

# The SAIS Europe Journal of Global Affairs

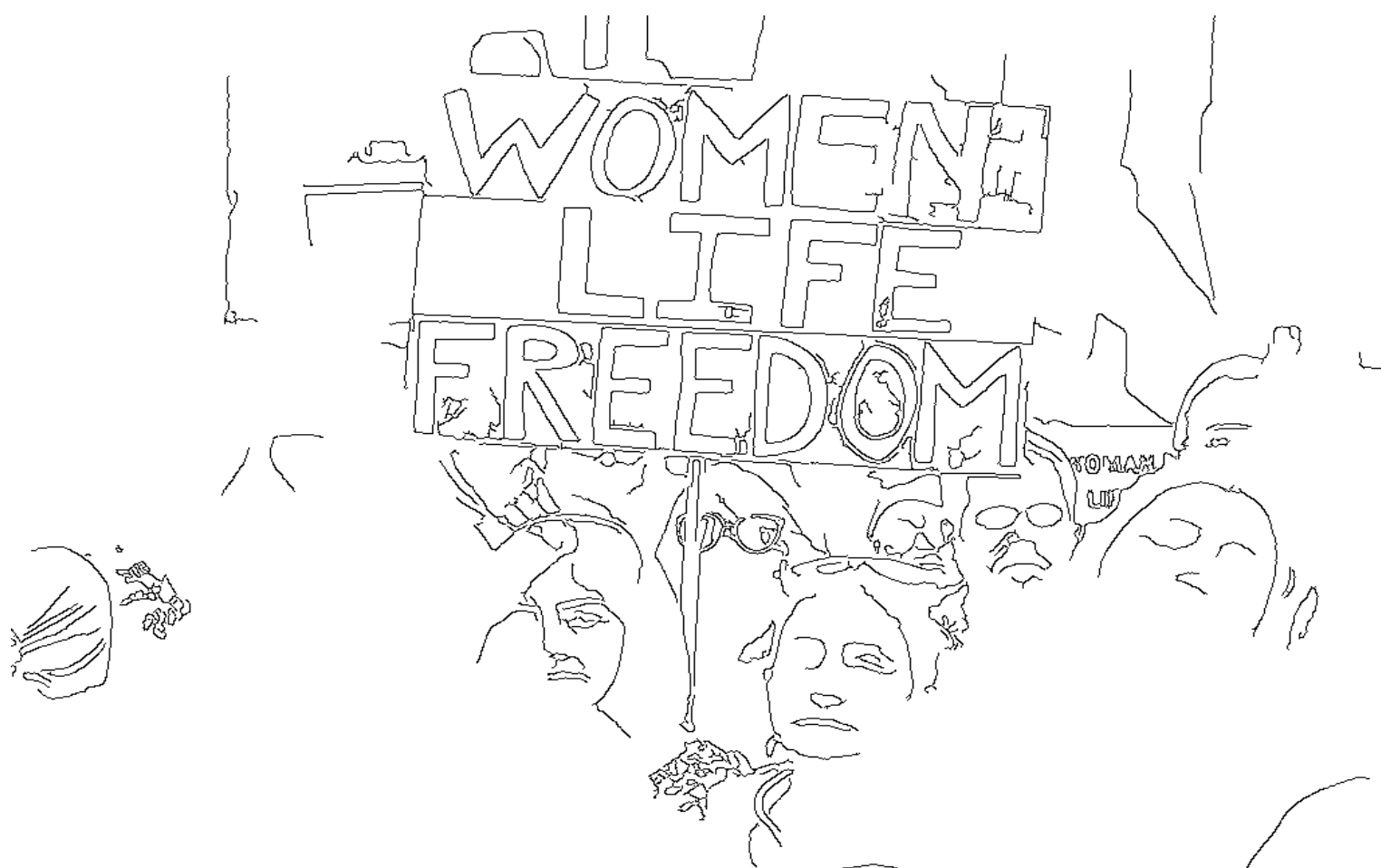


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# Non-State Actors

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# Table of Contents

Letter from the Director of SAIS Europe • • • • • 6

Letter from the Editor • • • • • 7

Capturing Peru: • • • • • 8

The role of the business elites in the country's neoliberal trajectory  
Rafael Aste

Why Arms Embargoes Fail: • • • • • 15

Seven Factors Undermining Collective Action  
Caroline Klaff

Pegasus and the Failure of Cybersurveillance Regulation • • • • • 32

Shannon Burton

Non-State Actors: • • • • • 39

The Case of Italy on the verge of fascism  
Nicola Scroccaro

Division or Unity? • • • • • 48

Difference in Antisemitism Perception in the Russian Jewish Community  
Petr Pesov

Unarmed and Unafraid: • • • • • 59

The Mozart Group in Ukraine  
Alex Choy

Reforming the Kafala System in the Gulf • • • • • 66

Nada Moghazi

The Slow Food Movement: •  
• • • • • • • • 71

# When Italian Ideas of Identity, Sovereignty and Modernity Go Global

## David Ellwood

## 2022-2023 Staff

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## Letter from the Director

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Dear all,

It is such a pleasure to write a foreword to the 2023 edition of the SAIS Europe Journal of Global Affairs. The Journal enjoys a long tradition of excellence and has always been a provocative forum for the exchange of ideas, tuned to the challenges of the day. It is student-designed and run and therefore reflects the priorities of the new generation of SAIS students, to great effect. The wide variety of topics and unique insights featured in past issues demonstrate the expert analysis and commentary on the multifaceted and multidimensional issues for which SAIS is well known. I am always greatly impressed by the energy, creativity, and effort that students put into the Journal, with such pride and dedication.

This year's issue continues this wonderful tradition. Its theme, *Non-State Actors*, is certainly appropriate to today's global state of affairs. The chapters cover an impressive array of topics spanning a diverse group of regions and analytical traditions. In fact, it seems to me that there is something for everyone in this issue, from analysis of the role of business elites in determining policy in politically-challenged Peru to an assessment of why arms embargoes tend to fail. It even includes a piece by my colleague (and former professor) David Ellwood, who writes about the Italian origins of the slow-food movement and its implications. I would like to congratulate all of the contributors to the issue (i.e., Rafael Aste, Caroline Klaff, Shannon Burton, Nicola Scroccaro, Petr Pesov, Alex Choy,

Nada Moghazi, and of course Professor Ellwood) for their thoughtful analysis and careful research. Well done!

Also, on behalf of the Administration, I'd like to extend our thanks and appreciation to the staff of the SAIS Journal of Global Affairs for their great efforts. I was once the Editor in Chief of a journal and, hence, appreciate the tremendous work that goes into producing a manuscript of this nature. In particular, special recognition goes to: Editor in Chief, Rana Nejad; Managing Editors, Rylie Taylor and Joshua Emero; Executive Editor of Submissions, Waiza Afzal; Event Managers, Lila Anderson and Rowan Humphries; Podcast Managers and the Podcast Team, Audrey Lodes, Stefi Julius, Sophie Notter, Ella Russell, Megan Kelly, and Chloë Haynes; Associate Editors, Claire D'Alessio, Stefi Julius, Karanina Bhattacharjee, Jeffrey Gorham, Rowan Humphries, Chloë Haynes, Sophie Notter, Mary Condon, Maeve Sockwell, Shahd Jori, and Kyle Ringers; Copy Editors, Edu Kenedi and Lila Anderson; and, of course, the indefatigable Webmaster, Childe Costa Stevens.

You have produced an excellent piece of work that will no doubt be the source of interesting debate both within and outside the SAIS community in the months and years to come.

**Michael G. Plummer**

Director, SAIS Europe and Eni Professor of International Economics

## Letter from the Editor

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Dear Readers,

I am pleased to present the 26<sup>th</sup> edition of the *SAIS Europe Journal of Global Affairs*. This issue looks at *Non-State Actors*, and their impact in contemporary society. With groups such as the Mozart Group engaged in conflict in Ukraine and cyber-operations like Pegasus exerting influence in the realm of geopolitics, non-traditional actors are now major players in addressing global issues.

As we look around the world today, we see a growing number of actors who are playing significant roles in shaping our global landscape. Whether it is private corporations, civil society organizations, or armed groups, these non-state actors are now integral to understanding international relations.

In this edition, we bring together a diverse range of perspectives and insights from scholars, practitioners, and experts in the field. Our contributors analyze the role of non-state actors in a variety of contexts, from cyber-security to slow food movements, and from labor practices to bureaucratic power struggles. They highlight the opportunities and challenges that non-state actors present and offer nuanced perspectives on their impact on

global governance, human rights, and conflict resolution.

In our rapidly changing world, it is imperative that we broaden our understanding of international affairs beyond traditional state-centric perspectives. Non-state actors bring new voices, new ideas, and new challenges to the table, and this edition of our journal seeks to explore those dynamics in depth.

This edition of the *SAIS Europe Journal* would not be possible without our exceptional team whose tireless efforts throughout the academic year have made this publication a reality. It has been an honor to work alongside such a committed group of individuals, whose dedication to collaboration and academic excellence has upheld the reputation of our great institution.

We hope that the articles presented here will inspire new discussions and debates among our readers and contribute to the ongoing conversation on the role of non-state actors in shaping our world today.

Sincerely,

**Rana Nejad**  
Editor-in-Chief





## Capturing Peru

The role of the business elites in the country's neoliberal trajectory

*Rafael Aste*

---

Neoliberal trajectories have been nonlinear in Latin America. Under the expectation of increasing political and economic inclusiveness, most countries in the region turned left during the 2000's in what is known as the 'pink tide.'<sup>1</sup> In Peru, left-wing nationalist Ollanta Humala won the presidency in 2011 after narrowly losing in 2006. But, despite his radical reformist economic agenda, his government "continued and deepened a political and economic regime that has been in place in

Peru since 1990—one that has prioritized market capitalism and free trade."<sup>2</sup>

To understand why the Humala administration chose continuity over reform, this essay will draw insights from capture theory to explain how power elites played a major role implementing and preserving the current Peruvian economic system. The introduction will contextualize the increasingly relevant role of the multinational corporation in shaping economic policies during the 1990s, focusing on the realization of the so-called neoliberal reforms in Latin America. Subsequently, the economic theory of capture will be reviewed before analyzing Peru's neoliberal trajectory since the 1990's and the case of Humala's government in 2011. Lastly, this essay concludes that, contrary to market fears when he was first elected, the neoliberal system was strengthened during Humala's presidency due to political and regulatory capture exercised by the powerful business elite.

NEOLIBERALISM AND  
MULTINATIONAL CORPORATION

By the end of the 1980s, Latin America was experiencing a period of deep economic crises that left the region in need of economic reforms to attract foreign capital from the international financial markets.<sup>3</sup>

Simultaneously, political and economic structural changes in the international system intensified competition between developing countries for world market shares of both foreign direct investment and financial capitals, “forcing states to bargain with foreign firms to locate their operations within their territories, and with national firms not to leave home”.<sup>4</sup> Consequently, multinational corporations and powerful elites significantly gained political influence to shape economic policies according to their material interests.

The neoliberal economic system was implemented in Latin America in the 1990s when countries began to seek foreign capital to finance their debt. Following the recommended policy reforms of the ‘Washington Consensus,’ national governments enacted policies aimed at privatizing markets, opening to trade, maintaining fiscal and monetary discipline, executing market-friendly tax and labor reforms, and reducing barriers to entry for foreign direct investment and financial capitals.<sup>5</sup> However, neoliberal trajectories differed between Latin American countries, as some countries saw more radical reversals than others. It can be challenged that outcomes were influenced by the interaction between political actors and power elites. In Venezuela, Hugo Chávez’s ‘21st century socialism’ antagonized private corporations and designed an economic agenda based on expropriations, nationalization, and massive public spending. In Brazil, however, socialist leader Lula Da Silva heavily increased social welfare for the working class, while preserving the neoliberal system to secure support from the bourgeoisie and economic elites.<sup>6</sup> Conversely, Peru followed its own trend, and the next sections will explain how

powerful elites deeply linked to the private sector ensured that its neoliberal trajectory was rather linear.

## WHO RULES AND WHO DECIDES?

Capture theory covers how interest groups aim to control institutions by influencing the decision-making process. A literature review on this theory distinguishes political influence, where special interests affect state interventions in general, from regulatory capture, where businesses manipulate the state agencies designed to regulate them.<sup>7</sup> Capture theory outlines the mechanisms under which political influence is employed. Laffont and Tirole elaborated an agency-theoretic framework that identifies five means of influence: monetary bribes, an expectation of future employment by the agency’s staff in the regulated firms, friendly personal relationships between government officials and industry partners, restraint from business leaders to publicly criticize the agency’s management, and campaign financing and lobbying.<sup>8</sup> Moreover, in an analysis of regulatory capture of the international financial system before the global financial crisis of 2007-2009, Andrew Baker examines four mechanisms that paved the way for deregulation and the eventual collapse of financial markets: lobbying, political salience, revolving doors, and intellectual capture, most of which overlap with Laffont and Tirole’s framework.<sup>9</sup> These instruments for exercising political influence can be used by a plethora of interest groups, though the main restriction is that they commonly require a degree of power and vast economic resources as the business elites match the description of in Peru.

## PERU’S NEOLIBERAL TRAJECTORY: ORIGINS AND OUTCOMES

Neoliberal reforms were implemented in Peru during the 1990s by then-president — and eventually dictator — Alberto Fujimori. He rose to power as an unknown populist

outsider who opposed the establishment's liberal preferences and appealed to the masses, promising to alleviate the grievances derived from hyperinflation and the terrorist attacks of the Shining Path. Shortly after becoming president, it became clear to Fujimori that in order to receive external economic assistance from the US to stabilize the economy, he needed to integrate Peru into the world economy.<sup>10</sup> To implement his reformist agenda, Fujimori established his own ties with the business elite, the IMF, and the military. Leaders of the business sector were always guaranteed influential seats in his cabinet, while the country's economic policies were guided by Hernando de Soto, a prominent Peruvian economist that acted as liaison between Fujimori and the IMF.

During the administration's first years, hundreds of Washington Consensus decree laws were issued aiming at "transforming Peru into an open economy in which large corporations could take advantage of its natural resources and domestic market."<sup>11</sup> Almost all state-owned companies were swiftly privatized, reducing the economic role of the public sector in areas where it had historically maintained a strong presence, such as the pension system and education. In a clear manifestation of capture through revolving doors, these economic reforms were executed while Carlos Boloña acted as finance minister. After privatizing the pension system, he went on to become CEO of AFP Horizonte, a private pension fund, and afterwards Executive Director of a large private university whose owner was later vice-president during Alejandro Toledo's government in 2001.

The last step in Fujimori's path towards institutionalizing neoliberalism was drafting a new Constitution. He did so by orchestrating a self-coup d'état with support of the military and the business elites, that allowed him to unilaterally dissolve the Parliament and convoke a Constitutional Assembly. The

1993 Constitution limited the state to a subsidiary role, while giving businesses freedom and flexibility to operate in the economy.

### NEOLIBERALISM'S GOLDEN DECADE

With Fujimori's new constitutional design, which recognized and guaranteed the Central Bank's autonomy, inflation and the exchange rate stabilized. Following this, Fujimori pursued an export-based commercial policy to open Peru to trade. Through Biglaiser and DeRouen's analysis of neoliberal policies implemented in Latin America during the 1990s, they argue that inflation control and trade reform have the greatest impact on improving sovereign bond ratings, which in turn facilitate access to foreign financing.<sup>12</sup> As a result, the shape of the Peruvian economy took a radical turn.

Peru's first bilateral free trade agreement (FTA) was with the United States, which the two governments signed in 2006. Sixteen other FTAs followed, including agreements with China, the European Union, and the recent Comprehensive and Progressive Trans-Pacific Partnership. Between 2001 and 2019, Peruvian exports of goods and services went from \$8.6 billion to a record \$55 billion (current USD), while GDP rose from \$50 billion to \$200 billion. During this period, only a few dared opposing the economic model started by Fujimori and fortified by his successor Alejandro Toledo. Former military officer Ollanta Humala was one of these people. He ran for president as one of the most radical representatives of Latin America's pink tide, but being closely aligned to Chávez's authoritarianism was costly, as he narrowly lost the 2006 election in the second round against former president Alan Garcia, who represented another case of capture. Contrary to his highly interventionist first government in 1985, the Garcia administration from 2006 to 2011 enacted a completely market-friendly neoliberal agenda

but was later plagued by several accusations of bribery linked to the Brazilian multinational Odebrecht. In 2019, Garcia killed himself when the police and a public prosecutor arrived at his house to arrest him under corruption allegations.

### CAPTURING 'THE GREAT TRANSFORMATION'

Humala's government plan for the 2011 election was called 'La Gran Transformación' (the Great Transformation). He advocated for the nationalization of strategic industries, including energy and mining, fiercely opposed the FTA with the US, and proposed a renegotiation of all FTAs. On the campaign trail, he constantly proposed to raise taxes for multinational corporations and implement protectionist policies for labor unions. Most importantly, the Great Transformation claimed that a new Constitution needed to be drafted so that Peru could finally reverse Fujimori's neoliberal system. However, Humala's government was not a turning point in Peru's neoliberal trajectory. After advancing to the second round of the 2011 election, he signed a narrower and less ambitious government plan called 'Hoja de Ruta' (Roadmap) that abandoned key proposals, such as the renegotiation of trade agreements and the new Constitution.

During his mandate, the Humala Administration maintained fiscal and monetary discipline, encouraged private investments in extractive industries, and suppressed social protests against mining projects.<sup>13</sup> Explanations to Humala's preference towards continuity will be drawn using the main capture mechanisms identified by Laffont and Tirole and Baker, and their applications to the Peruvian case as noted by Durand and Crabtree and Durand.<sup>14</sup>

### CAMPAIGN FINANCING AND THE 'LAVA JATO' CASE

Undisclosed private donations have been a common feature of the Peruvian elections during the 2000s. Powerful business sector leaders such as Dionisio Romero, owner of Credicorp Group and Peru's largest bank, BCP, have admitted to heavily investing in multiple campaigns during the 2011 election to ensure the stability of the economic model.<sup>15</sup> Moreover, capture by financing in Latin America dangerously overlaps with bribery and money laundering. The most recent example is the 'Lava Jato' (Car Wash) case, which revealed a corruption web led by the Brazilian construction multinational Odebrecht that spread across the region. In Peru alone, the company confessed to paying more than \$29 million in bribes to public servants, politicians, and businessmen.<sup>16</sup> Humala was among those investigated and spent nine months in prison, along with First Lady Nadine Heredia. Odebrecht's capture was extended via key appointments in regulatory agencies, who favored the company when the Peruvian government signed private-public partnership agreements for large infrastructure projects, involving also top executives of the Peruvian construction giant Graña y Montero.<sup>17</sup>

### COGNITIVE CAPTURE

The ideological consensus in Peru is that economic policy must be technocratic, disciplined, and conservative. The best example is the institutional autonomy preserved by the central bank, Julio Velarde, an Ivy League graduate and former World Bank economist, has been reappointed as the President of the Board of Directors by every president since 2006. Two of the main advocates of this economic orthodoxy are the Instituto Peruano de Economía (IPE), a powerful think tank that advocates for free market policies, and the Grupo El Comercio, owner of more than 70% of local printed press and of two of the main news channels.

El Comercio, the most influential political newspaper in Peru, frequently published interviews to Roberto Abusada, IPE's president, and other business leaders that warned Humala about the perils of economic policy uncertainty in capital markets and foreign investment. Days before Humala took office, Abusada and 60 other economists signed a letter in El Comercio stating that the "government's priorities needed to be maintaining the macroeconomic stability and market-friendly provisions while reducing administrative bureaucracy that impeded more private investment."<sup>18</sup> These pressures proved to be effective, as Humala appointed Luis Miguel Castilla as Minister of Finance, a World Bank economist who had previously been vice-minister during García's administration. Castilla was also the president's main advisor and was eventually replaced by Alonso Segura, another World Bank economist and former BCP manager, towards the end of Humala's government.

### INDUSTRY LOBBYING

Instead of implementing environmental protection opposing extractive industries as he promised, Humala promoted giant mining projects such as Conga and Tia María. These projects have a long history of rejection among the local communities for environmental concerns, having led to violent conflicts with the state's force authorities.<sup>19</sup> The main association of mining corporations, the SNMPE (Sociedad Nacional De Minería Y Petróleo Y Energía), has exercised its influence to promote these projects and reduce administrative barriers to accelerate the development of private investment in extractive industries.<sup>20</sup> One of the main cases in which lobbying materialized was with the law 30230, which later got promoted by then minister Alonso Segura, who had a clear case of revolving doors. In its 70 articles, the law condoned tributary debts of corporations, reduced timeframes for approving

environmental impact studies while imposing sanctions to public servants who did not comply, and facilitated the concession of lands under property of indigenous communities to extractive corporations.

### FROM A NEOLIBERAL HAVEN TO A NEW LEFT TURN

If neoliberalism survived Humala mainly by capture, the election of his successor Pedro Pablo Kuczynski in 2016, an investment banker and former finance minister during Toledo's government, was thought to be the system's definitive triumph. His initial cabinet was comprised almost entirely of business leaders and his economic platform rested on reducing public sector inefficiencies, the main discourse promoted by Abusada's IPE. However, after Kuczynski's resignation over corruption accusations in 2018, Peru experienced a series of political crises that led it to the second round of the 2021 election with two choices: Pedro Castillo, a unionist outsider running with a radical left party, and Keiko Fujimori, daughter of Alberto Fujimori and promoter of neoliberal continuity. The country was torn by the radicalization derived from the reform-continuity cleavage, in turn exacerbated by the severe economic consequences of the Covid-19 pandemic. In a new capture attempt, the private sector poured millions in a campaign to "stop communism" and even the main law firms donated their services to Fujimori's campaign to investigate fraud allegations after the elections.<sup>21</sup> But their efforts proved fruitless; Castillo was proclaimed president and the government is now slipping away from the hands of the private sector.

The instability that followed the 2021 elections proves that neoliberal stability is far from guaranteed, and strategies of capture are not enough to mitigate social demands of economic reform. Tensions reached new heights last December when Castillo tried to orchestrate a self-coup by unilaterally



dissolving the opposition-led Congress. But with support of the armed forces, Congress ignored Castillo's act of tyranny and impeached him. Ousting Castillo can certainly be seen as a justified defense of democracy, but it did not solve Peru's structural political problems. Neither did it succeed in bringing political stability to the country. President Dina Boluarte, Castillo's former vice-president, is now in power providing yet another example of political capture. Her intention is to rule supported by a feeble agreement with the opposition and the business elites, all the while mobilizations across the country are demanding her immediate resignation, new general elections and the drafting of a new Constitution. At the time of writing, more than 60 people have died as a consequence of both violent protests and severe repression.

Still, Boluarte refuses to resign. As a concession to protestors, she has asked Congress to reform the Constitution to allow for new elections in 2024 instead of 2026, claiming that before holding new general elections, Peru requires constitutional reforms to "have a more respectable Congress and improve the legitimacy of the political class." Constitutional and political reforms can potentially improve governability, legitimacy and political representation, but the dysfunctional Peruvian political system stymies consensus on which reforms those might be. Business leaders who support Boluarte for the sake of economic stability seem to be missing that protestors are motivated by economic grievances and the constantly neglected demand for inclusion. Certainly, the events of the last decades should suggest to business elites that they would be better off demanding more compliance and transparency in private-public partnerships to battle corruption and pressure the government to tackle the lingering threat of poverty and economic vulnerability.

Otherwise, an eventual collapse of the neoliberal system will produce an undesirable outcome for everyone.

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***Rafael Aste is a MAIA candidate '23 specialized in policy analysis and the political economy of the developing world. He advises private and public decision-makers on sociopolitical contexts, economic trends and policy issues, focusing on Latin America and Western Europe. Rafael holds a bachelor's degree in political science and public administration from the Universidad Autonoma de Madrid.***

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## Notes

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2 William Avilés and Yolima Rey Rosas, 2017, "Low-Intensity Democracy and Peru's Neoliberal State: The Case of the Humala Administration," *Latin American Perspectives*, 44(5), (09), 163.

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11 Crabtree and Durand, 2017, 79.

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17 Francisco Durand, 2018, *Odebrecht, La Empresa Que Capturaba Gobiernos*, Lima: Fondo Editorial PUCP.

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21 Ernesto Cabral and Gianfranco Huamán, 2022, "Más De 40 Abogados De Grandes Estudios Aportaron A La Estrategia Del Fraude De Fuerza Popular," *Ojo Público*, <https://ojo-publico.com/2997/abogados-de-grandes-estudios-aportaron-la-estrategia-del-fraude>



## Why Arms Embargoes Fail

Seven Factors Undermining Collective Action

*Caroline Klaff*

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### INTRODUCTION

Modern norms of conflict resolution oblige states to attempt all measures short of war before intervening militarily. Sanctions—coercive or punitive measures used to improve behavior—have become the most popular foreign policy instruments of states and intergovernmental organizations. The most common sanction is the arms embargo, a unilateral or multilateral prohibition on the supply, sale, or transfer of weapons, military equipment, or military services. Arms embargoes have three goals: to signal disapproval of an actor's behavior; to maintain a neutral standing in a conflict; and to limit the potential for violence.

Apart from those imposed by the US, the world's top exporter, unilateral arms embargoes are rarely effective because arms can be readily purchased from states that are not operating an embargo. Regional embargoes, such as those undertaken by the EU, also face this effectiveness problem. UN arms embargoes—the focus of this paper—can be voluntary or mandatory, the latter being more common and legally binding on Member States. Mandatory multilateral arms embargoes are often imposed on human rights violators, warring parties, and those seen to be compromising international peace and security. Ostensibly, UN arms embargoes have the highest potential for success due to the involvement of a majority of Member States; yet, they are frequently, and often flagrantly, violated.

Why, and how, do arms embargoes fail? This paper seeks to answer those questions, first by outlining how the global arms trade works—the underlying principles,

main categories, and major trends. It then identifies and analyzes a set of seven factors that predict, or contribute to, the failure of an arms embargo. The more factors present, the weaker the embargo. Some factors, like conventional weapons' long lifespans and high potential for diversion, are always present and inherently diminish an embargo's prospects for success. To be clear, this paper is not arguing that arms embargoes never work or are destined to fail. Rather, the purpose of this paper is to recognize the circumstances that undermine arms embargoes—some of which can be addressed, some of which can only be accounted for.

## UNDERSTANDING THE GLOBAL ARMS TRADE

### A. Underlying Principles

The arms trade discussed in this paper is the trade in conventional weapons. Unlike weapons of mass destruction (nuclear, chemical, and biological weapons), conventional weapons are recognized as legitimate tools of governments, militaries, law enforcement, and civilians. The conventional arms trade is the exchange of a broad range of equipment, including armored combat vehicles, combat aircraft, combat helicopters, warships, small arms and light weapons (known collectively as "SALW"), landmines, cluster munitions, artillery, and ammunition. States and state-authorized actors are privileged participants in the conventional weapons trade. Article 51 of the 1945 UN Charter guarantees sovereign states the inherent right to individual or collective self-defense. This is understood to mean that states, and licensed entities within states, have the right to produce, trade, and retain conventional arms.

In addition to state governments, major participants in the arms trade are state intelligence agencies, manufacturers, non-state actors (including organized crime,

militias, and transnational networks), arms brokers, traffickers, and financiers. As in other trades with strong criminal elements, the arms trade operates under the competing authorities of *legal*, what states consider legitimate in accordance with norms and laws, and *licit*, what the actors involved consider legitimate. Transactions can thus be illegal in the eyes of the law and 'licit' in the eyes of the participants. In theory, all participants are constrained by laws and norms to only those transactions that are both legal *and* licit. In practice, states and their intelligence agencies regularly collude with arms brokers, traffickers, and financiers to funnel illicit arms to non-state actors or states under embargo.

### B. Four Main Categories

According to Nicholas Marsh and Lauren Pinson, the global arms trade can be divided into four categories, listed here in descending order of legality: 1) Authorized Trade; 2) Semi-Legal Trade; 3) State-Sanctioned Illicit Trade, termed "the grey market"; and 4) Wholly Illicit Trade, known as "the black market." The authorized trade is entirely legally compliant and accounts for most state-to-state trade in major weapons systems and equipment, like aircraft and warships. In the semi-legal trade, different aspects of the trade, like components of the supply chain or the chain of custody, may be authorized or unauthorized. It is usually used to supply larger groups involved in organized crime or political violence and often involves high transaction costs and complex arrangements for covert acquisition of weapons under state control. State-sanctioned illicit trade is typically used to supply unauthorized non-state parties or groups involved in political violence. Grey market trade is employed as a foreign policy tool and involves "direct complicity of government officials who have political approval for their actions." In most cases, as in the infamous Iran-Contra Affair,

the intent is to destabilize unfavorable regimes. Most embargo violations occur in the semi-legal and state-sanctioned illicit trades. Finally, wholly illicit trade is entirely illegal and, while pervasive, is usually small-scale. Arms transfers between criminal organizations would constitute black market trades.

### C. Major Trends in the Global Arms Trade

The global arms trade is incredibly vast and lucrative. Estimates of its size for the year 2019 ranged from \$118 billion to \$212 billion. The illicit arms trade is nearly impossible to quantify but is likely worth multiple billions. Aging estimates of illicit SALW sales *alone* hover around \$1 billion. Given continued SALW proliferation, it stands to reason that total grey market transfers in today's dollars are worth at least that, likely more.

From 2017-2021, the world's largest arms exporters were the US (39 percent of global exports), the EU (24 percent), and Russia (19 percent). Over the past two decades, the US has solidified its dominance in global arms exports, while a declining Russia has ceded market share to China, France, Germany, Italy, South Korea, and others. While the EU operates under a Common Foreign and Security Policy, it is misleading to think of Europe as a single actor in the global arms trade. Arms export decisions are considered a matter of national security and are therefore the sole responsibility of Member States, who are free to act independently of each other. For the period 2017-2021, Asia and Oceania overtook the Middle East as the principal destination for global arms imports. The world's largest arms importers were India (11 percent of global imports), Saudi Arabia (11 percent), and Egypt (5.7 percent). While not factored into official tallies, illicit arms continue to flow into and out of Libya, Syria,

Iran, North Korea, and other states under UN embargo, EU embargo, or both.

### The Seven Factors Undermining Arms Embargoes

1. *The long lifespan and high potential for diversion of conventional arms.*
2. *Fragile state dynamics in the embargoed state.*
3. *High weapons prevalence or production capacity in the embargoed state.*
4. *Access to financing among embargoed actors.*
5. *Variety of import entry points to embargoed states.*
6. *Collective action problems among embargo implementers.*
7. *Lack of arms embargo enforcement mechanisms.*

#### 1. *The long lifespan and high potential for diversion of conventional arms*

First, arms embargoes are ineffective because weapons are durable goods with long lifespans. Conventional weapons can be easily reused, repurposed, or used for parts. They can be stored and transported without spoiling, and even single-use "consumables," such as landmines and ammunition, can remain active or functional for decades. Problems arise because the exporter has little control over how the weapons are used through the years. Suppliers cannot shut down or retract the weapons if they are deployed against civilians, illicitly re-exported, reverse-engineered and replicated, or if the importer becomes a future threat. Perhaps the most egregious example of this last point was the CIA's multi-billion-dollar program from 1979-1982 to arm and finance the Afghan mujahedeen—many of whom went on to form Al Qaeda.



Overwhelmingly, conventional weapons are manufactured legally. Diversion to illicit or illegal markets is a consequence of trade. SALW, small arms (weapons for personal use, like pistols or assault rifles) and light weapons (weapons for small team use, like heavy machine guns or portable anti-aircraft missiles, known as “MANPADS”), are frequently diverted or trafficked due to their prevalence, easy operability, compact size, and vast utility. For these reasons, arms embargoes are less effective at capturing SALW transfers than they are at preventing trade in larger, more sophisticated weapons. As a result, combat in embargoed states tends to be more chaotic and have a higher incidence of human rights violations, as is typical of conflicts characterized by small arms and light weapons.

## 2. *Fragile state dynamics in the embargoed state*

Arms embargoes fail when states are unable to regulate the weapons present within their jurisdictions. Fragile states are unable to perform this crucial task because they have lost their monopoly on the legitimate use of force within their territory—defined by Max Weber as the essential feature of a functioning state. In fragile states, weak institutions and low capacity to deliver basic services diminish citizen faith in government. This creates a gap between the state’s theoretical right to exercise power and its actual ability to do so. The resulting legitimacy vacuum gives rise to new power structures, controlled by factionalized elites and militias who operate with little regard for international rules and norms. Lacking the authority and capacity to enforce laws or project power, fragile states are vulnerable to intervention or co-optation by enterprising external actors.

Unfortunately, arms embargoes may only exacerbate fragile state dynamics. Politicians and scholars have argued that arms embargoes impede the state’s ability to re-establish control and infringe its inherent right to self-defense. The argument is that the state is compelled to respect international law (i.e., the terms of the embargo), while non-state actors are free to operate by their own rules. Therefore, an arms embargo creates an asymmetry where the state is prevented from weapons resupply while non-state actors can continue filling their arsenals and coffers by illicit means. In this way, arms embargoes can inadvertently empower co-opted elites and entrench a culture of criminalization in the embargoed state—to the detriment of both short-term conflict resolution and long-term governance prospects.

## 3. *High weapons prevalence or production capacity in the embargoed state*

Arms embargoes are less successful when there are already significant quantities of weapons on the ground prior to the embargo. Bulging inventories can sustain intensive warfare in embargoed states for months or even years. At least initially, arms embargoes on heavily armed countries are more symbolic than anything else. For example, when Yugoslavia descended into violence in the early 1990s, it was awash with arms. Yugoslav depots housed some 3.5 million infantry arms, 11,000 large-caliber artillery pieces, 3,500 tanks, and two years’ worth of ammunition. A 1991 UN arms embargo was therefore unable to prevent the outbreak of the Bosnian War in 1992 and did little to stem the tide of violence that followed. Weapons stockpiles in fragile and conflict states are also problematic because they are often poorly guarded and pose major risks for arms proliferation. Stockpiled arms are frequently diverted to belligerents and

unauthorized users via theft, battlefield capture, and illicit sales.

A high production capacity in the embargoed state, or at least guaranteed access to each element of the supply chain, will also undermine the efficacy of an arms embargo. If a state is a self-sufficient manufacturer of arms, a restriction on arms imports will have little impact. North Korea is a good example of this. The totalitarian state has been building its production capabilities for decades, developing networks for covert technology procurement and preaching a “military first” doctrine to justify spending scant state resources on weapons systems (nuclear, chemical, and conventional). Additionally, comprehensive UN sanctions, in place since 2006, have proven ineffective at curbing the production and proliferation of North Korean weapons. North Korea has been a major supplier of illicit arms (particularly SALW) to Syria, Iran, and non-state actors in Lebanon, Yemen, Palestine, Uganda, and Sri Lanka.

Most states—let alone states under embargo—are unable to replicate North Korea’s domestic defense industrial base. Increasing production capacity is difficult. It requires massive capital investments, industrial facilities, technical know-how, and time—all of which are in short supply in fragile or conflict-ridden embargoed states. That said, some commentators have suggested that arms embargoes catalyze self-sufficiency, pointing to the case of South Africa, which substantially increased indigenous arms production while under embargo (Voluntary UN arms embargo, 1963-1977; Mandatory UN arms embargo, 1977-1994). Others disagree. They attribute South Africa’s production surge to extensive illicit arms and technology transfers from embargo-violating states—rather than a necessity-driven spike in homegrown capacity. In the modern era, emerging technologies (e.g., 3D printing) and

online platforms (ranging from dark web sites to Facebook) are lowering the threshold for building capacity and circumventing embargoes. So far, use of these technologies in the arms trade has been too small-scale to have an impact, but this will change in the coming years.

#### *4. Access to financing among embargoed actors*

Arms embargoes fail when embargoed actors have access to a steady stream of money to finance arms purchases. Stand-alone arms embargoes are almost never successful. Usually, they are accompanied by other ‘targeted sanctions’ in a multi-pronged effort to restrict financing and penalize influential political and economic players. Such sanctions include asset freezes, travel bans, diplomatic sanctions, and commodity interdiction. One of the most effective arms embargoes—the 1990-2003 embargo on Iraq—was so successful because the international community was able to capture and monitor the use of Iraqi oil revenues, which were deposited in a UN-controlled fund tied to the “Oil-For-Food Programme” (OIF). While the OIF suffered from corruption and abuse, the UN fund was able to prevent enough covert financing to make the embargo successful.

Fortunately for embargoed actors, such UN funds are uncommon and the international arms trade is a buyer’s market. Since the mid-2000’s, arms suppliers have multiplied and diversified, lowering the cost of weapons and tempting suppliers to be less restrictive in their exports. Therefore, a buyer with the means to pay will inevitably find a supplier—embargo or not.

Embargoed states and actors employ various techniques to finance their arms purchases. In fragile states, well-armed elites and militia groups leverage their relative strength to rearrange economies and regulate

the flow and distribution of other goods. They parlay the threat of violence into financial gain by: opening or closing trade routes (especially for the smuggling and trafficking of goods, humans, drugs, or arms), crowding out legitimate economic activity, artificially inflating prices, evading taxes, levying arbitrary taxes, taking bribes, exploiting natural resources, commandeering private and state resources, and engaging in state capture. Illicit economic activities—especially smuggling and trafficking—are primarily cash-based and are often transacted through third-party intermediaries, making it difficult to target the states and actors involved using asset freezes or other economic sanctions.

In the arms trade, the use of brokers as third-party intermediaries is significant. Working with arms brokers is not illegal; they are often contracted by states and organizations to coordinate the logistics, transport, insurance, and financials of authorized trades. That said, arms brokers have developed a reputation for exploiting loopholes and differences in countries' legal systems to facilitate grey market operations. In the illicit trade, brokers help forge documents and end-user certificates, divert shipments, and manage front companies to conceal and launder illicit proceeds.

Another financing tactic is simply to print money. Governments generally avoid printing money for military expenditures because inflation, a politically unpopular consequence, ensues. That said, if the need is immediate, a state may prefer this to raising taxes or borrowing money. Parallel governments and non-state actors may print or import counterfeit money. The notable case of this Libya. Since 2014, the start of the Second Libyan Civil War (2014-2020), Libya has operated under competing authorities: the UN-recognized Government of National Accord (GNA) and the Libyan National

Army (LNA), a faction of Libya's armed forces commanded by Field Marshal Khalifa Haftar. Libya is currently under a mandatory UN arms embargo and related economic sanctions. Nevertheless, UN Security Council member Russia has been a major arms supplier and financier for Haftar's LNA. During the course of the war, Russia printed over 12 billion counterfeit Libyan dinars to finance Haftar's insurgency, most of which the sovereign central bank in Tripoli was forced to accept.

Finally, sanctioned states may look to avoid financial flows altogether by employing the barter system. Arms can be used as currency in "arms-for-X" trades, where 'X' could be oil, drugs, steel, sugar, or any other commodity. The most common are "arms-for-oil" trades, which often occur between two sanctioned states as a practical means to withstand mutual isolation and to achieve respective security goals. During the 1980-1988 Iran-Iraq War, South Africa and North Korea began cooperating with Iran on arms-for-oil deals. Iranian oil helped South Africa and North Korea power their industries and fuel their societies, while South African and North Korean weapons, training, and production materials helped Iran to (a Pyrrhic) victory over Iraq and provided a foundation for its now-significant arms industry.

##### *5. Variety of import entry points to the embargoed state*

Arms embargoes are less likely to succeed if embargoed actors are able to import weaponry through a variety of entry points. There are three mechanisms for delivery of illicit arms, with the third pertaining primarily to SALW: sea, air, and land (either by vehicle or cross-border concealed carry, also known as the "ant trade"). Detecting illicit arms shipments is already a difficult task; illicit arms are usually intermingled with, or

moved along the same routes as, legitimate cargo. The more access points embargoed actors have to those shipments, the tougher it is to enforce the embargo.

The largest shipments and biggest individual items are sent by sea. According to a 2020 report on firearms trafficking by the UN Office on Drugs and Crime (UNODC), from 2016-2017, cases of illicit arms seizures from seafaring vessels involved more than five times the number of weapons intercepted from other modes of transport. Embargoes on landlocked countries should be easier to enforce, since access to larger shipments would be cut off by the embargoed state's coastal neighbors. A case study of the Bosnian War provides evidence to support this, but complications arise when the coastal neighbors are themselves under embargo, or when they have a vested interest in the outcome of affairs in the embargoed state.

During the war, Bosnia's 10-mile Neum Corridor on the Adriatic Sea was held by the Bosnian Croats (supported by Croatia), who were pitted in a three-way battle for much of the conflict against the Bosnian Muslims and the Bosnian Serbs (supported by Serbia and Montenegro). This was primarily an issue for the Bosnian Muslims, who lacked the sort of coastal access and outside support enjoyed by the other warring factions. A December 1992 US intelligence estimate described the situation: "The Bosnian Army relies almost exclusively on Croatia and the Bosnian Croats for arms and supplies...Any outside assistance is subject to Zagreb's cooperation." The US advocated a "lift and strike" policy to level the playing field, but it was impossible to lift the arms embargo on the Bosnian Muslims without effectively lifting a separate embargo on Croatia. Arms shipments would have to pass through Croatian territory or otherwise be airdropped in at great cost. It was already an open secret that Croatia was skimming off the top of illicit arms shipments

to the Bosnian Muslims—between 20-50 percent of arms went to the so-called Croatian "transit tax." As this example illustrates, Croat access to seaports significantly improved their import potential under embargo and, importantly, made them gatekeepers for other inland actors.

Despite the expense and traceability of arms trafficking by air, it remains a major threat to embargo enforcement and conflict resolution efforts. In areas that are sparsely populated, prone to banditry, governed by competing authorities, or lacking adequate infrastructure for timely land delivery, arms trafficking by air may be the only viable supply option. Unlike maritime transfers, airplanes cannot be stopped and searched in transit and, short of using military force, little can be done about aircraft that divert *en route*.

Additionally, many of the same air cargo companies that are contracted by the UN to deliver humanitarian assistance are also involved in transporting or trafficking "conflict-sensitive" goods, like arms, diamonds, drugs, tobacco, and precious minerals. Since the 1990s, air trafficking of conflict-sensitive goods to/from embargoed states has facilitated violence and sustained "war economies"—political economies that seek to perpetuate conflict for financial or political gain—in Africa's most serious conflict zones, many of which are far from coastal areas. Air cargo carriers may engage in air trafficking because they are closely tied to state governments, are part-owned by regional power brokers, or are enmeshed in organized criminal activities. Potential methods for disrupting air trafficking operations include compulsory deregistering, landing bans, and asset freezes.

By far, most SALW trafficking occurs across land borders, which can be long and poorly patrolled. According to the UNODC firearms report, illicit arms seizures at land crossings accounted for two-thirds of the total number of arms apprehended between 2016-

2017. Arms are smuggled across borders by truckload and piecemeal, via the “ant trade.” Just as individual ants carry small amounts back to a vast colony, in the ant trade, individual operators transport small quantities of illicit arms across borders to meet large-scale demand. In the aggregate, individual contributions add up, which can prolong the conflict and undermine embargoes.

In Libya, UN and EU arms embargoes have proven “totally ineffective,” largely due to arms trafficking over Libya’s numerous and notoriously porous land borders with neighboring Egypt, Sudan, Chad, Niger, Algeria, and Tunisia. Egypt has been cited as among the most flagrant violators of the UN arms embargo on Libya. Robust trafficking networks along Egypt’s western border funnel black and grey market arms to LNA forces, who control most of eastern Libya. Nevertheless, Egypt remains a primary destination for US and EU arms exports. This plays into a trend with predictable consequences: When mandatory UN arms embargoes are imposed, direct imports to the embargoed states tend to decrease, but imports to countries neighboring the embargoed states tend to increase. While countries neighboring an embargoed state may have legitimate concerns for conflict spillover effects, arms exports to these countries mainly heighten regional tensions and hyper-militarize borders. These arms also have a high chance of being smuggled into the embargoed state—frequently the intent of the original exporter, who may be seeking to circumvent the embargo without explicitly violating international laws.

#### *6. Collective action problems among embargo implementers*

Multilateral arms embargoes fail because they inherently suffer from collective action problems—social dilemmas where individuals

are motivated to defect from joint action due to conflicting interests. According to Michael Moore, collective action problems for arms embargoes are especially acute because arms exports represent “a direct transfer of the capability to carry out political violence...and to change the balance of power.” This means that even though there is a relatively large group of international arms suppliers, each individual defection causes a noticeable decrease in the embargo’s coercive power, giving the ‘weakest link’ the potential to determine the embargo’s overall success. Of course, not all arms suppliers are created equal. Major arms exporters, like the US and Russia, have the potential to undermine embargoes more quickly and dramatically than minor exporters. Still, states of all export capacities choose to violate arms embargoes when the perceived economic, political, or strategic benefits of noncompliance outweigh both the costs of getting caught and the consequences of embargo failure.

International arms sales benefit exporters economically in four principal ways. First, they support the exporter’s economy as a source of jobs and hard currency. Second, they enhance domestic defense industry competitiveness and preempt other suppliers from increasing their market share. Third, they allow producers to exploit economies of scale. Fourth, they are necessary to help producers recoup the high costs of research, development, and production. Many industrial and smaller-scale arms producers rely on exports to maintain their own defense industrial bases. This export dependence may push states to defect from collective action.

While economic concerns are at play, studies have shown they are less important than political and strategic considerations in a state’s decision to violate an embargo. States illicitly transfer arms to secure access to resources, support preferred political



partners, shore up military alliances, increase interoperability between armed forces, or to maintain or change the balance of power in a region. States may also be motivated to breach embargoes for ideological or moral reasons. During the Bosnian War, many states, such as Iran and Turkey, were unwilling to abide by the terms of the comprehensive UN arms embargo on all parties. They felt the embargo disproportionately advantaged the Bosnian Serbs by freezing the substantial Serb military advantage in place.

Among the most significant predictors of which states will violate arms embargoes is the level of import dependence of embargoed actors. Militaries and militias often seek to standardize their weapons systems, building strategies and training programs around particular combinations of arms. This can lead to a lock-in effect where importers must return to specific suppliers for ordinance, maintenance, and spare parts. Import dependence—a liability for any state—is amplified for embargoed actors because interoperability issues make finding new suppliers all the more challenging. States may break from collective action to exploit the resulting power asymmetry, offering embargoed actors much-needed arms in exchange for various concessions. It is worth noting that this leverage is less relevant in trades of less-sophisticated weapons with many available suppliers, like the SALW trade.

States may violate arms embargoes if the embargoed actor has a high capacity for retaliation or if it has leverage over an issue of existential concern to embargo implementing states. Oil dependency (and preoccupation with preventing migration) has prompted European states like Italy and France to take unsavory action in Libya for years. Surging energy costs cause price hikes for consumer goods and services, contributing to inflation, stifling economic growth, and inciting social

unrest. Governments in even the most law-abiding oil-poor states may be tempted to violate arms embargoes to pre-empt or resolve domestic discontent. In 2018, the *Gilets Jaunes* (“Yellow Vests”) protests swept France, motivated, in part, by rising fuel prices. That same year, France increased its oil presence in Libya. One year later, France was cited for providing illicit arms to the LNA.

### 7. *Lack of arms enforcement mechanisms*

Arms embargoes fail because enforcement mechanisms are weak. As discussed in the previous section, the success of UN embargoes—or any international legislation—relies on the collective support of sovereign states, who form what is essentially a coalition of the willing. To be sure, ‘willing’ does not necessarily mean ‘able’ or ‘eager.’ In many UN Member States, the police, customs controls, and judiciaries lack the capacity, technology, or legitimacy to pursue and prosecute embargo violations. Even though Member States have a legal obligation to abide by and implement arms embargo measures, many States do not treat infringement of a UN embargo as a criminal offense under domestic law.

The UN process for adopting sanctions packages is complicated and leaves room for loopholes. All 15 members of the UN Security Council (5 permanent; 10 rotating) sit on the sanctions committee. Committee decisions must be taken by unanimous consensus, meaning that each member has an effective veto. To garner widespread agreement, embargo proposals are watered down by various exemptions, carve outs, and differentiated criteria—all of which pose risks for illicit arms diversion. For example, the arms embargo on Somalia, in place since 1992, exempts deliveries of weapons and equipment for Somali National Security

Forces, despite the fact that, according to Khristopher Carlson, many Somali security providers also serve in clan militias and have a reputation for “absconding with government weapons, ammunition, and uniforms.” UN sanctions packages are almost always time limited. Extensions are subject to renegotiation, which may result in packages that are more reflective of Security Council politics than the situation on the ground in the embargoed state. In recent years, Russia and China have shielded Syria, Myanmar, Sudan, and others from new or expanded sanctions.

Finally, international laws inherently suffer from the absence of a global enforcer with the means and authority to hold noncompliant actors accountable. As a result, strong states have the power to act with impunity. While direct embargo contravention is rare, especially among established democracies, American and European arms often end up in the wrong places and the wrong hands. The US and Europe are among the top arms suppliers to anti-democratic regimes, human rights abusers, and known embargo violators like Saudi Arabia, Egypt, Qatar, and the UAE. As both exporters and regulators, strong states are in a position to be the proverbial ‘fox guarding the henhouse.’ SALW diversion continues to be an issue, largely because major exporters like the US and EU champion SALW control while simultaneously occupying the top spots for SALW exports. From 2014-2016, the US and EU accounted for over 50 percent of the global SALW trade.

## CONCLUSION

The logic behind UN arms embargoes is clear and simple: contain the scope and severity of war, human rights abuses, and threats to international security by restricting access to the tools needed for violence.

Complying with arms embargoes can serve national interests by improving a state’s international credibility as a reliable and rule-based actor—which often translates to increased influence and opportunities for economic gain. Nevertheless, arms embargoes across various geographical contexts and time periods have been systematically violated. To assess why and how arms embargoes fail, this paper analyzed seven broad factors that undermine an embargo’s potential for success. The first pertained to the inherent features of weapons and the predictable consequences of the arms trade. The second, third, fourth, and fifth concerned conditions present in the embargoed state. The sixth and seventh result from the often-divergent strategic interests and utility calculations of embargo-implementing states.

While this paper has provided several recommendations for how to make arms embargoes more effective, there will always be a chance of embargo failure as long as the arms trade continues—and continues to grow. Further research is needed to update estimates of the value and scope of illicit transfers across various weapons categories and to determine how best to hold the most powerful states and largest exporters accountable. Research on the second point would need to look at options for reduction in arms production and circulation, which may be unpopular for national economic and foreign policy reasons but would increase the effectiveness of arms embargoes and better align state actions in the arms trade with their professed goals of peace and security. In the meantime, this paper serves primarily as a guide to help policymakers identify potential weak points and set expectations when planning and implementing arms embargoes.

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## Notes

1 A note on terminology: This paper will use the terms "arms embargo" and "embargo" interchangeably. "Sanction" will refer to economic, diplomatic, trade, or other non-embargo restrictions. "Comprehensive sanctions" will refer to the whole suite of UN sanctions, including arms embargoes.



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Richard Johnson and Spencer Willardson, 2018, "Human Rights and Democratic Arms Transfers: Rhetoric Versus Reality with Different Types of Major Weapons Systems," *International Studies Quarterly*, 62 (2), 453-464. <https://doi.org/10.1093/isq/sqx077>.; EJ Hogendoorn, "The Humanitarian Impact of Arms Embargoes," Woodrow Wilson Center, YouTube, November 17, 2008 (uploaded July 29, 2013): min. 22:40-23:15, <https://www.youtube.com/watch?v=a7zN3d2vSFo&t=2s>.

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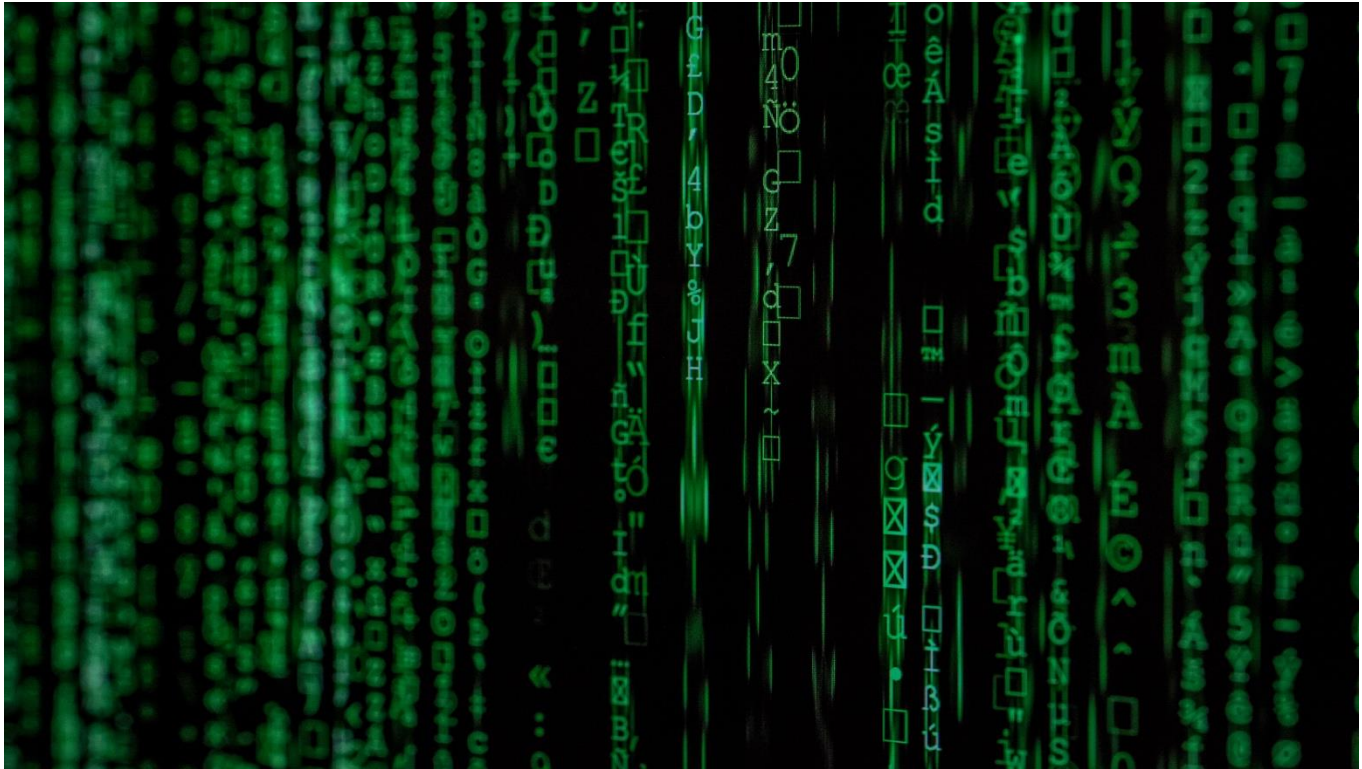
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## Pegasus and the Failure of Cybersurveillance Regulation

*Shannon Burton*

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### PEGASUS TAKES FLIGHT

In October 2021, the US blacklisted the Israeli technology firm, the NSO Group, an unusual step against one of its closest allies in the Middle East. NSO earned its spot by developing and licensing the surveillance software Pegasus, a program that has gained infamy in recent years. The software has become known as “the world’s most powerful cyberweapon” due to its ability to remotely infiltrate smartphones without the user clicking on any links. Reports have revealed that NSO clients have targeted people such as Jamal Khashoggi, human rights lawyers, dissidents, and journalists throughout Latin America and the Middle East. In addition to

immediate targets, several states used Pegasus to infiltrate the phones of targets’ family members in the US and France. The breadth of Pegasus targets and its geopolitical utility highlight the gaps in current cyberweapon regulation and point to a future in which such software will continue to proliferate and stronger regulatory mechanisms will be necessary.

Human rights activists have widely condemned NSO contracts with authoritarian state actors. NSO officially confirmed it has licensed Pegasus to 19 countries between 2011 and March 2022. Unofficially, a 2018 Citizen Lab investigation found that number to be closer to 36 state operators. Beyond the NSO Group’s self-regulation in determining its client list, the Israeli Defense Ministry can also block the export of Pegasus to other countries, an ability it has used to its geopolitical advantage. A *New York Times* investigation found that after the export of Pegasus was approved, countries like Mexico and Panama changed their position towards Israel in votes at the

UN, particularly regarding issues viewed as Pro-Palestine. Israel continued to leverage this power during the negotiation for the Abraham Accords, which normalized relations between Israel and many of its Arab neighbors. Although not explicitly part of the deal, several news reports indicated that the UAE, Bahrain, and Saudi Arabia were brought to the table after the Israeli government promised to grant them licenses to Pegasus.

Israel is clearly far ahead in understanding the geopolitical potential of cyberweapons. Nonetheless, the blacklisting of NSO demonstrates that the US views cybersurveillance technology on the same level as other military equipment and is willing to contain its spread as part of its national defense. However, this containment effort will run into the challenge of regulating the burgeoning Access-as-a-Service (AaaS) industry. AaaS firms like NSO offer “access” to systems and data that buyers desire. Many of these companies exploit zero-day vulnerabilities, which are flaws in software for which there is no official patch or security update. Pegasus relies on these gaps. Compared to fighter jets or missile defense systems, this type of software is cheap and easily transportable. The difficulty of tracing such cyberweapons back to the attacker further complicates US efforts to identify and contain the actors responsible.

By blacklisting NSO, the US Department of Commerce has added it to its Entity List for activities “contrary to the national security or foreign interests of the United States.” For NSO, this means it cannot buy essential supplies from the US such as Dell computers or Amazon cloud servers. Even if NSO is temporarily out of the game, many other firms are eager to take its place. This US policy change opens the field to many US domestic companies such as Boldend and Raytheon, as well as other international

companies that wish to take up Pegasus’ mantle. Nevertheless, Pegasus has exposed the need for US policymakers to strengthen international cybersurveillance regulation, specifically addressing export control, zero-day vulnerability, and transparency concerns if the continued unchecked transfer of this technology is to be avoided.

## POLICY OPTIONS

### *Export Control of Dual-Use Technology*

Because Israel controls the sale of Pegasus through the Defense Ministry’s oversight of arms exports, many human rights activists and policymakers have advocated for greater and stricter export regulations. Tighter export controls would not address the development of cybersurveillance software within Israel or other countries, but it could prevent their transfer to countries that lack the ability to develop their own programs.

In the field of export control, international regulatory regimes play an important role in setting norms and restrictions. Any effective, comprehensive cybersurveillance regulatory regime would need to receive support from all states that already possess the technology. This consensus has been stymied as the US, EU, and China have developed separate regulatory authorities. Analysis of the US Export Control Reform Act (ECRA), the EU Dual-Use Regulation, and the Export Control Law (ECL) of the People’s Republic of China demonstrates that export control regimes are becoming increasingly divergent, reinforcing gaps that firms like the NSO Group have exploited.

Some advocates argue that linking regulatory initiatives with international organizations such as the World Trade Organization (WTO) or the United Nations would persuade more states to participate. Currently, there are numerous initiatives at both organizations to implement



international regulation of “cyberweapons” such as Pegasus. However, because of the consensus decision-making model at these organizations, it is unlikely that they will be able to create, adopt, and adapt regulations in such a quickly evolving field. The US, in coordination with allies, could pressure non-participating states to enter a regulatory framework by refusing to export cybersurveillance technology or needed equipment to non-members. Nevertheless, many states would most likely want to maintain the ability to export to countries of their choice to avoid hurting domestic industry. Alternatively, member states in a theoretical international framework should introduce sanctions or blacklist AaaS companies in non-participating countries to compel host countries into compliance with a new regime.

To build an effective international cybersurveillance regime, the US and its allies will need to further develop the Wassenaar Arrangement, an existing export control agreement regulating dual-use goods and technologies that includes forty-two member states. In 2017, the framework was amended to specifically strengthen export controls on cybersurveillance tools. However, the Wassenaar Arrangement is only a framework, not an international regulatory agency or treaty organization. It is considered “soft law” and non-binding. Participating countries include Turkey, Russia, Mexico, and the US, but there are notable exceptions such as Israel and China. Yet, Israel has committed to follow the Arrangement unilaterally, and it claims that all its approvals for Pegasus exports have not violated international export law.

Despite the controversy of Pegasus, Israel’s assertion may have grounds given the weakness of the Wassenaar Arrangement. Currently, the Wassenaar Arrangement covers three types of cybersurveillance

technology: mobile telecommunications interception equipment, intrusion software-related items, and IP network surveillance. Although the 2017 amendment added intrusion software, it does not restrict it to the same degree as other technologies to allow cybersecurity researchers and white hat hackers access to these tools. It instead regulates software that is “specifically designed or modified for the generation, command, control, or delivery of intrusion software” or what is commonly referred to as “intrusion-related software.” Additionally, it puts export controls on systems and equipment that interacts with intrusion software. Therefore, it controls software toolkits that companies sell to clients to conduct operations with intrusion software, but not the software itself.

Consequently, this allows NSO to sell its Pegasus software in accordance with the Wassenaar Arrangement. NSO insists that it only sells the software to governments and does not operate Pegasus itself. If NSO supplied systems to use Pegasus (which is likely, but not proven), it would then technically be in violation of the Arrangement. Additionally, the accepted interpretation of the Wassenaar Arrangement applies to “cyberweapons” used to infiltrate military systems. Although some experts would argue that this would cover civilian law enforcement, the Wassenaar Arrangement put the onus on the exporting state to decide whether the export is compatible with the Arrangement. Therefore, even if Israel was a signatory of the Wassenaar Arrangement, it would have significant leeway in interpreting Pegasus exports to be compliant with the Arrangement. This demonstrates that the current weakness of international export control goes beyond the lack of universal participation.

The Wassenaar Arrangement’s inherent problem is that it is trying to regulate the

same tools that cybersecurity practitioners need to access for their legitimate work. For example, the kinds of programs that would be controlled under a stricter definition of “intrusion software” are the same programs used in verification software. Some experts recommend using a broad definition but encourage policymakers to include specific regulatory exceptions in cases of legitimate use. However, the exceptions would have to be continuously evaluated and adapted as the field evolves. Instead, policymakers should implement adaptability to the Arrangement’s provisions on intrusion software. The EU’s 2021 export control regulation update contains a “catch-all” clause that requires the exporter to obtain a license for a non-controlled item if they are informed by a “competent authority” that the recipient may intend to repress domestic dissent or violate human rights with the item. This provision acts as an “emergency brake” or a policy stop-gap for potential situations that arise from the ambiguous “intrusion-related” software definition. The provision also allows the EU to add a new item to the controlled list once a state invokes the clause and all other member states agree within 60 working days. Thus, the new EU export control regulation has built-in flexibility that allows it to be adapted to the quickly evolving cybersurveillance sector.

Combining the EU provision with the US’s validated end-user (VEU) process can strengthen the effectiveness of states’ export control regime. Currently, the US maintains a VEU process for receivers of US-based technology in China and India. US export controls allow its domestic firms to export without a license to any country that is not embargoed or designated as supporting terrorism if the item is being exported to a subsidiary of a US company or a company headquartered in a “Favorable Treatment Country” (NATO allies). Therefore, the VEU process is particularly crucial to

confirm the actual users of exported software even in instances when no other restrictions are triggered. The US government alerts exporters with “red flags” when they notice software exports may be destined for an inappropriate end-user. An expansion of the program beyond China and India can serve as a model for cooperation between exporting and importing states through information sharing.

However, putting too much emphasis on government control of export licenses can also have the inverse effect. In the case of NSO, the company had formed an ethics committee prior to the killing of Jamal Khashoggi in 2018. Despite NSO denying that Saudi Arabia had used Pegasus to spy on Khashoggi, it complied with the request of its ethics committee to withdraw Saudi Arabia’s permission to use Pegasus. Almost immediately, the Israeli government requested that NSO reconnect Saudi Arabia to Pegasus. At the time, Israeli Prime Minister Netanyahu was conducting secret diplomatic talks with Saudi Arabia and had an obvious political interest in maintaining cordial relations. Although it initially declined, NSO later succumbed to the pressure and reconnected Saudi Arabia to Pegasus. Compliance with international frameworks and even domestic controls can be subject to governments’ strategic aspirations. Therefore, any future international system based on the above US-EU best practices needs other mechanisms that can be implemented when individual states are not compliant with their obligations.

## ZERO-DAY VULNERABILITIES REGULATIONS

Even if a robust, enforceable international framework is developed for export control, it does not stop the development of cybersurveillance technologies, nor does it prevent the transfer of software between

black market actors. For example, in 2018, a disgruntled ex-NSO employee stole Pegasus's source code and tried to sell it online to an "industry insider". Hence, some experts argue that international efforts should not stop at export controls but should also cover zero-day vulnerabilities governance.

Policymakers and hackers view zero-day vulnerabilities differently, making it challenging to define them for regulation. Policymakers frequently view zero-day vulnerabilities as a commodity that can be defined and regulated, whereas the hackers using them see such vulnerabilities as multifaceted processes. The global nature of the market also hampers domestic efforts to regulate the issue as countries may have a double standard for domestic versus international regulation. Thus, attempts to include zero-day vulnerabilities in international agreements such as the Wassenaar Arrangement have been met with opposition over concerns that regulation may limit positive cyberoperations like researchers' attempts to identify bugs. On top of this, pricing in the zero-day market is not standardized as it depends on several factors such as the bug's importance (which may depend on the importance to the buyer), in addition to the market largely being conducted outside the reach of government regulators. Thus, it is difficult to regulate the zero-day market in the same way governments manage commerce in other sectors. As a result, many experts recommend avoiding attempts to regulate the zero-day market as it is nearly impossible to effectively enforce. Instead, they propose that policymakers focus on promoting programs such as Hack the Pentagon that use vetted hackers to find vulnerabilities that pose a national security risk. These programs help mitigate the national security risks of zero-day vulnerabilities but do not attempt to intervene directly in the market.

However, if domestic governments want to attempt to regulate the market, they need to create and enforce policy on both international and domestic levels. To build a foundation for international norms on zero-day governance, the US can first work with the North Atlantic Treaty Organization (NATO) or the Organization for Security and Co-operation in Europe (OSCE) as well as traditional allies. After establishing these norms, the US can build on these agreements to partner with countries that would most likely exploit the international zero-day market. The eventual inclusion of these countries, like China and Russia, would enhance the potency of any agreement. Similar to export control of cybersurveillance technology, the US can center its coalition-building efforts around establishing "know your vendor" (KYV) standards. The US could improve on its own KYV laws by mandating that any firm bidding for a government contract must report their vendors, customers, sub-contractors, and other actors within their supply chain.

## INCREASED TRANSPARENCY

The US and its coalition partners should also advocate for private firms to adopt more transparent practices. It has been reported that NSO can perform after-the-fact forensic analysis on its clients' use of Pegasus. Although some activists advocate for this data to be published, most AaaS companies' clients do not want the results of their spyware use disclosed later. Ethics committees can serve as a balance between the realities of the industry and the need for transparency. As mentioned earlier, the NSO ethics committee led to the company's decision to temporarily cut off Saudi Arabia from using its product after Khashoggi's death, proving that ethics committees can be somewhat effective. By taking the added step of requiring ethics committees to regularly release public reports (which NSO's ethics committee is currently not required to do),

the US and its partners would strengthen transparency within the AaaS industry. States should require the publication of these reports as a prerequisite for eligibility for government contracts.

## RECOMMENDATIONS

The proliferation of Pegasus has revealed the weaknesses of the international export control regime for dual-use technology and highlighted the need to strengthen current agreements like the Wassenaar Arrangement. Progress can be made by increasing the number of participating states as well as replicating provisions from EU and US export rules to ensure that human rights abusers and security threats are not able to import such software. Furthermore, the US and its international partners must take a multifaceted approach and promote better governance of the zero-day vulnerabilities market, as well as build an international coalition to help establish norms on issues such as “know your vendor” laws. Finally, the US should mandate the release of public ethics committee reports to obtain government contracts to incentivize transparency in AaaS industry.

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## Non-State Actors: The Case of Italy on The Verge of Fascism

*Nicola Scroccaro*

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### INTRODUCTION

Recent historiographical developments emphasized the destabilizing role of bourgeois interest groups in Italy on the eve of WWI, showing how postwar developments were in continuity, not rupture, with the social and political dynamics prior to the conflict. In this long-term approach, what emerges powerfully is the role of agrarian organizations in the Po Valley, which, from 1920, would be infested by fascist squadristi. Dynamics that herald the formation of certain cultures and forms of political action are already present in the fifteen years preceding the war and involve organizations and groups that can be defined as non-state actors.

Despite the conventional image of the Belle Époque (conventionally 1871-1914) as an age of progress and optimism, the years leading up to the war were a period of great uncertainty and insecurity. In response to the problems and fears caused by the rise of the “New World,” there are clues hinting at postwar developments—the collapse of liberal regimes in Europe and the rise of extreme right-wing movements which would lead to the rise of authoritarian regimes beginning in the 1920s. Many countries, such as Italy, did not experience the trauma of military defeat, institutional change, or ethnic conflict, but experienced forms of paramilitarism and high rates of nationalist and fascist-style political violence.<sup>1</sup> It is also important to analyze the organizational and social forms of groups that were key actors in Italian political life between the end of the 19th century and the entry into the war in 1915.

This will be explored in the context of the emergence of the agrarian bourgeoisie in the

Po Valley as an antagonistic actor to state policies, thereby contextualizing the development of systems of interest, representation, and paramilitary bodies posing as non-state alternatives to legitimate and lawful institutions. These dynamics are part of a broader process of reaction and delegitimization of democratic institutions, which exploded in Europe in the early postwar period. In the Italian case, such claims of reaction and delegitimization of democratic institutions were adopted by the fascist movement, with the first vanguard of agrarian squadristism between the last years of the 19th century and 1922 with particular focus on the case of the agrarians of Emilia.

In the years between the beginning of the twentieth century and World War I, parliamentary life was dominated by Giovanni Giolitti.<sup>2</sup> This period was marked by unprecedented economic progress. The start of the industrial revolution stimulated the emergence of new proletarian and bourgeois classes allowing for the rise of mass political and social movements, from which the main protagonists of 20th-century Italian politics would emerge. The so-called “Giolittian system” was characterized by its ability to aggregate vast parliamentary majorities, and parliament was considered the place of mediation between different political positions and interests. Giolittism is a phenomenon that transcends Giolitti’s political personality since it involves the political class as a whole. In this context, key partners in a reformist and modernization program were the socialists. The socialist political turn had begun after the Rome congress in September 1900, chiefly characterized by the need for the country’s development in a democratic direction facilitated by a non-intransigent relationship to the government (should it come up with an adequate program of democratic reforms).<sup>3</sup> As we shall see, this system was not without criticism and difficulties.

## PO VALLEY AGRARIANS

To understand the role of non-state actors, such as the Emilia agrarians in Belle Epoque Italy, it is necessary to have some idea of the social and economic context that characterized Emilia, one of the most advanced agricultural areas on the continent. Considering this, it is clear why the high rate of social conflict in the period 1890-1914 is primarily linked to the agrarian world. Large estates were often owned by the so-called “absentee landowners”—part of the old latifundia aristocracy. They were usually involved in Italian political and economic life at a local, provincial, and national level. Marquis Giuseppe Tanari, for example, in addition to owning farmland, held the offices of mayor and parliamentary deputy in Bologna. During this period, much of the estates owned by the old notables were taken over by commercial leaseholders, who were the major players in the agricultural reclamation and modernization enterprises of northern Italy. Historian Anthony Cardoza points out how the latter:

*“Shared few of the gentlemanly pretensions and paternal sentiments of the agrarian old guard; they were essentially “agricultural industrialists” in the business of maximizing profits by increasing production, lowering costs, and selling their crops in the most lucrative markets.”*<sup>4</sup>

In addition to the rural classes, there were also sharecroppers, permanent laborers (permanent wage earners), and seasonal laborers (farmhands), the latter of whom:

*“[...] constituted the poorest class of agricultural workers, the one most prone to unemployment; they were paid daily piecework, but during a year*



*they worked an average of 50 and 60 days [...] 15 liras per day.”<sup>5</sup>*

The ranks of the laborers, beginning in the late 19th century, grew larger and larger, aided by competition from North America, Argentina, and Russia, which forced landowners to decrease the amount of land put under cultivation, fall back on less costly crops, and cut labor costs, turning many sharecroppers into laborers. In 1901, the National Federation of Land Workers (Federterra) was born; at its first congress, held in Bologna in November of that year, it decided in favor of a policy of socialization of land and production, sparking opposition from sharecroppers and small landowners, who then walked out of the organization.

Traditionally accustomed to the passivity and subjugation of the workers, the local elite reacted with horror and indignation to the emergence of labor leagues and the upsurge of strikes. They were branded as acts of “repression and economic violence” that violated the “fundamental norms of reason, custom, [and] law.”<sup>6</sup> The response of agrarian employers to this perceived threat was a refusal to recognize or negotiate with the representatives of the leagues: rejecting mediation, importing scabs (non-unionized workers) and, in the most extreme cases, abandoning crop fields. In the last decade of the 19th century, conservative political leaders in Rome tended to share the concerns of the Po Valley's wealthy classes. At this stage, government authorities began showing their willingness to respond to the landowners' requests for intervention. In practice, their policies resulted in increasingly open collusion between agrarian employers and the police in countering strikes and persecuting the leagues. To the landowning classes, the hostile and anti-national nature of the socialist movement made the requests of State support legitimate:

*“We represent no small part of the state, and since soldiers are at its service to defend it from external enemies, why should we not use them to fight an enemy attacking it from within?”<sup>7</sup>*

This kind of intervention only solidified the intransigence of landowners and merchants; bolstered by the support of government officials, employers had little incentive to organize, change their labor policies, or compromise with the demands of the leagues. However, this climate of cooperation was destined to be short-lived. Even after the authoritarian attempt at the turn of the century (1898), the wave of unrest that swept the Po Valley—the combined result of the development of workers' organizations and the permissive policies pursued by Giolitti—had the character of an epochal caesura.<sup>8</sup> For a generation of landowners accustomed to the unconditional support of institutions, Giolitti's new neutrality came as a shock. The agrarians, seemingly powerless to curb the spread of the “red” leagues, seemed to have no choice but to surrender to the workers' demands. The reaction of the landowning classes was a mixture of panic, indignation, and hostility toward a government and state that had betrayed their interests, opening wide, as they saw it, the door to anarchy and chaos. One of Bologna's leading moderate newspapers, *Il Giornale dell'Emilia*, supported the agrarians' discontent, saying that Giolitti (along with the government) was “the guiltiest of all.”<sup>9</sup> The following 1901 uprisings opened a new era of social conflict between workers and owners in the Bolognese countryside.

The revival of the red leagues was also evident in the 1904 elections, where the socialists managed to win as many as 6 of the 8 constituencies. This newfound strength of the leagues both in the countryside and at the polling station caused great alarm among the landowning classes, exposing their

disorganization and inefficiency in political and anti-union strategy. Recent economic and political successes challenged traditional power, and the emergence of a popular front posed an increasingly important danger. Absentee landlords and tenant farmers began to set aside their differences to collaborate on a systematic, long-term strategy. Bologna's agrarian elite was beginning the difficult transition from the old world of local notables to a new system of institutional arrangements, based on interest group organization and collective action.

The architect of Bologna's new agrarian generation was Enrico Sturani, a lawyer and journalist for *Il Corriere della Sera*, who shared the interests and aspirations of the new agrarian bourgeoisie. Sturani's programmatic vision was a compromise between the economic interests of the commercial farmers and the political and social concerns of the moderates, seasoned with a corporatist vision that elevated class cooperation to the guiding principle of the associations. In line with this principle, they sought to bring together owners, tenants, sharecroppers, and workers into a single, hierarchically ordered "agrarian sector," within which the various categories could resolve their differences and share "an orderly and peaceful unity guided by a common purpose."<sup>10</sup> However, as early as 1907, differing views in bargaining methods within organized labor began to create the first divisions, revealing the crisis of traditional agrarian ownership in favor of the new commercial agricultural leverage.<sup>11</sup> Before long, the great economic crisis of 1907 would interrupt the golden age of Italian economic expansion, hitting industry and agriculture hard. Emilia's agrarians faced renewed pressure from the labor movement.

Many individuals were inspired by the story of Alfredo Benni, one of the province's leading tenant farmers. However, by June

1907, organized laborers began to boycott Benni's estate in the municipality of Budrio due to his hostility at any attempt initiated by the leagues to engage in negotiations and establish agreements. An important element (which will be expanded upon later) is the use of private security forces.<sup>12</sup> Police reported that armed squads accompanied the non-unionized workers (scabs) and guarded the fields of Benni's estate. In a letter to the prefect, Benni and his associates claimed they were involved in a "civil war" with organized labor and felt fully justified in "providing a vigorous defense of our unquestionable rights and protecting their loyal workers."<sup>13</sup> Benni and like-minded people constituted the vanguard of a new agrarian insurrection movement in the Po Valley that raged, not only against the socialist labor movement, but also against the interests of the old notables and the political mediation of the traditional parties. There was a pressing need for an effective organizational counterweight to the wealth of the industrial world and organized labor. In response, a new interest group and class consciousness burgeoned among commercial farmers that transcended provincial boundaries; their goal was to find an alternative to the inadequate and traditional channels of interest representation, both on the local and national level.

The agrarian insurrection movement was an expression of the changing balance of power among provincial elites and acted as a response to the increasing rigors of economic competition and political lobbying. As Emilio Gentile points out, the rise of the new middle classes, formed as a result of the industrialization and modernization of the country, was not seen—neither by Giolitti and the liberal ruling class, nor by the democratic parties—as one of the key issues for political development. The middle classes found themselves relegated to a subordinate political status vis-à-vis both the large

industrial bourgeoisie and the organized proletariat.<sup>14</sup> The rise of the unintegrated middle classes was to be one of the major factors of instability in the Giolittian system and one of the strongholds of anti-Giolittism; anti-Giolittism became anti-parliamentary because the Giolittian parliament, remaining tied to the rural and clientelistic world of 19th-century Italy, was seen as an obstacle to the political rise of the emerging elites, and did not represent the classes that had appeared on the economic and social scene in recent decades.

The absence of a modern bourgeois party and the dominance of a few parliamentary leaders tended to alienate the agrarian interests from the ruling political class. They were pushed toward authoritarian solutions to problems of production labor relations and political representation—a phenomenon which became increasingly evident in the last years of the decade and before the war.<sup>15</sup> Emblematic of this climate is the position of Parma Agrarian Association president Lino Carrara who, at a congress in 1907, asserted that the class cooperation program no longer corresponded to the harsh realities of the northern plains and that moderate agrarian leaders had failed to achieve their primary goal: convincing the leagues to renounce class conflict.<sup>16</sup> He was echoed by his Bologna counterpart Sturani with an alarming warning about a socialist movement that was proceeding to expropriate industry and private property. Sturani and Carrara broadened their attack to include the entire structure of provincial notables' circles, which had always been political mediators of Po Valley land interests. In their view, such informal arrangements were hopeless anachronisms in an era of mass politics. Both the rhetoric and the proposals reflected a new corporatist and authoritarian vision of labor relations, production, and interest representation. The two called for an exclusive, disciplined, and “warlike”

association composed of a small core of men prepared for any contingency.<sup>18</sup> In addition to financial initiatives, such as the establishment of an insurance fund for farmers damaged by boycotts, there were also plans for special combat units to be used once conflicts with the leagues broke out. Carrara favored the formation of teams of non-unionized workers or “free workers” who could be sent to problem areas to complete essential farm work and reduce the impact of strikes. Carrara also called for an armed “interprovincial volunteer corps” that would guard the fields and thwart any attempts by striking workers to block work. These initiatives reflected the perceived “civil war” climate: “Hit by boycotts, we will respond with lockouts; we will respond to violence with violence. The working class will be strong, but the boss class is just as strong.”<sup>19</sup> The agrarians’ statements in the *Resto del Carlino* of June 1910 are interesting in this regard:

*“Thus, our anti-socialism will also appear clearly justified; anti-socialism that ignores fear, that is not a merely political statement because it is something ‘better and more:’ it is opposition to an attempt that is an attack not only on property but also on everything we hold most dear and traditional. Property and freedom.[...] For us, property is the institution that responds most immediately, most instinctively to the nature of man who, by aspiring to it, forms and tempers his personality.[...] That is why we affirm the necessity that our class must take the lead in the social movement by making the workers understand that only in the solidarity between capital and labor can there be common salvation.[...]”<sup>20</sup>*

It can be seen in this fragment how core elements of post-war developments —

militant anti-socialism and political intransigence, corporatism, need for social pacification led by bourgeoisie — were already present.

Then, again, in June 1912, the prefect of Bologna reported increasing labor unrest throughout the lower plains, which he attributed to the resolutely reactionary stance of the agrarian association. The main obstacles to social peace in the countryside now came from employers who:

*“Provoked conflicts by all means to prevent the customarily friendly negotiations between capital and labor, which they regard as signs of weakness and compromise. [...]”*<sup>21</sup>

The new era of employers’ associations was led by men who no longer valued mediation, but “an intransigence that reveals the desire, perhaps the necessity, for confrontation,”<sup>22</sup> with organized labor and state authorities. This reflected the intention to seek in themselves, and not in the state or government, the means to defend their interests.<sup>23</sup> Thus, at a time when the economic elites of other European countries had begun to develop the new institutional arrangements that would create a conservative consensus in the 1920s, the commercial farmers of northern Italy had embarked on a path that led to the intensification of social conflict and political polarization.

For example, the war in Libya, and the political debate that ensued, highlighted the increasing radicalization and political polarization of the prewar period in the twilight of the Giolittian period.<sup>24</sup> The debate around this conflict reflected the government’s inability to intervene effectively on the issue of class conflict,<sup>25</sup> and the ways it subsequently pushed agrarian and industrial organizations toward nationalism with strong

anti-Parliamentary overtones. Patriotism with anti-Socialism was a central theme of the pro-war demonstrations organized by employers’ associations. From the offensive against organized labor, criticism of certain policies resulted in direct confrontation with government authorities. The confrontational charge against institutions is most evident in the L’Agraria Bolognese, who possessed a willingness to challenge “anyone who attend[ed] to [their] rights, whether they be socialists, municipal administrations, or the state.” Reports on the eve of WWI further exemplified the deep dissatisfaction of large sectors of agriculture and industry with the liberal political class and the entire Italian parliamentary system<sup>26</sup>. The alignment of these interest groups with the Italian Nationalist Association marked a crucial change in attitudes and political objectives on the part of the most intransigent sectors of the agrarian-industrial bloc. On the heels of World War I, the Nationalist Association was rapidly emerging as the new “opinion party” of the productive bourgeoisie with an ideology that would strongly influence authoritarian developments after World War I.

## PRIVATE MILITIA

The city of Bologna had a militia of private citizens, the Pattuglie Cittadine, established in 1827 as a civic association to support these authorities. Members of the Patrols were defined by the quaestor as honest citizens performing spontaneous and willing service.<sup>27</sup> Their main duties were to patrol the streets at night, assist the police in preventing crime, ensure safety, and protect the property of the inhabitants of Bologna.<sup>28</sup> The first major intervention as the city patrols was the repression of social conflict during the general strike of May 1906. 600 men, led by members of the patrols, paraded through the city streets armed with guns and sticks, forcibly opposing the strikers. The Patrol also attempted to invade and destroy the offices of

the Chamber of Labor. However, they were blocked by police forces.<sup>20</sup> At the same time, Catholic City Councilor Domenico Nardi urged citizens with gun permits to go out into the streets:

*“within certain limits ask the shopkeepers to reopen their stores; make good vigilance. If there is to be broken glass there may also be broken heads... It is no longer time for talk, but for action”<sup>20</sup>.*

The Citizen Patrols also had a role during the riots related to Red Week; once again, civilians were involved in anti-socialist and anti-revolutionary counter-demonstrations. Strikers claimed that during the demonstrations, incited by Federterra and the CGL, they had been attacked by armed members of the Nationalist Party under the connivance of the police.<sup>21</sup> At the same time, institutional forces feared that they were showing signs of weakness within police forces and State institutions. The Giolittian prefect, referring to the support of the Patrols in major city riots, saw this as “an anticipation of civil war and a manifestation of the weakness of the authorities” and did not consider “such forms of pitting citizen against citizen, almost as a prodrome of civil wars, to be permissible.”

However, the most complex and violent case after 1908 is that of Parma. In 1914, during the insurrectional uprisings of Red Week, Parma, too, was shaken by violent riots in which forces of law and order and various bourgeois linked to the Parma Agrarian Association were involved. The intervention of civilian militias was also pivotal in the case of Parma. Since 1908, the owners’ front had been reinforced and consolidated under the ideological banner of nationalism. During the violent clashes near the Chamber of Labor, the police commissioner reported that, behind the infantry, there was also a

large group of young bourgeois with firearms, protesting with several “free workers” linked to the Parma’s Agraria, who were unwilling to mediate. Although the commissioner tried to prevent the nationalists from breaking the police cordon to clash with the strikers, the strikers “manifested intentions of substituting themselves for the public force that was too sluggish because it did not shoot.”<sup>22</sup> The involvement of the Agraria was well understood by the authorities. The Agrarians’ wrath was aroused by the demeanor and hesitancy of the authorities in repressing the unrest. They saw it as a symbol of the weakness of the institutions. The authorities were opposed by the intransigence and confidence of those who instead felt they could, by their own means, put an end to the social conflict. The chronicle in *Il Presente* speaks to the gravity of the situation, stating that:

*“it was something more than an armed and authorized repression [...] it was instead officers and bourgeois acting individually supplanting the public force and the public security authority.”<sup>23</sup>*

## CONCLUSION

The events of Red Week sparked deep anxieties and concerns in conservative and reactionary sectors of society, which resulted in further distrust in the repressive capabilities of the state. As in 1908, the Agraria had manifested its subversive charge against the Giolittian system, and armed gangs represented part of a broader strategy that, on several levels, aimed to expose the government’s inability to defend the interests of landowners from the damage wrought by workers’ strikes.<sup>24</sup> Pressed from the right and the left, state authority saw its room for maneuver increasingly narrowed. The police were forced to abandon all attempts to mediate with the protesters in order to prevent the alleged weakness of the

authorities from producing a delegitimization of the authorities themselves. Repression, once the clash was radicalized, became the only possible strategy to avoid giving a free hand to non-state violence.<sup>35</sup> From this perspective, the strategy of integration of socialists promoted by the Giolittian system only exacerbated the subversive iterations of bourgeois reaction. Attempts to widen the public sphere and responses to the challenges of the country's economic and political modernization seemed to deepen the social gaps in a society where political confrontation took the form of a class struggle, now shared by both sides.

Important segments of society came to view organized private violence as a plausible and legitimate alternative to the challenges presented by mass labor movements, the ineffective liberal system, the maintenance of order, and the rapid and impressive social and economic changes that characterized the decades before the war. For employers opposed to mediation, direct action was not, however, the only solution. As we have seen, for these movements, the defense of public order was part of the defense of a broader social order; protecting "public normality" in this way meant preserving "the entire social organization."<sup>36</sup> In a period when the monopoly of violence and modern police structures are distinctive features of the State, organized and private forms of violence represent a departure from the traditional sovereignty system by providing an alternative to state governance and challenging the state's monopoly of violence.

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## Notes

1. Paramilitary violence refers to any "military or quasi-military organization or practice that either extends or replaces conventional activities carried out by military formations". Paramilitary formations may arise because of the vacuum left by the collapse of state institutions; at other times they act in support of the army and police forces; and at other times they are employed against the state itself. They may include revolutionary or counter revolutionary groups, make themselves the bearers of secular ideologies, or be the expression of movements that want to establish a new state or of minorities that oppose this process, in Matteo Millan, «Milizie civiche prima della Grande guerra. Violenza politica e crisi dello Stato in Italia e Spagna (1900-15)», *Storica* 58, (2016), 49-84.
2. The period between 1901-1914 is commonly known as the Giolittian age in Italian political history.
3. Emilio Gentile, *Le origini dell'Italia contemporanea: l'età giolittiana*, 1. ed nella Biblioteca universale Laterza (2003), Biblioteca universale Laterza 648 (Roma: Laterza, 2011), 76-77
4. Anthony L. Cardoza, *Agrarian elites and Italian fascism: the Province of Bologna, 1901-1926* (Princeton, N.J: Princeton University Press, 1982), 49.
5. Jonathan Dunnage, *The Italian police and the rise of Fascism: a case study of the Province of Bologna, 1897-1925* (Westport, Conn: Praeger, 1997), 100.
6. G. E. Sturani, Ancora del decimo sciopero di Molinella, (Bologna, 1900), 13-15.
7. Nazario Sauro Onofri, 1913-22, Un decennio storico per Bologna: dalla rivoluzione rossa alla reazione nera in Luciano Casali (ed.), (Bologna 1920).
8. Guido Crainz, *Padania: il mondo dei braccianti dall'Ottocento alla fuga dalle campagne*, Saggi (Roma: Donzelli, 1994), 88.
9. Il *Giornale dell'Emilia*, May 26, 1901.
10. G. E. Sturani, Le Consociazioni agrarie della Provincia di Bologna. Organizzazione e programma (Bologna, 1905), 7-8.
11. Cardoza, *Agrarian Elites*, 114; Crainz, *Padania*, 129.
12. Matteo Millan, «In Defence of Freedom? The Practices of Armed Movements in Pre-1914 Europe: Italy, Spain and France», *European History Quarterly* 46, fasc. 1 (gennaio 2016): 48-71, <https://doi.org/10.1177/0265691415619614>, 54-55.
13. ASB, C6 F2, Rapporto di Polizia a Prefetto, June 25. 1907.
14. Gentile, *Le origini dell'Italia contemporanea*, 268.

15. Cardoza, *Agrarian Elites*, 127.
16. *Lo sciopero agrario del 1908*. [Parma]: Ufficio stampa e pubbliche relazioni del Comune di Parma, 1978.
17. *Il Resto del Carlino*, June 7, 1910.
18. CNA, Atti del II Congresso Agrario, Bologna, (Bologna, 1911), 111.
19. *Bollettino dell'Associazione Agraria Parmense*, VII, n. 1, January 2, 1908.
20. *Il Resto del Carlino*, June 7, 1910.
21. *Ibid*, June 21.
22. *Ibid*
23. Thomas R. Sykes, «Revolutionary Syndicalism in the Italian Labor Movement: The Agrarian Strikes of 1907-08 in the Province of Parma», *International Review of Social History* 21, fasc. 2 (agosto 1976): 186-211,  
<https://doi.org/10.1017/S0020859000005204>, 195.
24. ANI (Associazione Nazionale Italiana) was founded on 10 December 1910 .
25. *Bollettino dell'Associazione Agraria Bolognese*, February 1, 1911.
26. Angelo Ventrone, *La seduzione totalitaria: guerra, modernità, violenza politica (1914-1918)*, Saggi (Roma: Donzelli, 2003).
27. Matteo Millan, «In Defence of Freedom? The Practices of Armed Movements in Pre-1914 Europe: Italy, Spain and France», *European History Quarterly* 46, fasc. 1 (gennaio 2016): 48-71,  
<https://doi.org/10.1177/0265691415619614>, 52.
28. Ettore Stanzani, *Corpo delle pattuglie cittadine, 1820-1961: cenni storici e documenti dell'unico corpo civile con mansioni di P.S. esistente in Italia* (Rocca San Casciano, 1962), 30.
29. Luigi Lotti, *La Settimana Rossa*, (Firenze: le Monnier, 1972), 111.
30. *Ibid*.
31. Dunnage, *The Italian Police and the Rise of Fascism*, 190.
32. Due giorni di sciopero tumultuoso a Parma - L'ultimo episodio, «*Il presente*», June 11, 1914.
33. «*Il presente*», June 12, 1914.
34. Umberto Sereni, «*Lo sciopero di Parma del 1908: un episodio della lotta di classe*», in *Lo Sciopero agrario del 1908: un problema storico: atti del convegno tenuto a Parma l'1 e 2 dicembre 1978*, a cura di V. Cervetti, (Grafiche STEP, Parma 1984), 13-154.
35. Millan, «Milizie civiche ».
36. Millan, In Defence of Freedom, 56.
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- . «In Defence of Freedom? The Practices of Armed Movements in Pre-1914 Europe: Italy, Spain and France». *European History Quarterly* 46, fasc. 1 (gennaio 2016): 48-71.  
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- . «Milizie civiche prima della Grande guerra. Violenza politica e crisi dello Stato in Italia e Spagna (1900-15)», s.d.
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## Division or Unity?

### Difference in Antisemitism Perception in the Russian Jewish Community

*Petr Pesov*

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#### INTRODUCTION

Following the Russian full-scale, unprecedented invasion of Ukraine, many challenges have arisen. This involves threats to populations in Ukraine, in Europe, globally, as well as domestically in Russia. On top of launching a bloody military campaign, the Kremlin has also been tightening its grip on its own citizens to retain legitimacy during these times. As a result, minorities become in danger and, while little direct consequences have been seen since February, it is likely that threat levels will rise. One of the most dramatically affected groups throughout Russian Imperial

and Soviet history were the Russian Jews, who suffered from tremendous levels of discrimination, harassment by the state authorities, rights violations, and limited power as non-state actors. Modern Russia, on the other hand, has always been proud of its relationship with the Jewish community, with officials stating that there is no antisemitism within the state. Since the beginning of the invasion, Russia has exhibited some antisemitic tendencies at the governmental level, as well as some events that happened to Jewish social and religious institutions which have suffered. The rise at the moment is not significant. However, trends show an increase to a level that presents danger to the community.<sup>1</sup> This presents a very different picture, as community members become vulnerable in times of high uncertainty.

Russia's Jewish community is also prone to a big divide in the religious leadership. Chief Rabbi Pinchas Goldschmidt, who led the Moscow Choral Synagogue (Russia's biggest and main synagogue) until summer 2022

could also be considered one of the most important and influential Russian Rabbis. He is a very well-known global figure and has many positions including the presidency of the Conference of European Rabbis. Chief Rabbi Adolf Shayeveich, who was also the Chief Rabbi of the Soviet Union, is currently serving as one of the two Chief Rabbis in Russia, who worked closely with Chief Rabbi Goldschmidt. The second Chief Rabbi is Berel Lazar, from Chabad, who has been called “Putin’s Rabbi”, due to his alleged close ties with the authoritarian regime.<sup>2</sup> In light of the distinction between these three very important figures, it seems that the community leadership’s opinion might be fragmented on crucial issues.

Many scholars consider unity and effective leadership to be vital for community development.<sup>3</sup> As the history of Imperial Russia and the Soviet Union was quite traumatic for the Russian Jewry, ensuring community development, safety and freedom should be one of the main priorities for the leadership. However, if the leaders differ on their opinions towards key issues that deal with the domestic political situation and antisemitism, this puts the community at a detriment. In order to proceed with analysing this claim, it is important to provide context on antisemitism in Russia.

## BACKGROUND

The phenomenon of rising antisemitism is not one that started directly with the invasion of Ukraine. Some organisations have closely monitored the situation of xenophobia towards Jewish people, including the Russian Jewish Congress (RJC). A 2018 report featured some incidents that were brought to the public light during that year. One primary incident was of scandalous late politician Vladimir Zhirinovskiy, former leader of the Liberal Democratic Party, who told a Jewish member of the Russian State Duma to leave Russia for Israel.<sup>4</sup> Furthermore, another

antisemite prominent in the public media, Maxim Shevchenko, has issued several xenophobic statements towards Jews.<sup>5</sup> A particularly important moment occurred when a blog post from Igor Strelkov, the former defence minister of the People’s Republic of Donetsk self-proclaimed state, surfaced on the web, undermining the memory of the Holocaust.<sup>6</sup> This is significant due to recent attempts to annex and integrate Donetsk into Russia, as well as the rise of self-proclaimed leaders of the occupied territories frequently holding talks with Russian governmental figures. During the same year, the Moscow Choral Synagogue was subject to an inspection from the authorities, and the Kabbalah centre had legal issues.<sup>7</sup> Vis-à-vis the civic levels of antisemitism, its presence on social media was deemed as high, while the number of legal verdicts against perpetrators of hate-crimes has dropped when compared to prior years.<sup>8</sup> The rise of social media antisemitism has likely continued since its strong presence in 2022.<sup>9</sup> On top of that, manifestations of antisemitism have also increased since the beginning of the war.

A good illustration of this systemic discrimination is the legal case that Russia built against the Jewish Agency’s office in Moscow, blaming it for the data storage of Russian citizens. The growth of antisemitic rhetoric from the higher ranks of government officials is also a major concern. One such example includes Foreign Minister Lavrov claiming that Hitler “had Jewish Blood”<sup>10</sup> when responding to the question of why Zelensky, as a Jew, supports Nazis in Ukraine? Then, a short time later, Alexey Pavlov, senior advisor to the Secretary of the Russian Security Council Nikolay Patrushev, made a statement wherein he called the Chabad Lubavitcher a religious sect that is responsible for the war in Ukraine.<sup>11</sup> At the same time, the Jewish community finds itself in a concerning state, since many of the

Russian-Jewish philanthropists and supporters have either left<sup>12</sup> or are under sanctions<sup>13</sup>, including members of such organisations as the RJC, mentioned above.

However, Russia is known to have claimed that there is no place for antisemitism in the country and has prided itself on comparisons of domestic and foreign levels of antisemitism. For instance, in 2018, Valentina Matviyenko, Chairperson of the Federation Council, stated that antisemitism does not exist in Russia.<sup>14</sup> Rabbi Alexander Boroda, President of the Federation of Jewish Communities, at whom we will look more closely later in this paper, explained that there is no antisemitism in Russia, while there is plenty in Europe.<sup>15</sup> When the deputy head of the Russian Parliament, former news broadcaster Petr Tolstoy, was accused of having antisemitic views after saying that the Jewish population during the early Soviet years destroyed Russian Orthodox Churches and their descendants continue doing it at present times, he quickly released a public statement in defence of himself.<sup>16</sup> The statement consisted of the following: “Only people with a sick imagination and without knowledge of the history of their country can see signs of antisemitism.”<sup>17</sup>

This is not the only case of antisemitic conspiracies that have occurred since the start of the war, as is evident by Pavlov’s and Lavrov’s comments that were presented previously. Thus, it is clear that antisemitism is still a frequent phenomenon within Russia and, it would therefore be insightful to understand the reaction of community leaders, if their opinions are different, why, and the subsequent implications. In order to analyse the phenomenon further, it is important to understand whether the actual difference between opinions occurs among Jewish religious leadership. So, the main research question that will be analysed in this paper is: How do different wings of the

Russian Jewish Community perceive the levels of civic and governmental antisemitism? The main wings will be organised by the two leaders of the Russian Jewish Community—Chief Rabbi Lazar and Chief Rabbi Shayevich, and Chief Rabbi Goldschmidt. Chief Rabbi Lazar is connected with the aforementioned Rabbi Boroda, and they were hosted together by Vladimir Putin on several occasions.<sup>18</sup> The hypothesis that arises, considering the provided background information, is that the closer the community leaders are to the Russian authoritarian regime, the lesser their perception of antisemitism levels is. If differences are noted and deemed significant, it would be important to understand how they arise among the leadership of the same constituency.

## METHODOLOGY

The methodology chosen to explore the research question consists of two methods to provide a view from both sides of the Jewish community leaders—those connected with the Russian government and those who were not. The first one deals with the latter group and was done through semi-structured qualitative elite interviews with leaders of Jewish communities that were mentioned in the introductory section. The elite category is denoted by leaders who have a significant amount of influence over the religious communities. Relevant interviews were conducted with the following individuals:

1. Chief Rabbi Pinchas Goldschmidt, President, CER, Chief Rabbi of Moscow
2. Rabbi Adolf Shayevich, former Chief Rabbi of the Moscow Choral Synagogue

Both interviews were conducted using the same guide with semi-structured, open-ended questions. The reasoning for this methodology stems from the idea that the leaders have the best insight on the situations and, like political leaders, they represent their

communities, following a fairly common argument among the field of social sciences.<sup>19</sup> This method has limitations that must be addressed. One is the possibility of bias from the leaders of the community. However, since we are looking for the communities' perception of governmental policies and opinions, bias should not be an issue. The data sample is also limited. However, since it only concerns the religious leadership of the Russian Jewish Community, it would make sense to look at the highest level of leadership possible. Each interview was recorded, transcribed, and translated to look for common themes among the participants' answers to the prompts. Participants gave their consent for their name to be shared and for them to be directly quoted.

The second part of the research was conducted on sects of the Jewish community related to the government, represented by two individuals: Berl Lazar, Chief Rabbi of Russia, according to the Federation of Jewish Communities of Russia (FJCR) and Kremlin and the chairman of the executive board of the same organisation, and Rabbi Alexander Boroda. This would juxtapose the opinions of people who are cited to be close to the Kremlin and those that are not within the same religious community. Their interviews and articles were taken online in order to compare the rhetoric used by people closer and further away from the government. This fulfilled the goal of getting data to compare the different wings of the Jewish community and determine whether there is a united front on issues. The reason why these individuals were not interviewed separately is because it was not possible to gather their contact information. However, while the methods do not match exactly, it is still possible to see how the leaders view the relationship between the current situation of antisemitism and political decisions taken by Russia.

## ANALYSIS

Chief Rabbi Goldschmidt has been very vocal regarding the unprecedented Russian invasion of Ukraine and criticised the government from the beginning. This resulted in alleged pressure on him to express support for the war publicly, to the extent of which he had to flee the country. From his perspective, antisemitism is almost as vivid now as it was during the Soviet years: "As of today, antisemitism has returned as government policy in Russia. We are talking about since the beginning of the war, there has been a tremendous change in the political system. <...> Any kind of dissent is or was repressed. <...> Government is or was about to curtail the Jewish activities inside the country."<sup>20</sup> When asked about the governmental role in antisemitism, with two examples of the aforementioned comments by Lavrov and Pavlov, Chief Rabbi Goldschmidt stated that the latter is definitely antisemitic. "Pavlov attacked Chabad as a sect, satanic group and one of the reasons for Russia's attack on Ukraine."<sup>21</sup> When addressing a question on whether the words of the former should be considered antisemitic, his response was that "It is definitely not philosemitism. It goes into the fake narrative of arguing that the attack against Ukraine is justified. <...> Judeo-nazi narrative was frequently used by the Soviet Union against Israel."<sup>22</sup> Overall, according to Rabbi Goldschmidt, antisemitic conspiracies that are put forward by the Russian government are very vivid, and civil society reacts to it as a method to maintain domestic stability. "It is a sign from above that the government changed its policy. <...> We assume that there are going to be more attacks, physical attacks as well as media and political attacks, against the Jewish community."<sup>23</sup> Comparatively, he believes that the current governmental line is a regression to what previously occurred within the Soviet Union. "In many ways we are going back to the Soviet Model, people are calling Russia "Soviet Union lite" and

antisemitism is part of it.”<sup>24</sup> Chief Rabbi Goldschmidt paints a picture of a very difficult life that the Jewish community will have if the situation escalates further, which holds in line with his prediction. “Political and economic situation will continue to destabilise. We can assume that there are going to be attempts to further curtail the possibility of Russian citizens to leave Russia.”<sup>25</sup> All of this leaves the impression that his perspective on the current political climate and situation within Russia is very negative as it pertains to the governmental relationship and the community. However, would other religious leaders agree?

One of two of Russia’s Chief Rabbi’s, Adolf Shayevich, has not seen a significant rise in antisemitism since the beginning of the Russian invasion in Ukraine. “At the moment we do not feel anything of this sort, especially not in the synagogues. A lot less people are coming, as many have left. Nonetheless, everything still works and no one is interfering or putting any rules for us.”<sup>26</sup> However, he did mention that separate civic levels of occurrence have occurred since February. “There are cases of antisemitism, when drunk people come and maybe throw bottles at the synagogue, but these are cases of ‘common’ antisemitism, at least for now, thank God.”<sup>27</sup> The general attitude of Chief Rabbi Shayevich was that governmental antisemitism is not as present as it was during the Soviet Period. However, the ‘common one,’ as he referred to it, exists. Furthermore, Shayevich underlined that Alexey Pavlov’s infamous comments were likely made due to ignorance rather than with malicious intent. “I don’t think there was antisemitism behind Pavlov’s words. It is just an uninformed person regarding religious questions. <...> He probably just found an article against Chabad somewhere and tried to state his perspective without understanding the question further. However, without a clear malicious intent.”<sup>28</sup> Still, when the conversation shifted to Lavrov,

Chief Rabbi Shayevich saw his statements as an attempt to justify Russian measures during the war. “It is very strange. This statement shocked us, as Mr. Lavrov never allowed himself any of such words. <...> I don’t know what caused him to say what he said. It’s a very different situation, in order to sell the military action to come up with such things. <...> After knowing him for many years, I never noticed that there was anything antisemitic. I think it was just to make an argument for the war.”<sup>29</sup> He also mentioned that this definitely affects the civic level of antisemitism. As people see more government officials issuing xenophobic statements, they pick up on it. “Of course, they warm up the feeling of antisemitism among the civic society. <...> Unfortunately, I believe there might be quite a few high-ranking people with antisemitic views.”<sup>30</sup> In his prediction, Chief Rabbi Shayevich said, “A lot will depend on the situation, which has to be resolved somehow, as it leads to a development of certain and varying sentiments within the civil society and, we know by our history, that we are always blamed,”<sup>31</sup> to underline the possible grievances that may be directed towards the Jewish community. While the views differ quite significantly, there can be different explanations as to why this occurs. Furthermore, it is possible that one of these interviews presents an outlier if the views within the media interviews done by other religious leaders resemble either of the two. Therefore, in order to understand whether there is unity among the Russian Jewish community, the same issues will need to be analysed by Jewish leaders closer to the government.

The second Chief Rabbi of Russia, Berel Lazar, holds even more reserved views on the majority of issues. During the very beginning of the Russian invasion to Ukraine, Chief Rabbi Lazar simply called to end violence for peace. “Therefore, I appeal to all religious leaders—in Ukraine, in Russia, in Europe and

on other continents—to stand together for peace. We, who are faithful to G-d alone, must use our influence and all our capabilities to stop the madness, so that no more people will die. This is our holy duty to the One who created us all and gave us all life in this world.”<sup>32</sup> Rabbi Lazar’s position and close proximity to the Kremlin perhaps does not allow him to state his opinion in full. In his view, he should stay far away from politics, as it is not what concerns him on the macro level. “This is why we keep quiet, because whatever we say can endanger the Jews of Russia and Ukraine. I can go out tomorrow morning and make a statement to the media and nothing will happen to me—I’m a Russian citizen, so I can’t be deported—but why would I do that? Why is this story about us?”<sup>33</sup> At the same time, he, unlike Chief Rabbis Goldschmidt and Shayevich, believes that antisemitism has almost disappeared in its entirety. “From 2000 until today, thank God, there has been a strong decline, and acts of antisemitism are almost unheard of.”<sup>34</sup> In many cases, Lazar has cited Putin’s actions as what helped remove xenophobia from the masses. Furthermore, Rabbi Lazar believes that any involvement in the political life or public actions that would be deemed unfriendly by the Russian government is something detrimental to the security of the community. “And politics is definitely not our business,” Lazar said to Interfax. “To leave the congregation because of politics is, in my opinion, for a rabbi just a betrayal. It means that for such a leader, the main thing is personal interest and not the interests of our people.”<sup>35</sup> When speaking about Lavrov’s comments, Chief Rabbi Lazar again used very restrained language to avoid confrontation with the political elites. “I do not consider myself entitled to give advice to the head of Russian diplomacy. But, it would be nice if he apologised to the Jews and simply admitted that he was mistaken.”<sup>36</sup> Conversely, when addressing Pavlov’s comments, he chose a much more definitive

stance and concrete language, as it concerned Chabad itself. “You can call Mr. Pavlov’s logic nonsensical or vulgar and superficial antisemitism, but this is a new variety of old blood libels. And if they are being uttered by a member of the Russian Security Council, this represents a great danger. Therefore, we demand an immediate and unequivocal response from society and from the country’s authorities.”<sup>37</sup> Unlike Chief Rabbis Shayevich and Goldschmidt, Berel Lazar typically chooses to opt out for more discreet language and strongly differs in opinion from them, believing that there is little to no antisemitism in Russia at the moment, as well as that no governmental actions are antisemitic, with Pavlov’s words being a notable exception. Once again, this shows that out of three main Russian Rabbis, the difference in opinions on antisemitism and domestic politics is quite distinguishable.

Lastly, this paper will analyse Rabbi Alexander Boroda, President of the Federation of Jewish Communities in Russia, another Rabbi that is considered to be close to Putin. His proximity to Putin found itself in Ukraine’s list that called other countries to put sanctions on him.<sup>38</sup> When addressing the Russian invasion, Boroda made some very controversial remarks on numerous occasions. “It is hard to understand that in Ukraine, where there is a fairly large and largely prosperous Jewish community, there is a parallel glorification of criminals responsible for the deaths of these Jews’ ancestors.”<sup>39</sup> Furthermore, he connected the Ukrainian population to nazi-supporters, going along with the Russian state-narrative. “In recent years, there has been a systematic glorification of Nazi criminals, torchlight marches and the like,”; “bewilderment at the fact that neo-Nazism was actively asserting itself in a country like Ukraine.”<sup>40</sup> At the same time, Boroda does not believe that there is any growth of antisemitism in Russia. “I must say that Russia is a pleasant exception, there

is no rise in antisemitism in Russia, neither at the domestic level, nor at the level of any organisations, much less at the state level.”<sup>41</sup> The only case in which he believes antisemitism is on the rise falls in reference to statements issued publicly by Chief Rabbi Goldschmidt. “Goldschmidt’s actions impacted the growth of antisemitism—a rabbi who fled Russia and started to smear the Jewish community, which made a bad impression. However, it didn’t put us under pressure.”<sup>42</sup> When addressing the situation with FM Lavrov, Boroda’s language was even more restrained than Chief Rabbi Lazar’s. “It seems to us necessary to call for an end to the appeal to the national origins of opponents. And also, with references to the history of World War II, which requires proper reverence and piety, because the echoes of those events are still an open wound for the people of the world.”<sup>43</sup> However, Lazar, when addressing Pavlov’s comments, condemned the advisor’s words. “Such statements create a reason for enmity between people. The broadcasting of this opinion in the media contributes to inter-confessional conflicts and real discord between people.”<sup>44</sup> This narrative is also different from the three presented above on key issues, indicating that the leadership among the Russian Jewish community lacks consensus and unity. But what does this all mean?

## CONCLUSION

Despite the need for a united front on several issues, it seems that the Russian Jewish community lacks one. This poses a challenge for the minority as it seems that in times of uncertainty, such as the Russia-Ukraine war, it is under duress. Without having unity in opinions, leadership is in a fractured state. Such fissures can be denoted by some groups of Jews leaving Russia, while another divergent group takes a pro-governmental position, leaving community members vulnerable towards antisemitism. Due to the aforementioned uncertainty shown by the

interviews conducted in this paper, Jews could once again become scapegoats in Russia.

Chief Rabbi Goldschmidt argues that Jews should leave Russia en masse to flee the authoritarian regime and the implications that this holds for the future of community life, as antisemitism is resurfacing as part of government policy. We can see that many are indeed following Chief Rabbi Goldschmidt’s recommendations, as immigration from Russia to Israel is at the highest point it has been in years with roughly 38,000 new immigrants.<sup>45</sup> Others decide to stay in Russia, where the community still functions. Chief Rabbi Shayeovich, on the other hand, is very aware of the destabilising political situation and rising uncertainty, believing that this could lead to Jews becoming scapegoats as part of conspiracy theories. Chief Rabbi Lazar states that the situation is stable and antisemitism is visible only on a very limited scale. Rabbi Boroda, the executive chairman, offers public support for Putin’s atrocities in Ukraine and states that antisemitism is absent within Russia.

This difference in opinion on important issues leaves the Russian Jewish people within a community without effective leadership, making it more difficult to create a prosperous life. Furthermore, this damages the dynamics of potential advocacy that the community could be doing if it was united. As a non-state actor, the Russian Jewish Community already has little power to act within the realm of the country’s political life and the current state of leadership—the current factionalisation only works for the detriment of the community. This paper has depicted the state of affairs within the Russian Jewish Community. The next steps are to increase the sample of interviews, including but not limited to Chief Rabbi Lazar and Rabbi Boroda, to improve the quantity of data and juxtapose responses on the same



questions. Additionally, it would be useful to analyze other minority communities in Russia, and around the world, to understand the real effects of fragmented leadership on the prosperity of discriminated communities.

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## Unarmed and Unafraid: The Mozart Group in Ukraine

*Alex Choy*

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*The views expressed are those of the author and do not reflect the official policy or position of the US Army, Department of Defense or the US Government.*

The *babushka* had been dead for about two days. With no visible wounds, the evacuation team concluded that her death was likely the result of a lack of food and water during an already brutal Ukrainian winter. Just over a kilometer from the front line in heavily contested Bakhmut, a small city in Donetsk Oblast, the woman's house was continually subject to Russian artillery

and mortar fire—rounds from which now began to explode overhead. The impacts followed the team as they rushed to their vehicles, landing as close as 50 meters.<sup>1</sup>

They were being tracked.

Andy Milburn's Mozart Group evacuated hundreds of civilians from the Donbas in 2022. However, in an article published in *The Atlantic* in April of that year, journalist Graeme Wood misguidedly labeled Millburn as a foreign fighter.<sup>2</sup> Despite his extensive American special operations background, Hong Kong roots, and British accent might make him foreign to Ukraine, Milburn was by no means a *fighter* in the country. He and his team were civilian volunteers, not mercenaries for hire.

Notwithstanding the domestic legal ramifications posed to Milburn under the Neutrality Act, which prescribes up to a three-year stint in prison for fighting governments at peace with the United States, the term foreign fighter and its disparaging close cousin, mercenary, carry severe implications under international humanitarian law (IHL).

Under IHL, mercenaries fight without a license to kill, making them unprivileged combatants who forfeit civilian and prisoner-of-war protections. Accordingly, they risk lethal targeting—or, if captured—are subject to criminal prosecution under domestic courts. Nevertheless, soldiers of fortune understand the risks inherent to their profession.

However, when civilian noncombatants like Milburn are repeatedly mischaracterized as mercenaries, an adversary can weaponize IHL to justify targeting otherwise protected individuals. After all, “repeat a lie often enough, and it becomes the truth.”<sup>3</sup> While the Mozart Group has become defunct as of February 2022, Milburn and his volunteers have been actively working to restart the group, albeit under a new, undisclosed name.

Milburn started Mozart with businessman Andy Bain in March 2022 after arriving to cover the early days of the invasion for *Task and Purpose*. Witnessing Nike-clad teenagers trade in their books for Kalashnikovs, Milburn wrote his “four obligatory articles” for the publication and decided that he “didn’t want to be [just] an observer” anymore.<sup>4</sup> Given their unique risk calculus, he realized that special operations veterans could venture closer to the front lines than

other do-gooders to give fresh-faced recruits and stranded denizens a fighting chance.

Accordingly, Mozart’s mission was to provide medical care and survival training, perform evacuations, and deliver life-sustaining supplies to those who refused to abandon their homes in ravaged frontline communities. While his volunteers wore body armor and helmets for safety, they were unarmed. Milburn made this aspect of the job abundantly clear to new prospects, stating that, “If you’re looking to get your gun on, you’re not working for me.”<sup>5</sup> As a result, he recruited individuals with high emotional intelligence and not gunslingers.<sup>6</sup>

Nevertheless, the Russian Defense Ministry considers “all foreign volunteers in Ukraine” mercenaries, essentially greenlighting attacks on foreign groups.<sup>7</sup> After going viral on social media for their daring rescues in Bakhmut, members of the Mozart Group became media darlings in the West—a *sui generis* organization of selfless heroes who, according to Milburn, were filling a niche no one else was.<sup>8</sup> Combined with its newfound celebrity, Mozart’s namesake—a clever jab at the infamous Wagner Group—aroused the ire of Wagner leader and Putin confidant Yevgeny Prigozhin, placing Milburn and his volunteers in his crosshairs.<sup>9</sup>

But why did Prigozhin care? It was not that Mozart was physically threatening, after all; Wagner was armed, and Mozart’s volunteers weren’t. Aside from satisfying the affront to his ego, the answer lies within the Russian emphasis on information warfare. Despite Wagner’s laundry list of war crimes, Prigozhin realized the value of weaponizing

IHL to shape a narrative of Mozart as mercenary, thereby sowing confusion over their civilian protections against direct attack.

Posting on his Telegram channel in November 2022, Prigozhin alleged that Milburn had assumed direct command of the 4th Ukrainian National Guard Brigade and was “participat[ing] in the conflict” in Bakhmut.<sup>10</sup> Russian state-owned disinformation networks like Russia Today and TASS also echoed this unfounded narrative, referring to Mozart as a “mercenary group” and “private military organization” in their stories.<sup>11</sup> The same day, Mozart’s website suffered a sustained distributed denial of service (DDoS) attack, presumably to hinder a rebuttal.<sup>12</sup>

Article 47 of Additional Protocol 1 to the 1949 Geneva Convention, to which Russia and Ukraine are parties, defines a mercenary as a person recruited to engage in direct hostilities motivated by material compensation in substantial excess of the amount given to a party to the conflict’s armed forces members. In addition, this individual is neither a national, resident, member of the armed forces, or on some official duty for a party to the conflict.<sup>13</sup>

Although Ukraine is a party to the more recent 1989 International Convention Against the Recruitment, Use, Financing, and Training of Mercenaries, Russia is not.<sup>14</sup> Therefore, Russia is not subject to its obligations, which criminalize mercenary offenses and remove the requirement that a mercenary participates directly in hostilities. As a result, this article references the Additional Protocol 1 definition.

As defined by the International Committee of the Red Cross (ICRC) interpretive guidance of Additional Protocol 1, participating directly in hostilities involves directly inflicting death, injury, or destruction on the enemy.<sup>15</sup> The separation between direct and indirect hostilities predicates the principle of distinction between combatants and civilians—the cornerstone of IHL. Civilians, immune from direct attack, are classified as such until they directly partake in hostilities and lose their protections. Because they do not have the “privilege” of engaging in direct hostilities, they may also face criminal prosecution.<sup>16</sup>

Kremlin disinformation outlets might incorrectly insinuate that by training recruits who, through an “uninterrupted chain of events,” will go on to kill Russian soldiers upon reaching the front; Milburn’s volunteers engage in direct hostilities and are, therefore, mercenaries.<sup>17</sup> However, because harm is not “brought about in one causal step,” their efforts amount to mere indirect participation.<sup>18</sup> In the ICRC’s words, even if “indispensable to its causation ... acts that merely build ... the capacity of a party to harm its adversary” do not amount to direct hostilities under IHL.<sup>19</sup>

Mozart provided its services at no cost, compared to predatory companies and individuals that charge up to \$10,000 a head for their evacuation services.<sup>20</sup> With fifty volunteers from around the world, they burned through \$175,000 each month to fund food, fuel, equipment, and stipends to cover volunteers’ basic living expenses, according to Milburn.<sup>21</sup> Despite repeated



requests for Western governments to contribute, Mozart received no government funding, likely due to concerns that increasing involvement could result in an escalation spiral.<sup>22</sup>

Consequently, by the end of 2022, Mozart had operated off of a million dollars in donations from several private sources. These included Bain's Ukraine Freedom Fund, Milburn's Task Force Sunflower, charity Allied Extract, Safehouse Global, and funds from Milburn's personal Venmo and PayPal accounts.<sup>23</sup> However, with the loss of Allied Extract in September 2022, Mozart allegedly looked into paid opportunities outside of Ukraine to keep operations running.<sup>24</sup> Struggling to make ends meet, Mozart's media-generated façade of perfection fell apart as the whiskey flowed, and deep-seated personality differences generated fissures between the "two Andy's".<sup>25</sup>

Their spat climaxed when Bain filed his lawsuit, alleging that Milburn diverted funds from the company via Task Force Sunflower, insisted on personal compensation payments of \$35,000 per month, and violated of Department of State International Traffic in Arms Regulations (ITAR) by providing military training to a foreign entity without a license from the State Department.<sup>26</sup> Subsequently, Milburn levied counter-accusations against Bain's integrity, citing audio recordings that purportedly reveal an attempt to sell his majority stake in the company to the Taliban.<sup>27</sup> A nasty divorce is underway, with Mozart as the child caught in the middle.

In an interview with *Newsweek* in October 2022, Milburn proudly asserted, "Any mercenary would scoff at what we pay our guys ... the Ukrainian soldiers we train get paid more." While this standard may have held for his volunteers, if Bain's claims are valid, Milburn's monthly salary amounted to about 20 percent of Mozart's monthly expenses—a selfish profit compared to the evacuations the money could have funded. Bain's accusations only fuel the narrative that the group's members are motivated by material compensation. Both he and Milburn have handed the Russian information warfare machine extra ammunition, at the expense of common Ukrainians.

In an interview with author Peter Maguire, Milburn once remarked that being limited by a stipend "ensures that we don't have people risking their lives for money," since "your most valuable asset is your reputation."<sup>28</sup> With his reputation tarnished, one might expect Milburn to lay low to escape the biting teeth of the news cycle. Instead, he is eager to continue evacuations, and so are his loyal volunteers, who still view him as an inspiring leader, despite his flaws.<sup>29</sup>

This is what makes Mozart's volunteers unique—an undying dedication to their humanitarian mission at a great personal sacrifice—and the exact opposite of Wagner. If Milburn truly believes that reputation is paramount, he should actively work to undo the damage the lawsuit has done and return to his roots. The author recommends that he focus on the humanitarian side of his business to avoid ITAR and accusations by Russia of participation in hostilities. Milburn should also stick to pro-bono work to cement

his altruistic intentions and double down on fundraising, lest he and his volunteers become yet another government contractor in the milieu.

In 1977, the ICRC remarked, “There are few words which suffer greater misuse these days than the term mercenary.” Nearly 40 years later, this statement still holds. Undoubtedly, Russian disinformation efforts will continue to label Milburn and his volunteers as mercenaries to distort reality. Consequently, Milburn must learn from his past missteps to minimize his organization’s exposure to information warfare. In addition, mischaracterizations of Milburn and his

volunteers by Western media may also unintentionally give Prigozhin and Russian disinformation outlets credibility. Words matter, and journalists must also do their part to ensure their writing is accurate in an informatized age.

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## Reforming the Kafala System in the Gulf

*Nada Moghazi*

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### BACKGROUND

The Kafala system is found in certain Middle Eastern countries such as Jordan, Lebanon, and the Gulf countries, excluding Iraq. This program allows for the legal sponsorship of domestic workers from foreign countries to be brought in for cheap labor. With my research, I plan on studying how the Kafala System acts as a form of modern-day slavery as rights are infringed upon, taken away, and people are placed under the jurisdiction of a sponsor. Under this program, migrant workers are stripped of their rights as their passports are taken away, their visa is within the hands of their sponsor, they cannot legally quit their employment, and are subjected to dangerous

living conditions, whether that be in an assigned dormitory or living with their sponsor.<sup>1</sup> The power imbalance between the sponsors and their recipients facilitates both emotional and physical abuse, along with human rights violations. The Kafala system mostly brings in workers from non-Arab states, predominantly from South Asia or Africa, and are subject to receive below minimum wage. Salaries depend on skin-tone, country of origin, and gender, which is strikingly similar to the slavery witnessed in the Western world years ago (Robinson, 21).

Workers are not integrated nor welcomed in society and face the harsh realities of losing their rights. A victim of this system, 24-year-old Vivian from Kenya, spoke out and stated “They advertise us on social media, then the employer picks. Then we are delivered to their house. We are not told anything about the employers. You’re just told to take your stuff, and a driver takes you there.”<sup>2</sup>

Workers are exploited to foster cheap labor



in these nations, all while their rights are stripped away seeing as they cannot leave or terminate their contract; they have no voice to speak up. The United Nations and European Union, as well as other important research organizations, have conducted studies and research into nations that utilize the Kafala system, in condemnation with their actions. The Human Rights Watch, Council on Foreign Relations, and several other scholarly sources have conducted projects on the problem of labor trafficking essentially, in specific countries of the Middle East.

As the United States takes on the global role at the moral high ground, and crowns itself as a token country for democracy, equality, and human rights activists, its alliances with these nations must be reconsidered. The Gulf countries rely heavily on their alliance with the United States, therefore our stance on the issue is critical. Action must be taken against the perpetuation of the Kafala system in order for us to truly fulfill our role as activists for equality. The US must publicly denounce the system and leverage the diplomatic tools in its arsenal to pressure Gulf countries into abolishing the Kafala System.

## POLICY OVERVIEW

Reforming the Kafala System is a multi-step process. Due to the fact that this system and ideology is so institutionalized within the region, the complete upheaval of it could be seen as unrealistic.

The first step is to abolish the privatization of these relationships and migrations. Similar to Bahrain, the establishment of a labor agency is necessary. With such an institution, migrant workers who want to voluntarily immigrate and work could apply for employment visas and be granted a certain period of stay.

In doing so, the workers would no longer be

dependent on private sponsors or individuals for their rights, mobility, and ability to terminate their contracts. The import and export of individuals for labor will no longer be privatized and, instead, follow a legal route which would ensure that proper records are kept, and rights are abided by. This level of institutionalization will decrease the likelihood of a black market emerging.

Moreover, migrant workers must be included in the legal forum between Gulf governments. Incorporation at the highest level will aid in the accountability process for migrant workers that have been victims of abuse or unjust activity. Such a forum would be critical in order to properly support the migrant workers who have largely become the backbone of these societies. The Insan Association put this in practice when it moderated a discussion with migrant workers and employers to get their opinion on what they would like to see moving forward.

The United Kingdom's employment-visa program was seen as a successful and adequate model for what these workers hoped to achieve; 65% of employers approved of the implementation of the UK model in Lebanon.<sup>3</sup> This program provided a visa for those seeking domestic employment in the UK—avoiding a sponsor-type relationship such as in the Kafala system. The domestic worker is ensured labor protections and is not required to reside with their employer. Moreover, the employee has the flexibility to leave and terminate the contract at any time.<sup>4</sup> By following this program, the government regulation of the employer-employee relationship is present, as well as the protection of the workers' rights.

A key part of granting these individuals rights is ensuring fair pay; meaning that an adequate federal minimum wage must be set and monitored in order to guarantee a non-

exploitative environment. To guarantee that rights are not infringed upon, and the people are taken care of physically and mentally, a human rights watch committee should be installed within the labor agencies of these countries, and the establishment of unions should be permitted.

### SIGNIFICANCE

Among other negative side effects, the Kafala system promotes institutionalized racism. In most cases, migrant workers desperately want independence, freedom, and protections from the government under which they work; one individual stated that she would receive no salary if it meant she could obtain a visa and no longer be held under a sponsor in Lebanon.<sup>5</sup> Since 2009, countries in the Gulf have taken steps in order to alleviate some of the injustices that come from the Kafala system, however, much of the attempted reforms have been unsuccessful. Since 2009, Bahrain has been the leading country in terms of tangible reform after it declared a dismantling of the Kafala System. This meant that importing and exporting migrant workers would no longer be privatized, and instead operate under a newly established government authority known as the “Labor Market Regulatory Authority”. This initiative also removed the requirement that a migrant’s right to enter and exit depended on the employer.<sup>6</sup> Kuwait also attempted to create changes to the system. Instead, however, the country ended up passing legislation that made it easier for sponsors to trade their sponsored workers.<sup>7</sup> Migration to the Gulf serves as the third largest migration flow in the world.<sup>8</sup> Such a high migration rate to one locality deserves to be examined, especially when the migrants are facing grave human rights abuses. The conditions these workers face are inhumane, as Andrew Gardner observed first-hand: “[Labor] camps may consist of decrepit buildings, ad hoc structures, or aging villas in older suburban neighborhoods. Men often

live eight or more to a room. Many of these camps have scarce supplies of electricity or water. The camps themselves are frequently found in the peri-urban and industrial hinterlands of the city, which prevents the migrants from obtaining groceries, from socializing, and, more generally, from moving about the city during the few periods of time they are not working or sleeping.”

These conditions prove the significance of resolving the Kafala System and providing reform in order to protect human rights.

### FEASIBILITY

The cruelty of the Kafala system has gained more global attention in recent years. Participating states all have legal documentation establishing the Kafala system, making investigations into rights violations relatively accessible. When it comes to the underground effects of the Kafala system, analyzing interviews, journals, and studies into the victims and their experiences will be most helpful.

Analyzing where controversy, abuse, and harm is rooted in the system is the first step toward identifying possible solutions.

The next step is to identify the actors in this problem. and that would be the governments of these countries (The Gulf, Lebanon, and Jordan), the individual actors that utilize the system, and the victims. Once the actors are identified and confirmed, formulating policy proposals will follow.

However, it is important to note the obstacles that may curtail reform in these states. The International Labor Organization’s Migrant Forum in Asia stated that the “success of these policies is dependent, in part, on the number of unemployed, the willingness of nationals to take low profile jobs, and the private sectors’ willingness to employ nationals, which would mean forgoing the ‘business advantage of cheap labor’.”<sup>9</sup>

Unfortunately, much of the native populations in these states do not often desire low-skilled labor. Instead, domestic populations will pursue “higher-end” jobs or leave the country. This mindset pushes the Gulf governments away from pursuing reform, as their local populations would be forced to integrate themselves into the labor market in ways they may deem unpreferable. Another concern is that employing local people into the domestic workforce will require better protections and labor laws. In Phillip Fargues’ “Immigration without Inclusion,” he concluded that employing Asians rather than Arabs provides governments and employers a shield as the migrants are less likely to voice their concerns and ask for reform.<sup>10</sup>

Abolishing the Kafala system on its own will not fix socioeconomic segregation within these societies. Having a “Kafeel” has evolved as a symbol of wealth and success, and that discriminatory ideology has, unfortunately, become ingrained into people’s minds. These migrant workers must have institutionalized protections in place in order to ensure a safe, healthy, and successful working environment.

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## Notes

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## The Slow Food Movement: When Italian Ideas of Identity, Sovereignty and Modernity Go Global *David Ellwood*

### INTRODUCTION

On New Year's Day 2023, the BBC World Service dedicated its regular *History Hour* to food.<sup>1</sup> Five stories were featured, among them: bakers in Malta in the 1970s, instant noodle-makers in Japan, and the creation of a Bollywood favorite, Chicken Manduria, in Mumbai in the 1980s. But the program is memorable for the prominence given to creative food people from Italy. One story celebrated the 40<sup>th</sup> anniversary of the creation of ciabatta, a handmade, flat white bread, invented in a small village in the region of Veneto - allegedly to fend off the arrival of pre-sliced industrial loaves in

the newly spreading supermarkets - and now copied in 50 countries across the globe.

The most substantial story concerned the birth and worldwide diffusion of the Slow Food movement. Starting out from a small town in Piedmont, the network now has branches in 150 countries according to its charismatic founder, Carlo Petrini, interviewed in the program. The paragraphs that follow trace the development of this remarkable non-state actor and explains its meaning in terms of the politics of identity, the culture wars surrounding food, and Italian soft power.

### THE EVOLUTION

Slow Food was officially founded in Paris in 1989 by Petrini and 15 like-minded activists who published a manifesto that denounced the evils of an ever-faster, ever-more intense industrialization, and encouraged the virtues of a much slower lifestyle, renouncing fast-food and all that it implied:

*In the name of productivity, the 'fast life' has changed our lifestyle and now threatens our environment and our land (and city) scapes. Slow Food is the alternative, the avant-garde's riposte... First of all, we can begin by cultivating taste, rather than impoverishing it... by encouraging international exchange programs, by endorsing worthwhile projects, by advocating historical food culture and by defending old-fashioned food traditions.*<sup>2</sup>

Petrini, a well-known cultural protagonist in his town of Bra, had already attracted attention when he expressed his support for the prevalent, militant opposition to the opening of the first McDonald's in Italy – right by the Spanish Steps in Rome, in 1986. It was a time when the earliest steps in Italy's own war against globalization were being taken. The Northern League, potentially a secessionist movement from the Italian state, was born in 1989. The politics of identity – involving territory, social cohesion, and cultural protectionism which would gradually spread to education, language, and food – were starting to take hold throughout the peninsula. Thirty years later with the election of the Meloni government in 2022, which includes today's version of the Northern League, their intensity has only increased.

But from its beginning in the late 1980s, the vision of Petrini and his friends was always environmentalist, internationalist, and unmistakably anti-capitalist. This latter impulse was not understood in the class-based, Marxist-Leninist terms of revolution, but instead proposed a completely alternative lifestyle: explicitly *slow*... and starting in the

kitchen. The movement took the snail as its badge and symbol.

In an article published by the Turin daily *La Stampa* in October of last year,<sup>3</sup> Petrini recalled that beyond the anti-McDonald's phase, another early stimulus came from the concluding rounds of the GATT free-trade negotiations, which lead to the birth of the WTO in 1995. Here the full liberalization of trade in agricultural produce was envisaged – a green light in the view of Petrini and like-minded friends elsewhere, in favor of global agri-business and industrial-scale food production. They took their cause to the Food and Agriculture Organization in Rome, which, according to Petrini in 1996, officially recognized the right of peoples everywhere to self-determination in their agricultural policies, in order to guarantee social access to nutritious, ecologically sound, and culturally appropriate food.

From its inception, Slow Food sought to balance the defense of local food traditions with the sort of "Third World-ism" associated with both Communist and Catholic traditions. By 2004 the association was able to grow a branch named "Terra Madre," a network of "food producers, fishers, breeders, chefs, academics, young people, NGOs and representatives of local communities who are working to establish a system of good, clean, and fair food from the grassroots level." *Held in Italy*, the first global meeting of Terra Madre food communities brought together 5,000 producers from 130 countries. The 2007 'Declaration of Puebla' (Mexico) said:

*This path we embarked upon in 1989 has moved from food to soil, from pleasure to justice, from quality to daily shopping, from the promotion of products to equal dignity for cultural diversity. We*

*have reconfirmed it at Puebla thanks to the presence, reflections, energy, and imagination of 414 delegates from 49 countries, representing more than 80,000 members from five continents.*<sup>4</sup>

In 2002 another Slow Food spin-off came to life. This was *Eataly*, a chain of high-quality food shops and restaurants created by Petrini's friend and Piedmontese neighbor, the entrepreneur Oscar Farinetti. As the company's website explains, the point was to identify brands and producers which shared the values of the overall movement: attention to quality, environmental and economic sustainability, and social responsibility.<sup>5</sup> The chain would also explicitly highlight and add value to Italy's unique food culture. The first shop opened in Turin in 2007. While expanding throughout Italy, the chain spread internationally to Tokyo (2009) and New York (2010), in addition to parts of the Middle East (2013) and Africa (2014). Operating together with Slow Food, Eataly claims to have opened 10,000 market gardens in African schools and villages. By 2021 the chain was earning €464 million worldwide and was already in the sights of private equity investors.<sup>6</sup>

Yet another extraordinary Slow Food initiative was the creation in 2004 of its first specialized university, the *Università delle Scienze Gastronomiche*, which is close to where the movement itself was born and where Petrini continues to live today. The website explains that the purpose of the institution was to create a new sort of professional figure, the 'gastronomist': a person "with interdisciplinary knowledge and expertise including science, culture, politics, economics and the ecology of food, [a specialist] able to develop values such as the sustainability and sovereignty of global food

systems, from production to consumption." By now, over 3,000 students from numerous countries have graduated from its courses.

The university continues to evolve. Among its spin-offs is the Ark of Taste (as in Noah's Ark), created for the purpose of defending biodiversity of food products by means of local mapping and conservation. Today the website claims to have memorized the existence of 5,954 products from 151 countries.<sup>7</sup> They include fruits, vegetables, animal breeds, cheeses, breads, desserts, and salami; those which risk extinction are given special preference.

But the point is not just the products, it is also the producers. Anything which can protect farmers and traditional farming from the overwhelming presence of industrial agribusiness will find the favor of the Ark. Its innovative atlases of traditional food practices now cover Kenya, Peru, Brazil, Albania, Tanzania, Estonia, and even Ukraine (in Ukrainian). The newest series will cover Italy, region by region. Meanwhile, over 600 specific projects have been set up in over 70 countries to protect small-scale local products and producers and to recover local traditions and foods, including their methods of preparation.

Today the Slow Food website suggests that the movement includes 1 million supporters and 100,000 members in 160 countries.<sup>8</sup> Enthusiasts can join programs which favor slow travel, slow fishing, slow cheese, slow bees, slow meat, and much more, and indigenous communities around the world. Its European incarnation focuses its advocacy work on "Common Food Policy, Agriculture, Fisheries, Biodiversity, Climate Change, Genetically Modified Organisms, and Responsible Consumption and Food Labelling."<sup>9</sup> The movement works closely with the EU and acknowledges its support. But its most typical performances are to be

found within Italy itself: the great world cheese festival in Bra in alternate Septembers; the *Saloni del Gusto* in Turin, which last year attracted 350,000 visitors and 3,000 delegates from 130 countries; its *convivia* (Slow Food chapters) up and down the country; the presence of Petrini himself in the mainstream media on the key topics of food, rural heritage, the environment, and the relevant policies of governments.

## THE CONTEXT

The contemporary era in Italy's very particular soft-power status as a nation, with food at its center, began with the Expo World Fair of Milan in 2015. Dedicated to the theme of "Feeding the planet, energy for life!", more than 20 million visitors explored 150 national and company pavilions over a 6-month period, giving a much-needed boost to national self-confidence – Milan's in particular. Naturally, Slow Food and Eataly were prominent, but so was McDonald's. When the former objected to the presence of the latter, the American chain responded for the first and only time in public, accusing Petrini of "half-baked Third Worldist rhetoric which will never feed the planet" and asserting that "it's sad that Slow Food feels the need to fight McDonald's in order to give itself an identity."<sup>10</sup>

The general success of the Milan Expo produced a number of spin-offs. The Foreign Ministry in Rome took up the challenge of "gastrodiplomacy," setting in motion an annual tradition entitled the "Worldwide Week of Italian Cuisine," Italian embassies and consulates in 105 countries now regularly organize over 1,300 food-oriented events: from tasting sessions, presentations from celebrity chefs, and cooking shows and mini-courses to fairs, exhibits, films, and exhibitions.

Following Milan, in 2016 a conference at *Nonisma*, an economic think-tank based in

Bologna, revealed just how big the stakes had become in the production and marketing of food in Italy. Diplomats, businesspeople, and experts described the effort that the country's food brands, and key ministries were investing in building influence and fortunes in the world's wine and food markets. That year the sector brought €37 billion into the Italian economy. A new, integrated public-private drive presented at the conference hoped to lift this figure to \$50bn by 2020. Food and wine exports had grown by 69% over the previous ten years. The conference demonstrated how a qualitative leap forward had taken place in the attention that authorities at every level were giving to food and wine as a key currency of business, but also the sort of export that advertised the nation's creativity, territories, and values. They saw how a narrative of identity was emerging from the nation's food experience in all its forms, one which expressed a distinct and successful synthesis of tradition and modernity.<sup>11</sup>

In 2022 the new Right-wing government of Giorgia Meloni re-named the Agriculture Ministry to include the phrase *sovranità alimentare* (sovereignty in food). What the phrase meant, the new Minister of Agriculture told Parliament, was that in the current world situation, he and his Ministry expected to play a more significant role in government policy than had been the norm till then.<sup>12</sup> The point was to raise the profile of Italy's food and agriculture sectors by highlighting its traditions, products, and rural origins while emphasizing the nation's identities and capacity for leadership. Farmers, said the Minister, were the custodians of the land and of the immense food, agricultural, and forest assets of the country. They were under threat from economic emergencies of all kinds and were to be defended. In the end, sovereignty in this sector was about the right of each nation to choose its own food production system,

reject global standardization and synthetic food, and insist on quality, local production, natural sustainability, and the Mediterranean diet.

All of this could have been taken straight from one of Slow Food's many manifestoes, but it was still a surprise to see Petrini, a man of the Left and an internationalist - if ever there was one - applaud the new food sovereignty concept in the *La Stampa* article mentioned above. There was no mention of environmentalism in the Minister's declaration nor of aiding less developed societies. His government's antipathy to the EU was well-known. Its Northern League components were distinguished by their defiant protectionism, conservative self-centeredness, and militant provincialism. But Petrini suggested that the concept could be reconfigured to provide "a positive tension between the local and the global, so that peoples might be free to choose what to produce and consume," far less subject to the whims of the global food industries, far freer in their access to land, water, and seeds.

## CONCLUSION

In the presence of interested diplomats from France, Japan, and Peru, the Nomisma conference organizers applied the label of 'soft power' explicitly to what they thought the new activism on food and wine meant for Italy's world presence. The standard definitions of soft power present it as a tool for leveraging a nation's cultural and moral assets so that they might serve conventional objectives of foreign policy. But the formula can only be taken seriously if it is seen as an expression of prestige and leadership in areas that rarely have anything to do with geopolitics. Food questions are typical of those issues which are continuously broadening the scope of foreign policy. Producing and selling food in the world concerns not just marketing but also agriculture, the environment, health, science,

and education in addition to matters of trade, investment, regulation, and security.

But in food too, you can only become a serious player in the game of soft power when you tell stories that others can admire and trust or set standards that others spontaneously choose to follow. Non-state actors like Slow Food and Eataly confirm that all soft power-plays revolve around the *force of example*, where the most enduring, penetrating, and impressive examples in Europe - but also in the Gulf States, Japan, and elsewhere - come from an agent's ability to provide original syntheses of local traditions and global modernity. The force does not need to be aggressive or antagonistic: Slow Food co-operates with institutions at all levels and does not contest the diffusion of fast-food outlets in Italy or anywhere else.

The BBC program pointed out that there are now 54 McDonald's outlets in Rome. But, like Meloni's Ministers, they have learned the lessons that Slow Food has taught. They insist that their products make the best use of Italy's food traditions and links with *il territorio*; that their meat is 100% Italian and that their chickens are strictly free-range. Fresh salads and Parmigiano-Reggiano are prominent on their menus.<sup>13</sup> At the start of the "American Century" in the 1940s, an Irish writer said: "Our problem is to find a formula of life as between the old traditions and the new world rushing into us from every side." In Italy, you have a choice of formulas, but food will always be at the center of the equation.



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## Notes

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