March 27, 1978

TERRORISM IN ITALY

INTRODUCTION

On March 13, 1978, following a governmental crisis which lasted two months, Italy's relative majority Christian Democratic Party was finally able to form the nation's fortieth government since the fall of Fascism on July 25, 1943, or the nation's thirty-first government under the Republican Constitution of December 22, 1947.

The newly-formed cabinet, which is totally composed of Christian Democratic ministers, enjoys the formal parliamentary support of the Italian Communist Party (PCI). This is the first time since May, 1947, that the PCI has officially backed an Italian cabinet. By granting its vote of confidence in both Chambers of Parliament, the PCI has now become a member of the parliamentary majority. Although there have been several instances of cooperation between the Christian Democrats and the Communists since 1944, the entry of the PCI into the parliamentary majority represents a turn in Italian politics.

The circumstances and considerations which have led the PCI for the first time in thirty years to grant the vote of confidence to a Christian Democratic cabinet and the latter to accept Communist support are varied and complex. Apart from the subjective strategic considerations peculiar to each of these parties, objective conditions of national significance appear to have played a considerable role in bringing about this development, which contradicts the logic of confrontation between the traditional Christian Democratic and Communist platforms. These objective conditions include the primary evils with which Italy must increasingly contend: political instability, economic crisis, and sociological problems, foremost among which is the mounting outburst of common crime and political violence.

Although politically·motivated violence is necessarily tied to the political, economic, and social conditions that concur in shaping present-day Italy, it is nonetheless the most visible and disquieting factor affecting the daily life of every Italian citizen. It may be argued that on a physical and material level not all citizens are equally affected by terrorism; however, its psychological consequences are deeply felt by the entire community.

The feeling of helplessness in the face of a force which aims at striking at the "heart of the state" is likely to engender a popular belief that only a broad coalition of national forces can combat terrorism. While a national resolve to remove this cancerous growth is an absolute requirement, its implementation should be carefully studied to foreclose artificial and contradictory political alliances.

Before delving into the impact of terrorism on the Italian political scene, it is worthwhile to examine the nature and extent of the terrorist presence in Italy. For this purpose, ·it is sufficient to adopt an elementary dictionary definition of the term terrorism: the political use of terror and intimidation.[1] ·

THE INCIDENCE OF TERRORISM

On March 16, 1978, several hours before the present Italian government received parliamentary approval, former Premier and current Chairman of the Christian Democratic Party Aldo Moro was abducted on his way to the Chamber of Deputies, where he was to participate in the vote of confidence. His abduction took place after five members of his police escort were shot to death. This urban guerrilla operation was conducted with great precision and attention to detail, so much so that even the telephone lines in the immediate area were sabotaged to facilitate the escape. This professionally executed operation was the work of a leftist revolutionary group which calls itself the Red Brigades.[2]

Only a few days earlier, on March 10, the same group had shot and killed a policeman to protest the trial in the city of Turin of fifteen members of the Red Brigades, including the group's founder, Renato Curcio.[3] The policeman's killing followed a warning given by the Red Brigades on the previous day to the jurors sitting on the trial.[4]

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1. The American Dictionary of the English Language, New York: Dell Publishing Co., Inc., 1974.

2. S. Gilbert, "Terrorists in Italy Kidnap Moro, Kill Five," The Washington Post, March 17, 1978. Also see FBIS Cable Traffic, March 16, 1978.

3. Corriere della Sera, March 11, 1978, p. 1 (Milan).

4. Corriere della Sera, March 10, 1978, p. 1 (Milan).

The abduction of Moro is the most recent and perhaps the most spectacular of a long series of episodes of terrorism whose escalation has reached unprecedented proportions during the last three years. This trend, however, was already predictable in the late 1960's. Not only had the terrorist bombing of a Milan bank caused the death of fourteen persons in 1969, but also, on December 22 of the following year, the Prefect of Milan, who represents the Ministry of the Interior (responsible for law and order) in the Milan Province, had forwarded a classified report to his superiors in Rome indicating that there were twenty thousand potential terrorists in his area of jurisdiction belonging to extremist factions of the left and of the right. However, considerations of a political nature caused the Prefect's warning to go unheeded. Moreover, L'Unita, the official daily of the PCI, termed the Prefect's report "provocatory" and called for his resignation.[5]

As opposed to the 164 separate incidents of terrorism which took place in Italy in 1968, 2,200 were recorded during calendar year 1977.[6] The 1977 figures include eighteen killings resulting from political violence and 21 intimidatory shootings in the legs just in the first six months of the year. In January, 1978 alone, there were six politically motivated homicides.[7] In February, a Supreme Court judge was shot and killed by the Red Brigades.[8]

During this ten-year time frame, the most common targets of terrorist activity in Italy have included politicians, magistrates, lawyers, police officials, journalists, professors, executives and supervisors, as well as party offices, industrial plants, newspaper offices and television installations. Bystanders have also fallen victim to terrorism. Except for clashes between leftist and rightist extremists or raids conducted by one faction on its counterpart, the vast majority of the victims have been Christian Democrats or individuals connected with the "establishment." There have been few victims from the PCI.

One report on Italian terrorism points to the work of "115 identifiable extremist political movements, splinter groups, and urban guerrilla commandos, 94 belonging to the far left and 21 to the neo-Fascist right."[9] The more prominent leftist groups are the

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5. Il Tempo, December 19, 1976, p. 19 (Rome).

6. Il Settimanale, No. 2, January 18, 1978, pp. 14-16 (Milan).

7. K. Withers, "Italy treads a bloody path toward a '2d Argentina'," Chicago Tribune, January 28, 1978.

8. Corriere della Sera, February 16, 1978, p. 1 (Milan).

9. Time, January 23, 1978, p. 35.

Red Brigades, the Armed Proletarian Nuclei, First Line, Armed Combat for Communism, and Armed Wage Earners for Communism.[10] Following the forcible dissolution of New Order and National Vanguard, the more important groups of the right gravitated around some of the Roman and Milanese party sections of the Italian Social Movement.[11]

All political parties represented in the Parliament have condemned at one time or another the use of political violence. Recently, even some of the parties not represented in Parliament have expressed their disapproval.[12]

Although the most visible terrorist acts in Italy have entailed homicide, shootings in the legs, and damage to private and public property, other criminal acts perpetrated by the terrorists are equally grievous because of the climate of fear generated by them. In May of last year, for example, the trial of fifty-three indicted terrorists had to be postponed because of the intimidation of the jurors by the Red Brigades. This act of intimidation followed the murder during the previous week of the President of the Turin Bar Association by the same terrorist group.[13]

It is difficult to establish the incidence of political motivation behind kidnappings. Statistics place Italy at the top of the international record. In 1975 and 1976, there were fifty-three and sixty kidnappings respectively.[14] There were seventy-six kidnappings in 1977.[15] These statistics do not include kidnappings not reported to the police because of concern over the safety of the kidnapped. It is believed that in addition to proceeds from robberies, ransom from kidnappings is a source of financing for other terrorist activities. Evidence of this nature has been introduced at trials of Red Brigades members.

The most recent study on Italian terrorism has apparently been conducted by the PCI. According to a report released by the PCI's section "on State problems," there are approximately 700 to 800 terrorists living clandestinely and approximately 10,000 individuals who are often armed and given to violent actions, arson, and pillage. According to the PCI, "serious violent incidents" nearly doubled in

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10. Op. cit. at 6.

11. Il Settimanale, No. 42, October 19, 1977, p. 14 (Milan).

12. Il Settimanale, No. 3, January 25, 1978, pp. 21-22 (Milan).

13. S. Gilbert, "Italian Terrorist Group Forces Trial Postponement," The Washington Post, May 6, 1977.

14. Clandestine Tactics and Technology, Update Report, CTT '76: Issue No. 4, p. 3.

15. Op. cit. at 9.

1977 as opposed to the previous year. The 1977 figure is set at 2,013 in contrast with 1,198 in 1976. The PCI reports that 63 percent of all such episodes took place in the three major cities: Rome (29 percent), Milan (24 percent), and Turin (10 percent). The report also points out that the terrorist phenomenon is extending to the provinces, since terrorist acts have taken place in sixty-six provinces out of ninety-four.[16]

It is perhaps on the basis of such or similar statistics that PCI Senator Ugo Pecchioli proposed the creation of "citizens committees against terrorism" and PCI Deputy Pietro Ingrao, the current President of the Chamber of Deputies, stated that "it is now necessary to proceed with the mobilization of the social organizations."[17] These statements are indicative of a change of heart, since the PCI at one time opposed the Christian Democratic proposal for the formation of a militia. The PCI and the Socialist Party have also advocated the establishment of an unarmed police force. This attitude has also been subject to change.

THE BACKGROUND AND CAUSES OF TERRORISM

Terrorism in Italy, as well as elsewhere, is explained by some observers as the product of psychological alienation resulting from rapid technological progress unaccompanied by an equal or parallel development in the social structures and installations.

On the surface this theory is easily applicable to Italy insofar as Italy has quickly passed from post-war reconstruction to the so-called economic miracle of the late 1950's and early 1960's. This process has entailed mass migrations from southern to northern Italy, as well as from the rural provinces to the industrial cities, which were not equipped in the long run to absorb and provide for the new population, especially with respect to housing, schools, and hospitals.

Today the era of the "economic miracle" is being frequently criticized as the unenlightened work of the centrist governments -- the parliamentary and cabinet coalitions made up of Christian Democrats, Social Democrats, Liberals, and Republicans which governed Italy from 1948 until 1952.

The centrist governments certainly had their shortcomings and limitations. During these years, the Christian Democratic Party did in fact set up a system of patronage accompanied by corruption. Indeed, more emphasis was given to industrial reconstruction and production than to the social structures and installations referred to

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16. Corriere della Sera, February 17, 1978, p. 1 (Milan).

17. Il Settimanale, No. 49, December 7, 1977, pp. 16-17 (Milan).

above. However, a blanket condemnation of the governments of this period is profoundly unfair, unless the Italian people are to be condemned as a whole.

Italy came out of World War II badly defeated both spiritually and materially. This defeat, moreover, followed twenty years of dictatorial Fascist rule, which had not only curtailed basic democratic liberties, but had also imposed upon the country archaic economic structures, including autarchy and colonial expansion. A country such as Italy, whose natural resources are scarce and whose large population is out of proportion to its territorial size, cannot possibly adopt principles of economic self-sufficiency "mitigated" by colonial possessions, which by definition require a great deal of input before becoming productive.

The policies of the centrist governments were in response to the desires of the vast majority of the Italian people, who wanted to put the evils of Fascism, autarchy, and the war behind them and, at the same time, to reject a collectivist orientation. Centrism was, therefore, characterized by economic reconstruction and foreign trade. Italy, because of her socio-economic conditions, could hope to achieve industrial reconstruction and expansion only by importing raw materials and re-exporting the finished products. Labor and know-how were her only assets during those years; her best course of action, given these premises, was to meet the economic demand of the international market.

At the same time, the people's desire for a Western style of life was certainly there. The unprecedented world prestige of the United States made the American model of life a source of emulation, including certain aspects of a consumer society. The Italian rejection of Stalinism and the Italian pro-Western posture in the Cold War were made clear by the returns of the 1948 parliamentary elections and those that followed. Participation in NATO and the EEC also met with public approval. (Today even the PCI and the Socialist Party, which were the major opponents of these institutions for several years, have ostensibly reversed their position.)

Without these centrist choices, there could have been no "economic miracle." Nor can social structures and institutions come about without adequate industrial potential.[18]

It would be more accurate to identify the roots of social upheaval, the most menacing aspect of which is terrorism, in the years that followed the end of centrism and which marked the first opening to the left. The years of centrism had given relative stability to the country, notwithstanding internal differences between the coalition partners, and had been free of mass-scale terrorism.

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18. For a critical comparison of centrism and subsequent political formulas see D. Bartoli, Gli Italiani nella Terra di Nessuno, Milan: Mondadori, 1976. For the history of centrism see G.C. Re, Fine di Una Politica, Bologna: Cappelli, 1971.

At the beginning of the 1960's, following a high point in indus-
trial reconstruction, it was felt that, by bringing the Socialists
into the parliamentary and governmental majority, the majority it-
self would be broadened and greater attention could be devoted at this
time to the social structures and institutions in which shortage or
insufficiency was being felt. This operation was accomplished, after
some hesitation, in 1962-1963 with the withdrawal of the Liberals
(whose returns doubled in the 1963 national elections because of
their stand) and the inclusion of the Socialists who had belatedly
renounced their opposition to NATO and any formal alliance with the
PCI at the national level. In return, as a gesture of good will to-
ward the Socialists, the electricity sector was nationalized.

The years 1963-1968, commonly referred to as the first opening
to the left, did not bring about the desired result. This period was
essentially characterized by immobility. Moreover, the nationalization
of electric energy turned out to be an economically unsound proposition
for both the national administration and the consumer. The Socialists
on their part learned how to exploit the spoils system at the national
level.[19]

In 1968, Italy experienced its "cultural revolution" among the
youth, first at the university level and later at the high school level
as well. This challenge was directed at the entire establishment, but
its major victims were, at least initially, traditional family disci-
pline, which nearly disintegrated, and the academic structure, which was
in many ways obsolete but nonetheless a structure. Student demands
included "group exams," choice of texts and examination questions, and
the establishment of political "collectives" in the schools, as well
as guaranteed passing grades, diplomas, and degrees. Many of these
demands are still being made today, and schools and universities con-
tinue to be "seized" from time to time by the students.

The "cultural revolution" had its spillover effect on the
workers the following year. Up to this time labor had generally
been relatively inexpensive, and union activities and demands had
generally been responsible and moderate. The workers' "hot autumn"
of 1969 brought about a dramatic reversal. Labor union unrest ranged
from demonstrations to unbridled strikes, from industrial sabotage to
civil disorders and common crimes. The renewal of the collective bar-
gaining agreements did not placate the unions, notwithstanding the im-
provement in labor conditions. What began as an often justifiable
protest turned into an unreasonable and violent way of life aimed at
obtaining "everything now" without considering the actual possibilities
of the Italian economy. Such abuses were often aided by labor court

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19. For detailed data and an analytical treatment of Italian political and economic
affairs since 1968 see D. Bartoli, id. at 18 and A. Ronchey, Accadde in Italia
1968-1977, Milan: Garzanti, 1977.

judges who, instead of applying the rule of law to labor disputes, rendered their decisions on the basis of a Marxist-oriented "sociological jurisprudence. The loss of productivity that started trends that persist to date created socio-economic problems whose solution is far from clear.

The fragile nature of the center-left alliance became evident at this time. In the years 1969-1972, while the political behavior of the Socialist Party was more radical than that of the entire left, including the PCI, labor unions, and extra-parliamentary parties (to the exclusion of terrorist groups), the Parliament and the government responded to what has been termed "a state of siege" against the institutions with the rash passage of ill-conceived social legislation. The universities, for example, were thrown open to virtually all applicants regardless of their academic or technical background, while a law called the Statute of the Rights of the Workers was passed making labor relations totally one-sided in favor of employees.

Meanwhile, the position of the Socialist Party was becoming more and more contradictory. It still remained within the cabinet coalition, but would frequently assume positions adverse to the government. At the same time, notwithstanding the issuance in 1970 of a joint document named the "Forlani Preamble," which called for coalitions also at the local level of government between Christian Democrats and Socialists, the latter often coalesced with the PCI, even where it was numerically possible to govern with the Christian Democrats.[20]

The birth of contemporary Italian terrorism took place in this climate of political contradictions, weakness, and permissiveness. Whatever complementary validity there may be to socio-psychological argumentations, one should not lose sight of this elementary reality. Moreover, the tendency to distinguish between terrorism of the left and of the right, especially since 1972-1973, and to regard only rightist extremism as dangerous because of "Fascist" connections has created a false and dangerous perception of the phenomenon and has rendered the work of the police more arduous. Even PCI Senator Pecchioli has recently condemned this tendency.[21]

AN INTERNATIONAL CONSPIRACY?

Other observers of the Italian political scene, while not necessarily denying that various factors are responsible for the Italian terrorist phenomenon, nonetheless see Italian political violence as part of international terrorism aimed at the destabilization of Western Europe in the East-West ideological conflict.

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20. Op. cit. at 16.

21. Il Settimanale, No. 47, November 23, 1977, pp. 16-19 (Milan).

Circumstantial evidence has been introduced reflecting links between Italian terrorist groups of the left and the intelligence services of Czechoslovakia, East Germany, and the Soviet Union.[22] References have also been made to the sojourn and training in Czechoslovakia and Cuba of Italian terrorists and foreign terrorists operating in Italy.[23] Notice has been taken of the fact that Italian terrorists often use uncommon weapons and munitions manufactured exclusively in Eastern Europe.[24] The fact that 147 anti-German acts of political violence took place in Italy last year following the Mogadishu anti-terrorist raid and the Stammheim prison incident has led observers to note that these are too many to be "spontaneous."[25] Additional contacts appear to exist between the Red Brigades and the Baader-Meinhof gang.[26] Finally, the Italian press has reported on several occasions comments of various Italian political figures who have expressed knowledge of, or belief in, links between Italian terrorists and foreign powers.

The foregoing comprises circumstantial evidence at best or hearsay at worst. However, in the context of international terrorism it is worth noting that Renato Curcio, who is reputed to be the founder of the Red Brigades' and is now standing trial, once stated that "Italy is the weak link of the democratic system of the West. The Federal Republic of Germany the strongest." On another occasion he went on to say: "In Germany kidnappings serve the purpose of intimidation; in Italy they must give the final push to an agonizing regime."[27]

LEGAL AND POLITICAL REMEDIES

Whereas neither the Italian Criminal Code nor the complementary criminal statutes make any reference to terrorism, the individual provisions of these laws are so detailed as to discipline any terrorist act. Title V of the Code, entitled <u>Crimes Against Public Order</u>, defines and punishes instigation to commit crimes, public instigation to disobey the laws, conspiracy, destruction and pillage, public intimidation through explosives, and simple public intimidation. Title VI is likewise applicable to <u>Crimes Against Public Safety</u>, including slaughter, arson, flooding, the causing of landslides, avalanches, shipwrecks, the crashing of aircraft, and railroad disasters, as well as attempts against transports, the causing of epidemics, and the poisoning of water and food supplies. Title III on <u>Crimes Against</u>

22. <u>Il Settimanale</u>, No. 48, November 30, 1977, pp. 14-15 (Milan), and M. Ledeen, "Italy Awaits Caesar," <u>The New Republic</u>, January 7, 1978.

23. <u>Il Settimanale</u>, No. 50, December 14, 1977, p. 15 (Milan), and <u>Corriere della Sera</u>, March 12, 1978, p. 2 (Milan).

24. <u>Op</u>. <u>cit</u>. at 21.

25. M. Ledeen, <u>op</u>. <u>cit</u>. at 22.

26. <u>Il Settimanale</u>, No. 44, November 2, 1977, p. 14-15 (Milan).

27. <u>Gente</u>, No. 9, March 4, 1978, pp. 6-8.

the Administration includes violence or threats against a political, administrative, or judicial body. Titles XII and XIII, entitled Crimes Against Persons and Crimes Against Property, practically cover all remaining possibilities ranging from homicide to kidnapping to robbery, regardless of motivation.

The view has often been expressed (most recently by the President of Italy's Constitutional Court)[28] that ordinary measures such as the ones indicated above are sufficient to combat common and political crime if properly applied. Extraordinary measures are, however, also available for cases of "urgent necessity." The Council of Ministers (the technical name given to the government or cabinet) is empowered in such cases to pass, on its own responsibility, law decrees, though these must be ratified within 60 days by the Parliament. The Prefects, who represent the government as well as the Ministry of the Interior in the Provinces, are also empowered to adopt special measures in cases of "urgent necessity."

Consequently, Italy is not faced by a problem of inadequate legislation or special remedies to combat terrorism. The problem is rather one of insufficient governmental stability to lend efficiency to the executive functions.

In accordance with the Republican Constitution of 1947, Italy is a parliamentary system. Therefore, for the government (consisting of the President of the Council of Ministers and of the Ministers) to hold and retain office, there must be a favorable "vote of confidence" in both Chambers of Parliament. The plurality of parties represented in Parliament -- currently twelve -- has consistently made the formation and duration of each government problematic because of the necessity for a supporting coalition of parties whose platforms are usually at odds. The multiparty system in Italy is further aggravated by the "Proportional electoral laws" which make it relatively simple for most parties to obtain some representation in Parliament.

Inasmuch as governmental instability affects all executive functions, it is easy to understand how law enforcement has been hampered, notwithstanding the availability of applicable laws and the recognized professionalism of the police forces. In fact, a recent British study points out that "the Carabinieri (Italy's military police vested with both military and civil jurisdiction) could clean up the terrorism in Italy in weeks."[29]

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28. Foreign Affairs Research Institute, Paper No. 14/1977, London.

29. See G. Andreotti, Intervista su De Gasperi, Roma-Bari: Laterza, 1977.

CONCLUSION: COULD THE COMMUNISTS STOP TERRORISM?

The PCI has often declared that it is impossible to govern Italy and to bring stability to the country without Communist participation in the government. The PCI has stepped up its demands since the national elections of 1976 which gave it 34.4 percent of the vote and placed it only 4.3 percentage points behind the relative majority Christian Democratic Party. The presence of the PCI is also felt at the local level, since it is the most powerful party in 6 out of 20 regions and 45 out of 94 provinces. It also carries much weight in Italy's major labor union, the CGIL.

The many problems that Italy is presently facing, including terrorism, which is the most visible and shocking, might seem to lend support to the argument that a grand coalition of democratic unity, an emergency government, or even yet an accommodation between the Christian Democrats and the PCI is not only desirable, but an absolute necessity.

However, the reality of Italian politics makes it unlikely that PCI participation in the cabinet would solve Italy's problems. Moreover, there is still much doubt as to the democratic aspirations of the PCI.

Although there has been collaboration or compromise on frequent occasions between the Christian Democrats and the Communists, these two parties have traditionally been at odds. Even in the period 1944-1947 when the PCI was part of the government, it systematically attacked the Christian Democrats, who were also in the government.[30] Moreover, past Christian Democratic-Communist collaboration does not appear to have produced very positive results. The Constitution itself, which is one of the major sources of political instability in Italy, is a monumental example of collaboration between Christian Democrats, Socialists, and Communists. Much of the questionable legislation passed in recent years with Christian Democratic and Communist support (e.g., the Workers' Statute referred to above) is also the result of this collaboration.

On the basis of the past record, it is difficult to see how all of a sudden these two political forces would not only cooperate, but efficiently so, as the two major partners in a governmental coalition faced by so many urgent problems and whose only parliamentary opposition would come from a handful of Liberals, Radicals and ultra leftists and rightists.

Communist participation in the government would also pose disquieting questions because of the history and nature of this party. In the 1976 electoral campaign, the PCI ran on a platform committed to democratic liberties, pluralism, free enterprise, NATO, and the EEC. Still the PCI continues to be internally governed by democratic centralism, which is not democratic at all, but authoritarian; the PCI's acceptance of NATO is couched in ambiguous language; several PCI members continue to express admiration for and solidarity with the U.S.S.R.;

the PCI's position on foreign policy is generally aligned with that of the U.S.S.R.; and there is no indication of an official break with the Soviet Communist Party. The PCI's apparent conversion to Western ideals is much too recent and its contradictions are still too many to dispel reservations as to its actual intentions.[30] After all, the PCI even refuses to be considered a social democratic party.

At the present time, the formation of a government including both Christian Democrats and Communists would be lacking in both viability and credibility. If Italy is to solve its problems democratically, the Christian Democratic Party must find the strength to carry out its role as the relative majority party and the PCI must muster the courage to support all efforts directed at the well-being of the national community. As long as the government of Italy remains a democratic regime, there is still time for the PCI to win the unequivocal favor of the electorate and to acquire whatever role it desires to carry out in Italian politics. At this time, however, it does not possess that mandate.

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30. The position of the PCI on past and present issues is well recorded by A. Rizzo, La Frontiera dell 'Eurocomunismo, Roma-Bari: Laterza, 1977.