

# The War on Terror and Western Security Services

Written by Oliver Jack Smith-Mearns

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## The War on Terror and Western Security Services

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### **In What Ways has the War on Terror Changed the Role of Western Security Services? Critically Discuss Using Realism and the Intelligence Cycle.**

The terrorist attacks of 9/11 had effects that went far beyond the 2,752 deaths: the ensuing “War On Terror” has created substantial change in the foreign and domestic policy of Western nations, particularly that of the United States of America (US) and the United Kingdom (UK). In addition to Coalition military forces intervening in Afghanistan and Iraq, there has been much attention given to the ways in which the War on Terror has changed the role of Western security services. These include obvious changes, including the creation of new bureaucratic agencies such as the US Department of Homeland Security and the establishment of new powers and legislation to assist the security services and (in so doing) widen their mandate. For instance, the American PATRIOT Act gave the security services added impetus and authorization to act domestically by increasing their powers of surveillance. In addition to such clearly apparent modifications to the role of Western security services, the range and nature of the clandestine activities that they perform<sup>[1]</sup> also appears to have increased dramatically. These include assisting various military units in the pursuit of high value targets in Iraq and Afghanistan and the interrogation of suspected terrorists in Guantanamo Bay.

Thus, for the purposes of this discussion, when considering Western security services, I will be for the most part referring to American and British organisations, since the changes in the behaviour and procedures of their security apparatuses appear to have been far more extensive than other Western nations<sup>[2]</sup>. For instance, despite Canada and Germany’s involvement in the War on Terror (including both Armed Forces’ participation in Afghanistan), their security services do not appear to have been subject to the type of transformation evident in the US and the UK.

When discussing the ways in which the War on Terror has changed the role of Western security services, however, I would argue that it is insufficient to simply list the ways in which this has been done. Whilst the case study approach would undoubtedly have merit in providing a detailed analysis of one (or several) of the ways in which this has been achieved (such as the way in which it has affected intelligence sharing between government agencies), it is inherently limited in that its findings can only be applied to the particular area it considers. Given the fact that there are many nations involved in the War on Terror to differing degrees, using various methods, the use of case study methodology would be inadequate when attempting to discuss the role of security services throughout the conflict. For instance, examination of rendition flights would not necessarily tell us anything about the co-ordination between law enforcement and intelligence agencies.

Consequently, in discussing the ways in which the War on Terror has changed the role of the Western security services, I will use Realism and the intelligence cycle as a conceptual framework, as opposed to providing a detailed examination of one aspect of the security services’ function. In so doing, I will give particular consideration to the Bush Doctrine and its domestic and foreign policy effects: these are far-reaching and include the extraordinary rendition of suspected terrorists and the increasing responsibility of intelligence organisations to assist the military in the pursuit of high value targets, most notably Al-Qaeda leaders and Saddam Hussein’s inner circle. Moreover, I will also discuss Obama’s Counter-Terrorism policies at length, including the use of Predator drones to target Jihadists in Pakistan. Finally, I will argue that one of the pivotal changes to the role of Western security services in the War on Terror is the fact that there is an increasing overlap between the operation of law enforcement organisations, the

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intelligence services and the armed forces.

It is evident that the War on Terror has greatly altered the role of Western security services: the mere fact that nations such as the USA and UK are at war means that groups such as the Central Intelligence Agency and the Secret Intelligence Service have new operational challenges that they did not have in peacetime. For instance, there is now an added impetus to gain real-time information to assist military leaders at all command ranks. Nonetheless, the role of Western security services has been altered by more than the demands of military operational security: one of the main reasons for this is the implementation of the Bush Doctrine. The Bush Doctrine appears to have been based upon the Bush administration's belief that it would be insufficient to treat the terrorists who attacked America as criminals:

"After the chaos and carnage of September 11<sup>th</sup> it is not enough to serve our enemies with legal papers. The terrorists and their supporters declared war on the United States. And war is what they got." [3]

Thus, the Bush Doctrine significantly altered the role of the Western security services because it gave them a mandate to treat terrorist suspects as enemy combatants. Whereas the Oklahoma City bomber Timothy McVeigh [4] (who was responsible, until 9/11, for the biggest act of domestic terrorism on US soil) was investigated by law enforcement, arrested and ultimately tried and sentenced as a civilian [5], the Bush Doctrine dictated that the rights afforded to (including legal procedures) and the manner in which the Jihadists were pursued would be completely different.

The main tangible outcome of this lay in the fact that whilst the security services were to ideally capture suspected terrorists, it was perfectly acceptable to kill those whom the security services were unable to detain, without having to gain prior approval from congress or the President. This can be seen in Bush's autobiography:

"George (Tenet, CIA DCI) proposed that I grant broader authority for covert actions, including permission for the CIA to kill or capture Al-Qaeda operatives without asking for my sign-off each time. I decided to grant the request." [6]

The significance of this should not be understated, as it marked a notable shift in the security services operations; the powers that the doctrine gave them to kill and detain Jihadists granted an almost unprecedented level of autonomy, arguably not seen (in Western Intelligence, Law Enforcement and the Military) since US involvement in the Vietnam War.

The fact that security services were able to freely kill and capture Islamic fundamentalist terrorists reflects the underlying realism of the Bush Doctrine: it dismisses any constructivist notion that ideas and values (i.e. "winning hearts and minds") should be the main instrument used against the Jihadists. Rather, the Bush Doctrine asserts that in order to defeat Jihadist groups such as Al-Qaeda, overwhelming military (and in this instance, paramilitary) force should be used to achieve the desired policy outcome of preventing terrorist attacks on Western nations by militant Muslims. Smith demonstrates this, saying, "Bush was unapologetic in the change in US policy with regards to the assassination of the enemies of America" [7]. The doctrine represents classical Realist thought because it dictates that military means should be used to achieve policy ends and clearly reflects the dogma of Realists such as Clausewitz, with his assertion that "War is only a branch of political activity; it is in no sense autonomous" [8].

The effect that the Bush Doctrine's realism had on the role of the security services, in the increased powers it gave them in pursuing terrorist suspects, was evident in the Iraq War. Particularly, the methods used by Major General Stanley McChrystal, when he commanded Joint Special Operations Command (JSOC), reflect classical Realist views (notably Clausewitz') regarding the inherent nature of war. As Urban has written beginning in 2005 [9], JSOC, working with intelligence agencies such as the CIA, the Secret Intelligence Service, and British Special Forces squadrons, launched a devastating campaign that was solely designed to target, capture and kill "irreconcilables" or radical Jihadist insurgents. The actions of JSOC in Iraq attest to the Bush Doctrine's realism because they clearly demonstrate the administration's idea that one of their main objectives as the war developed (preventing it from becoming a haven for Islamic militants) could only be achieved through the violent and calculated disruption of their enemy.

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Moreover, the treatment of Jihadists who have been captured alive in the War on Terror is also indicative of the Doctrine's underlying realist nature. Whereas hitherto, terrorists and spies in the USA such as the aforementioned Timothy McVeigh and Iva Ikuko Toguri D'Aquino[10] were tried in civilian courts and granted the same rights as those accused of other crimes, suspected Jihadists in the War on Terror have instead often been designated as enemy-combatants. As Hajar writes, this has regularly resulted in the indefinite detention of suspected members of Al-Qaeda at the US Naval Base in Guantanamo Bay:

"(the Bush administration believes that) in the war on terror, international humanitarian law (and the protections afforded to suspected criminals under by US Law) does not apply to the treatment of "terrorists", while asserting political (rather than judicial) discretion to determine who falls into this category – for example, in the American prison camp at Guantanamo Bay"[11].

This further demonstrates that the realism of the Bush Doctrine has affected the role of Western security services, as it clearly shows how their operational role has changed. As opposed to having to gather sufficient evidence to achieve a conviction in a civilian court, groups such as the CIA and the FBI have regularly been able to detain suspected Jihadists without trial.[12] Realism is prevalent in the Bush Doctrine because the security services' main objective is now to stop and detain terrorists, as opposed to successfully prosecuting them.

Thus the extreme violence perpetrated against the Jihadists by JSOC and the treatment of captured Jihadists show that implementation of the Bush Doctrine has been consistent with Clausewitz' view of the inherent brutality of war:

"Kind-hearted people might of course think that there was some ingenious way to disarm or defeat an enemy without too much bloodshed...Pleasant as it sounds, it is a fallacy that must be exposed: war is such a dangerous business that the mistakes which come from kindness are the very worst"[13].

The fact that the Western security services' role (especially in Iraq but also in their treatment of captured Jihadists in bases such as Guantanamo Bay) was far less restrained than it was in other recent conflicts[14], consequently shows that the Bush Doctrine has greatly aided realism in becoming a key part of the War on Terror[15].

In discussing the ways in which the War on Terror has changed the role of the Western security services, it would also be apt to consider the intelligence cycle. Realism is an extremely significant characteristic of the Bush Doctrine, but nonetheless one might argue that an understanding of the intelligence cycle is similarly vital if one wishes to understand the changing function of Western security apparatuses. As previously discussed, the Bush Doctrine's realism was evident in the methods used by JSOC in the Iraq War; similarly, the Doctrine's interpretation of the intelligence cycle was apparent in both the foreign and domestic policy of the Bush administration. The FBI provides an effective summary of the intelligence cycle's purpose: "(it is) the process of developing unrefined data into polished intelligence for the use of policymakers"[16]. The most commonly used working definition of the intelligence cycle describes it as a process in which intelligence is "requested, collected, analysed (including processing) and fed to consumers"[17]. Although numerous variations exist (for instance, the FBI adds "planning and direction"), most broadly correspond to this basic conceptualisation.

The Bush Doctrine has led to major changes in how the intelligence cycle is applied by Western security services, particularly regarding the collection of intelligence. For instance, the DHS was created shortly after 9/11 with the stated goal of securing the US from the numerous threats it faces[18]: the benefit of it combining numerous bodies being that intelligence collection could (in theory at least) be performed more efficiently, and there would be greater co-operation between the various agencies in terms of sharing acquired information. Moreover, the Bush Doctrine has also led to an increase of controversial collection methods using Signals Intelligence (SIGINT). For instance, Bamford has written extensively about the increased use of satellite surveillance by the National Security Agency, which he claims has been illegally collecting information by eavesdropping on American citizens who are not suspected terrorists[19]. Given that Bamford asserts that this illegal surveillance was enacted after 9/11 under authorisation from the highest levels of the Bush Administration (including Vice President Cheney)[20], collection of SIGINT under the auspices of the Bush Doctrine has altered the role of Western security services. In addition, the War on Terror has also seen the emergence of contentious Human Intelligence (HUMINT) collection methods.

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“Enhanced interrogation”[21] techniques, such as waterboarding, in which drowning is simulated, have been regularly used on high-ranking Jihadists. Former Director of the National Clandestine Service, Jose Rodriguez, recently admitted that the use of enhanced interrogation assisted the CIA in achieving a confession from senior Al-Qaeda member Khalid Sheik Mohammed: “it was the cumulative effect of waterboarding and sleep deprivation and everything else that was done that eventually got to him”[22].

It is worth noting that enhanced interrogation has created a public uproar because many (including high ranking politicians and members of the Armed Forces[23]) argue that these methods are “tantamount to torture”. For instance, despite the Bush Administration’s acceptance of waterboarding as a legitimate interrogation technique, GOP senator John McCain responded to the aforementioned interrogation of Khalid Sheik Mohammed: “It’s unacceptable. It’s unacceptable. One is too much. Waterboarding is torture, period”[24]. Thus, the use of enhanced interrogation is indicative of the impact that the Bush Doctrine has had on Western security services. Given the increased scrutiny placed on the Security services in the aftermath of abuses during the Vietnam War and the investigation of the Church Committee[25], the use of controversial methods of intelligence collection would be highly unlikely without express executive consent.

Therefore, the “new” methods of collection (at least in terms of 21<sup>st</sup> Century Anglo-American politics and the extent to which they are employed) used in the Bush’s Administration’s application of the intelligence cycle are a testament to the changing role of Western security services in the War on Terror. These range from institutional changes designed to maximise the efficiency of intelligence collection, such as the creation of the DHS, to more contentious methods of intelligence acquisition through legally and ethically questionable SIGINT and HUMINT methods, including increased satellite surveillance of American citizens and the enhanced interrogation of suspected terrorists.

In addition, when discussing the ways in which the War on Terror has changed the role of Western security services regarding the intelligence cycle, it is also prudent to consider the impact of new legislation. Many of the procedures and tactics recently employed by the security services would not have been legally possible without the Bush Administration’s creation or amendment of laws to expand their operational mandate. This has regularly led to organisations such as the NSA and the CIA gaining greater powers of collection, ranging from greater freedom to use surveillance domestically to an increase in the length of time that terrorist suspects can be detained without trial. The key piece of legislation synonymous with the Bush Doctrine is the USA PATRIOT Act (Providing Appropriate Tools Required to Intercept and Obstruct Terrorism), which Viotti correctly identifies as being a “law strengthening substantially domestic law enforcement capabilities and placing greater restriction on immigration”[26]. One of the crucial provisions it makes for groups such as the FBI to collect information on terrorist suspects can be found in Title II of the Act. Title II is dedicated solely to “Enhanced Surveillance Procedures” and significantly increases the power of security services to “intercept wire, oral and electronic communications relating to terrorism”[27].

However, in his brief summation, Viotti fails to mention what one might argue is the most crucial aspect of the PATRIOT Act, at least in terms of the way that the Bush Doctrine has applied the intelligence cycle. As Martin has written[28], the PATRIOT Act substantially widens the intelligence services’ mandate: it broadens their jurisdiction as it allows them to act domestically. For instance, as Martin has discussed, the act greatly increases the CIA’s remit to collect intelligence on US soil:

“(the act) increases the domestic intelligence authority of the CIA. It gives the DCI a role in identifying which Americans to target for FISA wiretaps and secret searches. It also requires that vast amounts of information gathered on Americans by criminal investigators be turned over to intelligence agencies”[29].

Thus, the USA PATRIOT Act is clearly indicative of the changes in the role of Western security services’ intelligence collection. Despite being the most famous piece of legislation passed in the wake of the doctrine, it is worth noting that there has been a plethora of other laws passed to aid the security services in collecting intelligence in the War on Terror. For instance, the Homeland Security Act of 2002 created the aforementioned DHS, and an executive order issued on November 13<sup>th</sup> 2001 regarding the detention, treatment and trial of certain “non-citizens” has enabled suspected terrorists to be detained indefinitely and tried by military tribunals[30].

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Therefore, the creation of new legislation since the Bush Doctrine has notably altered the collection phase of the intelligence cycle. In so doing, new laws and executive orders have also had significant bearing on the role of the Western security services in the War on Terror. For instance, the PATRIOT Act has given US intelligence services increased powers, which have unprecedentedly allowed them to conduct domestic operations, and an executive order by President Bush has allowed the indefinite detention of suspected enemy-combatants.

Furthermore, in assessing the ways in which the War on Terror has changed the role of Western security services using the intelligence cycle (whilst considering the impact the Bush Doctrine has had on the war), it would also be pertinent to consider the direction and dissemination aspects of the cycle. It is evident that the War on Terror has seen increasing direction given to the security services by policy-makers. Given that states such as the US and UK unexpectedly found themselves at war, it is clearly apparent why the demand from the Bush and Blair Administrations for information to assist their decision making increased dramatically. Consequently, the Bush Doctrine has caused more policy-specific requests for and dissemination of intelligence. For instance, Medina argues that in the 21<sup>st</sup> Century it is imperative that intelligence fed to the consumer is tailored to meet their specific requirements, and that if the intelligence services fail to complete this task, they risk becoming irrelevant and impotent:

“Neutrality cannot be used to justify analytic celibacy and disengagement from the customer. If forced to choose between analytic detachment and an impact on policymaking, the 21<sup>st</sup> century analyst must choose the latter”[31].

Medina’s assertion reflects the Bush Doctrine’s approach to the direction and dissemination aspects of the cycle. This approach has clearly had its benefits, for instance in directing groups such as the CIA to capture or kill specific high-value targets such as the Iraqi “Deck Of Cards”[32].

Nonetheless, there are problems caused by the Bush Doctrine’s approach to intelligence dissemination and direction, which have become notorious in recent years. For instance, the decision to intervene in Iraq in 2003, which was publicly justified (at least partly) on the grounds that Saddam Hussein’s regime was in possession of WMD, has subsequently been heavily criticised. Despite not attributing this to any single individual, the 2004 Review of Intelligence on Weapons of Mass Destruction (led by Lord Butler) concluded that the intelligence used to justify intervention was lacking in credibility. Kennedy-Pipe has written,

“The difficulty here (in justifying the intervention in Iraq on the basis of stopping WMD proliferation) is that the evidence for Iraq’s possession of WMD was at best sketchy”[33].

This attests to the major fallacy of the Bush Doctrine’s approach to direction and dissemination: it runs the risk of only providing (or emphasising) the information that supports the proposed policy objectives of political leaders. For instance, it is now evident that the CIA supported Bush’s perception of the Ba’athist regime’s WMD capability, despite the intelligence behind this perception being highly dubious.

Both the Bush Doctrine’s realism and its interpretation of the intelligence cycle have had significant effects on the role of Western security services in the War on Terror. Nevertheless, it is evident that Obama’s counter-terrorism policies have also marked a considerable shift in the operation of the security services. Moreover, Obama’s foreign policy in the War on Terror reflects realism as much as (if not more than) the policy of his predecessor. I will also argue that in some respects Obama has further developed the Bush Doctrine’s interpretation of the intelligence cycle.

When President Obama took office, there were undoubtedly expectations that he would wage the War on Terror in a markedly different manner to Bush’s aggressive approach. During his campaign he ran on a liberal foreign policy platform, which included promising to close Guantanamo Bay and prohibiting some of the more controversial methods used by his predecessor in fighting the War on Terror:

“We (the Democratic Party) reject the use of national security letters to spy on citizens who are not suspected of a crime. We reject the tracking of citizens who do nothing more than protest a misguided war. We reject torture”[34].

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Moreover, Obama's policy platform also specifically criticised the PATRIOT Act: "We will revisit the PATRIOT Act and overturn unconstitutional executive decisions issued during the past eight years." Despite these political pledges and the 2011 withdrawal of US Forces from Iraq, the counter-terrorism policies that Obama has employed to fight the War on Terror nonetheless exhibit much of the same realism as the Bush Doctrine. Obama's willingness to wage the War on Terror was summed up by an experienced American career diplomat, who remarked: "The surprise (of Obama's methods of fighting the War On Terror) is his aggressiveness"[35]. For instance, despite prohibiting the security services from the practice of enhanced interrogation, the Obama administration appears to have given them large discretion in the apprehension (or killing) of terrorists.

There are clear similarities between the Bush Doctrine's "capture but kill if required" policy and the orders that Obama issued to the US Navy in response to the kidnapping of the Captain of the Maersk Alabama:

"a decision came down from President Obama ... it was excruciatingly vague. The SEALs and the crew of the Bainbridge were authorized to take action if they deemed that the hostage's life was in immediate danger"[36].

Furthermore, the realist-inspired changes to the role of Western security services, which were central to the Bush Doctrine, were also apparent in the joint CIA-Naval Special Warfare raid on Osama Bin Laden's compound in May 2011. As Owen has written, the direction given by the White House lawyers to the Special Operations Forces (SOF) tasked with assaulting Bin Laden's suspected location was further indicative of the changing role of Western security services in the War on Terror:

"If he (Bin Laden) is naked with his hands up, you're not going to engage him... I am not going to tell you how to do your job. What we're saying is if he does not pose a threat you will detain him"[37].

The purposefully ambiguous language in both instances illustrates that Obama's policy regarding the detention (or lack thereof) of terrorists reflects the realist ideology that was instrumental in radically altering the role of Western security services during Bush's tenure[38].

Obama's counter-terrorism policies have also seen further refinement of the intelligence cycle. Despite prohibiting the now infamous enhanced interrogation methods, the Obama administration has seen a significant shift in the direction and dissemination aspects of the cycle. In particular, the targeting of terrorist suspects using drones[39] in Pakistan has arguably become the Obama administration's main tool to combat terrorism. Whereas the "kill or capture" directive given by his predecessor resulted in the deaths of many Jihadist militants, groups such as JSOC were nonetheless also able to detain terrorists. By contrast, drone strikes are used with the express purpose of killing suspected terrorists. According to the Bureau Of Investigative Journalism, there have been almost 300 drone strikes since 2008, which have caused numerous fatalities[40]. Thus the direction that the Obama administration has given to the security services (which instructs them to gather intelligence with the goal of killing enemy combatants) is distinct from his predecessor's use of the intelligence cycle.

At this stage it is worth noting that I am by no means arguing that there is anything intrinsically different about the use of covert action by Western security services[41]. For instance, during both the Vietnam War and "The Troubles", groups such as the CIA's Special Activities Division and the UK Special Forces (including the SAS and SBS) were regularly deployed to fight the Vietcong and IRA, respectively[42]. The two characteristics that distinguish covert action in the War on Terror are its increasing frequency and the fact that it has become a central part of the executive branch's strategy. This is evident in both the Bush Doctrine and Obama's counter-terrorism policies, reflecting their realist nature and their interpretations of the intelligence cycle.

Finally, whilst being harder to define than some of the more obvious changes to the role of Western security Services, the War on Terror appears to have led to greater overlap between the functions of the various actors within the security services[43]. Whereas previously the roles of the intelligence services, law enforcement organisations, and the military were clearly defined, the War on Terror seems to have created some ambiguity regarding their operation. There are numerous examples in the aforementioned Bush Doctrine and Obama's counter-terrorism policies. For instance, under the Bush Administration, the CIA frequently engaged in domestic surveillance, despite this previously

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being solely the remit of law enforcement. Similarly, despite being a Federal law enforcement agency, the FBI now has as many overseas liaison officers serving abroad as the CIA[44]. Moreover, as Woodward has noted, under Obama's leadership the CIA has been "heavily involved in drone and other attacks against Al-Qaeda" in Pakistan [45], despite the direct engagement of enemy combatants usually being performed by the military.

The increasingly ambiguous operational parameters of particular elements of the security services is evidently a testament to the nature of the enemy in the War on Terror (who can cross borders and has no official nation-state, despite seeking refuge in nations such as Afghanistan and Iraq), but may also further reflect its underlying realism. The father of Realism, Clausewitz, discusses the idea of total war, whereby the entire population is a legitimate target for the enemy and gets involved in the war effort, as in World War II. He also discusses limited war, whereby warfare is largely enacted by a military that is distinct from the civilian population. Although the War on Terror remains a limited war, the increasing incorporation of law enforcement and various intelligence organisations into the conflict (as opposed to just the military) does suggest that this limited nature is less clear-cut than it was in previous conflicts.

In conclusion, the War on Terror has changed the role of Western security services in numerous ways, ranging from the indefinite detention of terrorist suspects at military bases and installations such as the detention camp within the Guantanamo Bay Naval Base, to the killing of Al-Qaeda members in Pakistan using unmanned aerial combat vehicles and the surveillance of large numbers of American citizens by the NSA.

Many of these changes have been products of the Bush Doctrine and reflect the realist foreign policy attitudes upon which it is based. For instance, the Bush Administration gave the security services permission to kill or capture terrorists without having to receive prior approval from the executive branch on each occasion. Moreover, the Bush Doctrine's interpretation of the role of the intelligence cycle led to Western security services using "new" (at least in their scale and focus) SIGINT collection techniques and procedures, including the domestic use of satellite surveillance and wiretaps by groups such as the NSA and the CIA. The Doctrine also led to the use of controversial HUMINT collection techniques, such as enhanced interrogation, including the practice of waterboarding, as well as new laws such as the USA PATRIOT Act, designed to increase the powers of the security services.

Obama's counter-terrorism policies in the War on Terror have further altered the role of Western security services, and, despite him being a Nobel Laureate, reflect Realist ideology as much as his predecessor's Doctrine. Moreover, despite withdrawing US forces from Iraq, the actions taken by the security services in Pakistan (a supposed ally of the US) at the direction of the Obama Administration, such as the killing of Osama Bin Laden and the drone strikes against Al-Qaeda members, often exhibit more realism than the policies in the wake of the Bush Doctrine. The fact that the Obama administration increasingly requests intelligence that is used to target terrorists in drone strikes indicates how his application of the intelligence cycle has contributed to the changing operation of organisations such as the CIA. Finally, the increasing overlap between the functions of intelligence services, law enforcement organisations, and the military, evident in both the Bush and Obama administrations, is another significant way in which the War on Terror has changed the role of the Western security services.

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## Glossary

CIA: Central Intelligence Agency – the US' primary foreign intelligence agency

DCI: Director of Central Intelligence-Office of the head of the CIA, position abolished in 2004, replaced by the creation of position of the Director of National Intelligence (DNI), to oversee the Intelligence Community.

DHS: Department of Homeland Security – US cabinet department created in the response to 9/11, amalgamated 22 existing federal departments and agencies including the US Secret Service and the US Coast Guard

FBI: Federal Bureau of Investigation: US Federal law enforcement organisation

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FISA wiretap: Surveillance conducted under the remit of the Foreign Intelligence Surveillance Act

GOP: Grand Old Party – the US Republican Party

HUMINT: Human Intelligence

JSOC: Joint Special Operations Command – a sub-unified command of the US Special Operations Command (USSOCOM)

NSA: National Security Agency – American intelligence agency, tasked with the collection of SIGNIT

SAS: 22nd Special Air Service Regiment – Elite British Army unit, part of the United Kingdom's Special Forces that worked closely with JSOC in the Iraq War

SBS: Special Boat Service – Maritime Component of the United Kingdom's Special Forces, Royal Naval counterpart to the British Army's SAS

SEALs (US Navy): Sea, Air and Land – United States Naval Special Warfare Force, involved in the rescue of the hostages from the Maersk Alabama and Operation Neptune's Spear, which resulted in the death of Osama Bin Laden, both of which were conducted by Naval Special Warfare Development Group A.K.A "SEAL Team 6"

SIGNIT: Signals Intelligence

USA PATRIOT Act: Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act – A piece of legislation passed in the aftermath of 9/11, which "substantially increases law enforcement capabilities" (Viotti) and enables the intelligence services (including foreign intelligence agencies such as the CIA) to act domestically

[1] Including those about which much is known but simply not discussed publicly by government officials due to their politically sensitive nature, such as the use of drone strikes

[2] As Dumbrell argues, this reflects the "special relationship" between President Bush and Prime Minister Blair and their apparent cohesion regarding how to respond to the 9/11 attacks. John Dumbrell. *A Special Relationship: Anglo-American Relations From The Cold War To Iraq 2<sup>nd</sup> Edition*. (Hampshire New York: Palgrave Macmillan, 2006) pp.148-159

[3] George W. Bush. *The 2008 State of The Union Address*, as cited in The Washington Post, accessed November 7<sup>th</sup>, 2012, [http://www.washingtonpost.com/wp-srv/politics/transcripts/bushtext\\_012004.html](http://www.washingtonpost.com/wp-srv/politics/transcripts/bushtext_012004.html)

[4] Despite also claiming ideological motivation

[5] BBC News. *Defiant McVeigh Dies in Silence*, accessed November 1<sup>st</sup>, 2012, <http://news.bbc.co.uk/1/hi/world/americas/1382602.stm>

[6] George W. Bush. *Decision Points*. (Virgin Books, 2011) p.186

[7] Michael Smith. *Killer Elite: Inside America's Most Secret Special Forces*. (Cassell Military Paperbacks, 2011) p. 238

[8] Carl Von Clausewitz. *On War* as cited in John Baylis, James J. Wirtz, Colin S. Gray. *Strategy In The Contemporary World 3<sup>rd</sup> Edition*. (Oxford University Press, 2010) p. 71

[9] Mark Urban. *Task Force Black: The Explosive True Story Of The SAS and The Secret War In Iraq*. (Abacus Reprinted, 2010)

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[10] Who was arrested by the FBI and convicted for Treason following WWII, The FBI. *Iva Toguri d'Aquino and "Tokyo Rose"*. accessed November 1<sup>st</sup>, 2012, <http://www.fbi.gov/about-us/history/famous-cases/tokyo-rose>

[11] Lisa Hajar. *In The Name Of Democracy: American War Crimes In Iraq and Beyond*. Edited by Jeremy Brecher, Jill Cutler and Brendan Smith (Metropolitan Books, 2005) p. 178

[12] For instance, Worthington has discussed the indefinite detention without trial of "high-value" detainees in Guantanamo Bay such as Abu Zubaydah and Abu Faraj al-Libi. Andy Worthington *Why No Trials For Abu Zubaydah and Seven Other High Value Detainees In Guantanamo?* (May 18<sup>th</sup> 2012) accessed November 4<sup>th</sup>, 2012, <http://fff.org/explore-freedom/article/why-no-trials-for-abu-zubaydah-and-seven-other-high-value-detainees-in-guantanamo/>

[13] Carl Von Clausewitz. *On War*. Edited and translated by Michael Howard and Peter Paret (Princeton NJ: Princeton University Press, 1989) p. 75

[14] Such as the UN intervention in Bosnia-Herzegovina, where individuals accused of atrocities, such as Serbian Slobodan Milosevic, upon capture were frequently tried in the Hague, The Telegraph *Serbian war criminals: Slobodan Milosevic profile* (26<sup>th</sup> May 2011) accessed November 4<sup>th</sup>, 2012 <http://www.telegraph.co.uk/news/worldnews/europe/serbia/8538575/Serbian-war-criminals-Slobodan-Milosevic-profile.html>

[15] Moreover, it is worth noting even the state-building efforts in Iraq and Afghanistan (despite reflecting "traditional" Liberal Interventionism and the Democratic Peace Theory) that accompanied the security services' attempts to use overwhelming force against the Jihadists further attest to the Bush Doctrine's realist core. As realist ideology views states as being the most important body in international relations, the goal of building democracies in Iraq and Afghanistan (which in theory are less likely to harbour terrorists and foster extremism) is consistent with the other aspects of the Bush Doctrine. This reflects Gill's idea that the War on Terror has seen a shift from "Liddism" to "Drainism" in which it is now acceptable to "drain" (invade) the "swamp" (or hostile nation) in order to pursue the individuals responsible for the terrorists attacks on 9/11, Peter Gill. *Securing the Globe: Intelligence And The Post 9/11 Shift From 'Liddism' to 'Drainism'*. Paper presented to the Panel on Developments in Global Policing and Security at the Annual Conference of the Political Studies Association, University of Leicester, April 14-17, 2003, accessed 11<sup>th</sup> November 2012, <http://www.psa.ac.uk/cps/2003/peter%20gill.pdf>

[16] The FBI's Directorate of Intelligence, The FBI. *Intelligence Cycle*. accessed November 1<sup>st</sup>, 2012, <http://www.fbi.gov/about-us/intelligence/intelligence-cycle>

[17] Mark Lowenthal. *Intelligence: From Secrets To Policy 3<sup>rd</sup> Edition*. (CQ Press, 2006) p.52

[18] The Department of Homeland Security's Website. *About DHS*. accessed October 25<sup>th</sup> 2012, <http://www.dhs.gov/about-dhs>

[19] James Bamford. *The Shadow Factory: The Ultra-Secret NSA from 9/11 to eavesdropping on America*. (Double Day, 2008)

[20] It is important to note that Bamford asserts that what he describes as illegal surveillance has been enacted since 9/11 under authorization from the highest levels of the Bush Administration. He discusses this in an interview with NPR, NPR. *Shining A Light On The NSA's "Shadow Factory"*. (July 15<sup>th</sup> 2011) accessed November 7<sup>th</sup> 2012, <http://www.npr.org/player/v2/mediaPlayer.html?action=1&t=1&islist=false&id=95689436&m=95694089>

[21] Moreover, the use of enhanced interrogation of enemy combatants further illustrates the Bush Doctrine's realism: the forceful methods of intelligence collection involved demonstrate the administration's acceptance of the inherent brutality of conflict

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[22] Jose A. Rodriguez speaking to CBS news programme "60 Minutes", April 26<sup>th</sup> 2012, 60 Minutes. *Ex-CIA Chief Defends Waterboarding of Al Qaeda leader*. (April 26<sup>th</sup> 2012) accessed November 8<sup>th</sup> 2012, [http://www.cbsnews.com/8301-18560\\_162-57422476/ex-cia-chief-defends-waterboarding-of-al-qaeda-leader/](http://www.cbsnews.com/8301-18560_162-57422476/ex-cia-chief-defends-waterboarding-of-al-qaeda-leader/)

[23] Scepticism towards enhanced interrogation (particularly the practice of waterboarding) can be seen across the political spectrum; it is by no means restricted to left-leaning members of liberal parties such as the Democrats and the Labour Party.

[24] John McCain speaking to Fox News in May 2009 as cited in the Huffington Post Website. *McCain On Mohammed Waterboarding: 'It's Unacceptable...It's Unacceptable'*. (May 21<sup>st</sup> 2009) accessed November 9<sup>th</sup> 2012, [http://www.huffingtonpost.com/2009/04/20/mccain-on-mohammed-waterb\\_n\\_189028.html](http://www.huffingtonpost.com/2009/04/20/mccain-on-mohammed-waterb_n_189028.html). It is worth noting that it McCain's objections to Water-boarding are due to his personal experience of torture in the Vietnam War.

[25] Which Martin describes as having "documented and catalogued the abuses committed by the FBI, CIA and other intelligence agencies against Americans". Kate Martin. *Secret Intelligence: A Reader*. Edited by Christopher Andrew, Richard J. Aldrich and Wesley K. Wark (Routledge 2009) pp. 358-359

[26] Paul R. Viotti. *American Foreign Policy and National Security: A Documentary Record*. (Upper Saddle New Jersey: Pearson Prentice Hall 2005) p. 133

[27] The USA PATRIOT Act (October 24<sup>th</sup> 2001) as cited in Paul R. Viotti. *American Foreign Policy and National Security: A Documentary Record*. (Upper Saddle New Jersey: Pearson Prentice Hall 2005) p. 134

[28] Kate Martin. *Secret Intelligence: A Reader*. Edited by Christopher Andrew, Richard J. Aldrich and Wesley K. Wark (Routledge 2009) p.370

[29] Kate Martin. *Secret Intelligence: A Reader*. Edited by Christopher Andrew, Richard J. Aldrich and Wesley K. Wark (Routledge 2009) p.364

[30] As opposed to in civilian courts with juries and/or judges

[31] Carmen Medina. *Secret Intelligence: A Reader*. Edited by Christopher Andrew, Richard J. Aldrich and Wesley K. Wark (Routledge 2009) p.113

[32] As Urban has written, combined military and intelligence operations in Iraq were responsible for the killing and capture of many high-value Ba'athist targets. Mark Urban. *Task Force Black: The Explosive True Story Of The SAS and The Secret War In Iraq*. (Abacus Reprinted, 2010)

[33] Caroline Kennedy-Pipe. *US Foreign Policy*. Edited by Michael Cox and Doug Stokes (OUP Oxford, 1<sup>st</sup> May 2008) p. 414-415

[34] The Democratic Party Platform (August 25<sup>th</sup> 2008) as cited in *The American Presidency Project*. (August 25<sup>th</sup> 2008) accessed November 12<sup>th</sup> 2012, <http://www.presidency.ucsb.edu/ws/index.php?pid=78283>

[35] David E. Sanger. *Confront and Conceal: Obama's Secret Wars and Surprising Use Of American Power*. (Crown Publishers New York, 2012) p. xvi

[36] Chuck Pfarrer. *SEAL Target Geronimo: The Inside Story Of The Mission To Kill Osama Bin Laden*. (Quercus, 2011) p. 76

[37] Mark Owen with Kevin Maurer. *No Easy Day: The Only First-Hand Account Of The Navy SEAL Mission That Killed Osama Bin Laden* (Penguin, 2012) p. 176

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[38] Moreover, it is worth noting that despite withdrawal from Iraq, the Obama administration's counter-terrorism actions in Pakistan (including both the authorisation of the Bin Laden raid and the use of drone strikes) further attest to its fundamentally realist approach to fighting the War on Terror, as it has regularly authorised covert action in Pakistan by the security services, despite it being an ally of the US.

[39] Although drones can also be used for surveillance

[40] The Bureau of Investigative Journalism as cited in BBC World Service. *Newshour US Military Drones Special*. (5<sup>th</sup> October 2012)

[41] Even some members of the security services themselves have publicly argued that there should be more acceptance of covert action by governments and the security services, rather than the scepticism with which it is often viewed. For instance, CIA History staff member Warner argues that there needs to be a "firmer institutional footing for covert action, which has long been a step-child in CIA" Michael Warner. *Wanted: A Definition of "Intelligence"*. Volume 46,3(2002) as cited in the CIA Centre For The Study of Intelligence (April 14<sup>th</sup> 2007) accessed November 13<sup>th</sup> 2012, <https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/csi-studies/studies/vol46no3/article02.html>

[42] Such as the incidents discussed in this BBC News article, regarding legal appeals over the killings of several IRA members by SAS soldiers. BBC News. *McCaughey, Grew inquest "justified killing" verdict to be challenged*. (18<sup>th</sup> October 2012) accessed November 13<sup>th</sup> 2012, <http://www.bbc.co.uk/news/uk-northern-ireland-19993396>

[43] Which bears resemblance to the idea of "mission creep" (whereby a military operation expands beyond its original goals) and could therefore perhaps be described as "role creep"

[44] Christopher Andrew. *Secret Intelligence: A Reader*. Edited by Christopher Andrew, Richard J. Aldrich and Wesley K. Wark (Routledge 2009) p. 25

[45] Bob Woodward. *Obama's Wars: The Inside Story*. (Simon and Schuster, 2010) p. 315

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