Counterterrorism in a Post 9/11 World

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Abstract
After the attacks of September 11, 2001, the culture of the United States’ intelligence community changed dramatically as terrorism became the primary focus of our nation’s defenses. Perhaps one of the most concrete examples of this transition can be seen in the shifts made within counterterrorism policy. Through structural reforms, the development of new intelligence and law enforcement tools, and a new mindset which values information sharing and effective communication, this system has significantly improved its ability to identify, penetrate and dismantle terrorist plots. This paper will explore the history of U.S. counterterrorism policy, examine the major structural changes which took place in the immediate post 9/11 era, and evaluate current policies’ effectiveness in combating terrorism both here and abroad.
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Introduction

After the attacks of September 11, 2001, the culture of the United States’ intelligence community changed dramatically as terrorism became the primary focus of our nation’s defenses. Perhaps one of the most concrete examples of this transition can be seen in the shifts made within counterterrorism policy. Through structural reforms, the development of new intelligence and law enforcement tools, and a new mindset which values information sharing and effective communication, this system has significantly improved its ability to identify, penetrate and dismantle terrorist plots. This paper will explore the history of U.S. counterterrorism policy, examine the major structural changes which took place in the immediate post 9/11 era, and evaluate current policies’ effectiveness in combating terrorism both here and abroad.

However, before examining counterterrorism policies and its history it is first necessary to provide a definition of the word terrorism itself, which possesses no uniform definition among U.S. federal agencies such as the Department of Homeland Security and the Department of Defense. For the purpose of this paper, I am therefore, integrating the definitions provided by the Federal Bureau of Investigation (FBI) and Title 22 of the U.S. Code, Section 2656f(d) to define terrorism as any unlawful use of force or violence against property or unarmed persons carried out by non-state actors to instigate a course of action that furthers a political or social goal.
Part One: The History of Counterterrorism

Though it is now difficult to imagine a world where the United States was not fortified against attacks such as those delineated above, counterterrorism measures were not assimilated into the country's framework until a few decades ago.¹ This is because, historically, there has been little incentive or need to develop a comprehensive counterterrorism strategy as the 1920s to 1960s saw few terrorist attacks on United States soil.² The exception to this period of peace, defined by historian David Rapoport as the “anti-colonial wave”, is Puerto Rico, as what little terrorism present in the United States came about as a consequence of the Spanish-American War of 1898.³

The violence emerging from the U.S. territory climaxed in the mid-20th century when radical members of the Puerto Rican independence movement perpetrated a few notable yet minor terrorist incidents in Washington D.C.⁴ The first of these occurred in 1950 when two gunmen fatally wounded a guard in a failed assassination attempt on President Truman. Four years later, Puerto Rican terrorists opened fire in the House of Representatives from the visitors’ gallery, wounding five Congressmen.⁵ These incidents spurred no significant counterterrorism policies however, as U.S. officials viewed these attacks as isolated events.

² Ibid.
³ Ibid, 9.
⁵ Ibid, 35
As time progressed, the Communist threat emanating from the USSR usurped the majority of United States’ legislative and executive concerns. Terrorism policy fell to the wayside as no sophisticated international terrorist organizations were in existence and no regional insurgents had the will or capability to take advantage of the weaknesses in U.S. domestic security. Furthermore, though the U.S. and USSR had trained agents to act in occupied territories in the event of war, neither side intended to instigate conflict with an act of terrorism. As one March 1963 CIA report states, “Although the Soviets are capable of introducing nuclear weapons clandestinely into the United States, we believe that the limited advantages of this course of action, when weighed against the consequences of possible detection, make it unlikely that the Soviets will do so.”

This feeling of security shifted in the early 1960s however, when America began experiencing a significant quantitative increase of terrorism on its mainland from leftist, anti-communist and ethno-nationalist organizations of various political tendencies. These groups included the Symbionese Liberation Army, the Weather Underground Organization, the Black Liberation Army, Armed Forces of National Liberation and other Puerto Rican militants, the Jewish Defense League, various white supremacists and Al-Fuqra. In response to this growing threat, the FBI instituted a counterintelligence

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6 John Tirman., "The War on Terror and the Cold War: They're Not the Same. (MIT Center for International Studies: 2008) 2

7 Ibid, 5

8 Tim Naftali, Secret History, 36

9 Beutel, Breach of Law, 10
program called COINTELPRO to survey and disrupt various left-wing organizations as well as white hate organizations like the Ku Klux Klan from the mid-1960s to the early 1970s.\textsuperscript{10} COINTELPRO had greater success in dismantling the KKK than leftist and Black Nationalist movements because the former effort employed a criminal investigative strategy which targeted specific prosecutable acts, whereas the latter consisted merely of counter propaganda and unreliable, hazardous techniques of inciting violence among organizations.\textsuperscript{11}

America’s sense of security during the 1960s was further eroded by the sharp spike in plane hijackings which has now come to characterize the era. For example, from late 1958 through 1969, aircraft hijacking was a predominantly Western phenomenon centered on Cuba.\textsuperscript{12} Of the 177 worldwide hijacking attempts between 1958 and 1969, 80\% originated in the Western Hemisphere and 77\% either originated in Cuba or were efforts to divert planes to Cuba.\textsuperscript{13} These hijackings failed to yield significant reform however, after policy officials dismissed such incidents as victimless crimes whose only costs were inconvenience and financial loss. Likewise, the American public viewed these hijackings as sporadic bursts of violence that constituted the price of governing in the modern era.\textsuperscript{14} As author Timothy Naftali writes, terrorism

\textsuperscript{10} Ibid.
\textsuperscript{11} Ibid, 11
\textsuperscript{13} Ibid.
\textsuperscript{14} Naftali, Secret History, 36
was "the annoying little gnat that buzzed around the superpower while it was trying to handle truly dangerous matters." 15

The United States began to rouse from its complacency in July of 1968, when three gunmen from the Popular Front for the Liberation of Palestine (PFLP) hijacked a plane belonging to Israel’s national airline, El Al. 16 Kidnapping more than ten crew members and thirty-eight passengers, the plane was diverted to Algeria where the government continued to hold the craft, seven crew members and five Israelis hostage. Though Israel was able to negotiate the return of the hostages and plane five weeks later, the El Al hijacking forever altered how the Johnson administration would view air piracy. Thrusting the issue into the public light, the incident moved hijacking from a U.S.-Cuban matter to one of international concern. 17

However, though the Johnson administration recognized the dangers of air piracy, it failed to address terrorist acts unrelated to hijackings with equal severity, viewing such engagements as regional phenomena. 18 For example, in South Vietnam and Latin America, United States’ personnel were often victims of terrorist tactics. The traditional U.S. response to such occurrences, dating back to the Kennedy administration, was to merely heighten both overt and covert support. 19 As a result, the

15 Ibid, 37.
17 Ibid.
18 Ibid, 5
19 Ibid.
Johnson administration found itself overseeing counterinsurgency programs in seven Latin American countries: Bolivia, Colombia, the Dominican Republic, Ecuador, Guatemala, Peru and Venezuela.\(^{20}\)

President Johnson’s inability to recognize terrorism as a national threat was not rectified until the Nixon administration, when the White House’s strong stance on the issue culminated in America’s first aviation security initiative.\(^{21}\) Terrorists first garnered the administration’s attention in August 1969 when two Palestinian terrorists hijacked TWA Flight 840, diverting it to Damascus. This hijacking stirred immediate high-level concern by marking the first case of Palestinian violence carried out against a U.S. target.\(^{22}\) The incident also provoked widespread debate over the federal government's hijacking response protocol\(^{23}\)

Because of this, following the 1969 congressional hearings on the persistent quandary hijackings produced, the FAA set up a government-industry task force to look into cost-effective ways to improve aviation security.\(^{24}\) This taskforce developed a system that profiled passengers according to six behavioral traits associated with

\(^{20}\) Neftali, Secret History, 42

\(^{21}\) Naftali, Secret History, 44


\(^{23}\) Naftali, Secret History, 44

\(^{24}\) Ibid, 57

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hijackers and screened any matches with a metal detector. Furthermore, Nixon issued a public statement to encourage an international response to the general problem of terrorism. The statement fell to deaf ears, however, failing to alter even its own government policy. With the exception of the government-industry taskforce, the White House had once again failed to develop any legislative measures against counterterrorism. Furthermore, the opportunity to conduct a thorough assessment on how to avoid similar events in the future was also forgone.

It is important to note that though the government chose to bypass a thorough assessment, officials did begin to gradually implement additional safety protocol under the Nixon presidency. For example, new legislation stipulated armed air marshals be present on certain international flights and metal detector pilot programs be introduced into U.S. airports. Two years later, government officials required all passenger carry-on luggage to undergo a screening process. Routine screening of all luggage became mandatory at the nation’s airports in 1973.

Additional counterterrorism measures emerged under the Reagan administration. The first of these came on December 4, 1981 when the President signed Executive Order 12333, which established operating procedures for the FBI, CIA and other

\[25\] Ibid, 59

\[26\] Ibid.

\[27\] Ibid.
intelligence agencies to restore domestic surveillance. The directive also permitted the CIA to collect foreign intelligence and counter-intelligence within the United States as well as conduct domestic covert operations and foreign physical surveillance.

Furthermore, in April of 1984 Reagan signed National Decision Directive 138, authorizing both preemptive strikes and retaliatory raids against terrorists by FBI, DIA (Defense Intelligence Agency) and CIA paramilitary squads. According to the White House, the directive was issued to restructure its resources to support the focal shift in legislation, dramatically improving the passive defense policies employed at the time.

Recognizing that the threat of terrorism was evolving apace with technology, President Bill Clinton took up former Reagan’s torch two administrations later, evoking reforms fortifying the vulnerabilities inherent in the modern age. For example, in November 1994, when the possibility of nuclear, biological and cyber-terrorism emerged, the White House issued Executive Order 12938, titled "Proliferation of Weapons of Mass Destruction", in which Clinton declared a state of emergency to combat the hazards of terrorism.

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29 Ibid, 59

30 Ibid.

31 Naftali, Secret History, 77

In order to realize the objectives of this order, Clinton issued Presidential Decision Directive 39, or PDD-39. PDD-39 established United States policy on deterring, defeating, and responding to terrorism, including Weapons of Mass Destruction.\textsuperscript{33} Although the majority of this document remains classified, a section inadvertently leaked to the public authorizes government officials to forcibly seize foreign terrorist suspects in cases where the individual’s host country refuses to extradite. This new policy was met with harsh criticism after Clinton promised in 1994 not to endorse such "grab and snatch" operations.\textsuperscript{34}

In 1995, the CIA established a special unit to investigate underground Islamic networks and alleged charity organizations that financed Sunni extremists. At this time, freelancers were considered the world’s most dangerous terrorists. This prevailing opinion came about after one such freelancer, Ramzi Yousef, detonated a bomb in the parking garage under the World Trade Center in February 1993.\textsuperscript{35} Yousef was captured in a joint US-Pakistani operation in the spring of 1995. By 1996, the CIA had renamed its unit that targeted Sunni extremists to "the Osama bin Laden station."\textsuperscript{36}

Also in 1995, asserting the FBI was a step behind terrorists due to overbearing regulation, Clinton introduced an anti-terrorism package to Congress in an attempt to remove restrictions on political intelligence gathered by the FBI. The bill was met with

\textsuperscript{33} Ibid, 5

\textsuperscript{34} George Dayton, "Terrorism Incident Annex," (Loyola University: 2009) 2

\textsuperscript{35} Imitiaz Gul, "Transnational Islamic Networks," \textit{International Review of the Red Cross} (2010): 3

\textsuperscript{36} Ibid.
criticism by a coalition of conservatives and liberals alike, who organized in the House and successfully voided the legislation.37 In 1996, the administration successfully pushed through a less controversial version of the bill.

After encountering such resistance in the Congressional forum, the Clinton administration recalibrated its strategy from a legislative fulcrum to direct military action against Bin Laden in 1998. This change in tactics, spurred by al Qaeda’s attack on two East African U.S. embassies continued until the end of Clinton’s term. One of the most prominent of these efforts was Operation Infinite Reach, which, carried out in August 1998, launched 79 cruise missiles at bin Laden’s Afghanistan headquarters. Yet, the al Qaeda leader was still able to evade U.S. forces and execute the devastating events of 9/11. This suggested to policy makers that despite efforts to try to insulate the country and create new counterterrorism policies, there were limits to what could be achieved.38

Part Two: The Bush Doctrine and Reforms of the 9/11 Era

United States’ counterterrorism policy experienced its greatest transition under the Bush Doctrine immediately following the attacks of September 11, 2001, and with good reason. Indeed, as Professor Bruce Hoffman of Georgetown University writes, “The enormity and sheer scale of the simultaneous suicide attacks eclipsed anything previously seen in terrorism…until September 11, over the preceding 33 years a total of

38 Ibid.
no more than perhaps 1,000 Americans had been killed by terrorists overseas or within the United States. In less than 90 minutes that day, nearly three times that number were killed.”  

Before the September 11th attacks were perpetrated, the United States had been cautious in acting preemptively toward any terrorist threats, choosing to instead utilize "deterrence, containment, and ex post facto responses."  However, this changed swiftly and dramatically as the Bush administration perceived the terrorist attack as an indisputable indication of the inadequacy of its former policies. Significant too was the fact that most counterterrorism policies in place at the time were ill-suited to al Qaeda’s tactics, who were not expected to have had the capability to undertake the sophisticated logistical and organizational coordinated operations required in efforts such as the 9/11 attack. Because of this, the administration immediately drafted the Bush Doctrine, restructuring its counterterrorism strategies using force preemptively rather than reactively. 

The philosophy of the Bush Doctrine was simple. If democracy was introduced into the Middle East by force, the threat of terrorism emanating from the region would be diminished, thus making the exporting of democracy a fundamental pillar of Bush’s


42 Kaufman, Bush Doctrine, 6
foreign policy after September 11th. The Bush Doctrine also held that there was a direct correlation between terrorism and the dictatorial regimes of the Middle East. As described by President Bush in a 2002 counterterrorism conference, terrorists seek the chemical, biological, and nuclear weapons which are plentiful within oppressive Middle Eastern regimes.

In addition, prior to 9/11 the Bush Administration had an "America First" resolve and attempted to diminish its world intervention, evident by events such as the White House's plans to pull US troops out of the Balkans. However, after the attacks, the Bush administration aggressively reversed this strategy and began instantly increasing its military presence in the Middle East. In addition to the belief in preemption and the exportation of democracy, the Bush Doctrine also favored unilateralism and military supremacy in the Middle East.

In fact, the Doctrine had such confidence in U.S. military capabilities that it believed it could act independently from its allies if the situation required it. Bush's 2002 State of the Union Address reflected this attitude, stating, "...some governments will be timid in the face of terror. And make no mistake about it: if they do not act, America

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44 Ibid.


46 Ibid, 2
will."  However, this increased military presence required an increase in military funds, and, perhaps the most tangible change the Bush Doctrine invoked can be seen reflected in this. Indeed, military spending more than doubled during the Bush administration, rising from 290.6 billion in 2000 to 606.5 billion upon Bush's departure from the White House.  

More controversially, President Bush also authorized a number of policies that some considered went well beyond the bounds of traditional law enforcement. These included the use of “enhanced interrogation techniques” on high-value detainees such as Khalid Sheikh Mohammad (who was water-boarded 183 times after being arrested in Pakistan in 2003), the warrantless wiretapping of those who might have terrorist connections in the United States, and the “rendition” of detainees back to their countries of origins.

Other controversial policies included the indefinite detention without trial of eight hundred suspected terrorists at Guantanamo Bay and CIA-operated "black sites", the creation of military tribunals to try terrorist suspects without normal criminal-court protections and the targeted assassination of al-Qaeda leaders with Predator drones in Pakistan and Yemen. Furthermore, a presidential order signed in 2002 gave the NSA the authority to monitor the international telephone calls and email messages of

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47 Ibid.

48 Ibid.

49 Santos and Taxieria, Bush Doctrine, 3

50 Ibid, 4
hundreds, perhaps thousands, of people inside the United States without warrants in
the hopes of identifying possible "dirty numbers" linked to Al Qaeda.51

In particular, four executive orders (each signed by Bush on August 27, 2004)
have come to embody the Bush Doctrine. Based on a recommendation given by the
9/11 Commission, the first of these orders expanded the powers of the director of the
CIA and appointed a national intelligence director to oversee the nation’s 15 intelligence
agencies.52 This new anti-terror director had complete control of the agencies’ budgets,
which totaled over $40 billion a year. The second order called for the creation of a
counterterrorism center, which, managed by a presidential appointee, would collect
information on suspected terrorists.53 The third of these orders mandated that
information be exchanged among the different intelligence agencies. The fourth and
final order created an appointed board to investigate charges of civil rights violations
against those charged with terrorism. The board also recommended to the President
changes in operating procedures in an effort to safeguard citizens' civil liberties.54

Part Three: Current Counterterrorism Policies and Their Effectiveness

Such policies endured for the remainder of the Bush administration and were
subsequently inherited by Barack Obama when he took office in 2009. This same year,


52 Ibid.

53 Ibid, 2.

54 Suzanne Freeman, "Bush Orders 9/11 Changes," (Scholastic.com: 2004) 1
President Obama acted quickly to repeal key provisions of the Bush Doctrine with three executive orders. The first of these, Executive Order 13492, requires the closure of the Guantanamo detention center no later than one year from the date of the order (January 2009). It also establishes an immediate review to determine whether it is possible to transfer detainees to their native countries if consistent with national security. If transfer is not approved, a second review will determine whether prosecution is possible. Executive Order 13492 further establishes the conditions of confinement at Guantanamo Bay until its closure, ensuring officials comply with Common Article 3 of the Geneva Conventions and all other applicable laws.

The second, Executive Order 13492, created a special task force charged with conducting reviews of detainee policy. Co-chaired by the Attorney General and Secretary of Defense, this task force was additionally entrusted to consider policy options for the apprehension, detention, trial, transfer or release of detainees. Other task force participants include the Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, the Director of the Central Intelligence Agency, and the Chairman of the Joint Chiefs of Staff.

55 David Jackson, "Obama outlines counterterrorism policy," USA Today, 23 May 2013: 1
56 Ibid, 2
57 Ibid.
58 Tom Curry, "Obama reframes counterterrorism policy," NBC News, 26 July 2013: 1
59 Ibid, 3.
60 Ibid.
The third and last of President Obama’s major Bush Doctrine repeals, Executive Order 13491, concerns interrogation and revokes Executive Order 13440 which satisfied the previously mentioned Common Article 3 of the Geneva Conventions. As a result, all interrogations of detainees in armed conflict by any government agency must follow the Army Field Manual interrogation guidelines. All departments and agencies are also required to provide the Red Cross access to detainees in a manner consistent with Department of Defense regulations. Furthermore, the order lastly stipulates the CIA close all existing detention facilities and prohibits the possibility of such facilities in the future.

Though these repeals are the cornerstone of the Obama administration’s crusade against the severities of the Bush Doctrine, they are only a fraction of what the White House hopes to accomplish in the arena of counterterrorism policy and reform. For example, arguing that the parameters of the terrorist threat has shifted in recent years, President Obama asserts that America should no longer dwell on dismantling specific networks of violent extremists but instead focus on more loosely coordinated adversaries who are less dependent on training camps in Afghanistan and Pakistan. As a result, the President is currently seeking to reframe the nation’s counterterrorism strategy, a sentiment he emphatically expressed while speaking at Washington’s National Defense University in May 2013. “America is at a crossroads,” he states. “We must define our effort not as a boundless ‘global war on terror’ - but rather as a series of

61 Ethan Casey, "You Have No Privacy. So What?," Huffington Post, 7 Aug. 2013: 2
62 Ibid.
persistent, targeted efforts to dismantle specific networks of violent extremists that threaten America." 63

Hoping to act as an impetus for lasting counterterrorism reform, the White House has since then announced several initiatives, one of which includes the use of remotely piloted aircraft (also known as drones) in Afghanistan, Pakistan and Yemen to kill terrorists overseas. 64 A second initiative came when President Obama pledged to reinvigorate efforts to lift the moratorium imposed in 2010 on the transferring of Guantanamo detainees to Yemen. 65 Indeed, the President has continued to keep Guantanamo Bay in mind as he also recently renewed efforts to close the detention center altogether by appointing a new envoy at the State Department and an official at the Defense Department who will negotiate transfers of detainees to other countries. 66 This envoy, called the Center for Strategic Counterterrorism Communications (CSCC), was established to coordinate, orient, and inform government-wide foreign communications activities targeted against terrorism and violent extremism, particularly al-Qaida and its affiliates and adherents. 67

Another initiative of the Obama administration of late has been to work with Congress to refine and repeal the Authorization of the Use of Military Force’s (AUMF)  

63 "Remarks by the President at the National Defense University," Whitehouse.gov, 23 May 2013: 1

64 Ibid, 2.

65 Ibid.

66 Ibid.

67 Center for Strategic Communications, 3
mandate. This mandate, signed into law immediately after 9/11, continues to permit the President "to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided" the terrorists who conducted the 9/11 attack.

However, President Obama has not made alterations to U.S. counterterrorism policy exclusively through a legislative medium. For example, convinced of the importance of international partnerships, the White House has begun to incorporate diplomacy into the administration’s core counterterrorism strategy. As a result, the United States has already launched a campaign to support Pakistani security forces and has utilized a similar strategy in Yemen, allowing Yemen’s security forces to reclaim territory from AQAP (al Qaeda in the Arabian Peninsula). Additionally, the United States assisted in a French-led intervention to counter al Qaeda forces in the Maghreb.

Lastly, and perhaps most significantly, America supported a Somalian coalition that seized al-Shabaab strongholds within the country, eliciting a crucial tipping point in the conflict. Putting this support into tangible economic terms, the administration currently plans to allocate $5 billion in assistance through the Shared Security

68 Ibid, 3
69 White House, 2
70 Ibid.
Partnership over the next several years to help improve other countries’ security systems and to cultivate the partnerships delineated above.\textsuperscript{71}

Another key component of the current administration’s counterterrorism strategy is to support countries like Egypt, Tunisia and Libya, who are currently transitioning into democratic states.\textsuperscript{72} As President Obama explained, “Patiently supporting transitions to democracy [will lead to] the peaceful realization of individual aspirations [which] will serve as a rebuke to violent extremists.”\textsuperscript{73} Additionally, believing it could reshape attitudes within the Middle East, the White House supports the opposition within Syria and is actively working to mediate tensions between Israel and Palestine.\textsuperscript{74}

In addition to these veiled, indirect responses to terrorism, an explicit counterterrorism policy implemented by the White House is the National Security Strategy. Released on May 27, 2010, the document outlines a strategic approach to advance American interests, including the security of the American people and its values, stimulation of the U.S. economy, and a new international order with the ability to address the challenges present in a post 9/11 world.\textsuperscript{75} In terms of terrorism abroad, the strategy purports that there is no greater threat to the American people than Weapons of Mass Destruction, particularly those pursued by violent extremists and their

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\textsuperscript{71} National Security Strategy, 12
\textsuperscript{72} White House, 3
\textsuperscript{73} Ibid.
\textsuperscript{74} Ibid, 4
\textsuperscript{75} Ibid.
\end{flushright}
proliferation to additional states.\textsuperscript{76} To combat this threat, the administration has decided to pursue a comprehensive nonproliferation and nuclear security agenda, grounded in the rights and responsibilities of nations.

Through this strategy, the Obama administration claims the United States will “disrupt, dismantle and defeat” al-Qaeda and its affiliates through this comprehensive strategy: (1) Denying the terrorist group safe haven, (2) strengthening front-line partners, (3) securing our homeland, (4) pursuing justice through durable legal protocol, and (5) countering a bankrupt agenda of extremism and murder through an agenda of hope and opportunity.\textsuperscript{77} Furthermore, the White House vows in the document to improve the government’s intelligence capacity by fostering a network of information-sharing and pledging to strengthen the overall intelligence collective.\textsuperscript{78} Under this new standard procedure, information will be analyzed and shared among agencies to enhance analytic capabilities and improve the government’s capacity to share intelligence across all levels of government.

These reformations have encountered a range of support and criticism from the surrounding political climate. As stated previously, Obama asserts that America’s most treacherous threat is no longer Islamic terrorist groups in the Middle East but instead far-right, domestic militants, a concept which has been affirmed in the political sphere. Jeffrey Wright of the Arab-American Institute is one such supporter. Agreeing with

\textsuperscript{76} National Security, 12
\textsuperscript{77} Ibid.
\textsuperscript{78} Ibid, 14
Obama, he writes, "Indeed vastly more Americans have been killed in the years since 9/11 by far-right wing groups than Islamic terrorists."\textsuperscript{79} However, Obama's increased use of drones in military operations has failed to yield the same support. James Igoe Walsh with the Council on Foreign Relations believes we know "little about how effective they are as tools of punishment and deterrence," while some critics argue that terrorist organizations are able to use any civilian casualties from drone strikes to bolster their cause.\textsuperscript{80} Furthermore, drone use is said to be unreliable in its inadequate ability to distinguish between combatants and noncombatants with its remote navigation.\textsuperscript{81}

In order to resolve these concerns, researchers will need additional time to determine the effectiveness of drone strikes because of the insufficient and even conflicting data available today. Walsh cites two preliminary research on drone strikes in Pakistan; one concluded drones deterred terrorist activity, while the other concluded such strikes acted as a catalyst toward additional terrorist activity.\textsuperscript{82} However, the findings of both studies suggest that the claim civilian casualties bolster terrorist activity is unfounded.\textsuperscript{83} Despite these findings, critics argue that drone strikes are

\textsuperscript{79} Jeffrey Wright, "Assessing Policy Changes in the President’s Counterterrorism Speech," Arab-American Institute, 4 June, 2013: 1

\textsuperscript{80} Ibid.

\textsuperscript{81} James Igoe Walsh, "Lawfare: The Effectiveness of Drone Strikes in Counterinsurgency and Counterterrorism Campaigns," Council on Foreign Relations, Sept. 2013: 3

\textsuperscript{82} Ibid, 5

\textsuperscript{83} Ibid.
counterproductive toward the US Army's counterinsurgency doctrine centered around the protection of civilians and the reinforcement of the government's authority, not punishing or deterring militaristic actions.\textsuperscript{84} Not to mention, the US has also orchestrated drone strikes based on information from foreign governments who have been known to exaggerate events to secure American assistance.\textsuperscript{85} These conflicting opinions and research give rise to two crucial question. Are we, as a nation, safe? What vulnerabilities within our defense and intelligence system led to the attacks of September 11th and have they been adequately rectified to give legitimacy to the easement of the Obama Administration?

Prior to 9/11, the model used by White House officials was based on state-sponsored threats of nuclear missile attacks. The 9/11 Commission Report found that the United States initially attempted to combat al-Qaeda with strategies utilized in the final stages of the Cold War. However, these capabilities were insufficient as little was done to expand or reform them prior to 9/11.\textsuperscript{86} A second problem from this era could be seen in its defensive institutional framework, which followed a script of centralized control rather than diverse, decentralized units under central coordination.\textsuperscript{87} The collaboration issue has been the most prominent of the 9/11 failures. Both the CIA and

\textsuperscript{84} Ibid, 4
\textsuperscript{85} Ibid, 7
\textsuperscript{87} Ibid, 57

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FBI failed to disseminate information in the run-up to the attacks because of the "wall" between law enforcement and intelligence.\(^8\)

Furthermore, before 9/11, the CIA had minimal capacity to conduct paramilitary operations using its own personnel and did not seek a large-scale expansion of these capabilities.\(^9\) The CIA also needed to improve its ability to receive intelligence derived from human agents.\(^9\) At no point before 9/11 was the Department of Defense fully engaged in the mission of countering al Qaeda, even though this was perhaps the most dangerous foreign enemy threatening the United States. The most serious weaknesses in agency capabilities, however, were in the domestic arena as the FBI did not have the capability to link the collective knowledge of agents in the field with national priorities.\(^9\)

Another complication which arose was that Bureau priority was not national security but instead proficiency statistics such as number of arrests, indictments, prosecutions and convictions. Counterterrorism and counterintelligence work, often involving lengthy intelligence investigations that might never have positive, quantifiable results, were undervalued and overlooked.\(^9\) In addition, field offices were reluctant to exert much energy investigating matters over which they had no control and for which they received little to no credit. So how has this changed? How have we corrected

\(^{8}\) Ibid.
\(^{9}\) Ibid, 95
\(^{9}\) Ibid.
\(^{9}\) Ibid, 112
\(^{9}\) Ibid.
these vulnerabilities and how have we, as the White House claims, become a nation insulated against the threats from terrorists bred both at home and abroad?

Since 9/11, there has been a shift in federal and state government culture towards an information-sharing and collaboration model.93 Instead of storing data centrally, this model ensures data and information is stored via a shared distribution network, leading to a higher proficiency and collaboration rate between intelligence agencies. Informal and flexible groups of analysts from different arenas of government as well as the private sector are able to collaborate and share their expertise. Furthermore, this decentralized and distributive information model has led to the neutralization of top al-Qaeda leaders and fewer attacks on American soil. The result of these reforms can be seen in the following three key successes that were credited to have been made possible only through shared information and the new collaboration model nonexistent before 9/11:

(1) Osama bin Laden was killed on May 2, 2011 in an operation where the CIA, NSA, NGA and DNI all played critical roles.

(2) Najibullah Zazi was arrested in September of 2009 in connection with an al Qaeda plot to bomb the New York City subway system. This effort included the FBI, DHS and the New York and Denver police.

(3) On May 1, 2010, Faisal Shahzad was apprehended after an attempt to detonate a car bomb in New York Times Square.

93 Ibid, 202
Conclusion

Before 9/11, the United States’ defense and intelligence communities were still using a Cold War system for managing information, one which was not adequate to keep America safe in a world of asymmetric threats. However, since 9/11, information-sharing has changed this model, leading to the United States and its allies’ ability to topple the Taliban and neutralize a majority of al Qaeda leadership. Today, because the core of al Qaeda in Afghanistan and Pakistan is on the verge of defeat, the consensus among security analysts is that the remaining al Qaeda operatives are now focused on self-preservation rather than ambitious attacks against the United States. President Obama’s easing of Bush era legislation and alliance-building therefore, seems appropriate for today’s political climate.
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