (2002): 151.

Duyvesteyn, Isabelle. "Great expectations: the use of armed force to combat terrorism." *Modern War and the Utility of Force*. Routledge, 2010. 83-107.

Erickson, Richard J. *Legitimate use of military force against state-sponsored international terrorism*. AIR UNIV MAXWELL AFB AL, 1989.

Europol. "European Union Serious and Organised Crime Threat Assessment." 2017. Retrieved from <https://www.europol.europa.eu/activities-services/main-reports/european-union-serious-and-organised-crime-threat-assessment-2017>

Farson, A. Stuart. "Criminal Intelligence vs Security Intelligence: A Reevaluation of the Police Role in the Response to Terrorism." *Democratic Responses to International Terrorism* (1991): 191-226.

Flamigni, Sergio. *Trame atlantiche: Storia della loggia massonica segreta P2*. Kaos, 1996.

Galli, Giorgio. *La venerabile trama: La vera storia di Licio Gelli e della P2*. Edizioni Lindau, 2016.

Giannuli, Aldo. *La Strategia della Tensione*. Ponte alle Grazie, 2018.

Giordano, Alfonso. *Il maxi processo venticinque anni dopo: memoriale del presidente*. Bonanno Editore, 2011.

Global Counterterrorism Forum. *The Hague Good Practices on the Nexus between Transnational Organized Crime and Terrorism*. GCTF, 2018. Retrieved from https://www.thegctf.org/Portals/1/Documents/Framework%20Documents/C/GCTF-Good-Practices-on-the-Nexus_ENG.pdf?ver=2018-09-21-122246-363

Groppi, Michele. "The Terror Threat to Italy: How Italian Exceptionalism is Rapidly Diminishing." *CTC Sentinel* 10.5 (2017): 20-28.

Gunaratna, Rohan. *Inside Al Qaeda: global network of terror*. Columbia University Press, 2002.

Head, Michael. "Counter-terrorism laws: A threat to political freedom, civil liberties and constitutional rights." *Melb. UL Rev.* 26 (2002): 666.

Heaton, J. Ricou. "Civilians at War: Reexamining the Status of Civilians Accompanying the Armed Forces." *AFL Rev.* 57 (2005): 155.

Hewitt, Christopher. *The effectiveness of anti-terrorist policies*. Lanham, MD: University Press of America, 1984.

Heymann, Philip B. *Terrorism and America: A commonsense strategy for a democratic society*. MIT press, 2000.

Hof, Tobias. "The success of Italian anti-terrorism policy." *An International History of Terrorism*. Routledge, 2013. 100-114.

Jackson, Richard. "Security, democracy, and the rhetoric of counter-terrorism." *Democracy and Security* 1.2 (2005): 147-171.

Jenkins, Philip, and Aldine de Gruyter. "Images of terror." *New York* (2002).

Kirchgaessner, Stephanie, and Lorenzo Tondo. "Why Has Italy Been Spared Mass Terror Attacks in Recent Years?." *The Guardian* 23.6 (2017).

Krueger, Alan B., and Jitka Maleckova. "Does poverty cause terrorism?." *The New Republic* 226.24 (2002): 27-33.

La Repubblica. "Arrestato Presunto Responsabile Attentati Milano e Agrigento." *La Repubblica/Cronaca*, 17 Luglio 2002, www.repubblica.it/online/cronaca/metromilano/arresto/arresto.html

Lewis, Olivier. "Conceptualizing counterterrorism." *Insurgency and Counterinsurgency in Modern War*. Routledge, 2015. 24-39.

Lewis, Olivier. "Conceptualizing State Counterterrorism." *The Palgrave Handbook of Global Counterterrorism Policy*. Palgrave Macmillan, London, 2017. 3-37.

Lindahl, Sondre. "A CTS model of counterterrorism." *Critical Studies on Terrorism* 10.3 (2017): 523-541.

Lollo, Eleonora. "Social Capital Accumulation and the Exercise of Power: The Case of P2 in Italy." *Journal of Economic Issues* 50.1 (2016): 59-71.

Mahoney, James. "Process tracing and historical explanation." *Security Studies* 24.2 (2015): 200-218.

Makarenko, Tamara. "The crime-terror continuum: tracing the interplay between transnational organised crime and terrorism." *Global crime* 6.1 (2004): 129-145.

Marchisio, Sergio. "Italy. Part 2." Counterterrorism strategies: Successes and failures of six nations (2006): 114-126.

Marini, Luigi. "The Nexus Between International Terrorism and Organized Crime". *Presentation at the United Nations Headquarters on April 26th* (2019): 1-13. Retrieved from <https://www.un.org/sc/ctc/wp-content/uploads/2019/05/NEXUS-TERRORISM-TOC-MARINI-THE-ITALIAN-DNA.pdf>

Marone, Francesco. "The Italian Way of Counterterrorism: From a Consolidated Experience to an Integrated Approach." *The Palgrave Handbook of Global Counterterrorism Policy*. Palgrave Macmillan, London, 2017. 479-494.

Miller, Seumas. *Terrorism and counter-terrorism: Ethics and liberal democracy*. Vol. 4. Wiley-Blackwell, 2009.

Mulaj, Kledja, ed. *Violent non-state actors in world politics*. Hurst, 2010.

Newman, Edward. "Exploring the "root causes" of terrorism." *Studies in Conflict & Terrorism* 29.8 (2006): 749-772.

OSCE Permanent Delegation, Italy. *Scambio di informazioni sul Codice di condotta relativo agli aspetti politico-militari della sicurezza*. OSCE, 2013.

Pappalardo, Nicolò. *Misure antiterrorismo e competenze del Prefetto: possibile rimodulazione dei rapporti tra Comitato provinciale per l'ordine e la sicurezza pubblica e Comitato di analisi strategica antiterrorismo*. Ministero dell'Interno, 2018.

Piazza, James A. "Poverty, minority economic discrimination, and domestic terrorism." *Journal of Peace Research* 48.3 (2011): 339-353.

Pillar, P.R. "Counterterrorism". *Security Studies. An Introduction*. Routledge, 2012. pp. 457-470.

Polizia Moderna. "La Normativa Antiterrorismo. Nuove figure di reato e armonizzazione della legislazione. (2016)". *Inserto, Polizia Moderna* I-XI.

Posner, E. A. "Fear and the Regulatory Model of Counterterrorism"(2002)." *Harvard Journal of Law and Public Policy* 25: 681.

Rappaport, Aaron J., Tinka M. Veldhuis, and Amos N. Guiora. "Homeland security and the inmate population: The risk and reality of Islamic radicalization in prison." *Special needs offenders in correctional institutions* (2012): 431.

Sanderson, Thomas M. "Transnational terror and organized crime: blurring the lines." *SAIS Review of International Affairs* 24.1 (2004): 49-61.

Schachter, Oscar. "The lawful use of force by a state against terrorists in another country." *Israel Yearbook on Human Rights* 19 (1989): 209-31.

Serafini, Marta. "Isis, Definitiva La Condanna a 9 Anni per La Foreign Fighter Italiana Maria Giulia Sergio." *Corriere Della Sera*, (30 Nov. 2019), www.corriere.it/cronache/19_novembre_20/isis-definitiva-condanna-9-anni-la-foreign-fighter-italiana-maria-giulia-sergio-60d9fdf0-0bb2-11ea-a21c-9507e0a03cd5.shtml.

Silj, Alessandro. *Mai più senza fucile!: alle origini dei NAP e delle BR*. Vallecchi, 1977.

Spencer, Alexander. "The problems of evaluating counter-terrorism." *Revista UNISCI* 12 (2006): 179-201.

Sprinzak, Ehud. "Right-wing terrorism in a comparative perspective: the case of split delegitimization." *Terrorism and Political Violence* 7.1 (1995): 17-43.

Steinberg, James B., and Miriam R. Estrin. "Harmonizing policy and principle: a hybrid model for counterterrorism." *J. Nat'l Sec. L. & Pol'y* 7 (2014): 161.

Sundquist, Victor H. "Political terrorism: An historical case study of the Italian Red Brigades." *Journal of Strategic Security* 3.3 (2010): 53-68.

Taft, William H. "The Law of Armed Conflict After 9/11: Some Salient Features." *Yale J. Int'l L.* 28 (2003): 319.

Tappero Merlo, Germana. "Italy. Part I." *Counterterrorism strategies: Successes and failures of six nations* (2006): 99-114.

The Economist. "Why Italy Has Not Yet Suffered Islamist Terrorism." *The Economist*, The Economist Newspaper, 30 Sept. 2017, www.economist.com/europe/2017/09/30/why-italy-has-not-yet-suffered-islamist-terrorism.

Travalio, Greg, and John Altenburg. "Terrorism, state responsibility, and the use of military force." *Chi. J. Int'l L.* 4 (2003): 97.

United Nations. Resolution 2178. Security Council (2014). Accessed at: https://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2178%20%282014%29

Van Dongen, Teun. "Mapping counterterrorism: a categorisation of policies and the promise of empirically based, systematic comparisons." *Critical Studies on Terrorism* 3.2 (2010): 227-241.

Van Um, Eric, and Daniela Pisoiiu. "Dealing with uncertainty: the illusion of knowledge in the study of counterterrorism effectiveness." *Critical Studies on Terrorism* 8.2 (2015): 229-245.

Vettori, Barbara. "Terrorism and counterterrorism in Italy from the 1970's to date: A review." *Trento: Università degli Studi di Trento* (2007).

Vidino, Lorenzo. "The evolution of jihadism in Italy: rise in homegrown radicals." *CTC Sentinel/Combatic Terrorism Center at West Point* 6.11-12 (2013): 17-20.

Vidino, Lorenzo. "Home-Grown Jihadism in Italy: Birth, Development and Radicalization Dynamics." *Foreword by Stefano Dambruoso. Milan: ISPI and European Foundation for Democracy* (2014).

Vidino, Lorenzo, and Francesco Marone. "The Jihadist Threat in Italy: A Primer." (2017): 48-63.

Weinberg, Leonard. "Italian neo-fascist terrorism: A comparative perspective." *Terrorism and Political Violence* 7.1 (1995): 221-238.

Weinberg, Leonard, and William Lee Eubank. "Neo-fascist and far left terrorists in Italy: Some biographical observations." *British Journal of Political Science* 18.4 (1988): 531-549.

"Why Italy Has Not Yet Suffered Islamist Terrorism." *The Economist*, The Economist Newspaper, 30 Sept. 2017, www.economist.com/europe/2017/09/30/why-italy-has-not-yet-suffered-islamist-terrorism.

Wilcox, P.C. "United States". *Combating terrorism: strategies of ten countries*. University of Michigan Press, 2002. pp. 23-61.

Wilkinson, Paul. *Terrorism versus democracy: The liberal state response*. Routledge, 2006.

Zedner, Lucia. "Pre-crime and post-criminology?." *Theoretical criminology* 11.2 (2007): 261-281.