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The Faisal Shahzad Story

Insights, Lessons and Implications



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THE FAISAL SHAHZAD STORY

INSIGHTS & IMPLICATIONS

ISHITA MATTOO

The report is based on a reading and analysis of news reports and articles which appeared in the New York Times, the Washington Post, the Christian Science Monitor, Newsweek, Time and the Economist.

I THE INCIDENT

On 2 May 2010, a naturalized American citizen, attempted to detonate a bomb in a Nissan Pathfinder in the heart of New York City's Times Square. Fortunately, the attempt was unsuccessful and the suspect, Faisal Shahzad, a 30 year old American citizen of Pakistani origin, was arrested by U.S. Custom and Border Protection forces 53 hours later as he boarded an Emirates flight to Dubai from JFK Airport. A federal report lodged on 4 May alleged that he had committed five terrorism-related crimes including the use of "weapons of mass destruction.*"

II THE BACKGROUND

Further investigations suggested that Shahzad had been directed by and received support from the *Tehrik-i-Taliban Pakistan* (the Pakistani Taliban, TTP). What was surprising was that Shahzad was no impoverished, devout *jihadi* who had studied in *madrassas*. The son of a former senior officer of the Pakistani air force, Shahzad came from a reasonably affluent and well educated family, was not religious in his school and university days, and had an MBA from an American University. In addition, Shahzad was married with children, lived in a home in an upscale suburban American neighbourhood, with a well paying job and American citizenship, living, as if, "the American dream."

Consider the irony. An ostensibly devoted urban father and husband, a hard working and responsible tenant and employee - what is more - well educated, well to do and successful; apparently an ideal candidate for a green card and citizenship, attempting an act of terrorism against his adopted country. It is this paradox that has shocked large sections of American public opinion, bewildering and confusing those who had felt secure with their seemingly naive belief that a terrorist is "not one of us."

III THE QUESTIONS

Naturally what followed was great unease amongst the public and introspection by investigators and politicians about what the ramifications of this incident would be and what action was necessary. Did there need to be a reassessment of the Pakistani Taliban? Was there a need to loosen the Miranda rights? Was there a need for greater security for easy targets like New York City? Wasn't there an urgent necessity to put greater pressure on Pakistan to press against the network of militant groups in its North Waziristan region? And what were the complex forces that contributed to such an act being attempted by a man who was apparently well educated and successful? (While questions and controversies raged, in a model for the rest of the nation, the Pakistani American Association of Connecticut-PAACT, came together with the law enforcement authorities and looked at what needed to be done in the future to

prevent such attempts and the importance to build trust so that vigilant members of the Pakistani community could report signs of radicalization they had observed, without fear.)

Above all, Shahzad's links with the Pakistani Taliban (they are believed to have directed him and supported him financially) were a cause of great concern for American and Pakistani intelligence. Immediately after the Times Square incident, Hillary Clinton's statement to the Pakistani government was stern, peremptory, almost threatening: "We've made it very clear that, if-heaven forbid-attacks like this(Times Square) that we can trace back to Pakistan, were to have been successful, there would be very severe consequences." US Attorney General Eric Holder reinforced the message "If Pakistan fails to take appropriate action against the Taliban, the United States will." The US has, for some time now, supported the view that the militant organizations in Pakistan are interconnected and has urged Pakistan to move against the entire network. Ideological differences may exist but such groups can nevertheless provide each other with monetary and other aid, and are united in their antagonism towards the West. The recent Times Square incident seems to be proof of the fact that even the Pakistani Taliban - which was previously believed to have more local grievances and aims - is looking at waging a global *jihād*. Analysts are pointing out the "danger posed by the loose system of affiliation and cooperation" , the interconnected network of militant organizations and are arguing that it is too late to divide this system of militant groups into categories of 'tame ones' and 'uncontrollable ones.'

In contrast, the Pakistani intelligence has been advocating that these groups are largely independent. Some groups have been 'doggedly pursued; others are left alone, trusted with truces, or clandestinely

encouraged' by the Pakistani generals in the past, including those targeting India.

IV THE IMPLICATIONS

In reality, Faisal Shahzad's association with the Pakistani Taliban means several things. First, it means that the US will have to reassess the Pakistani Taliban especially as American officials see militant groups determined to score a propaganda victory by pulling off even the crudest of attacks. It exposes the growing trend of militant organizations expanding beyond their local agenda and striking the US. The attempted bombing of the Detroit airliner which was traced back to the *Al Qaeda* which had previously targeted Saudi and Yemeni governments is part of the same story. According to the terrorism expert, Bruce Hoffman, "the message may be that the U.S. is pounding us with drone attacks, but we're powerful enough to strike back'; it's certainly enough to attract ever more recruits to replace those they're losing."

Previously, the TTP was not considered a major threat. When the former Pakistani leader Baitullah Mehsud said last March that he was planning an attack on Washington that would "amaze everyone in the world", the US officials dismissed the claims as "empty boasts." They said that that the Pakistani Taliban did not have the influence and resources to plan an attack beyond Pakistan.

Second, it shows that the US may have to pay a heavy price for the drone strikes in northwestern Pakistan. The drone program expanded by President Obama last year and is believed to have led to the death of the Pakistani Taliban leader, Baitullah Mehsud. The suicide bomber attack on the CIA base camp in Afghanistan and the Times Square incident followed.

Third, the Times Square incident, ironically, also represents what appears to be a unification of Pakistani and American

interests. The Pakistani Taliban for a long time has been responsible for attempting to undermine what they see as the “secular” government in Pakistan. It has been blamed for the assassination of former Pakistan Prime Minister, Benazir Bhutto, as well as numerous bombings in Islamabad and Lahore. It was on the request of the Pakistani government in 2008 that the US began the drone strikes in north western Pakistan to target members of the Pakistani Taliban. Now the Pakistani Taliban seems to be expanding its terror agenda to include the United States. Denis McDonough, the chief of staff for the National Security Council, said the Times Square attempted bombing showed that Pakistan and the United States faced a common enemy, calling it “a pretty stark reminder that the same collection of terrorists that are threatening them are threatening us.”

Fourth, despite this apparent unification in interests, the incident will mean greater pressure by the US on Pakistan to press against the network of terrorists in its Waziristan region. The North Waziristan region, where Shahzad was believed to have received training, has become the real centre of terrorist training camps for a variety of organizations. It is believed that Pakistan is unwilling to move against the Haqqani network located here because they view Jalaluddin Haqqani, the leader of the network, as a “strategic asset.” This region is also believed to be home to militants from the *Tehrik-i-Taliban Pakistan* (TTP), *Jaish-e- Mohammad* (JeM) and *Lashkar-e-Toiba* (LeT). It is also believed to provide a safe haven to some of the *Al Qaeda* leaders. The Pakistan army operations in Swat and South Waziristan have encouraged TTP members to take refuge in North Waziristan, and seem to be still relatively safe because of the reluctance of the Pakistan army to carry out military operations in this region.

Fifth, what may have shocked the public is really nothing to be surprised at, given the growing radicalization of Pakistani youth, in specific, and the growing anti American hostility in Pakistan, in general. If one were to look at the recent past, one would see facsimiles of Shahzad in Farouk Abdulmutallab (suspect in the attempted Christmas day airliner bombing in Detroit), Nidal Malik Hassan (suspect in the Ford Hood shootings at an army base in Texas), David Headley (suspect in the Mumbai terrorist attacks) and Anwar-al-Alwaki (a global jihadist who spreads his message of extremism through the internet and is currently on the US government’s “hit list.”). All of them were well educated (most of them having studied in the west), English speaking, urbane youth who somewhere along the line metamorphose into *jihadists* seeking revenge against the injustices they believe to have been committed by the West against their “brethren” in Palestine, Iraq and Afghanistan. The arrests after the Times Square incident by the Pakistani intelligence of a computer salesman, a former army major, and Salman Ashraf Khan, a western educated co owner of a catering company - that catered to exclusive functions including those of the American Embassy - reveal that today the ‘Western-oriented upper crust’ of Pakistani society is becoming a source of Pakistani extremism.

V THE RADICALIZATION OF PAKISTANI YOUTH AND ITS SOCIETY

In Pakistan, in recent years, public opinion has turned extremely hostile towards the USA. While the relationship of the USA with the Pakistani government is “complex”, there is still some mutual sympathy especially after this incident (US and Pakistani interests seem to have converged). However large sections of the public are hostile to the US. A Gallup-Pakistan survey for *Al Jazeera* in Pakistan, in all four provinces, showed that 59% of

the population considered the US as the greatest threat to Pakistan, followed by India (18%) and the Taliban (11%). Remarkably, anti-US sentiment rises in proportion to aid received.

A report published in the *Christian Science Monitor* highlighted this recent phenomenon of radicalized youth in Pakistan. The policy of the US so far has been to fight religious extremism by attempting to reduce illiteracy and poverty in Pakistan, but, as the *Monitor* pointed out, this may not be enough today when cultural factors are playing a more important role in radicalizing the youth. Anti American vitriol spewed by an angry media, by public schools, and the easy availability of *jihadist* material is generating anger and hostility amongst a faction of the Pakistani youth today.

‘Personal crises’ and ‘political anger’ metamorphose into an ‘ideological anger’ with the help of the easily accessible *jihadist* websites and a populist media that lauds the activities of the Taliban (even claiming that 9/11 was ‘staged to victimize Pakistan.’) According to Cyril Almeida, a columnist with the *Dawn* newspaper of Pakistan, “If this [material] wasn’t out there and accessible, then people like Shahzad would not be able to move from Phase A, which is some kind of vague anger at the sins committed by America, to Phase B, which is violent extremism.”

Justified resentment regarding US treatment of Pakistan after 9/11 and involvement in Pakistan, turns to religious extremism under the influence of the *jihadist* groups. What is more, according to Almeida, the government and police in Pakistan are not able to take sufficient action against these elements; efforts are not even made to shut down religious institutions associated with banned *jihadist* groups.

The Physics professor/peace activist Pervez Hoodbhoy argues that there are deeper reasons than the drone strikes for the deep “visceral” anti US sentiments in Pakistan. He suggests that it is rooted in the very relationship between the USA and Pakistan, because of the long-standing patron-client relationship between the two countries. As he points out, in Pakistan, the anti US sentiments are stronger than in Cuba, Vietnam, Iraq and Afghanistan which have borne the direct brunt of US attacks. As may be recalled, in the 1960s, Pakistan entered into CENTO, SEATO and it was considered, at that time, one of US’s strongest allies. It also gradually developed its army as its strongest institution.

Hoodbhoy argues that in 1979, at the time of Soviet invasion of Afghanistan, although Pakistan profited monetarily because it was paid by the US to create the anti Soviet *jihadist* tool, it became even more dependent on the US. Pakistan later entered Bush’s “war on terror” to protect America’s security, which hurt its self interest. And Hoodbhoy perceptively suggests that Pakistan, insecure, lacking in esteem and “teetered between being a failed state and a failing state” took to blaming the US for all its failures and problems. This hatred for the US “plays squarely into the hands of Islamic militants.” They actually seek to “remake society” but they portray the idea of an “Islam versus West War.” According to Hoodbhoy, these terrorist organizations created “by poverty, a war-culture, and the macabre manipulations of Pakistan's intelligence services will keep fighting this war even if America were to miraculously evaporate into space.” Although Hoodbhoy’s is not a mainstream view, it reflects a deep, nuanced understanding of Pakistan troubled psyche.

VI THE AMERICAN DREAM?

The Times Square incident has exposed the threat to the US posed by 'home grown *ihadists*' who travel from the US to countries like Pakistan, Yemen and Somalia, receive training and come back with terror plots aimed at the US. Groups such as *Al Qaeda* and *Taliban*, because of the pressure that is being put on them in their "native" countries, are looking for "would be terrorists" from the West who can travel to and fro freely from their countries. According to Air Force Gen. Gene Renuart, former head of U.S. Northern Command: "I think there is a calculated decision being made by some in the *Al-Qaida* leadership to look for people who might have more access." The challenge posed to the intelligence by these "home grown *ihadists*" is great because they apparently have no explicit terrorist ties and are not subject to scrutiny when they travel. The authorities are limited by the volume of passengers traveling to these countries and the right of Americans to travel freely.

The Times Square incident had also raised questions, within the US, about the naturalization process. White House counterterrorism adviser John Brennan told *Washington Post* reporters that President Obama has said that "would be terrorists" would not be allowed to use US citizenship "as a shield" and possible improvements to the naturalization process were being looked into. He indicated that the US would not treat American citizens with terrorist aims any differently from suspects captured abroad, while emphasizing that at the same time it was important not to over react.

Another significant debate the Times Square incident has sparked off is about the Miranda Rights. Miranda Rights are warnings given to a suspect in a criminal trial by investigators/police informing the suspect of his right to decline to make self incriminatory remarks and his right to seek legal counsel. If a suspect has not been

informed of his rights, his statements/answers may not be used to incriminate him. Soon after the initial investigation of Faisal Shahzad, Senator John McCain of Arizona, Joseph Lieberman of Connecticut and Representative Peter King from New York expressed their disapproval at Shahzad having being read his Miranda Rights eventually.

Shahzad was interrogated for a period of three to four hours before being read out his Miranda Rights as part of the 1984 public safety exception provision. When the warnings were given to him he waived them off and continued speaking providing valuable intelligence both before and after the warnings were given, according to Attorney General Eric Holder. The Congressmen demanded that Shahzad be declared an "illegal enemy combatant," stripped of his rights and brought before a military tribunal. Lieberman also called for a law for Americans accused (but not convicted) of unspecified crimes to be stripped off their citizenship and deprived of the due process under the law.

A *The New York Times* editorial, however, spoke out strongly against such an approach which would be a "sign of surrender" and make the nation more vulnerable. NY Times argued that the senators were ignoring reality altogether as there was no evidence that the Miranda warnings had led to a loss of intelligence. Investigators of terror suspects in the 9/11 had also proved that valuable evidence could be obtained without illegal acts such as water boarding. Shortly afterwards, Eric Holder, said that he proposed to work with the Congress on a law that would let law enforcement delay the Miranda warnings to terror suspects. The loosening of the laws would ostensibly give investigators greater flexibility in the critical early stages of investigation. However it is not very clear how the change in public security warnings would work and how

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long it would delay providing the warnings. Although federal officials have not spoken, constitutional lawyers and former prosecutors indicate that the exception could last up to 48 hours longer than the court mandated public safety exception that allows the delay of warnings in case of imminent threat to public security. What will this do to the deeply cherished freedoms that the United States has justifiably been proud of for over two centuries? And who will be the eventual winner?

**On 21 June, Faisal Shahzad, pleaded guilty to all the charges (including the attempted use of a weapon of mass destruction) in the Federal District Court in Manhattan, New York . He said: "I want to plead guilty, and I'm going to plead guilty 100 times over...because until the hour the U.S. pulls its forces from Iraq and Afghanistan, and stops the drone strikes in Somalia and Yemen and in Pakistan, and stops the occupation of Muslim lands, and stops killing the Muslims, and stops reporting the Muslims to its government, we will be attacking U.S., and I plead guilty to that."*