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SOLDIERING ON THE HOMEFRONT

EU MILITARIES CARVE OUT ROLES IN EMERGENCY RESPONSE

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The increase in terrorist attacks and natural disasters has expanded the requirements on security forces throughout Europe. States have been hard-pressed to develop and equip security forces that can perform the multitude of tasks required to maintain a high level of homeland defense, while standing ready to respond to natural and manmade catastrophes. At a time of severe budget limitations, political leaders often seek creative ways to leverage existing organizations to do new things. In many instances, European leaders have looked to their armed forces to carry out key tasks.[1]

This article examines the range of domestic tasks to which military forces in many European countries have been assigned and highlights some observations on operational trends and the impacts they may have on armed forces and their public image. It is, perhaps, understandable that decision-makers turn to the military. Military forces bring many assets to these challenges: They are well-organized, trained, mobile, well-equipped — and available. In many countries, there is a well-established tradition in using military forces to support civil authorities, particularly law enforcement, a tradition that includes a broad range of homeland security and civil support tasks. It is not unusual to find military forces conducting tasks that are only remotely related to their assigned combat missions.

Moreover, the guiding principle that military forces must bring a unique capability to the task has been overshadowed by the fact of sheer availability and the perception that they are a free good: In many instances, armed forces are not reimbursed for the costs they incur while deployed domestically. The public perception is often that Soldiers are sitting in their barracks waiting for something to do, which is hardly the case with professional armies today. The guiding principle that military forces should be used only when civil services are unable to deal with a situation has, in some instances, been replaced by a predilection to employ armies as a first resort.

EUROPE'S MILITARY IN ACTION

European states have a rich history of employing military forces in domestic emergencies. Each country has a different tradition, each has different national security organizations and strategies, and each has different perceptions of the threats and challenges to its domestic security. Each nation approaches these challenges differently, reflecting its unique history and the status of the armed forces in that state. For example, given its history, Germany takes a fundamentally different approach to this issue than does France.

The European tradition of employing armed forces domestically is well established. European militaries have acted with great frequency in a broad range of functions in response to crises and other events when called upon by national authorities. Whether the requirement is securing borders, supporting law enforcement or providing disaster relief, the armies of Europe have responded and acquitted themselves well in nearly all instances.

In the domestic context, there are essentially two mission sets: homeland defense and civil support. Homeland defense is the traditional task of defending the population, infrastructure and sovereignty of a nation against threats arising from outside of the state. This may involve tasks such as border defense (as differentiated from border security), air defense, and defense of maritime approaches.

Most military forces in Western Europe were designed to defend the homeland in the event of a Warsaw Pact attack; their organization and equipment bear witness to this. For example, Germany had large numbers of armored forces and great numbers of reserve forces; both have nearly disappeared in the post–Cold War period.[2] The forces that remain were mostly restructured for deployments abroad in peace-support operations. In addition, their numbers have dwindled. Most European countries have active force establishments that are a fraction of their Cold War strength, which prompts the question: Is homeland defense still a core mission?

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Austrian Army helicopter pilots prepare to rescue avalanche victims. Many European nations call in their armies during natural disasters, a blending of civilian and military functions that rests uneasily with some critics.

Besides homeland defense, European military forces are heavily involved in the second homeland mission, civil support. Civil support tasks are those undertaken in support of civil authority, with responsibility and overall command remaining with that civil authority. These tasks include assistance to local authorities in the event of disasters, and support to law enforcement authorities for select missions. They may also include actions taken by the military to restore law, order and stability in the aftermath of a catastrophe or an insurrection. Such operations may involve both active and reserve forces as well as some specialized capabilities, such as airborne radar for border surveillance. In every event, the key is that civilians remain in control.

Each state in Europe has a different tradition in this regard. The most notable example of employing armed forces domestically is the United Kingdom, with its deployment in Northern Ireland. This massive deployment, which continues today on a much smaller scale, is singular in that it represented a deployment of the army in a domestic counterinsurgency role, unique in the postwar European experience.[3]

Other states have also experienced significant deployments of armed forces within their borders, ranging from border security tasks (Italy, 1960 and 1995; Austria 1995-present) to providing essential services during labor unrest (firefighting in the U.K., 2002; replacing striking transit workers in France, 1988) to providing security against organized criminal groups (Italy, 1992). The protection and security of key installations, such as government buildings, may also fall to military forces, along with assisting with security at major events, such as the Olympic Games (Greece, 2004) and G-8 summits (Italy, 2009).

European armed forces have frequently been called into action for disaster relief and humanitarian actions — during floods, for example (Germany, 1995 and 2002; Austria, 2006). Similar employments are the nearly annual deployments of French and Greek armed forces to assist in fighting forest fires and avalanche rescue support (Austria, 1999) and rescuing illegal immigrants at sea (Italy, Spain, France and Malta).

LEGAL CONSTRAINTS

The employment of armed forces in a domestic emergency can be controversial — and it has constraints, particularly legal ones. Very few constitutions in Europe specifically authorize armies to carry out law enforcement tasks. Very few European countries have explicit bars (such as the *Posse Comitatus* Act in the United States) to armed forces carrying out, for example, law enforcement operations.[4] In many countries, such as the U.K., longstanding political and legal customs determine the armies' employment. Some, such as Italy, have laws that specifically authorize Soldiers to carry out police functions. Others, such as France, embed the authority to call out the army in the president as commander in chief for both domestic and foreign emergencies. And there are cases like Germany, whose history resulted in a constitution with many barriers to the domestic employment of armed forces.[5]

As a rule, most legal considerations involve constitutional authorization for the employment of Soldiers to act in two sets of circumstances: disaster relief and riot control. Beyond such instances, some countries, such as Italy, have instituted laws or decrees that allow a broader range of employment.

Most legal constructions are unable to anticipate the range of challenges that decision-makers face, and thus the laws must be artfully interpreted to allow the use of armed forces. And there may be circumstances so overwhelming, or dire, that forces are called out despite legal encumbrances. In these instances, the public perception may dictate what, if any, legal action may be taken against those who decide to use the army. But these instances are rare: For example, no U.S. president has ever been called to task for using the U.S. Army in spite of the posse comitatus restrictions.

HOMELAND SECURITY FORCES

European countries have a wide variety of military and paramilitary forces available to support civil authorities. These may range from conscript infantry units to highly trained special operations forces. Despite the post–Cold War drawdown, which resulted in a much-diminished active and reserve force structure in many states, significant numbers of troops remain, many of which are not eligible for overseas deployment because of national legislation.

These active forces, principally army ground forces, represent the bulk of forces available to decision-makers in a crisis. Assuming they are not currently deployed or preparing for imminent deployment, they are able to respond to a call for assistance. However, there is an opportunity cost involved, in that these forces, when deployed domestically, are not able to carry out their homeland defense tasks or prepare for other contingencies.

Unlike the U.S., where the principal military forces available to political leaders is the National Guard (a reserve military formation), most European countries lack substantial reserve forces, and those that are available require long lead times for mobilization. Thus, active forces become the only option.

In addition to conventional military units, many countries possess paramilitary police units, such as France's *Gendarmerie* and Italy's *Carabinieri*, which are well-suited for many homeland security tasks, particularly civil support missions. They are usually highly mobile, well-trained and equipped and, perhaps more important, well-versed in law enforcement and public security roles. They are also quite large: In France and Italy, for example, they rival the active army forces in size.[6]

THE ITALIAN EXAMPLE

Italy has a long history of engaging its military forces in domestic emergencies. The relative ease with which successive Italian governments have turned to the military to carry out safety and security tasks makes Italy an ideal case study for determining the extent to which European governments may see military forces as acceptable substitutes for properly constituted security forces. Italian governments have not hesitated to use Soldiers to carry out domestic security tasks and, in some cases, endow those Soldiers with special police functions and powers.[7]

Italian armed forces have participated in a broad range of civil support operations since the end of World War II, ranging from protecting key facilities and critical infrastructure to providing relief in natural catastrophes. Since 1992, but particularly since 2001, the Italian armed forces' role has expanded significantly, and the Italian military now undertakes a greater range of domestic security tasks than any other European country.

Italy does not use the homeland security concept *per se*, but rather employs a concept known as presence and surveillance. This has three operational domains: territorial defense, disaster relief and territorial control. The first two correspond to the U.S. concept of homeland defense and civil support, but the third, territorial control, has no exact U.S. equivalent. Many of the Italian military's postwar domestic operations have been conducted under this rubric, which envisions Italian military forces conducting law enforcement–like activities.

Italian law envisages the military as a full partner in many kinds of domestic contingencies. Under the law that established the agency for civilian protection (225/92), the armed forces are designated as the operational branch of the national civil protection service. While this organization is primarily concerned with coordinating Italy's response to disasters, it has become increasingly involved in working with security organizations to enhance public security.

This history includes the stationing of thousands of Italian Soldiers in the South Tirol in the 1960s in response to the separatist terror campaign designed to restore that territory to Austria. These Soldiers carried out missions to protect critical infrastructure, such as power lines, and helped seal the border with Austria to prevent cross-border infiltration. Soldiers performed similar functions in the 1970s throughout Italy to secure facilities such as rail infrastructure against possible attacks by the *Brigate Rosse*, or Red Brigades, terrorist group.

Likewise, Italian Army units have been active in disaster relief in earthquake-prone regions of Italy. Most notable was the Vajont Dam disaster in 1963, in which over 3,000 people died, and the earthquake in Friuli in 1976, which killed 1,000 and left more than 150,000 homeless.

In 1992, acting in response to the murders of two Italian prosecutors fighting the Mafia in Sicily, the Italian government decided to reinforce the law enforcement presence by deploying nearly 10,000 Soldiers to Sicily in an operation called *Vespri Siciliani*. This operation employed Soldiers throughout Sicily to conduct territorial control operations, including surveillance, patrols, checkpoints and infrastructure security. The operation concluded in 1998. Over six years, the army checked nearly 1 million people and 665,000 vehicles and arrested 1,225. During this time, all 19 brigades of the Italian Army were deployed to Sicily on a 60-day rotational cycle. During this operation, the average strength of the army in Sicily was about 6,000.

Significantly, for this operation, Soldiers were designated "public security agents" by act of Parliament, entrusting them with law enforcement powers, including the authority to detain and arrest suspects. This enabled army units to act independently of police and Carabinieri units. At the same time, it required significant training for Soldiers to carry out police functions, particularly with regard to the use of force. Italian law contemplates three categories for law enforcement agents: full police authority, public security agency, and a reduced public security function. Soldiers employed in Vespri Siciliani enjoyed public security agency authority.

Also in 1992, the Italian government commenced Operation *Forza Paris*, a similar operation of lesser scale in Sardinia, where Italian Army units operated in the rugged central portion of the island. This operation, which lasted about two months and involved up to 5,000 Soldiers, was designed to demonstrate the government's will to maintain control over its territory, particularly rugged areas that might today be called ungoverned spaces. It was also designed to reduce the freedom of action of local criminal groups.

During Forza Paris, Italian Army units conducted military training operations in the central portion of the island, including live fire training and forced marches. Unlike the forces in Vespri Siciliani, these troops did not have special police powers. Rather, these operations were designed to demonstrate presence and discourage crime. Besides combat training, military engineers carried out operations such as road repair and water purification.

Later in the decade, as the violence in the Balkans continued to grow, Italian military units were pressed into service in support of the *Guardia di Finanza's* mission of

securing Italy's external borders. These efforts included Operation *Testuggine*, an Army operation to control illegal immigration along the land border with Slovenia, and Operation *Salento*, a similar effort to control illegal maritime immigration along Italy's southeast coast. Testuggine involved an average presence of 4,000 Soldiers; Salento averaged 650. Both operations involved endowing Soldiers with limited police powers, enabling them to stop and arrest suspects.

With the end of the decade and the advent of the War on Terror, the tasks given to the military continued to grow. In October 2001, the army commenced Operation *Domino*. Involving up to 4,000 Soldiers, it was designed to provide protection for 150 installations considered to be critical infrastructure and the possible target of terrorist attacks, a list that included airports, railway stations, water treatment plants, power generation facilities and telecommunications sites. It also included increased security for foreign, mainly U.S., military bases in Italy. In contrast with other operations, the military did not possess special powers and thus could not, on its own, stop and arrest suspects. Rather, it was required to have police officers (either state or Carabinieri) accompany army patrols to do this. The operational tempo of Domino was reduced after 2006, but some facilities still enjoy enhanced protection.

In the latter part of the decade, the tempo and demands increased again. Besides operations designed to support police operations (such as the assignment of 2,500 military personnel to provide general security and emergency medical care at the 2006 Turin Winter Olympics and to provide external security for the G-8 meeting in 2009), Italian military units have been assigned an ever-widening set of tasks.

In response to a perception that the overall security situation in major Italian cities had deteriorated, Prime Minister Silvio Berlusconi's regime once again turned to the military, this time to increase security in Italy's urban streets. Operation *Strade Sicure* (Secure Streets) commenced in May 2008 by decree, later authorized by law number 125 of July 24, 2008. This operation was designed to support police and Carabinieri units by increasing the presence of security forces on Italian streets. Specific tasks include the external security of immigration centers in 16 provinces (using about 1,000 Soldiers); the security of 52 sensitive locations in Rome, Milan and Naples (mostly embassies and consulates, using 750 Soldiers); and joint police-Army patrols in nine cities (1,500 Soldiers); as well as a command and control and logistics element of about 300 Soldiers.

These Soldiers have some law enforcement powers, limited to stopping and searching suspect individuals, who must immediately be turned over to law enforcement authorities, hence the joint patrols. These patrols are found in high-traffic areas, such as bus and train stations, as well as major tourist areas (for example, the *Foro Romano* in Rome). In the first year of operation, this operation resulted in searches of nearly 300,000 people and 150,000 vehicles.

The second major operation launched in 2008 was *Strade Pulite* (Clean Streets). Italy has a long history of organized labor action, including refusal of sanitation workers to remove garbage. In response to the growing mountains of refuse in the streets of Campania province, centered on Naples, Prime Minster Berlusconi authorized the province to call upon the armed forces to remove the waste. This authority was later reinforced by law 125/09, which identified waste treatment sites as "areas of national strategic interest."

This operation not only included efforts to relocate the refuse to waste storage and treatment sites, but also the security of those same sites. Because of local political resistance to establishing these sites around Naples, it became necessary to guard the garbage. Another aspect is the need to inspect the waste for contaminated materials, particularly radioactive materials. The operation involved an average of 700 Soldiers daily, and resulted in the removal of nearly 40,000 tons of refuse and the inspection of over 110,000 trucks.

Lastly, on April 6, 2009, a major earthquake struck the Abruzzi region near the city of L'Aquila, resulting in 300 deaths and 1,500 injuries, as well as vast damage to property. This earthquake created an urgent need for disaster relief operations. The armed forces deployed over 1,300 troops and large numbers of vehicles and helicopters to the region to assist in direct support of the Civil Protection Agency.

The Italian reaction to most of these operations has been uniformly positive. The population has generally concurred with the decision to deploy Soldiers to carry out these non-military tasks; indeed, on occasion, there have been demonstrations in favor of more armed forces involvement, as the armed forces are now seen in Italy as an organization that gets things done. The political benefit to those leaders responsible for ordering the military to undertake these tasks does not go unnoticed.

Perhaps surprisingly, the military also takes a very favorable view of these operations. While many senior officers recognize the cost involved in deploying Soldiers on these missions, they often voice support for them. This can be attributed to three factors:

- These operations are believed to enhance the image of the military in Italy, where the armed forces have historically not generally been viewed as highly competent. As in many countries, the armed forces are often viewed as inactive, since the general public does not view training as real work. Frequently, the military is thought to be sitting in its barracks, waiting for something to do. This stereotype, while inaccurate, is often reinforced by the Soldiers themselves, when asked to recount how they spend their time. As a consequence, the public fails to appreciate the importance of a force-in-being and comes to appreciate the military when it carries out operations. This is particularly true in Italy, which had a conscript military and has many other security organizations (police, Carabinieri, Guardia Di Finanza, etc.) with which the military must compete for public funding.
- The senior military leadership views these operations as a form of training. For example, the deployments to Sicily and Sardinia in the early 1990s were the first

time the modern Italian military really had to deploy ground forces, which until then were principally concentrated in the northeast corner of Italy. The Italian military learned a great deal about deployments, and was put to good use when Italy deployed forces to the Balkans in the mid-1990s. Likewise, as many of these operations resembled stability and reconstruction duties carried out in peace-keeping missions, leaders viewed these operations as excellent training for deployments. In particular, they note the ability to operate in urban terrain in close contact with civilian populations, as well as skills gained by patrolling and conducting checkpoint operations.

- Senior leaders acknowledge that, in a constrained budget environment, these operations can provide a useful source of funding, which can be used to train personnel and units for other operations. The Italian military lacks sufficient funding to carry out training for its full range of tasks, and through participation in these operations, it receives additional funding that may be used for this purpose.

Thus, it is no surprise that these operations are viewed favorably by the public and government. It is therefore reasonable to anticipate that the government will continue to look to the military to provide a growing range of support to law enforcement, as well as civil support operations of increased scope. But it is also reasonable to ask whether these operations are best carried out by the military, or whether it would be more efficient to further develop the capabilities of other organizations, such as the Carabinieri, to conduct them.

THE TASK AHEAD

Given the expansion of tasks for armies at home, the question remains how to anticipate what missions may lie in the offing. Given the complexity and dimension of the challenges confronting governments today, the likelihood grows that armed forces may be called upon. From a terrorist attack using a weapon of mass destruction to managing the consequences of climate change, there is a long list of potential tasks for military forces at home.

In particular, the military's unique capabilities will continue to loom large in decision-makers' minds as they face these challenges. In many instances, there is no other organization that can deal with the consequences of a radiological dispersion device or a chemical or nuclear attack. The military also has a range of capabilities to deal with pandemic disease — capabilities not present in many public health services.

Further, it is likely that national authorities may ask military forces to deal with the consequences of climate change, such as increased storm activity or rising water levels. Storms or other climatic events may occur with such magnitude as to quickly overwhelm the capabilities of local and provincial authorities.

In responding to events of such magnitude, the issue of using force may arise. In the event of a pandemic disease outbreak or employment of a dirty bomb, authorities may decide on quarantine, and it may fall to the military to enforce such a measure. In this case, what instructions should be given to Soldiers to enforce the quarantine? The employment of deadly force against a nation's own citizens is a decision of monumental importance, with unknown consequences.

In this regard it is instructive to note the proposal of the Conservative Party of the U.K., which promised, if elected, to establish a Homeland Military Command. It would be composed of several thousand members of the British military and available to decision-makers to employ in the event that police forces are unable to contain a situation similar to events in Mumbai, India, in 2008. In this capacity, these military forces would be authorized to employ deadly force.[8]

In evaluating whether to employ armed forces, authorities must temper their enthusiasm with an understanding that there are tasks for which the military is ill-suited or inappropriate. Foremost among these is infrastructure construction. While army engineers are perfectly capable of constructing roads, bridges and dams, these tasks are best left to other entities, particularly private ones. Such is also the case with providing essential services: Driving buses, collecting trash and replacing firefighters in cities, while perhaps necessary, ought not to be missions of choice for armies.

As national decision-makers consider what armies should do, they ought to be guided by some principles, foremost among them the concept that militaries should be called upon when all other organizations have fallen short. Armies should be called upon when they possess capabilities that are unique and not just because they are available. The employment of Soldiers in these operations should be limited in duration, paid for with monies outside the defense budget, and controlled by civilian at all times, if possible. Lastly, it should be evident that asking Soldiers to carry out these tasks means they are not available to perform their primary missions, including national defense.While Soldiers stand ready to execute their orders, it is incumbent on leaders not to look to these forces and their unique capabilities in the first instance. After all, no other organization can fulfill *their* function: the security of the nation. □

1. Unless otherwise indicated, the terms *army, armed forces* and *military forces* are used interchangeably to denote the regular armed forces of a state, including land, sea and air forces but not paramilitary police forces, coast guards or reserve formations.
2. The strength of the *Bundeswehr* during the Cold War peaked at nearly 500,000 in 1985. In 2001, the Bundeswehr had about 200,000 Soldiers. See Lutz Unterseher, "German Defense Planning: In a Crucial Phase," Project on Defense Alternatives, 2001.
3. Over 300,000 British Soldiers have served in Northern Ireland, incurring 763 fatalities. See Matthew Weaver and James Sturcke, "British Army Ends Northern Ireland Operation," London *Guardian*, July 31, 2007.
4. The Posse Comitatus Act of 1878 prohibits the Army from participating in domestic law enforcement activities. Executive orders have extended this prohibition to the Navy and Air Force as well. See "The Posse Comitatus Act of 1878," USDOJ & Government Watch.
5. For a thorough overview of the constitutional restraints on states in Europe and North America, see John L. Clarke (ed.), *Armies in Homeland Security*: *American and European Perspectives* (Washington, D.C.: National Defense University Press, 2006).
6. For an analysis of the range of specialized forces available in Europe, see John L. Clarke, "Securing the European Homeland," *Journal of Homeland Security*, September 2003.
7. Information in this section is from briefings provided by the Italian Armed Forces Staff and the Italian Army Staff.
8. Dominic Kennedy, "Tories Promise Homeland Military Command to Combat Terror Threat," London *Times*, Oct. 8, 2009.

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