

In Search of Monsters to Destroy:

Counterterrorism Policy and the Use of Special Forces in the Obama Administration

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Bio and Professional Goals Statement

As a fall 2013 graduate of Political Science, I plan to gain additional experience working in Texas politics before entering a graduate or law program with the ultimate goal of entering civil service. I would like to combine my interest in U.S. foreign policy and the legislative process with a career in Washington D.C. working for a state agency, the intelligence community or congressional committee. Originally from Danvers, Massachusetts (Go Pats!) I later moved to Fort Worth and became interested in government and politics around this time. At St. Edward's, I was the Vice President of College Democrats and a member of Model United Nations, which helped develop my interests. I also interned at the Texas House of Representatives for Rep. Ryan Guillen where I was the Legislative Research Coordinator.

Abstract

This paper explores the counterterrorism policies of the Obama presidency, specifically evaluating the use of military Special Forces to quietly dismantle terrorist networks in the Middle East and kill or capture terrorists in the region. Specifically, the United States military have conducted operations in recent years which have violated the sovereignty of nations in order to achieve these goals. First mentioned is the capture of Abu Anas Al-Liby in Tripoli, a man who has been wanted since 1998 for involvement in two embassy bombings in Kenya and Tanzania. The operation was carried out by Army Delta Force Commandos, who captured al-Liby and is now set to stand trial in New York. The second operation detailed is the mission which killed Osama bin Laden in Pakistan, a mission which took place under the cover of darkness and without the awareness of the Pakistani government.

While media sources tend to equate Obama's foreign policy with drone technology, the use of special operation units have been largely ignored, despite their frequency. Carrying out these missions has

strained relations between the United States and Libya and Pakistan further. Capturing and killing terror threats in the Middle East have become a major component of the Obama foreign policy strategy. In doing so and in recognizing the evolution of the role of the United States in international conflicts we begin to articulate a doctrine of the Obama presidency in this arena. What characterizes the Obama presidency is quite in opposition of the sentiment expressed by John Quincy Adams, who argued that American's place in the world is not to "go abroad in search of monsters to destroy." I argue that the surge of SOFs tasked with taking down terrorists and the lack of disregard of the illegality of doing so under international law is a modern trend of U.S. counterterrorism policy and is unlikely to change.

Introduction

In early October 2013, U.S. Special Forces in coordination with the F.B.I. and C.I.A. caught and detained Abu Anas Al-Liby in Tripoli, Libya. Al-Liby is believed to be a member of al-Qaeda and is suspect for participation in the 1998 embassy bombings in Kenya and Tanzania. The raid has been criticized by some Libyans as a violation of their sovereignty, as U.S. military forces entered Libya without their awareness or permission. The use of special operation forces (SOFs) to conduct raids on terrorists in the Middle East is no longer surprising to Americans after the Navy SEALs raid on Osama bin Laden's compound the night of May 1, 2011. While media coverage of Obama's counterterrorism policy tends to focus on the use of drones, it leaves much to be desired on the effectiveness of such raids mentioned above.

In addition, some lingering effects of the Arab Spring are forcing changes to the administration's foreign policy priorities and military strategies. As tumultuous political change affects regions like Libya and destabilizes the rule of law, individuals like al-Liby are able to find refuge behind the chaos. The capture of al-Liby and killing of bin Laden provides a wider narrative in which to explore our counterterrorism policies in a post-Arab Spring Middle East. It also points to a greater theme of the evolution of America's role in international affairs from isolationist and reactionary to, in the 21st century, aggressively proactive.

Delta Force and al-Liby

On the fifth of October 2013, al-Liby was traveling in his car to a mosque in Tripoli, when Army Delta Force commandos cornered him, smashed his car window, captured him and drove off (Zenko 2013). Al-Liby has been on the F.B.I.'s most wanted list for over a decade (Marcus 2013). He is suspected for participating in the 1998 embassy bombings in Nairobi and Dar es Salaam, which killed over 200 people. He was indicted in a Manhattan federal court in 1998 and has outstanding international warrants for his arrest (Silverman 2013). His role in the al-Qaeda network is described as a computers expert and the probable author of written materials which outlines al-Qaeda's strategies to "blast and destroy embassies and attack vital economic centers" (Weiser & Schmitt 2013).

Secretary of State John Kerry said of the operation that because al-Liby is an al-Qaeda operative he is a "legal and appropriate target for the US military" (Marcus 2013). The US did not break domestic law in kidnapping al-Liby from Tripoli. As explained by legal scholar Stephen Vladeck in an interview with the Council of Foreign Relations, there was an outstanding criminal indictment against al-Liby, giving the F.B.I. legal authority to make an arrest beyond the borders of the United States (Masters 2013). In addition, al-Liby is an appropriate target under the 2001 Authorization for Use of Military Force (AUMF) which authorizes the U.S. to use "all necessary and appropriate force against those nations, organizations, or persons...[determined to have] planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001" (Masters 2013).

However, the legality of this capture under international law is more uncertain and depends on the level of consent by the Libyan government. Accounts on this remain conflicting as public record from some American officials "suggest that Libya did consent" while reports from Libyan officials maintain they made no such agreement (Masters 2013). In any case, the legality of the raid under international law will not "bear on the ability of the United States to try al-Liby in a criminal court" (Masters 2013).

US rationales for mounting the operation are clear. Not only was al-Liby a viable target physically, he is believed to have information which would be useful to the intelligence community. The option of extradition was not available, as there is no extraction treaty between the U.S. and Libya. Even

if such an agreement had been in effect, it would unlikely be utilized due to the lack of confidence in the Libyan government to uphold the rule of law. While Libya has made strides toward more democratic governance, the country is still struggling with maintaining stability following the ousting of Muammar Gaddafi. Libya remains characterized as a nation with “shaky security and weak governance” which provides “a foothold for terrorists” (Thorne 2013). The lack of security has created porous borders where weapons and drugs pass through unregulated and militia factions have emerged to carve out areas of influence (Thorne 2013).

Libyans reacted in different ways to the violation of their sovereignty by the U.S. military. Prime Minister Ali Zeidan asked for clarification from the U.S., stressing that Libya is “keen on prosecuting any Libyan citizen inside Libya” (Marcus 2013). Some in the country are resentful of the unilateral action executed by the U.S. military and their violation of sovereignty. Others agree that al-Liby’s connection to terrorism is justification enough for his removal, citing the need to work together against international terrorist organizations (Thorne 2013). One reality demonstrated by the raid was the inability for the Libyan state alone to maintain security or expel radical Islamists (Bright 2013).

After being removed from Tripoli, al-Liby was brought to military custody aboard the U.S.S. San Antonio where he was interrogated for information regarding al-Qaeda operations (Bright 2013). He was then brought to New York to appear in federal court to face charges of terrorism, to which he has pled not guilty.

Operation Neptune Spear

A few years ago I found myself standing in the East Room of the White House, part of a group of visitors walking a guided tour. A Secret Service agent was providing some history about the room- that it was primarily used for state dinners and various forms of entertainment. Occasionally, the man said, the room was used for press conferences. There had been times where a press conference or television address was occurring while a tour group passed through and was rerouted around the East Room. Guests

would walk through rooms not realizing that they were separated from the President of the United States by a single wall.

On the night of May 1, 2011 millions of Americans watched President Obama deliver a speech from that same room announcing a successful military operation which resulted in the death of Osama bin Laden, leader of al-Qaeda and responsible for the deaths of 2,977 Americans the morning of September 11th 2001. The mission was carried out by SEAL Team Six, officially known as the Naval Special Warfare Development Group, or DEVGRU (Schmidle 2011). While news of the mission was a surprise to most of the world, the Obama administration and high ranking military and intelligence personnel had been working on this plan for years. Months after assuming office President Obama instructed Leon Panetta, then the director of the C.I.A., to expand the programs for locating bin Laden (Schmidle 2011). Just over a year later, these efforts produced a viable lead. C.I.A. analysts located a man they believed to be bin Laden's courier, Abu Ahmed al-Kuwaiti (Schmidle 2011).

For months, the Central Intelligence Agency followed Kuwaiti. Tracking his vehicle using satellites, they watched him arrive at a "large concrete compound in Abbottabad, Pakistan" where he appeared to be living (Schmidle 2011). The agency noticed a few habits of those residing in the compound to be suspicious. The residents burned all their trash and had no phone or internet connection despite being in a residential and middle class area. Most troubling was the presence of a man who lived on the third floor but never left the compound. Satellite imaging showed the man appearing outside only for walks within the walls of the compound, under the cover of trees. Some believed this man was indeed Osama bin Laden. The C.I.A. referred to the unknown man as "the Pacer" (Schmidle 2011).

As was reported by the media, the decision making process to address the intelligence gathered on "the Pacer" was varied. Advisors were split between variations of two options. The first was the initiation of a military raid by JSOC, the Joint Special Operations Command, which commands DEVGRU (SEAL Team Six), and is led by Vice-Admiral William McRaven (Schmidle 2011). A second major option was an airstrike, favored by Secretary of Defense Robert Gates and Vice Chairman of the Joint Chiefs, General James Cartwright. Both were wary of having boots on the ground in Pakistan, but

the airstrike was eventually abandoned due to inability to confirm whether the pacer was actually bin Laden after the B-2 spirit bombers destroyed the compound (Schmidle 2011). The President decided on the DEVGRU assault, despite independent analysis by the National Counterterrorism Center of the available intelligence which they marked their confidence in “between forty and sixty percent” (Schmidle 2011).

Another decision was pending- whether or not to inform the Pakistani government about the plan, or requesting their involvement in executing the raid. Ultimately, the President decided against informing Pakistan. According to an unnamed senior advisor, “there was a real lack of confidence that the Pakistanis could keep this secret for more than a nanosecond” (Schmidle 2011). The intelligence and JSOC’s assault plan represented the “first serious attempt since late 2001 at killing [bin Laden] which was in the mountains of Tora Bora,” located in eastern Afghanistan (Schmidle 2011). The Abbottabad raid would not be the first time the SEALs violated Pakistani sovereignty. The team had “surreptitiously entered the country on ten to twelve previous occasions,” though this would be the farthest mission and one with the gravest geopolitical consequences (Schmidle 2011).

On May 1st, at the order of the President and commanded by Vice-Admiral McRaven, two MH-60 Black Hawk helicopters left Jalalabad Air Field in the eastern region of Afghanistan carrying 79 SEALs and a dog named Cairo in an operation codenamed ‘Operation Neptune Spear’ (Schmidle 2011).



Obama, Biden and the National Security Team viewing footage from an unarmed drone over Abbottabad

The rest is history. While the first helicopter experienced technical troubles during the landing, the mission was successfully completed within 18 minutes of the SEALs breaching the outside walls of the compound. McRaven received the transmission “Geronimo E.K.I.A.” or enemy killed in action (Schmidle 2011). With confirmation that the target was indeed bin Laden, the administration was then focused on the repercussions of instigating the raid with the Pakistanis.

Aftermath in Pakistan

Some in the administration argue that bin Laden must have received some help from the Pakistani government or military to remain undetected from the United States. The proximity of the compound to the Pakistan Military Academy adds another layer to the allegations of, at worst, Pakistan’s support or, at best, incompetence with detecting terrorist networks. As reported by the Washington Post, former NSA employee Edward Snowden released the ‘black budget’ for the intelligence agencies which covers fiscal year 2013 (Miller, Whitlock and Gellman 2013). The \$52.6 billion demonstrates the areas which the United States has increased funding and attention to. One such area receiving more attention is Pakistan, specifically their nuclear program and the “loyalties of counter-terrorism sources recruited by the CIA” (Miller, Whitlock and Gellman 2013). Following the discovery of bin Laden residing in Pakistan, U.S. intelligence agencies have been validated in their distrust of the Pakistani government’s ability to control their own borders.

Following the raid in Abbottabad, the already tense relationship between the two countries remained strained. Pakistan reacted with a few retaliatory responses. The military was quick to arrest “at least five Pakistanis for helping the C.I.A” (Schmidle 2011). The government then rejected U.S. presence in the Khyber Pakhtunkhwa province as well as the Federally Administered Tribal Areas (Robinson 2013). According to *Foreign Affairs*, American SOFs use both regions in part for “training, advising and equipping the paramilitary Pakistani Frontier Corps and Pakistani Special Forces.” In addition, Pakistan ended a joint mission between U.S. SOFs and their navy along the Makran coast, which is strategically important as it borders Iran (Robinson 2013). Pakistan is still divided on their reactions to the raid, many

in the government seemingly embarrassed at their negligence, others in the military displeased at being kept in the dark. Many civilians are as glad to be rid of Osama bin Laden as Americans are; some were left questioning the ability of their government to protect them and others still uneasy of their violation of sovereignty.

The Obama Doctrine

The president's foreign policy approach is difficult to define. As a Senator, Obama recognized a need for U.S. foreign policy strategy based not on subjective ideologies or partisan politics, but on the "realistic assessment of the sobering facts on the ground and our interests in the region" (Lizza 2011). Always the pragmatist, I would argue this attitude is a continuing theme in Obama's handling of global politics thus far. This administration recognizes that areas of the world are not the same, and therefore require nuanced approaches and flexibility.

One way to explore the pragmatic approach of Obama's foreign policy strategies is to note the country-specific manner in which conflicts are handled. As explained in an analytical assessment by the *New Yorker*, Obama emphasizes "bureaucratic efficiency over ideology," approaching foreign policy "as if it were case law- deciding his response to every threat or crisis on its own merits" (Lizza 2011). Obama argues that applying a standard approach to "the complexities of the current world situations [is when you] get yourself into trouble" (Lizza 2011). Yet there is a potential problem with this strategy in its lack of standardization. Asymmetrical approaches to military strikes as demonstrated in Obama's different responses to Libya and Syria have "unnerved some allies and vindicated the cynicism of many in the Middle East about American motives in the region" (Landler 2013).

Obama may talk like an idealist, especially during the 2008 campaign, but he walks like a realist. An evaluation by the recent publication *Obama's Foreign Policy: Ending the War on Terror* argues that Obama has proven to be hawkish on his ability to "take out" terrorists, to intervene proactively to make the world a safer place for Americans and to act unilaterally if necessary" (Bentley & Holland, 129).

Obama, having no substantial foreign policy experience coming into the White House has had to develop a strategy as he goes. Conflicts arose, forcing opinions to shift from the abstract into reality.

Obama seems to have pulled away from the vague mission of nation building from the previous administration to one which focuses on dismantling terrorist networks in the MENA region. This targeted approach favors intelligence gathering, utilization of SOFs and drone technology in place of deploying large armies to initiate regime change and stability.

Analysis

Upon taking office in 2009, President Obama inherited ongoing wars in Iraq and Afghanistan as well as the borderless threats of terrorism generally regarded as the 'War on Terror.' It is in this context where counterterrorism policies allow for the kidnapping or killing of known terrorists in the Middle East, even when those individuals reside partly undetected in nations we have diplomatic relations with. From the U.S. perspective, the violation of sovereignty was justified in both cases. As the world's sole remaining superpower, the United States has the ability to commit these actions without fear of backlash or sanctions from the international community. The accepted route for bringing these subjects to court were not plausible, therefore requiring a contingency route in the form of the SEAL Team 6 raid in Pakistan and the Army Delta Force raid in Libya.

In the Tripoli raid, the U.S. has the ability to reach out to the Libyan government, yet "opted instead for unilateral military option, in part because of concerns about the intentions and capabilities of the government in question" (Norton 2013). The same concerns and need for absolute secrecy prevented the administration from reaching out to Pakistan as well. The natures of interventions are changing from grand military operations across multiple fronts, to minimal "overseas contingency operations" (Bentley & Holland 2013, 10). In Libya and in Pakistan, the raids displayed the prominence for security to leave much to be desired, enabling refuge for international terrorists. Since Gaddafi's ousting in 2011, the country has deteriorated into a number of fractioned militias, with "no strong central government or police presence" (Kirkpatrick, Kulish & Schmitt 2013). Officials admitted that al-Liby and other known

terrorists had been witnessed moving freely around Tripoli (Kirkpatrick, Kulish & Schmitt 2013). We do not know for sure the degree of acquiescence with Pakistani military members or the government, but it is at very least suspicious that bin Laden was able to remain undetected in a residential area for the length he did.

Although plenty of media coverage on counterterrorism policies tend to focus on the drone program, the use of SOF raids has become an integral part of dismantling terrorist networks. Unlike a drone strike; a military raid has the added benefit of enabling the collection of intelligence. At the Abbottabad compound, the SEALs collected computer hard drives which contained information on al Qaeda strategies and operations. That intelligence showed U.S. officials that bin Laden had more involvement with the network than assumed. Plots to assassinate President Obama and General David Petraeus, the Commander of U.S. and ISAF forces in Afghanistan prior to his appointment as director of the Central Intelligence Agency were discovered (Schmidle 2011).

Many hold a false assumption that the use of SOFs to conduct raids is a rarely used tool by the military and defense department. In fact, Special Operation units can conduct “as many as 14 raids a night” using the intelligence collected at each raid to proceed to the next location (Robinson 2013). These units typically operate in three month periods in one country, destroying “high value targets whose target packages had been developed... [using] human and technical intelligence” assisted by “surveillance drones and high-tech assets” (Boot 2012). Using these units have been a way to do something militarily without “getting mired in a major ground war” (Boot 2012).

Some critics argue that SOF raids lack a coherent strategy or role in counterterrorism operations in the MENA region. The use of JSOC and to some extent the C.I.A. to dismantle units appears like the U.S. is “playing whack-a-mole” with terrorist networks (Boot 2012). Nevertheless, these units have proven effective over the years, conducting some of the grandest operations with units like JSOC. The freeing of Captain Richard Phillips and the cargo ship Maersk Alabama from Somali pirates, the rescue of POW Private Jessica Lynch and capture of Saddam Hussein were all accomplished by Special Operation Units (Boot 2012).

Conclusion

Obama's actions as Commander in Chief have suggested a return to the political realism of foreign policy giants like Kennedy, Brzezinski and Kissinger. Abandoning the idealistic thinking which justifies military intervention for reasons of morality in favor of pursuing power politics allows the president to do his job, which is first and foremost the protection of American citizens. U.S. counterterrorism policy in the Middle East is shifting from the massive wars initiated under George W. Bush to Obama's two pronged approach. Obama is simultaneously lessening the ground game, withdrawing troops from Afghanistan and ending the war in Iraq while expanding drone use and relying on SOF raids to dismantle terrorist units across the MENA region.

The modern presidency has demonstrated a shift in American foreign policy. Washington saw value in isolationism and warned others to be wary of foreign entanglements. FDR needed the attacks on Pearl Harbor before committing the United States to World War II. And now, America is arguably progressive rather than reactionary. The covert and disclosed operations to destroy the networks of terrorists in the Middle East and North Africa, the push for collecting and analyzing intelligence and using drone technology to vanquish enemies all point to a new American counterterrorism strategy.

To highlight this transformation, one should read the words written by John Quincy Adams, who while Secretary of State professed that the United States "does not go abroad in search of monsters to destroy... [she is] the champion and vindicator only of her own." (Adams). That was written in 1821. Now it is the year 2014 and we have entire military units, cabinet departments, presidential advisors and intelligence agencies whose one and only purpose is for the destruction of monsters.

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