

UNITED STATES: CHANGE IN THE ROLE OF THE CIA AND OF THE PENTAGON IN THE FIGHT AGAINST TERRORISM

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On 30 June, Leon Panetta left his post as director of the Central Intelligence Agency (CIA) to become Secretary of Defense. Several weeks later, he was officially replaced by General David Petraeus, the former commander of American armed forces in Afghanistan. While the arrival of a soldier at the head of the Agency or of a former intelligence official to the Pentagon is not unique in American history, these changes have strong symbolic value. Indeed, ten years after the attacks of 11 September 2001, this game of musical chairs illustrates perfectly the change in the role of the central actors of the American government like the Pentagon and the CIA in the fight against terrorism.

When we look closely into the history of the relations between the Agency and the Department of Defense, both created directly after the Second World War, one is struck by the conservatism of these two institutions and the efforts they have made to protect their prerogatives. Thus, during the discussions about centralisation of the intelligence activities of the American government in 1945, the American military worked hard to ensure that the future CIA would be as weak as possible. This distrust continued all during the Cold War, with each remaining in its corner except for some brief periods of collaboration. This situation did not help the American government to anticipate the rise of the Islamist terrorist threat. It illustrates the '*systemic weaknesses*'¹ which were revealed by a parliamentary investigatory committee and the need for greater cooperation between the components of the intelligence community, which includes the CIA and agencies reporting to the Pentagon.

Meanwhile, nearly ten years after the attacks on New York and Washington, the success of the raid on the residence of Osama Bin Laden and, above all, the death of the head of al-Qaeda, has demonstrated the progress made in the area of cooperation. During his visit to the headquarters of the CIA several weeks later, President Barack Obama stressed the joint dimension of this operation, which he described as '*one of the greatest intelligence successes in American history.*'²

¹ *Joint Inquiry Into Intelligence Community Activities Before And After The Terrorist Attacks of September 11, 2001*, U.S. Senate Select Committee on Intelligence, U.S. House Permanent Select Committee on Intelligence, 107th Congress, December 2002, p. xv.

<http://www.gpoaccess.gov/serialset/creports/pdf/fullreport.pdf>

² Greg Miller, 'Obama praises CIA workers' role in bin Laden killing,' *The Washington Post*, 21 May 2011. http://www.washingtonpost.com/world/national-security/obama-praises-cia-workers-role-in-bin-laden-killing/2011/05/20/AFd3617G_story.html

Now that the United States is commemorating the tenth anniversary of the attacks of 11 September 2001, it is therefore interesting to look closely at the mechanisms which have resulted in the rapprochement between the Pentagon and the CIA in order to better gauge the reality of this cooperation.

1. Development of the Pentagon's intelligence capabilities

While the report of the parliamentary investigatory committee which appeared in December 2002 insisted on the need for enhanced collaboration between the agencies constituting the intelligence community, not everyone followed these recommendations. **The crafty bureaucrat Donald Rumsfeld was in fact able to profit from the disgrace of the CIA and from the central role played by the armed forces in the fight against terrorism in order to increase the independence of his Department in the area of intelligence and of clandestine operations.**

♦ *Initiatives taken by Donald Rumsfeld immediately after 11 September*

Wiser for his initial experience as Secretary of Defense in the Ford administration, **Donald Rumsfeld returned to the Pentagon in January 2001 with a certain skepticism over the functioning and effectiveness of the intelligence community, in particular of the CIA**³. In the meantime, he had presided in 1998 over a commission charged with evaluating ballistic threats facing the United States. In its conclusions, the Rumsfeld committee had stressed the inability of the intelligence community to follow the change of these threats.⁴ Meanwhile, we note that the memoirs of Donald Rumsfeld and of the Under Secretary of Defense for Policy Douglas Feith clearly reveal the distrust of the Pentagon with regard to the CIA analyses, which they deemed partisan, and the need for the Department to enjoy a certain independence in the area of intelligence.⁵ The dysfunctions highlighted by the attacks on the World Trade Center and the Pentagon strengthened Mr. Rumsfeld's convictions and gave him the opportunity to act.

Thus, he decided to create the function of Under Secretary of Defense for Intelligence. Stephen Cambone, who worked alongside Mr. Rumsfeld in the commission investigating ballistic threats, was named to this post in March 2003 and given the task of overseeing all the intelligence activities in the Pentagon and assisting their development.⁶ The creation of this post was in fact Mr. Rumsfeld's response to the dysfunctions, especially in the area of coordination, which were highlighted during the attacks of 11 September 2001. Nonetheless, though these problems concerned the entire intelligence community and required a collective effort, the Secretary of Defense, who controls nearly 80% of the intelligence budget thanks to the Pentagon agencies, preferred to act alone. This initiative was viewed with mistrust by the Director of the CIA, George Tenet, who was also responsible for overseeing all the activities of the intelligence community and who saw in this an attempt by the Pentagon to take his place. However he supported it, preferring to avoid challenging the formidable Rumsfeld.⁷ It was a sign of the importance accorded to intelligence by Mr. Rumsfeld, that the order of succession

³ Donald Rumsfeld, *Known and Unknown: A Memoir*, New York, Sentinel, 2011, p. 281.

⁴ *Report of the Commission to Assess the Ballistic Missile Threat to the United States*, 15 July 1998. <http://www.fas.org/irp/threat/missile/rumsfeld/>

⁵ Douglas J. Feith, *War and Decision: Inside the Pentagon at the Dawn of the War on Terrorism*, New York, HarperCollins, pp. 99-100. Rumsfeld, *op. cit.*, p. 392.

⁶ Thom Shanker, 'For Military Intelligence, A New Favorite Commando,' *The New York Times*, 11 April 2003. <http://www.nytimes.com/2003/04/11/us/a-nation-at-war-intelligence-for-military-intelligence-a-new-favorite-commando.html>

⁷ James Risen, *State of War: The Secret History of the CIA and the Bush Administration*, London, Simon & Schuster, 2007, p. 68.

of the Secretary of Defense was modified in 2005, placing the Under Secretary for Intelligence in second place, just behind the Assistant Secretary but ahead of the Under Secretary for Policy.⁸

At the same time, Mr. Rumsfeld ordered the establishment of a unit specialising in human intelligence in order to put an end to the ‘*near total dependence (of his Department) on CIA.*’⁹ The Secretary of Defense had in fact been irritated by the fact that the CIA was operating in Afghanistan before the armed forces, which were deemed to be too slow. **Messrs. Rumsfeld and Cambone wanted to reinforce the presence of special forces from the highly secret Joint Special Operations Command (JSOC) alongside staff from the CIA, believing that in the end the Department must be able to conduct clandestine operations on its own.**¹⁰ In order to meet this need for independence of action, the Strategic Support Branch (SSB), whose existence was only revealed in 2005, was born in 2003. The objective of this unit, created within the Defense Intelligence Agency (DIA) and placed under the direct control of the Secretary of Defense, was to give Mr. Rumsfeld some independent tools covering the full range of activities linked to human intelligence.¹¹ **The Pentagon justified this incursion into a domain reserved for the CIA by invoking the need to provide ‘intelligence capabilities to operational units on the ground.’**¹² In reality, it permitted the Pentagon to conduct its own clandestine operations while evading regulations governing the activities of the CIA which require Presidential authorisation and sending notification to Congress.¹³

♦ *Fierce opposition to the reform of 2004*

Coming after the study of the parliamentary Commission of 2002, the publication of the report of the 9-11 Commission in July 2004 strengthened the need to reform the functioning of the intelligence community. These various works made it possible to highlight a certain number of **dysfunctions, such as the lack of coordination of the activities of the intelligence community, opaque functioning, the lack of cooperation between the agencies and limited capabilities concerning the gathering and dissemination of intelligence.** While the broad unanimity which surrounded the conclusions of these commissions hardly left any choice to the White House and Congress, the intelligence community greeted this prospect with little enthusiasm.

Donald Rumsfeld was in the front ranks of those opposing the reform plans which proliferated during the summer of 2004. Whereas a bipartisan consensus had emerged on the need to strengthen cooperation between the agencies and the coordination of the activities of the community, the Pentagon held a different position. **Mr. Rumsfeld believed that his Department and the CIA had already drawn considerably close together since 2001** and that the creation of a new bureaucracy to oversee intelligence would build additional ‘*barriers*’ between the agencies.¹⁴ We note that on this point, Mr. Rumsfeld received the support of the CIA, whose interim director, John McLaughlin, stated that the relationship with the Pentagon had been reinforced and that the addition of a new additional bureaucratic instance would not be beneficial.¹⁵ Furthermore, Mr. Rumsfeld had

⁸ *Providing an Order of Succession Within the Department of Defense*, Executive Order 13394, 27 December 2005. http://nodis3.gsfc.nasa.gov/displayEO.cfm?id=EO_13394

⁹ Barton Gellman, ‘Secret Unit Expands Rumsfeld’s Domain,’ *The Washington Post*, 23 January 2005. <http://www.washingtonpost.com/wp-dyn/articles/A29414-2005Jan22.html?>

¹⁰ James Risen, *op. cit.*, pp. 69-70.

¹¹ Barton Gellman, *op. cit.*

¹² Barabara Starr, ‘Pentagon runs clandestine intelligence-gathering infrastructure,’ CNN.com, 24 January 2005. <http://edition.cnn.com/2005/ALLPOLITICS/01/23/pentagon.intel/index.html>

¹³ James Risen, *op. cit.*, p. 70.

¹⁴ Josh White, Mike Allen, ‘Rumsfeld: Use Caution in Reform of Intelligence,’ *The Washington Post*, 18 August 2004. <http://www.washingtonpost.com/wp-dyn/articles/A7833-2004Aug17.html>

¹⁵ *Ibid.*

already partially applied the recommendations of the commissions by enhancing the coordination of Pentagon activities through the creation of the post of Under Secretary for Intelligence.

Despite this opposition, Congress approved the Intelligence Reform and Terrorism Prevention Act (IRTPA), which was promulgated into law by President Bush on 17 December 2004. This law created in particular the post of Director of National Intelligence, DNI, who was granted enhanced management powers compared with the boss of the CIA (Director of Central Intelligence, DCI), who was till then supposed to lead the intelligence community. Though the law approved by the two chambers of Congress was the result of a compromise and was largely watered down, it nonetheless remained counter to the departmental interests of the Pentagon. In effect, it created a post enjoying authority greater than that of the DCI which theoretically had the means to oppose the will of the Secretary of Defense.

From the accession of the first DNI, John Negroponte, the Pentagon launched a counter-offensive intended to restrict his authority over the agencies reporting to the Department. Mr. Rumsfeld sent a clear message to Mr. Negroponte when he made Stephen Cambone, Under Secretary of Defense for Intelligence, his main interlocutor, whereas in the spirit of the law, the Secretary of Defense himself should have been the DNI's interlocutor. Meanwhile, Mr. Cambone was charged with managing the plan for applying the reform within the Department. For that Mr. Rumsfeld accorded to him powers otherwise reserved for the DNI, and this was perceived as questioning the authority of Mr. Negroponte as defined in the IRTPA.¹⁶ The Secretary drove home the nail several weeks later when he wrote a directive stipulating that the transfer of employees reporting to the Department of Defense could not be effected without the agreement of Mr. Cambone. Dated 23 November 2005, this directive also entrusted the '*control and direction of the Pentagon's intelligence agencies*' to Mr. Cambone, '*in consultation with the DNI.*'¹⁷ These various decisions complicated the work of Mr. Negroponte, who later acknowledged that his relationship with the Secretary of Defense had not been easy.

When he left his post in December 2006, Donald Rumsfeld had considerably increased the weight and the influence of the Pentagon in the intelligence community and, more generally, in the process of elaborating the national security policy of the American government. Someone whom Henry Kissinger had described as the toughest bureaucratic warrior he's ever met,¹⁸ had in effect succeeded in asserting himself versus the Director of the CIA, George Tenet, and National Security Adviser, Condoleezza Rice.

2. A difficult period for the CIA

While the post-September 11th period permitted the Pentagon to see its place in intelligence activities grow, this period was much more difficult for the CIA.

♦ Failures revealed by September 11th and the evaluation of the Iraqi threat

Given that it was the agency charged with intelligence abroad, the CIA was obliged to assume its share of responsibility for the inability of the American government to prevent the attacks of 11 September 2001. **The Agency did not in fact succeed in adapting to the post-**

¹⁶ Walter Pincus, 'Rumsfeld Memo on Intelligence Criticized,' *The Washington Post*, 8 April 2005.

<http://www.washingtonpost.com/wp-dyn/articles/A35490-2005Apr7.html>

¹⁷ *Department of Defense Directive No. 5143.01*, 23 November 2005.

http://www.fas.org/irp/doddir/dod/d5143_01.pdf

¹⁸ Michael Duffy, James Carney, 'Rumsfeld: Older but Wiser?,' *Time*, 27 August 2001.

<http://www.time.com/time/magazine/article/0,9171,1000618,00.html>

Cold War setting and failed to appreciate the extent of the threat posed by Islamist terrorism. In fact, a decline in resources and a reduction in staff following the fall of the Soviet Union cut into the analytical capabilities of America's central agency. The report of the September 11th Commission thus found that the '*university*' which the CIA was during the Cold War had been transformed into an '*newsroom*' by abandoning its strategic vision in favour of a '*day to day*' approach.¹⁹ Though since 1996 the CIA had a cell charged with tracking down Osama Bin Laden, overall understanding of this threat had been abandoned for the sake of a tactical analysis to serve as an operational support. The main managers of the Agency, including its director George Tenet, were thus clearly accused in an internal report of not having developed an overall strategy of fighting against al-Qaeda.²⁰ The department of the CIA in charge of terrorism, the Counterterrorism Center (CTC) was also singled out for not having played its role: for ignoring the analytic function and for lack of imagination. The hypothesis of attacks perpetrated using airliners had in fact not been envisaged.²¹

As one can imagine, the setback of 11 September and the public accusations considerably shook the agency created in 1947. It was in this very special context that it had to look closely into the Iraq case and evaluate the capabilities of the regime of Saddam Hussein in the area of weapons of mass destruction (WMD). **The differences we find between the description of the threat posed by Iraqi WMD and the observations made after the military intervention of 2003 once again posed the question of the reliability of intelligence produced by the CIA.** Two years after 11 September, its ability to gather and perform analysis continued to raise doubts. According to a report of the Senate Select Committee on Intelligence, the Agency cruelly lacked human resources in Iraq and had not taken sufficient risks to recruit Iraqi agents.²² The CIA therefore had to make use of foreign intelligence services and their sources recruited from among dissidents, whose desire to bring down the regime in Baghdad was plausible.

Though it is true that the CIA had only a partial vision of the situation in Iraq, the fiasco of the Iraqi WMD is as much linked to a special political context. Indeed one must note that just after 11 September, Iraq was not at all a priority for the Agency, given that it had not identified a link between the country of Saddam Hussein and al-Qaeda.²³ On the other hand, an influential part of the American administration considered the Iraqi regime to be a serious threat for the United States. This was especially the case of the Department of Defense under Donald Rumsfeld. **In the view of the number two in the Pentagon, Paul Wolfowitz, the CIA's approach to the Iraqi case was 'soft' and reflected the 'intellectual dishonesty' of the intelligence community.**²⁴ Thus, tensions which set in between the CIA and the Pentagon over a certain number of points, such as Ahmed Chalabi, an Iraqi opposition figure on whom the Department of Defense wished to rely but whose reliability was challenged by the Agency.²⁵

It certainly seems that **this context influenced the work and the conclusions of the CIA concerning the presence of WMD in Iraq.** Moreover, this line of investigation is

¹⁹ *The 9/11 Commission Report*, National Commission on Terrorist Attacks Upon the United States, Washington D.C., U.S. Government Printing Office, 2004, pp. 90-91. <http://www.gpoaccess.gov/911/pdf/fullreport.pdf>

²⁰ *Report on the CIA Accountability With Respect to the 9/11 Attacks: Executive Summary*, Office of the Inspector General of the Central Intelligence Agency, June 2005, p. viii. https://www.cia.gov/library/reports/Executive%20Summary_OIG%20Report.pdf

²¹ *The 9/11 Commission Report*, *op. cit.*, p. 346.

²² *Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq*, Senate Select Committee on Intelligence, 108th Congress, July 2004, p. 25. <http://www.gpoaccess.gov/serialset/creports/iraq.html>

²³ James Risen, *op. cit.*, p. 71.

²⁴ *Ibid.*, p. 72.

²⁵ *Ibid.*, pp. 73-75.

totally compatible with the work of the commissions which looked into the evaluation of the Iraqi threat. The commission named by President Bush in effect explained that in the absence of information, CIA analysts relied on the Iraqi past to deduce that the regime of Saddam Hussein had concealed illegal activities.²⁶ The Senate Commission concluded that lack of rigour in the gathering and analysis of intelligence had led the Agency to succumb to a 'collective presumption.'²⁷

♦ ***A marginalisation confirmed by the reform of 2004***

Coming less than two years after the failure of 11 September, the errors in evaluation of the Iraqi threat had disastrous consequences. First of all, they precipitated the departure of the DCI George Tenet, who had nonetheless managed to win the confidence of President Bush.²⁸ **Besides affecting the morale and the reputation of the CIA, these disappointments placed it at the centre of the debate launched by the publication of the 9-11 Commission.** In this context, it became difficult for the CIA to escape the reform that was taking shape. The triple hat of the DCI – director of the CIA, boss of the intelligence community and adviser to the President on intelligence matters – had caught the attention of the various commissions. It was thus decided that the director of the CIA would now concentrate solely on the Agency. His two other functions would go to the Director of National Intelligence, DNI. Though this change seemed appropriate given the recommendations formulated by the commissions, **it nonetheless deprived the Agency of privileged access to the White House and of its status of *primus inter pares*.** The CIA also saw its role within the plan of the fight against terrorism change. The IRTPA created in effect the National Counterterrorism Center (NCTC) to replace the Agency's Counterterrorism Center (CTC), which had become in 2003 the TTIC (Terrorism Threat Integration Center). Charged with the task of merging and analysing all of intelligence in the domain of counter-terrorism, the NCTC was placed under the joint responsibility of the DNI and the President of the United States. The IRTPA also invited the boss of the CIA to reconstitute the analytical capabilities of the Agency by reinforcing the human intelligence resources. We note that while this reform made the CIA just one federal agency among others, the most drastic plans, including the dismantlement of the CIA²⁹, had been discarded. In the midst of the debates over the reform, George Tenet was replaced by Porter Goss, a former Congressman who was named by President Bush in September 2004. **This change at the head of the Agency was accompanied by a 'purge' orchestrated by Mr. Goss.** His arrival at Langley was indeed followed quickly by a series of departures of management personnel including the former interim director of the Agency John McLaughlin and the number two of the Operations Directorate, Stephen Kappes. These resignations were received all the more badly given that they preceded the arrival of the former assistants of Mr. Goss from the House of Representatives.³⁰ **With the full polemic going on over secret CIA prisons abroad, the morale and the reputation of the Agency hit a new low.**

However, the arrival of Mr. Goss was accompanied by several positive developments. Contrary to the recommendations of the Commission on Iraqi WMD, the White House

²⁶ *Report to the President of the United States, The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction*, 31 March 2005, p. 49.

http://www.gpoaccess.gov/wmd/pdf/full_wmd_report.pdf

²⁷ *Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq*, *op. cit.*, p. 18

²⁸ James Risen, *op. cit.*, pp. 11-13.

²⁹ Raphaël Ramos, *Sixty years after its creation, the CIA should once again give priority to strategic intelligence*, ESISC, 2 October 2007.

http://www.esisc.net/en/p.asp?TYP=TEWN&LV=187&see=y&t=30&PG=TEWN/EN/detail_os&l=1&AI=1573

³⁰ Walter Pincus, Dana Priest, 'Goss Reportedly Rebuffed Senior Officials at CIA', *The Washington Post*, 14 November 2004. <http://www.washingtonpost.com/ac2/wp-dyn/A48254-2004Nov13?language=printer>

decided in June 2005 to **entrust the responsibility for all human intelligence activities of the United States to the Director of the CIA.**³¹ At the same time, the National Clandestine Service (NCS) was created, replacing the Directorate for Operations, in order to manage and strengthen the human intelligence resources of the Agency.³²

3. Development of a partnership between the Pentagon and CIA since 2007

While, as we have seen, in the months following 11 September the correlation of forces within the intelligence community was modified, the second term of President Bush witnessed a re-balancing, a prelude to the rapprochement which took concrete form under the presidency of Barack Obama.

♦ Change of managers

The second term of President George W. Bush saw a change in the process of elaborating national security policy. The arrival at the Department of State of Condoleezza Rice, a member of President Bush's inner circle, marked the **start of the ebbing of the influence of the Pentagon and of the neoconservatives within the administration.** The number two at the Department of Defense, Paul Wolfowitz, left the Pentagon in June 2005 to assume the top position at the World Bank.³³ He was imitated several weeks later by another architect of the military operation in Iraq, Douglas Feith.³⁴ These departures of people close to the Secretary of Defense pointed to the departure of Mr. Rumsfeld himself, which came after the electoral defeat of the Republican party in the midterm elections of November 2006.³⁵ He was replaced by Robert Gates, the former director of the CIA, who was perceived in Washington as a realist. This arrival was a positive sign to the whole American intelligence community. Several months before his nomination, **Mr. Gates had expressed his 'dissatisfaction concerning the domination of the Department of Defense in the domain of intelligence.'**³⁶

Several months before the departure of Mr. Rumsfeld, the CIA had welcomed a new director – the first since the reform of 2004 – in the person of General Michael Hayden. This four-star general of the *U.S. Air Force* **knew perfectly well the intelligence world, to which he had devoted his entire career.** In particular, he had directed the National Security Agency (NSA) between 1999 and 2005, all of which did not prevent him from **keeping his distance from the policy of Mr. Rumsfeld.** In 2004, he had in particular supported the creation of the post of DNI and had also said that he favoured the idea of seeing the NSA leave the bosom of the Pentagon to come under the control of the DNI.³⁷

³¹ Douglas Jehl, 'White House to Ask C.I.A. to Manage Human Spying,' *The New York Times*, June 28, 2005.

<http://www.nytimes.com/2005/06/28/politics/28intel.html?ex=1277611200&en=ab16841f792a7084&ei=5090&partner=rssuserland&emc=rss>

³² *Establishment of the National Clandestine Service (NCS)*, ODNI News Release No. 3-05, 13 October 2005. http://odni.gov/press_releases/20051013_release.htm

³³ Elizabeth Becker, David E. Sanger, 'Wolfowitz Gets Bush Nomination for World Bank,' *The New York Times*, 17 March 2005. <http://www.nytimes.com/2005/03/17/politics/17prexy.html?8bl>

³⁴ *DoD Announces Departure of Undersecretary Douglas Feith*, U.S. Department of Defense, Office of the Assistant Secretary of Defense (Public Affairs), No. 078-05, 26 January 2005.

<http://www.defense.gov/releases/release.aspx?releaseid=8160>

³⁵ Michael A. Fletcher, Peter Baker, 'Bush Ousts Embattled Rumsfeld; Democrats Near Control of Senate,' *The Washington Post*, 9 November 2006. <http://www.washingtonpost.com/wp-dyn/content/article/2006/11/08/AR2006110801180.html>

³⁶ Robert M. Gates, 'An Intelligent CIA Pick,' *The Washington Post*, 18 May 2006.

<http://www.washingtonpost.com/wp-dyn/content/article/2006/05/17/AR2006051701881.html>

³⁷ Nancy Gibbs, 'Thinker, Briefer, Soldier, Spy,' *Time*, 15 May 2006.

<http://www.time.com/time/printout/0,8816,1194019,00.html>

The presence of two intelligence professionals at the head of the Pentagon and of the CIA, sharing a common vision, made it possible to put in place the basis of a true cooperation between the two entities. In order to do this, and using as his intermediary the Under Secretary for Intelligence, Gordon Clapper, then Michael Vickers, Mr Gates undertook to reformulate a certain number of Mr. Rumsfeld's directives in order to place the action of the Pentagon at the very heart of the whole intelligence community, **in particular, obliging the Department to coordinate the operations carried out by special forces with the CIA and the Department of State.**³⁸

Moreover, he charged General Stanley McChrystal, who commanded the JSOC, with institutionalising the cooperation with the CIA. These beginnings were not simple due to what has been described as important '*cultural differences*' between these two entities. They nonetheless faded thanks in particular to the numerous deployments of CIA analysts in Iraq, which encouraged the emergence of a common culture. But it was the creation by General McChrystal of a working group bringing together the Director of the CIA, the commander of the JSOC and the director of the U.S. Central Command, CENTCOM, which enabled this partnership to develop. According to many officials, **this 'Counterterrorism Board of Directors' allowed the CIA and the military to optimise their collaboration.**³⁹

♦ *New impetus under the Obama administration*

The efforts undertaken under the Bush administration took a wholly different dimension with the arrival of Barack Obama in the White House. In order to guarantee a certain continuity while the American armed forces remained engaged in Iraq and in Afghanistan, the American President wished to keep Robert Gates at the head of the Department of Defense. To head the CIA, Mr. Obama took a risk by naming Leon Panetta, a former Congressman and chief of staff at the White House of Bill Clinton who had no experience in the area of intelligence. Nonetheless, **thanks to the relationship of trust established between the President and Mr. Panetta, the CIA once again found a direct link with the White House, which was keen to get around the traditional bureaucracy as much as possible.** Thus, the Agency became a central element of the policy of the Obama administration in the area of counter-terrorism. This made possible an **explosion of its paramilitary function, in particular via drone attacks.** The *Washington Post* revealed this past April that CIA drones had made at least 192 strikes and had killed nearly 2,000 persons (terrorists, suspects and civilians since the accession to power of Mr. Obama in January 2009.⁴⁰ In July 2008, when the programme of targeted attacks by the CIA against the leaders of al-Qaeda, principally in Afghanistan and in Pakistan, accelerated, there was around one strike per week. In 2010, the Obama administration broadened the mission, which no longer was limited to the top leaders but now extended to all the terrorist combatants. During this year, more than one hundred strikes have been carried out by the Agency.⁴¹ **This development of the paramilitary activities of the Agency comes from the fact that American law permits the authorities to deny**

³⁸ David Ignatius, 'Rewriting Rumsfeld's Rules,' *The Washington Post*, 4 June 2011.

http://www.washingtonpost.com/opinions/rewriting-rumsfelds-rules/2011/06/02/AGHIXPIH_story.html

³⁹ Julian E. Barnes, Siobhan Gorman, 'The Long, Winding Path to Closer CIA and Military Cooperation,' *The Wall Street Journal*, 23 May 2011.

<http://online.wsj.com/article/SB10001424052702304520804576340023120275758.html>

⁴⁰ Greg Miller, Greg Jaffe, 'Petraeus would helm an increasingly militarized CIA,' *The Washington Post*, 27 April 2011. http://www.washingtonpost.com/world/petraeus-would-helm-an-increasingly-militarized-cia/2011/04/27/AFwoDM1E_story.html

⁴¹ Adam Entous, Siobhan Gorman, Matthew Rosenberg, 'Drone Attacks Split U.S. Officials,' *The Wall Street Journal*, 4 June 2011.

<http://online.wsj.com/article/SB10001424052702304563104576363812217915914.html>

the existence of clandestine operations conducted by the Agency in countries with which the United States is not at war. The activities of the Special Forces are governed by a more restrictive body of law.⁴²

It is in this context that the cooperation between the CIA and the JSOC has developed, carried along by the close relations between Mr. Panetta and the boss of the Special Forces, Admiral William McRaven. In 2009, **the two men codified the rules governing missions conducted jointly.**⁴³ It is according to these procedures that the operation targeting the residence of Osama Bin Laden in Abbottabad, Pakistan, was planned. Though the raid was carried out by Navy Seals attached to the JSOC, it was directed by the CIA and its director, Leon Panetta. The process of planning, which began in December 2010, was carried out jointly by the CIA and the JSOC.⁴⁴

The success of this operation, a reflection of the strategy of counter-terrorism adopted by the Obama administration and one based on special or paramilitary targeted operations, led the American authorities to step up their efforts. Though the diplomatic tensions caused by the raid on Abbottabad forced the United States to let up as regards its activities in Pakistan, the campaign of CIA strikes seems to have renewed. At the end of August, the new number two of al-Qaeda, Atiyah Abd al-Rahman, was eliminated in a drone attack conducted by the Agency in Pakistan.⁴⁵ At the same time, the American press revealed that the **CIA intended to profit from the chaos reigning presently in Yemen by intensifying its strikes against the members of al-Qaeda** in the Arabian Peninsula (AQAP) who threaten to take control of the south of the country.⁴⁶ **In Somalia, American paramilitary activities have also accelerated over the course of the last few months** and resulted in the death of many leaders of al-Shabaab, the Somali terrorist group affiliated with al-Qaeda.⁴⁷

4. Conclusion

As he drew up an assessment of the five years which he spent at the Department of Defense, Robert Gates felt obliged to stress the ‘critical importance of cooperation and interaction between the military and the intelligence community,’ as well as the significant progress achieved in this area over the course of ten years.⁴⁸ This rapprochement and this interweaving between the special operations conducted by the armed forces and the paramilitary activities of the CIA characterise the policy carried out by the Obama administration in the area of counter-terrorism. Whereas the Bush administration was concentrated on the support given by states to the terrorist groups, President Obama and his team have focused on targeted operations directed against the terrorists and their bosses. This change was confirmed by the influential adviser

⁴² David Ignatius, ‘The Blurring of CIA and Military,’ *The Washington Post*, 2 June 2011. http://www.washingtonpost.com/opinions/the-blurring-of-cia-and-military/2011/05/31/AGsLhkGH_story.html

⁴³ Siobhan Gorman, Julian E. Barnes, ‘Spy, Military Ties Aided bin Laden Raid,’ *The Wall Street Journal*, 23 May 2011. <http://online.wsj.com/article/SB10001424052748704083904576334160172068344.html>

⁴⁴ *Ibid.*

⁴⁵ Mark Mazzetti, ‘C.I.A. Drone Is Said to Kill Al Qaeda’s No. 2,’ *The New York Times*, 27 August 2011. <http://www.nytimes.com/2011/08/28/world/asia/28qaeda.html?scp=4&sq=cia&st=cse>

⁴⁶ Siobhan Gorman, Adam Entous, ‘CIA Plans Drone Strikes in Yemen,’ *The Wall Street Journal*, 14 June 2011. <http://online.wsj.com/article/SB100014240527023038481045763384051572679110.html>

⁴⁷ Greg Jaffe, Karen DeYoung, ‘U.S. drones targets two leaders of Somali group allies with al-Qaeda, official says,’ *The Washington Post*, 30 June 2011. http://www.washingtonpost.com/national/national-security/us-drones-target-two-leaders-of-somali-group-allied-with-al-qaeda/2011/06/29/AGJFzrH_story.html?hpid=z1

⁴⁸ Discours du secrétaire à la Défense Robert Gates le 25 mai 2011. <http://www.defense.gov/Speeches/Speech.aspx?SpeechID=1573>

to President Obama on counterterrorism, John Brennan, who, on the occasion of the publication last June of the American strategy for combating terrorism, indicated that *'our best offense won't always be deploying large armies abroad but delivering targeted, surgical pressure to the groups that threaten us.'*⁴⁹

As we have seen, this change was made possible by the impetus given to special operations by Donald Rumsfeld after 11 September. The controversial Secretary of Defense was in fact at the origin of the transformation of the JSOC, at the origin destined to lead to missions to free hostages, and the driving force of the American policy against terrorism. At the same time, the climate of serenity which was restored at Langley by General Hayden encouraged the rapprochement with the Pentagon directed by a former head of the Agency, Robert Gates. But it was with the accession to office of Barack Obama that this new approach to counterterrorism assumed its full dimension. The relationship between Messrs. Gates, Panetta and Admiral McRaven made it possible to strengthen and to give structure to this cooperation, creating the conditions for the success of the operation against Osama Bin Laden in Abbottabad. The move of Leon Panetta to the Department of Defense and his replacement at the Agency by General Petraeus should make it possible to expand this collaboration. One may in particular imagine that this type of operation is going to be developed further in Afghanistan alongside the reduction of the American military presence in the country.

However, as we note that the success of the operation against the leader of al-Qaeda revealed the positive dimension of this change, it has not won unanimous support. Within the CIA, there are those who see this increased paramilitary dimension as a distraction from the primary mission of the Agency: strategic analysis. This concern appears to be shared by Mr. Gates, who recently said he was *'concerned'* by *'the quality of our intelligence at the political and strategic level.'*⁵⁰ At the Department of State, this strategy also raises a certain skepticism, particularly over its diplomatic consequences for the relationship with that indispensable ally, Pakistan.

Moreover, while this approach has given convincing results against the central command of al-Qaeda in Pakistan, one may wonder about its relevance in theatres like Yemen or Somalia. In these countries where the affiliates of al-Qaeda have been able to take advantage of the weakness – or even the absence – of states in order to considerably grow their influence, the attacks by CIA drones will not, in all likelihood, be sufficient. Management of these challenges, which represent the future of the terrorist threat, will allow us to better evaluate the effectiveness of the partnership between the CIA and the Department of Defense, as well as the relevance of the various reforms passed ten years ago for the purpose of strengthening the integration of the American intelligence community.

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⁴⁹ Ken Dilanian, 'U.S. counter-terrorism strategy to rely on surgical strikes, unmanned drones,' *The Los Angeles Times*, 29 June 2011. <http://www.latimes.com/news/politics/la-pn-al-qaeda-strategy-20110629.0.7494157.story>

⁵⁰ Speech by Secretary of Defense Robert Gates on 25 May 2011, *op. cit.*