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UNIVERSITY OF SOUTHERN DENMARK



A Comparative Analysis of Bill Clinton and George W. Bush Administrations' Foreign Policy in the Context of Terrorism

by Vanessa Caso Coelho

A dissertation presented to The Faculty of Humanities in partial fulfilment of the requirements for the degree of Master in American Studies

Supervisor: Kasper Grotle Rasmussen

June/2019

Abstract

Terrorism has been a security threat to the United States throughout the years. As a result, it has played an important part in American foreign policy, especially after the attacks on September $11^{
m th},$ 2001 (9/11). There is little doubt that the 9/11 attacks altered the U.S. government's perspective on terrorism, however, the key issue to be identified will be: What strategies did Bill Clinton and George W. Bush adopt to solve the problem of terrorism? This dissertation presents an analytical overview and comparison of the U.S. foreign policy of the Clinton and Bush Administrations in the context of terrorism, focusing on the time frame of Clinton's second term (1997-2000), and Bush's first term (2001-2004). This paper argues that there is a shift from one administration to the other, essentially from Clinton's and Bush's different set of values and different approaches to deal with the threat of terrorism. The problem examined in this study involves the concern around the 9/11 events and the way Clinton's and Bush's administration dealt with the terrorism matter. The Clinton administration had been criticized for the development of an effective counterterrorism strategy, while the Bush administration had been criticized for not embracing terrorism as a serious issue. The concern extended to the domestic level, where critics alleged that Clinton's administration could not efficiently integrate counterterrorism intelligence due to the confrontation between different bureaucratic agencies, particularly the Federal Bureau of Investigation (FBI) and the Central Intelligence Agency (CIA), a situation that was seen prolonged to the Bush presidency.

The purpose of this research is to uncover the gap of the terrorism problem between the Clinton and Bush administrations, and in order to solve this, two different levels of comparative analysis are conducted. First, it will investigate differences in worldviews, strategic outlook, and policy making; and second, it will investigate the bureaucratic reality of these administrations, the internal discussion of the operational level focusing on the role of the FBI and the CIA as bureaucratic agencies. The nature and scope of this research is qualitative; therefore, an analytical and descriptive direction is taken in order to answer the research question. The areas of reform identified and discussed in this paper are within historical, social, and political studies, employing a framework through diplomatic history and journalistic essays.

This study is important for many reasons. Historically, terrorism has largely remained in the United States' foreign policy issues, tracing the starting point to Ronald Reagan administration and their first effort to elaborate a comprehensive strategy. It has been thirty years today since Reagan left office, and throughout the years, especially during Bill Clinton and George W. Bush presidencies, it could be noticed that the recognition and the seriousness of the terrorism matter only aggravated. After the 9/11 events, terrorism was not only in the public's attention, but it also became a priority issue to policy makers, as terrorism has continued to spread. This research contributes to discussions about counterterrorism strategy and foreign policy in the recent years, assisting not only scholarly audiences but also policy makers of a sovereign government. This study will also strengthen the understanding and awareness of the two-level contexts when analyzing foreign policy, the domestic and international levels, especially the role of bureaucratic agencies and their influence in U.S. foreign policy when dealing with the matter of terrorism.

The findings of this research asserted that the 9/11 attacks introduced a new perspective on terrorism in the U.S. government, playing a crucial role on the shift from one administration to the other. Bill Clinton's foreign policy strategies to combat terrorism involved actions based on a liberal worldview, while George W. Bush's strategies involved actions that relate to realist and neoconservative worldviews. The context of Clinton's second term and Bush's first term were dissimilar, as well as the way both leaders dealt with the threat of terrorism. Clinton dealt with the terrorist threat emanating from transnational actors, such as the Al-Qeada and the Taliban as terrorist organizations, which are considered non-state actors, while Bush dealt with the threat emanating from state actors. The Clinton administration chose a diplomatic and coercive grand strategy due to a series of terrorist threats experienced throughout the years of Clinton's presidency, and the Bush administration chose a war grand strategy due to the shift on the sense of danger caused by terrorist attacks on America soil.

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An analysis of some key concepts of bureaucratic structures showed that the FBI and the CIA were significant players when dealing with foreign policy and the matter of terrorism, proving that the elements that surround bureaucratic politics are complex, creating a problematic setting to its players and the system itself. Both Clinton and Bush experienced a challengeable situation in the bureaucratic set that might have influenced on the internal scenario and the decisions they made towards terrorism issues. Three main problems were identified within the FBI and the CIA during Clinton's second term, which were extended to Bush's first term before the 9/11 events: the problem of external and internal gap roles existing in the agencies, proper analysis of information collected due to the lack of technology and experience, and information sharing. Both Clinton and Bush failed to recognize all the organizational problems within these bureaucratic agencies, leading to an intelligence failure. Additionally, Bush failed to identify the matter of terrorism in general. It was only after the 9/11 that the Bush administration recognized and saw the need to adopt a set of procedures to change the bureaucratic scenario and create solutions to fix internal issues. Both the Clinton and the Bush administrations made use of the rendition policy to deal with terrorists captured abroad; however, the policy was implemented with different choices of elements and practices by the administrations. In sum, the Bush administration saw the rise of a new strain of terrorism, historically more violent and more international than the previous administration of Clinton. Bush decided to act accordingly, by adopting a different set of strategies and approaches to solve the terrorism matter.

Abbreviations

9/11	11 September 2001
AUMF	Authorization for Use of Military Force
CFP	Comparative Foreign Policy
CIA	Central Intelligence Agency
CSG	Counterterrorism Security Group
DCI	Director of the Central Intelligence Agency
DHS	Department of Homeland Security
FBI	Federal Bureau of Investigation
FPA	Foreign Policy Analysis
HAS	Homeland Security Act
Ю	International Organizations
IR	International Relations
NSS	National Security Strategy
PDD	Presidential Decision Directives
PDB	President's Daily Brief
USA PATRIOT Act	Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act
UN	United Nations
UNSC	United Nations Security Council
UNGA	United Nations General Assembly
U.S.	United States
SAC	Special Agent in Charge
SSCI	Senate Select Committee on Intelligence
WMD	Weapons of Massa Destruction
WOT	The War on Terror

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Chapter 1: Introduction

Terrorism has been a security threat to the United States throughout the years. As a result, it has played an important part in American foreign policy, especially after the attacks on September 11th, 2001 (9/11). William Jefferson Clinton (Bill Clinton) and George W. Bush had been the two American presidents who mostly felt the pressure of explaining the problem of terrorism due to the 9/11 events, which happened only nine months after a presidential transition.

Research question and Argument

There is little doubt that the 9/11 attacks altered the U.S. government's perspective on terrorism, however, the key issue to be identified will be: What strategies did Bill Clinton and George W. Bush adopt to solve the problem of terrorism? This dissertation presents an analytical overview and comparison of the U.S. foreign policy of the Clinton and Bush Administrations in the context of terrorism, focusing on the time frame of Clinton's second term (1997-2000), and Bush's first term (2001-2004). This paper argues that there is a shift from one administration to the other, essentially from Clinton's and Bush's different set of values and different approaches to deal with the threat of terrorism.

Statement of the problem

There is a concern around the 9/11 attacks and the way Clinton's and Bush's administration handled terrorism. "Democrats such as former Clinton National Security Advisor Samuel Berger and Secretary of State Madeline Albright have faulted President Bush and his administration for giving terrorism short shrift compared to missile defense and other foreign policy issues. Republicans, including Secretary of State Condoleezza Rice and Vice President Richard Cheney, have charged the Clinton Administration with failing to develop an effective counterterrorism strategy and emboldening bin Laden by responding weakly to earlier terrorist attacks."² Besides the allegations regarding strategy, the concern extends to the domestic level of the administrations as well. According to George Tenet, the Director of the CIA (DCI) under Clinton's second term and Bush's first term, "foreign and domestic

² Amy Zegart, "9/11 and the FBI: The Organizational Roots of Failure," *Intelligence and National Security* 22, no. 2 (2007): 178.

intelligence efforts are managed by separate organizations with widely differing cultures that are insufficiently integrated in terms of actions."³ "Clinton's counterterrorism policy was strongly criticized for its lack of actionable intelligence on bin Laden and al Qaeda; that is, the White House could not effectively integrate counterterrorism intelligence due to bureaucratic politics and the confrontation between different departments."⁴ This internal confrontation was seen prolonged to the Bush presidency, with its major concerns coming from government agencies such as the Federal Bureau of Investigation (FBI) and the Central Intelligence Agency (CIA).

Purpose and importance of the study

The purpose of this research is to uncover the gap of the terrorism problem between the Clinton and Bush administrations, and in order to solve this, two different levels of comparative analysis are conducted. First, it will investigate differences in worldviews, strategic outlook, and policy making; and second, it will investigate the bureaucratic reality of these administrations, the internal discussion of the operational level focusing on the role of the FBI and CIA as bureaucratic agencies.

This study is important for many reasons. Historically, terrorism has largely remained in the United States' foreign policy issues, tracing the starting point to Ronald Reagan administration and their first effort to elaborate a comprehensive strategy. It has been thirty years today since Reagan left office, and throughout the years, especially during Bill Clinton and George W. Bush presidencies, it could be noticed that the recognition and the seriousness of the terrorism matter only aggravated. After the 9/11 events, terrorism was not only in the public's attention, but it also became a priority issue to policy makers, as terrorism has continued to spread. This research contributes to discussions about counterterrorism strategy and foreign policy in the recent years, assisting not only scholarly audiences but also policy makers of a sovereign government. This study will also strengthen the understanding and awareness of the two-level contexts when analyzing foreign policy, the domestic and international

³ George Tenet, At the center of the storm: The CIA during America's time of crisis (New York: HarperCollins Publishers, 2007), 511-512.

⁴ Chin-Kuei Tsui, *Clinton, New Terrorism and the Origins of the War on Terror* (New York, NY: Routledge, 2016), 75.

levels, especially the role of bureaucratic agencies and their influence in U.S. foreign policy when dealing with the matter of terrorism.

Literature Review

In order to illustrate the scenario of the foreign policy of Bill Clinton's and George W. Bush's administrations in the context of terrorism, this dissertation draws upon a series of secondary sources. The works of Karen A. Feste named 'America Responds to Terrorism: Conflict Resolution Strategies of Clinton, Bush, and Obama' and Donna G. Starr-Deelen called 'Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama' cover the eight years of presidency of both leaders. Although Feste does not engage in an extensive literature in the field, she uses frame theory to explore the responses of the presidential administrations to terrorist events, making valuable use of extracts from statements and documents, and presenting numerous tables that provide extensive data. Feste's focus is on investigating the grand strategies of both administrations, exploring themes such as the terrorism threat, the framing of conflict escalation, and terrorism conflict resolution. "Presidents provide the key to understanding how America responds to terrorism, basically deciding policies and methods for carrying out effective conflict resolution strategies to thwart the adversary; (...) what conflict resolution strategies are best suited to meet this goal?"⁵ She builds an argument on the idea that Clinton chose a conflict avoidance strategy to the terrorism matter due to his liberal tradition, while Bush framed a fighting strategy based on the principles of realism, introducing a contrast idea of approaches for each administration.

Starr-Deelen shares the same interest in investigating grand strategy, but her focus is on the use of force by both administrations. The main research question is whether the claim that 'everything changed on 9/11' applies to the use of force by American administrations to combat international

⁵ Karen A. Feste, *America Responds to Terrorism: Conflict Resolution Strategies of Clinton, Bush, and Obama* (Basingstoke, U.K.: Palgrave Macmillan, 2011), 3.

terrorism. "Specifically, it explores whether the administration of George W. Bush was significantly different from the previous three administrations regarding decisions to use force."⁶ In her historical survey, she explores counterterrorism policy and analyses some specific terrorist attacks as case studies; moreover, she raises questions regarding foreign and defense policies, investigating how domestic politics have transformed the U.S. use of force. Starr-Deelen's main argument involves the different ways of force use preferred by each administration, suggesting that Clinton chose the law enforcement approach on the fight against terrorism, while Bush fused military operations. She draws conclusions upon works of many different scholars; for instance, with regards to the Clinton years, she bases her analysis on works from Karen A. Feste herself, Daniel Benjamin and Steven Simon, Paul Thompson, David Tucker, and Ryan C. Hendrickson; with regards to Bush, she relies on works from Joshua Goldstein, Jane Mayer, Ivo H. Daalder and James M. Lindsay, and James E. Baker. Additionally, she conducted interviews on the topic of counterterrorism to assess information from former members of the Bush administration, in order to support her research.

The work of Derek Chollet and James Goldgeier 'America Between the Wars: from 11/9 to 9/11' also covers grand strategy, and it is based on the argument that the 1990s were a defining moment for U.S. politics and foreign policy due to the beginning of an age when American power was questioned. "The world is not defined by the black and white division of the Cold War, the 'with us or against us' approach of Bush's 'war on terror,' or even the boundlessly positive globalizing future that some associate with the Clinton years. It is more complicated."⁷ They compare the history of the American foreign policy from the end of the Cold War until the 9/11, reviewing the major foreign policy decisions and developments. The two central themes embodied in this book are related to the threat of international terrorism and U.S. internationalism in a globalizing world. Additionally, this work instructively depicts the competing visions of U.S. strategy that transpired within the domestic political

⁶ Donna G. Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama* (New York: Palgrave Macmillan US, 2014), 3.

⁷ Derek Chollet, and James Goldgeier, *America between the wars: The misunderstood years between the fall of the berlin wall and the start of the war on terror from 11/9 to 9/11* (New York: PublicAffairs, 2008), Xv.

setting, explaining with details the internal debates. Although the focus is on foreign policy under Bill Clinton, the comparison pattern is favored by the authors, in some cases highlighting the differences between the administrations. Derek Chollet, who served as an assistant in the State Department during the Clinton years, and James Goldgeier, a senior fellow at the Council on Foreign Relations, firmly built this work based on their own knowledge of working experience and on many different works from a diversity of scholars.

The work of Ivo H. Daalder and James M. Lindsay 'America Unbound: The Bush Revolution in Foreign Policy' mainly focuses on the political and ideological assets of the Bush administration. They argue that the presidency of George W. Bush not only changed but also revolutionized American foreign policy, directing its main research question on how the United States should engage the world. "It was not a revolution in America's goals abroad, but rather in how to achieve them. In his first thirty months in office, he discarded or redefined many of the key principles governing the way the United States should act overseas."⁸ Daalder and Lindsay emphasizes discussions of the role of Bush and his team players, the idea of neoconservatism and its influence, and the overall reflections on the foundations and ramifications of the Bush Doctrine. On the other hand, the work of Chin-Kuei Tsui 'Clinton, New Terrorism and the Origins of the War on Terror' brings the most complete and detailed U.S. foreign policy strategies of the Clinton administration, focusing on themes such as counterterrorism policy and practices, and U.S. terrorism and counterterrorism discourses, while simultaneously comparing them with President George W. Bush's approaches to counterterrorism. The work raises questions on how the war on terror can be traced to earlier periods, characterized by the notions of borderless threats, international terrorism, cyberterrorism, and rogue states. Furthermore, it aims to uncover the myth of the foreign policy revolution of President Bush, contributing to a deeper historical understanding of American foreign policy in the context of terrorism. "In particular, a large literature has focused on President George W. Bush's 'war on terror' discourse. Within this literature, a frequent assumption is that the war and its accompanying discourse originated largely with the George W. Bush administration

⁸ Ivo H. Daalder, and James M. Lindsay, *America Unbound: The Bush Revolution in Foreign Policy* (Washington, D.C: Brookings Institution Press, 2003), 2.

and that there was something of a counterterrorism policy revolution in the US political arena after the 2001 terrorist attacks. Missing from these accounts is a systematic, in-depth analysis of the impact of the Clinton administration's counterterrorism discourse and policies."⁹ The author's main argument is that terrorism was already becoming increasingly important in U.S. policy under Clinton, and that the 9/11 events only accelerated the process. Tsui's ideas not only contradict with the previous work mentioned of Daalder and Lindsay, but they also challenge the contemporary literature in the field that suggests the opposite.

⁹ Tsui, Clinton, New Terrorism and the Origins of the War on Terror, 1.

Chapter 2: Research Methodology and Theoretical Framework

Introduction

In this chapter, the research methodology and the theoretical framework are presented in order to systematically guide how this paper will answer the research question. First, the methodology used for this research will be provided, followed by a presentation of the empirical material utilized throughout the research. Second, this chapter will provide a theoretical framework in two different levels of comparative analysis: first, it will look at Foreign Policy Analysis (FPA) and Bureaucratic Politics Approach in order to understand the discussion of the operational level of the administrations' bureaucratic reality; and second, this chapter will look at theories of International Relations (IR) in order to understand the discussion of the administrations' worldviews in strategic outlook and policy making, considering prominent theories such as Realism, Neoconservatism, and Liberalism.

Research Methodology and Empirical Material

The nature and scope of this research is qualitative, it provides an in-depth examination on the subject, enabling the researcher to get a descriptive and valuable understanding of the research question; therefore, an analytical and descriptive direction is taken in order to answer the research question. The existing literature will therefore be qualitatively reviewed in order to extract the relevant information regarding the foreign policies of the Clinton and Bush Administrations.

The framework employs a historical approach through diplomatic history and journalistic essays. A wide range of primary sources have been used for this research. A collection of books has been utilized, including the works published by President Bill Clinton called 'My life', and by President George W. Bush named 'Decision Points'. The works written by government figures that had been official members of the Clinton and Bush administrations were also selected, such as: 'In my time: a personal and political memoir' by former vice-president Richard B. Cheney; 'No higher honour: A memoir of my years in Washington' and the article 'Promoting the National Interest' by Condoleezza Rice, former National Security Advisor and Secretary of State; 'Known and Unknown: A memoir' by Donald Rumsfeld, former Secretary of Defense; 'Against all enemies: Inside America's War on Terror' by Richard A. Clarke, former National Coordinator for Security, Infrastructure Protection and Counter-terrorism; '6 Nightmares: Real Threats in a Dangerous World and How America Can Meet Them' by William Anthony Lake, former National Security Advisor; 'My FBI: Bringing Down the Mafia, Investigating Bill Clinton, and Fighting the War on Terror' by Louis J. Freeh, former director of the FBI; and 'At the center of the storm: The CIA during America's time of crisis' by George Tenet, former DCI. These works are vital in order to gather an accurate explanation of strategies and policies, and to provide with details immediate impressions on governmental decisions and events. Transcripts of official speeches and statements given by both presidents are also used, extracted from two different sources: archived presidential White House websites and the book titled 'We Will Prevail: President George W. Bush on War, Terrorism, and Freedom', an authorized collection of major presidential addresses by Bush. In addition, executive-level documentations are utilized, including the National Security Strategy (NSS) of the years 1998 and 2002, which are valuable in this research since it outlines the major national security concerns of the U.S. and how the administration plans to deal with them, promoting a deeper understanding of history. At last, key elite newspapers are included, such as The New York Times and The Washington Post.

Foreign Policy Analysis

Comparative Foreign Policy (CFP) is the approach used in this paper, and since this is the basis for the analysis, it is important to briefly notice the key factor of this type of research and what exactly this paper proposes. James N. Rosenau, an American scholar who made significant contributions to the study of domestic and foreign affairs, wrote an article in 1968 to clarify and minimize the possible confusion and contradiction that the field of CFP could entail. Rosenau argues that CFP and "the search for its subject matter, viewpoint, and propositions will yield the conclusion that it is best viewed as a composite of national and international politics - as the appropriate concern of two fields, one treating foreign policy phenomena as dependent variables in the operation of national political systems and the other as independent variables in the operation of international political systems."¹⁰ One of the key factors that have motivated research on CFP over time is indeed the context of both, the internal and external environments, which are viewed as important influences on foreign policy and policy makers.

FPA will be used to understand the United States' external relations and actions when dealing with the matter of terrorism, particularly the discussion of the operational level of the administrations' bureaucratic reality; and for that reason, it is relevant to identify FPA and its foundation. According to Valerie M. Hudson, an American professor of political science,

every theoretical discipline has a ground. A "ground" means the conceptualization of the fundamental or foundational level at which phenomena in the field of study occur. (...) IR as a field of study has a ground, as well. All that occurs between nations and across nations in grounded in human decision-makers acting singly or in groups. In a sense, the ground of IR is thus the same ground of all the social sciences. Understanding how humans perceive and react to the world around them, and how humans shape and are shaped by the world around them, is central to the inquiry of social scientists, including those in IR.¹¹

Hudson claims that FPA is a subfield of IR, and it develops the actor-specific theory that is required in order to engage the ground of IR. "FPA is characterized by an actor-specific focus, based upon the argument that all that occurs between nations and across nations is grounded in human decision makers acting singly or in groups."¹² Hudson's main point is that FPA is valuable to IR due to the focus on human agency, in investigating how exactly human agency contributes to the making of world politics. "If our IR theories contain no human beings, they will erroneously paint for us a world of no change, no creativity, no persuasion, no accountability. (...) Adding human decision makers as the key theoretical

¹⁰ James N. Rosenau, "Comparative Foreign Policy: Fad, Fantasy, Or Field?" *International Studies Quarterly* 12, no. 3 (September, 1968): 310.

¹¹ Valerie M. Hudson, *Foreign Policy Analysis: Classic and Contemporary Theory* (Lanham, Md: Rowman & Littlefield Pub, 2007), 3.

¹² Valerie M. Hudson, "Foreign Policy Analysis: Actor-Specific Theory and the Ground of International Relations," *Foreign Policy Analysis* 1, no. 1 (2005): 1.

intersection confers some advantages generally lacking in IR theory."¹³ By analyzing two administrations led by two different figures, this paper embraces Hudson's argument, acknowledging the fact that when examining foreign policy, the human agency should be given attention.

In order to clarify the focus of this paper, it is important to lay out a criteria with definition and discussion of some key concepts. According to Howard H. Lentner, policy is a form of action which involves selection of objectives, mobilization of means for achieving those objectives, and implementation. "The specific definition of foreign depends on the viewpoint of any particular country and refers to all that is outside that country. A distinction needs to be drawn between a country and its environment. Foreign policy refers to that portion of a country's life which copes with its environment. (...) Insofar as policies are directed to other countries or have an impact on other countries, they fall within the meaning foreign."¹⁴ Lentner considers the fact that sometimes a domestic policy of a specific country may involuntarily cause an impact on another country, suggesting that the distinction between foreign and domestic policy is a difficult one to make. "The way in which one can separate these aspects is by defining "environment", for foreign policy is that policy which is directed toward or which responds to the environment of a territorial state and its government, referred to as an actor."¹⁵ The discussion of the different types of actors within the bureaucratic and international systems will be broadened further, since the discussion of the theoretical framework of the internal level should be examined first.

Bureaucratic Politics Approach

The bureaucratic politics approach is used to understand the public policies that emphasize the internal game within the state, and it will be used to critically examine how these agencies might have influenced U.S. foreign policy when dealing with the matter of terrorism before and after the 9/11 attacks. Many renowned scholars in the field such as Martin Hollis & Steve Smith, Graham T. Allison,

¹³ Ibid, 3.

¹⁴ Howard H. Lentner, *Foreign Policy Analysis: A comparative and conceptual approach* (Ohio: Charles E. Merrill Publishing Company, 1974): 4-5. ¹⁵ Ibid., 5.

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and Juliet Kaarbo have argued that bureaucratic structures and processes also affect foreign policy, possibly altering states' international behavior. According to Jeffrey S. Lantis, and Ryan Beasley,

state bureaucracies are charged with gathering information, developing proposals, offering advice, implementing policy, and, at times, making foreign policy decisions. Because of the complexities involved in dealing with the many issues of international politics, governments organize themselves bureaucratically, assigning responsibility for different areas or jurisdictions of policy to separate agencies or departments. (...) Bureaucratic conflict is a common problem; (...) the conflict in viewpoints may create inconsistent foreign policy if departments are acting on their own, rather than in coordination.¹⁶

According to Juliet Kaarbo, "at its basic level, the bureaucratic politics framework focuses on the individuals within a government, and the interaction among them, as determinants of the actions of a government. Emphasis is placed on the processes by which people inside government bargain with one another on complex public policy questions. In this perspective, who advocates policies is just as important as what is advocated."¹⁷ For the purpose of this research, some key concepts cited by Valarie Hudson will be emphasized in order to understand the frame of complications produced by bureaucratic politics, and the concepts considered here will be later applied and presented into the analysis in chapter 4.

The first concept is what Hudson calls the 'stakeholders' or also known as 'players', which is a group of governmental actors, "those whose roles, expertise, or sheer political power coupled with strong interest allow them to affect a bureaucratic outcome."¹⁸ The second is the concept of 'action channels', which Hudson states that in order to be an affective player, one needs to know "whom to see and where to go and what to do to make something happen;"¹⁹ it is the plethora of procedures and

¹⁶ Jeffrey S. Lantis, and Ryan Beasley, "Comparative Foreign Policy Analysis," *Oxford Research Encyclopedia of Politics*, May, 2017, 8-9.

¹⁷ Juliet Karboo, "Power Politics in Foreign Policy: The Influence of Bureaucratic Minorities," *European Journal of International Relations* 4, no. 1 (1998): 69.

¹⁸ Hudson, *Foreign Policy Analysis*, 90.

¹⁹ Ibid.

teams that one should face within a government and its foreign policy establishments. The third concept is about the manipulation of framing and agenda, and according to Hudson, effective political players within large bureaucracies not only know all the action channels, but they also master at group manipulation, and the most important tools of manipulation involve these two elements. "Framing is a process by which a group comes to understand a situation and define its decision-making task; (...) when it involves persuasion of group members to adopt one's frame, framing also becomes a very political act. (...) Beasley finds that a particular frame is more likely to be adopted if it is simple, if it is backed by a strong leader or a member of the group that can claim special expertise in the area, and if it lends itself to fairly clear-cut course of action."²⁰ Additionally, "the manipulation of group agendas is a skill that is highly prized in the political arena. (...) The chair may set a time limit on the discussion of each item, which may allow him or her to cut off discussion of a contentious issue before all have had the opportunity to speak."²¹ The fourth concept is about 'subversion and equalizers', and it involves the idea that even though the individual cog in the bureaucratic machine may have little power, it is possible to change the scenario and level up the individual role in the playing field. The last concept is about 'games', and it seeks to understand that bureaucratic politics must recognize that many games are being played simultaneously. "At the most micro-level, there may be clashes of personality or will between two or more individuals. There may be conflicts between different offices within one organization. There may be struggle between two or more organizations within a bureaucracy over turf or budget."22 In sum, "just identifying stakeholders in a particular issue is not enough. One must know how many boards a stakeholder is playing on, and who the other stake holders on each board are."23

Types of Actors

The discussion of the different types of actors within the bureaucratic and international system is important not only because it assists to fully comprehend the administrations' strategies when dealing

²⁰ Ibid., 91-92.

²¹ Ibid., 93.

²² Ibid., 95.

²³ Ibid.

with the threat of terrorism, but it also provides the link between the two theoretical approaches of this paper, which are FPA and IR. Looking at the bureaucratic system first, the president stands at the center of the foreign policy process in the United States. "In any foreign policy decision, (...) the President will almost always be the principal figure determining the general direction of actions. (...) Although the President is the principal decision maker on important foreign policy matters, he does not act alone."²⁴ Morton H. Halperin classifies the actors among the President into two categories: senior participants, the ones that the President regularly consults with and have direct access to; and junior participants, who have a more infrequently access to the President or might have access only through some senior participants. Whom the President consults depends in large part on the nature of the issue, and foreign policy decisions can be a result of various inputs, such as the President himself, public opinion, the Congress, and the federal government. "The foreign policy-making network in Washington, D.C. is complex. (...) The participants involved in the decision-making process see the issues from different angles and perspectives, and compete to influence the decisions and actions of the government concerning foreign policy."²⁵ When the issue embraces topics such as foreign policy and terrorism, more agencies with more actors might be involved, possibly leading to a complex situation. Defining and acknowledging these different types of actors in the bureaucratic system is key to understand the internal disputes at the operational level of the administrations, and how each president dealt with these actors while creating counterterrorism policies. In Chapter 4, Halperin's classification of bureaucratic actors will be applied to the two agencies analyzed in this paper, the FBI and the CIA.

Looking at the international system, according to Howard H. Lentner, "an actor is an organized entity which is capable of making all three foreign policy acts: decisions with respect to its environment outside a state political system, mobilization of resources to carry out those decisions, and the application of instruments and techniques to other actors."²⁶ "It will be possible to determine their significance by keeping in mind the notion of capacity to influence and control situations through the

²⁴ Morton H. Halperin, *Bureaucratic Politics and Foreign Policy* (Washington, D. C.: The Brookings Institution, 1974), 17.

 ²⁵ Lutfullah Mangi, "The Role of President and Bureaucracy in US Foreign Policy-Making," *Pakistan Horizon* 47, no. 4 (1994): 33.
 ²⁶ Lentner, *Foreign Policy Analysis*, 17.

performance of foreign policy acts. If an actor has the capacity to influence or share control over one or more situations, then it is a significant actor."²⁷ The term excludes individuals who are acting autonomously, meaning, outside of organized enterprises; and organized entities which operate only within the confines of a single state are also excluded. The types of actors discussed by Lentner are: international organizations, transnational actors, and states. For the purpose of this research, only transnational actors will be examined since they play a major role in defining the differences between Clinton's and Bush's administrations, effecting the outcomes in decision making and policy strategies. Lentner defines transnational actors as "nongovernmental entities which are based in a single country but which operate across international boundaries. Despite the fact that these actors may have links to citizens, groups, or firms in host countries, they may be distinguished from nongovernmental international organizations because their decision-making structure is not based on the principle of association among equal units as is the decision-making structure of international organizations. Control of these actors remains in each actor's headquarters in the home country."²⁸

An article written by Louise Richardson carries the discussion of terrorists as transnational actors, where she better explains transnational as a term. "The term transnationalism was coined by political scientists when it became clear that the prevailing state centric paradigm was inadequate to explain both the extent and the impact of international interactions. The term transnationalism was used to denote interactions between non-state actors, that is, international interactions that are not directed by states."²⁹ According to Richardson,

the relationships between states and terrorist movements do not correspond directly to the pure form of transnationalism as defined above because they do include a state as part of the equation. Nor do they correspond to transgovernmentalism in that they are not connections

²⁷ Ibid., 18-19.

²⁸ Ibid., 22.

²⁹ Louise Richardson, "Terrorists as transnational actors" *Terrorism and Political Violence* 11, no. 4 (1999): 209-210.

between subgroups of governments. Rather they reflect an under-theorized hybrid type of transnationalism between a state and an autonomous movement. In the cases where these

movements are directly controlled by the sponsoring government there is no need to supplement the traditional state centric paradigm. But in the cases in which the movements are independent or quasi-independent of any particular state, they do suggest yet another level of international interaction. Moreover, operations at this level have clearly exercised an independent impact on state action. Terrorist movements demonstrate a more pure form of transnational interaction in the relationships they form with each other. Insofar as terrorist movements cohere and form linkages such that they operate together and have an independent impact on state policy then indeed they are transnational actors.³⁰

Defining transnational actors as a type of actor is key to understand the differences between Clinton's and Bush's administrations. Even though states are considered the primary actors in the international system, transnational actors should also be considered important figures since they are capable of foreign policy acts, especially the ones that will further be analyzed in this paper.

Realism

Before exploring Realism and its principles, it is important to note that this paper argues that some of George W. Bush's foreign policy strategies to combat terrorism involved various realist acts. The analysis of the Bush administration will be conducted based on Realism Theory and its major core assumptions, which means that for the purpose of this research, the development of various theoretical schools within realism such as Classical Realism, Neorealism, Neoclassical Realism, and Offensive and Defensive Realism will not be examined into details, since the characteristics carried by each of these different developments may not all be present in Bush's administration.

Realism is an intellectual paradigm known to be the foundational approach to international relations theory, and it has long been considered the dominant school of thought for conceptualizing

³⁰ Ibid., 216.

world politics. Realism is based on five core assumptions. First, states are by far the most important actors in the international system. "Individuals, multinational corporations, political parties, and domestic interest groups simply do not matter much to realists, who believe these entities have little influence on world politics compared to that of states."³¹ According to John J. Mearsheimer, "realists maintain that institutions are basically a reflection of the distribution of power in the world. They are based on the self-interested calculations of the great powers, and they have no independent effect on state behavior;"³² in other words, realists believe that states want to maintain their sovereignty to serve their own interests, and that is why for realists International Political Organizations do not matter. "The state is considered to be essential for the good life of citizens: without a state to guarantee the means and conditions of security human life is bound to be; (...)The state is thus seen as a protector of its territory, of the population, and of their distinctive and valued way of life."³³ Therefore, the normative core of realism is national security, national interest and state survival, which are the values that drive realist doctrine and realist foreign policy. "The fact that all states must pursue their own national interest means that other countries and governments can never be relied upon or completely trusted. All international agreements are provisional and conditional on the willingness of states to observe them."³⁴

The second core assumption is that the international state system is anarchic, "with no higher authority (such as a world government) policing states' behavior. Because of anarchy, (...) states must constantly be mindful of their external security above all, as there is no other entity they can appeal to or rely on if their survival is threatened. In an anarchic world, where today's friend could be tomorrow's enemy, states typically define their interests in terms of how much power they have or can get relative to other states around them,"³⁵ which leads to the third core assumption: the international distribution

³¹ Kyle M. Lascurettes, "Realism (International Relations)," *In America in the World, 1776 to the Present: A Supplement to the Dictionary of American History*, edited by Edward J. Blum, Cara Burnidge, Emily Conroy-Krutz, and David Kinkela (New York: Charles Scribner's Sons, 2016), 878.

³² John J. Mearsheimer, "The False Promise of International Institutions," International Security 19, no. 3 (1994): 7.

³³ Robert H. Jackson, and Georg Sørensen, *Introduction to International Relations: Theories and Approaches* (Oxford: Oxford University Press, 2012), 66.

³⁴ Ibid., 67.

³⁵ Lascurettes, "Realism (International Relations)," 878.

of power. Realists believe "that the acquisition and possession of power, and the deployment and uses of power, are central preoccupations of political activity. International politics is thus portrayed as (...) power politics."³⁶ Traditionally, most realists have emphasized the importance of a balance of power for noticing the influence of aggressive states under anarchy, which was a thought led by scholars such as Hans Morgenthau, Kenneth Waltz and John Mearsheimer. More recently, however, realist scholars like Robert Gilpin and William C. Wohlforth have suggested that international peace and stability are best achieved not by balancing power, but by the majority of power favoring one state that stands above all the rest. "In spite of this divide, realists remain united in attributing great importance to the distribution of power between states for determining the trajectory of world politics."³⁷ The fourth assumption implicates that for realists, states typically approach world politics as unified, or as single parts rationally responding to their external environment, rather than as coalitions of diverse domestic communities with competing aims. "Because of the weighty effects of anarchy, states' objectives are predominantly conditioned by external rather than internal sources. Realists therefore do not ascribe much importance to domestic and individual factors - culture, regime type, ideology, or particular leaders' personalities, for example - when compared with the influence of international factors."³⁸ The fifth and final core assumption is the pessimistic view of human nature. In realist thought humans are preoccupied with their own well-being in their competitive relations with each other. "They do not wish to be taken advantage of. They consequently strive to have the 'edge' in relations with other people – including international relations with other countries. (...) Thus, the desire to enjoy an advantage over others and to avoid domination by others is universal."³⁹ In other words, the self-interest is prioritized and rooted in human nature, and that is how political behavior is driven.

³⁶ Jackson, and Sørensen, *Introduction to International Relation*, 66.

³⁷ Lascurettes, "Realism (International Relations)," 878.

³⁸ Ibid.

³⁹ Jackson, and Sørensen, Introduction to International Relation, 66.

Neoconservatism

Neoconservatism and its principles is also taken into consideration in this paper as a second theory to examine Bush's administration's actions towards terrorism, while arguing that some of Bush's foreign policy strategies to combat terrorism also involved various neoconservative acts. The French historian Justin Vaïsse has produced the most comprehensive and analytically coherent study of neoconservatism to date, introducing the three ages of neoconservatism; for the purpose of this research, only the ideas within the third age, historically reflecting the mid-1990s, will be taken into consideration in this paper. Therefore, Neoconservative Theory and its major core assumptions related to its third age will be used to define Bush's administration's worldviews in strategic outlook and policy making.

According to Vaïsse, it is important to keep in mind the diversity of the Neoconservative movement, especially from the first two ages to the third, and the way it changed over time. Neoconservatism is based on five core principles. First, neoconservatives believe in the need for the United States to play an active role in the world, and to emphasize and defend an American-led world order to ensure peace. "Kegan and Kirstol argued, the absence of a Soviet empire does not alter fundamental purposes of American foreign policy. (...) Rather, is to shape the international environment to prevent such a threat from arising in the first place. To put it another way: The overarching goal of American foreign policy - to preserve and extend an international order that is in accord with both our material interests and our principals - endures." ⁴⁰ The second principle is based on democracy promotion. "As Charles Krauthammer observed: Democracies are inherently more friendly to the United States, less belligerent to their neighbors, and generally more inclined to peace. (...) The logic that ties these first two principles together is clear: the more active America's role in enlarging the democratic zone of peace and the smaller the number of dictatorial regimes, the greater the security of the United

⁴⁰ Justin Vaïsse, *Neoconservatism: The Biography of a Movement*, translated by Arthur Goldhammer (Cambridge, MA: Harvard University Press, 2011), 232.

States and the rest of the world."⁴¹ The third principle involves the idea of American hegemony, and the U.S. as a dominant figure. "This idea was championed mainly by Robert Kagan, who argued that, compared with past empires, American hegemony was benign and therefore a stroke of good fortune for the rest of the world."⁴² "If hegemony, or even empire (...) is benevolent, and if America establishes world order for the common good, then its hands should be free. It cannot fulfill its responsibilities with one hand tied behind its back by other powers that benefit gratuitously from the order it establishes. In other words, while collective action is good, America should feel free to act unilaterally,"⁴³ which leads to the fourth principle, unilateralism. The fifth and final one is based on building and keeping massive military resources; "to maintain this order, the United States needs massive military resources as well as the political will to use them; (...) this means that the nation must agree to sustained military spending."⁴⁴

Liberalism

The analysis of the Clinton administration will be conducted based on Liberalism Theory and its major core assumptions, including the development of two other theoretical schools within Liberalism such as Sociological Liberalism, and Liberal Institutionalism; other developments of Liberalism will not be examined, due to the fact that the characteristics carried by these different other developments are not related to foreign policy strategies against terrorism. Therefore, this paper argues that some of Bill Clintons' foreign policy strategies to combat terrorism involved various liberal actions.

The liberal tradition in IR is closely connected with the emergence of the modern liberal state. "Liberal philosophers, beginning with John Locke in the seventeenth century, saw great potential for human progress in modern civil society and capitalist economy, both of which could flourish in states

⁴¹ Ibid., 233.

⁴² Ibid., 234.

⁴³ Ibid., 234-235.

⁴⁴ Ibid., 235.

which guaranteed individual liberty."⁴⁵ Liberalism is based on four core assumptions, with the three last ones interrelating. First, liberals mostly take a positive view of human nature. "They have great faith in human reason and they are convinced that rational principles can be applied to international affairs."⁴⁶ In other words, liberalism is based on the natural goodness of human nature and the autonomy of the individual. The three other core assumptions include the belief in progress, modernization, and cooperation. According to Robert H. Jackson and Georg Sørensen,

progress for liberals is always progress for individuals. (...) The core concern of liberalism is the happiness and contentment of individual human beings. (...) In summary, liberal thinking is closely connected with the emergence of the modern constitutional state. Liberals argue that modernization is a process involving progress in most areas of life. The process of modernization enlarges the scope for cooperation across international boundaries. Progress means a better life for at least the majority of individuals. Humans possess reason, and when they apply it to international affairs greater cooperation will be the end result.⁴⁷

The first development within Liberalism Theory that this paper analyzes is called Sociological Liberalism, and its main assumption is that it rejects the idea that IR is only based on the study of relations between the governments of sovereign states. "IR is not only about state-state relations; it is also about transnational relations, i.e., relations between people, groups, and organizations belonging to different countries."⁴⁸ In other words, emphasis is placed on the society, and as well as on the state, considering many different types of actors and not just national governments, but also non-state actors. "James Rosenau has further developed the sociological liberal approach to transnational relations. (...) Rosenau argues that individual transactions have important implications and consequences for global affairs."⁴⁹

⁴⁷ Ibid., 101.

⁴⁵ Jackson, and Sørensen, Introduction to International Relation, 100.

⁴⁶ Ibid.

⁴⁸ Ibid., 102-103.

⁴⁹ Ibid., 104.

picks up on earlier liberal thought about the beneficial effects of international institutions. (...) International Institutions are more than mere handmaidens of strong states. They are of independent importance, and they can promote cooperation between states." ⁵⁰ In other words, "states use international institutions to further their own goals, and they design institutions accordingly (...) because they can advance or impede state goals in the international economy, the environment, and national security; (...) and because institutions matter, states pay careful attention to institutional design."⁵¹ In sum, institutional liberals claim that international institutions help promote cooperation between states.

Conclusion

In conclusion, it is asserted that a qualitative research methodology and a wide range of primary sources are used in order to answer the research question presented in this paper. The groundwork of CFP clarified that the context of both, the internal and external environments, are taken into consideration in this analysis. A theoretical framework in two different levels of comparative analysis was necessary in order to examine the U.S. foreign policy towards terrorism of both administrations in the following chapters. First, FPA and Bureaucratic Politics Approach were used to critically analyze the internal game within the state, and how the CIA and FBI might have influenced U.S. foreign policy when dealing with the matter of terrorism. Second, theories of IR were used in order to understand the strategies and policies adopted by the administrations, critically examining their worldviews, and holding the argument that George W. Bush's actions were based on values carried by Realism and Neoconservative Theories, and that Bill Clinton's actions were based on values held by Liberalism Theory.

⁵⁰ Ibid., 110.

⁵¹ Barbara Koremenos, Charles Lipson, and Duncan Snida, "The Rational Design of International Institutions," *International Organization* 55, no. 4 (2001): 762.

Chapter 3: Worldview, Strategy and Policy Analysis

Introduction

In this chapter, the first level of analysis of the U.S. foreign policy of Bill Clinton and George W. Bush's administrations is presented. First, it will examine the differences in world view and values of both president figures. Second, it will look at the domestic and international context of the time period they were living that might have prompted them to take different approaches. Third, it will provide Clinton's and Bush's interpretation of terrorism, and define how they would see the threat. At last, a strategic analysis will be provided by investigating differences in strategic outlook and policy making of the administrations.

Values and worldviews

Bill Clinton's foreign policy strategies to combat terrorism involved various actions that could be argued to be based on a liberal worldview. According to liberalism and its assumptions, the Clinton administration involved liberal ideas for three main reasons: the belief in progress, modernization and cooperation among nations, the focus on dealing with transnational actors, and the emphasis on multilateral cooperation through International Organizations as a tool. It was in this context that the U.S. government released the NSS in October 1998. First, the administration highlights the belief in progress towards a refined and improved state. "At this moment in history, the United States is called upon to lead - to organize the forces of freedom and progress."⁵² The idea of progress is interrelated with the promotion of a rapid modernization of the economy and society, including advancements in technology, science, and social organization, which is seen as an improved individual condition. "Globalization is bringing citizens from all continents closer together, allowing them to share ideas, goods and information at the tap of a keyboard. Many nations around the world have embraced America's core values of representative governance, free market economics and respect for fundamental human rights and the rule of law, creating new opportunities to promote peace, prosperity

⁵² William Jefferson Clinton, A National Security Strategy for a New Century (Washington, D.C.: The White House, 1998), iv.

and greater cooperation among nations."⁵³ The Clinton administration would embrace a strategy that applies the belief in progress, together with the course of modernization and the growth for states' cooperation. "Globalization of transportation and communications has allowed international terrorists and criminals to operate without geographic constraints, while individual governments and their law enforcement agencies remain limited by national boundaries. Unlike terrorists and criminals, governments must respect the sovereignty of other nations. Accordingly, a central thrust of our strategy is to enhance relationships with key nations around the world to combat transnational threats to common interests."⁵⁴

Second, the administration's goals were based on dealing with the threat of terrorism focusing on transnational actors. "Today, American diplomats, law enforcement officials, military personnel, members of the intelligence community and others are increasingly called upon to respond to growing transnational threats, particularly terrorism."⁵⁵ Two months before the 1998 NSS was released, Clinton's administration responded to the terrorist bombings of the American embassies in Kenya and Tanzania with Operation Infinite Reach, which was the first time the United States acknowledged a preventive strike against a non-state actor, in this case al-Qaeda. "The United States has bombed terrorist targets in the past in retaliation for anti-U.S. operations, (...) and an increasingly proactive law enforcement policy has resulted in bringing roughly 10 suspected terrorists to the U.S. for trial since 1993. However, this is the first time the U.S. has given such primary and public prominence to the preemptive, not just retaliatory, nature and motive of a military strike against a terrorist organization or network. This may be signaling a more proactive and global counter-terrorism policy, less constrained when targeting terrorists, their bases, or infrastructure."⁵⁶

Third, the administration showed emphasis on multilateral cooperation by working with International Organizations (IO) in order to fight terrorism. According to the 1998 NSS document, "this

⁵³ Ibid., 1.

⁵⁴ Ibid., 7.

⁵⁵ Ibid., 15.

⁵⁶ Raphael F. Perl, *Terrorism: U.S. Response to Bombings in Kenya and Tanzania: A New Policy Direction?* (Washington D.C: University of North Texas Libraries, 1998), 2.

strategy encompasses a wide range of initiatives: expanded military alliances like NATO, its Partnership for Peace; (...) promoting free trade through the World Trade Organization and the move toward free trade areas by nations in the Americas and elsewhere around the world; strong arms control regimes like the Chemical Weapons Convention and the Comprehensive Nuclear Test Ban Treaty; multinational coalitions combating terrorism, corruption, crime and drug trafficking; and binding international commitments to protect the environment and safeguard human rights."⁵⁷ The reasons to support the work with IO are very clear in the document: "Because diplomatic and military responses alone may not deter threats to our national security from non-state actors such as criminals and terrorist groups, we must promote increased cooperation among law enforcement officials and improved methods for dealing with international crime and terrorism."⁵⁸ Even though Operation Infinite Reach was carried by the U.S. Navy, The United Nations Security Council (UNSC) responded to the terrorist bombings of the American embassies unanimously adopting resolution 1189, which strongly condemned the attacks. "In a related provision, all States were called upon to adopt, in accordance with international law and as a matter of priority, effective and practical measures for security cooperation, for the prevention of such acts of terrorism, and for the prosecution and punishment of their perpetrators."⁵⁹ It could be said that even though Clinton did not respond to the Embassy bombings with the help of the United Nations (UN), the UN positioning itself against the bombings and calling for prosecution and punishment of the terrorists could have influenced Clinton's decision to respond with such attacks, prioritizing the position of such an important IO that favored for international action. In sum, the 1998 NSS can be seen as the groundwork of Clinton's foreign policy strategies against terrorism, which were based on values carried by Liberalism.

On the other hand, George W. Bush's foreign policy strategies to combat terrorism were based on a different approach, involving various actions that relate to realist and neoconservative worldviews. Looking at the realist view first, Bush's State Department was dominated by realist figures led by Colin

⁵⁷ Ibid., iii.

⁵⁸ Ibid., 59.

⁵⁹ "Security Council strongly condemns terrorist bomb attacks in Nairobi and Dar es Salaam on 7 August," United Nations, last modified August 13, 1998, https://www.un.org/press/en/1998/19980813.sc6559.html.

Powell, Richard Armitage, and Condoleezza Rice, and according to realism and its assumptions, four main reasons can be given to support the argument that the Bush administration involved realist ideas: state actor focus, emphasis on national security and self-interest, possession of power, and the pessimistic view of human nature. It was in this context that Condoleezza Rice published in early 2000, before the presidential election, an article called 'Promoting the National Interest', which was about the future of the United States' international role, outlining a foreign policy manifesto for a possible Bush Administration, surveying the current state of U.S. relations with the world and the upcoming challenges. Looking at the state actor focus first, even though in this article the topic of terrorism is just briefly mentioned, Rice uses the term 'rogue states' when mentioning the threat of the development of nuclear weapons during the Cold War period; and it is with this idea of threats originating from state actors that the Bush administration will later deal with the problem of terrorism. Moreover, it is important to note that the decision of Bush to start the Iraq War (2003) without the approval of The United States Security Council is another example of the administration's realist view that believes that states are the most important actors in world politics, and that IO do not matter. According to John J. Mearsheimer, "realists maintain that institutions (...) have no independent effect on state behavior. Realists therefore believe that institutions are not an important cause of peace. They matter only on the margins."60

Second, there is the emphasis on national security and self-interest approach. The national selfassertion focus is tremendously important and even announced in the tittle's article, and this topic can be constantly found throughout the whole document, starting in the second page: "American foreign policy in a Republican administration refocus the United States on the national interest." ⁶¹ "The president must speak to the American people about national priorities and intentions and work with Congress to focus foreign policy around the national interest, (...) not from the interests of an illusory international community."⁶² It is clear here that according to Rice, America should serve prioritizing their

⁶⁰ Mearsheimer, "The False Promise of International Institutions," 7.

⁶¹ Condoleezza Rice, "Promoting the National Interest," Foreign Affairs 79, no. 1 (2000): 46.

⁶² Ibid., 62.

own interests, focusing on the national character and its security, a very realist way of thinking. The third reason involves the focus on power: "Power matters, both the exercise of power by the United States and the ability of others to exercise it. Yet many in the United States are (and have always been) uncomfortable with the notions of power politics, great powers, and power balances. In an extreme form, this discomfort leads to a reflexive appeal instead to notions of international law and norms, and the belief that the support of many states (...) is essential to the legitimate exercise of power."⁶³ In other words, the acquisition and use of power is an important tool in politics. The fourth and last reason is the pessimistic view of human nature held by realists which can be to some extent noticed in Rice's article. She describes the character of Saddam Hussein in a very negative way, promoting the idea that the only solution is to remove him and his regime in order to eliminate the problem. "Saddam Hussein's regime is isolated, his conventional military power has been severely weakened, his people live in poverty and terror, and he has no useful place in international politics. He is therefore determined to develop of WDM. Nothing will change until Saddam is gone, so the United States must mobilize whatever resources it can, including support from his opposition, to remove him."⁶⁴ In sum, Rice's article can be seen as the foundation of the soon to be the Bush administration's foreign policy strategies against terrorism, and the values carried by Realism are definitely predominant in it.

Looking at the neoconservative view, the administration was influenced largely by neoconservative figures led by Donald Rumsfeld and Paul Wolfowitz, the first being the Secretary of Defense and the second the Deputy Assistant, as well as Dick Cheney as Vice President, besides many other figures presented in lower-ranking positions. One could argue that the Bush administration involved actions based on neoconservative ideas for four main reasons: promotion of democracy and regime change, U.S. active role in the world, massive military resources, and unilateral actions. It was in this context that the U.S. government released the NSS in September 2002. It is important to notice that "George W. Bush's first presidential campaign inspired little enthusiasm among neoconservatives. (...)

⁶³ Ibid., 47.

⁶⁴ Ibid., 60.

Once the new administration took office, neoconservatives sought to win a hearing for their view,"⁶⁵ and after the 9/11 attacks their view dominated the administration. First, the administration's goals were based on promoting democracy by regime change when dealing with the threat of terrorism. "The great struggles of the twentieth century between liberty and totalitarianism ended with a decisive victory for the forces of freedom - and a single sustainable model for national success: freedom, democracy, and free enterprise."⁶⁶ This idea continues throughout the document: "In the war against global terrorism, we will never forget that we are ultimately fighting for our democratic values and way of life."⁶⁷ It was based on this principle that Bush decided to promote regime change in Afghanistan and Iraq, suggesting that if the Middle East becomes democratic, America's security problems in the region and at home would ultimately disappear.

Second, America should have an active role in the world in order to fight terrorism. "No doctrine can anticipate every circumstance in which U.S. action - direct or indirect - is warranted. We have finite political, economic, and military resources to meet our global priorities. (...) The United States should be realistic about its ability to help those who are unwilling or unready to help themselves. Where and when people are ready to do their part, we will be willing to move decisively."⁶⁸ Third, there is the need for military power. "It is time to reaffirm the essential role of American military strength. We must build and maintain our defenses beyond challenge. (...) The presence of American forces overseas is one of the most profound symbols of the U.S. commitments to allies and friends. Through our willingness to use force in our own defense and in defense of others, the United States demonstrates its resolve to maintain a balance of power that favors freedom."⁶⁹ The fourth and last reason is based on unilateral actions. During his presidency, it could be said that Bush used unilateral actions towards the terrorism issue, and the Iraq War is clearly an example of that. Besides the viewpoint of 'America first', Bush proclaimed a doctrine that the U.S. would be ready to strike first against its enemies, shifting the foreign

⁶⁵ Vaïsse, *Neoconservatism*, 240-241.

 ⁶⁶ George W. Bush, *The National Security Strategy of the United States of America* (Washington, D.C.: The White House, 2002),
 ⁶⁷ Ibid., 7.

⁶⁸ Ibid., 9.

⁶⁹ Ibid., 29.

policy to a new idea of unilateralism and preventive war. "We will disrupt and destroy terrorist organizations by: (...) defending the United States, the American people, and our interests at home and abroad by identifying and destroying the threat before it reaches our borders. While the United States will constantly strive to enlist the support of the international community, we will not hesitate to act alone, if necessary, to exercise our right of self-defense by acting preemptively against such terrorists, to prevent them from doing harm against our people and our country."⁷⁰ In sum, the 2002 NSS can be seen as the groundwork of Bush's foreign policy strategies against terrorism, which were based on values carried by Neoconservatism.

Background on the time period

During a presidential term, there are times that the president and his administration face severe challenges both internally and internationally that might prompt them to take different approaches when making decisions. In the time period of Clinton's second term, it could be said that there were many events that might have influenced the president's decisions when trying to solve the problem of terrorism. Looking at the international scenario first, it is crucial to note that when Clinton took office in the early 1990s, the major challenge to the development of an intelligible foreign policy was the lack of a well-defined enemy. "The primary antagonist of the Cold War era, the Soviet Union, had disintegrated; (...) economic difficulties and ethnic conflicts in the former Soviet states signaled a period of continued internal preoccupation rather than a newly forming external threat."⁷¹ Even though by the time of Clinton's second term the threat was clearer than in his first term, the overall period provided the Clinton administration with a new enemy, which posed a profound new scenario to foreign policy issues. Additionally, "the disintegration of Yugoslavia in the 1990s, for example, required the administration to develop a strategy, along with the Europeans, for dealing with the associated problems and violence in Bosnia, Croatia, and Serbia."⁷² Clinton was faced with a new international scenario that demanded attention and immediate action, possibly distracting the administration from dealing with other issues

⁷⁰ Ibid., 6.

⁷¹ Thomas J. Badey, "US Anti-Terrorism Policy: The Clinton Administration." *Contemporary Security Policy* 19, no. 2 (1998): 51.

⁷² Starr-Deelen, Presidential Policies on Terrorism, 84.

such as terrorism. "It is argued that in May 1999, the United States had its most actionable intelligence on bin Laden's whereabouts; yet, Clinton and his NSC colleagues were concentrated on American-led missions in Kosovo and the debate over using ground force. As a result, the United States lost the opportunity to kill bin Laden."⁷³

Besides the international setting, Clinton faced an equally challengeable setting domestically. The first challenge is related to the 1994 midterm elections. Even though this is an event that happened during Clinton's first term, it had significant consequences in his second term. According to Dick Cheney, who served as George H. W. Bush's secretary of defense and later as vice-president under George W. Bush's administration,

the 1994 midterm elections were historic, with Republicans taking control of both houses of Congress for the first time in forty years. The last time we had had control in the Senate was 1986; in the House, 1954. Even the Democratic Speaker of the House, (...) Tom Foley, lost his seat and became the first Speaker defeated at the polls since the Civil War. It was a stunning result, a clear repudiation of Bill Clinton and his administration. But more than that it represented a revolution in the Congress, particularly in the House. (...) During all those years we spent in the minority, Republicans could never be certain that what we did really mattered. (...) Now all of a sudden Republicans were going to be running the show.⁷⁴

A Congress controlled by the Republicans might be expected to inhibit a Democratic president's influence, leading to drastic consequences to the administration. A clear example of that was Bill Clinton' impeachment that was initiated in December 1998 by the House of Representatives and led to a trial in the Senate on two charges. The second internal challenge of the administration is about Clinton's political sex scandal involving a White House intern called Monica Lewinsky, that took place between 1995 and 1997 and became public in 1998 during his presidency. Only three days before ordering Operation Infinite Reach on al-Qaeda bases in Afghanistan and Sudan, Clinton had appeared on TV and

⁷³ Tsui, Clinton, New Terrorism and the Origins of the War on Terror, 75.

⁷⁴ Richard B. Cheney, In my time: a personal and political memoir (New York: Threshold Editions, 2011), 244-245.

admitted the inappropriate relationship. "Very few members of the general public understood the potential of the little-known terrorist network called 'Al Qaeda,"⁷⁵ and with the media and the public addressing the scandal as the focus of attention, the Clinton administration faced difficulties to highlight the terrorism matter, struggling to explain the threat of organizations such as Al Qeada and the U.S. response to terrorist attacks.

As a last internal challenge, there is the 2000 presidential election that happened at the end of Clinton's second term. At the same time period, on October 12, 2000, an al Qaeda attack struck by a suicide bombing against an American Navy ship in the port of Aden in Yemen, named the USS Cole. According to Starr-Deelen, "the Cole bombing was used, after the 9/11 attacks, as a tool to criticize the Clinton administration because it did not respond militarily to the attack. (...) Defenders of the Clinton administration have pointed out that the USS Cole bombing occurred during a closely contested presidential election (Bush vs. Gore) and responsibility for the attack was not established definitely until after the November 2000 elections. Thus, the argument goes, responding to the Cole bombing was the prerogative of the new president, George W. Bush."⁷⁶ Clinton chose not to respond to those attacks due to the presidential election that coincidentally happened at the same time, leading to the idea that he could have possibly chosen a different strategy if the timing was different. In sum, Clinton had to deal with a domestic and international context of broader events, which might have prompted him to take a different approach to terrorism than George W. Bush.

In the time period of Bush's first term, due to the little time of nine months in office until the surprising 9/11 events, there is one relevant domestic fact that should be considered that might have influenced Bush's decisions on terrorism prior to the attacks. According to Richard Clarke,

I realized that Rice, and her deputy, Steve Hadley, were still operating with the old Cold War paradigm from when they had worked on the NSC. Condi's previous government experience had been as an NSC staffer for three years worrying about the Warsaw Pact and the Soviet

⁷⁵ Starr-Deelen, Presidential Policies on Terrorism, 96.

⁷⁶ Ibid., 99-100.

Union during the Cold War. Steve Hardley had also been and NSC staffer assigned to do arms control issues with the Soviet Union. He had then been an Assistant Secretary in the Pentagon, also concerned with Soviet arms control. It struck me that neither of them had worked on the new-post Cold War security issues.⁷⁷

When the administration of Bush took office, the members of his team including his main foreign policy advisor were well-experienced in old issues, which led to a lack of knowledge to deal with contemporary problems such as the rise of terrorism. Thus, the old Cold War mentality of Bush's team might have prompted the lack of a counterterrorism strategy prior to the 9/11 events. In relation to the overall Bush administration, it could be said that the terrorist events that happened on September 11, 2001 were actually the ones that severely prompted the Bush administration to adopt a different strategy to the matter of terrorism.

The threat of terrorism

A speech given by Clinton in the opening session of The United Nations General Assembly (UNGA) to world leaders in September 21, 1998 was chosen to examine Clinton's interpretation of terrorism since the entire speech focuses on this matter. According to him,

false prophets may use and abuse any religion to justify whatever political objectives they have - even cold-blooded murder. Some may have the world believe that almighty God himself, the merciful, grants a license to kill. But that is not our understanding of Islam. (...) When it comes

to terrorism there should be no dividing line between Muslims and Jews, Protestants and Catholics, Serbs and Albanians, developed societies and emerging countries. The only dividing line is between those who practice, support, or tolerate terror, and those who understand that it is murder, plain and simple. (...) In closing, let me urge all of us to think in new terms on terrorism, to see it not as a clash of cultures or political action by other means, or a divine calling, but a clash between the forces of the past and the forces of the future, between those who tear

⁷⁷ Richard A. Clarke, Against all Enemies: Inside America's War on Terror (New York: Free Press, 2004), 230.

down and those who build up, between hope and fear, chaos and community. (...) Together we say terror is not a way to tomorrow, it is only a throwback to yesterday. And together we can meet it and overcome its threats, its injuries, and its fears with confidence.⁷⁸

Clinton admits that in the 1990s terrorism had a new face, and consequently new measurements had to be adopted. He refers to terrorists as killers, and he separates the idea of terrorist acts originating from religious purposes, offering respect to Islam but rejecting terrorist actions. The most important message of the speech is to show that terrorism should be consider a serious global threat. Additionally, Clinton deals with the threat of terrorism emanating from transnational actors, such as the Al-Qeada and the Taliban as terrorist organizations, which are considered non-state actors. Examples of that can be found in two Executive Orders passed by the federal government. First, Executive Order 13099 of August 20, 1998: "I, WILLIAM J. CLINTON, President of the United States of America, in order to take additional steps with respect to grave acts of violence committed by foreign terrorists that disrupt the Middle East peace process, (...) hereby order: (...) The Annex to Executive Order 12947 of January 23, 1995, is amended by adding thereto the following persons in appropriate alphabetical order: Usama bin Muhammad bin Awad bin Ladin (a.k.a. Usama bin Ladin), Islamic Army (a.k.a. Al-Qaida) (...)."79 Second, Executive Order 13129 of July 4, 1999: "Blocks property and prohibits transactions with the Taliban. Under section 4(d) of this Order, the Secretary of State, in consultation with the Secretary of the Treasury, is authorized to modify the description of the term 'territory of Afghanistan controlled by the Taliban.' (...) I hereby determine as of this date that the Taliban controls no territory within Afghanistan, and modify the description of the term."⁸⁰ Clinton decided to deal with the threat by fighting against non-state actors, imposing sanctions against Osama bin Laden and Al Qeada, and later against the Taliban.

⁷⁸ "President Clinton Addresses The Opening Session Of The United Nations General Assembly," The White House, last modified September 21, 1998, https://clintonwhitehouse5.archives.gov/textonly/WH/New/html/19980921-29469.html.

⁷⁹ "Prohibiting Transactions With Terrorists Who Threaten To Disrupt the Middle East Peace Process," The White House, last modified August 25, 1998. https://www.federalregister.gov/documents/1998/08/25/98-22940/prohibiting-transactions-with-terrorists-who-threaten-to-disrupt-the-middle-east-peace-process.

⁸⁰ "Modification of Description of 'Territory of Afghanistan Controlled by the Taliban in Executive Order 13129," The White House, last modified January 29, 2002. https://www.federalregister.gov/documents/2002/01/29/02-2244/modification-of-description-of-territory-of-afghanistan-controlled-by-the-taliban-in-executive-order.

The Bush administration will be analyzed in two different perspectives, before and after the 9/11 attacks as this research is conducted. Before the 9/11 attacks, it could be said that neither Bush nor his most senior advisers shared the Clinton team's sense of alarm about the threat. According to Richard Clarke, as soon as Bush and his team started at the White House in January 2001, he briefed each of the associates on the threat of terrorism and specially Al Qeada. "Al Qeada is at war with us, it is a highly capable organization, probably with sleeper cells in the U.S., and it is clearly planning a major series of attacks against us; we must act decisively and quickly."⁸¹ Clarke claims that when he first briefed Condoleezza Rice on al Qeada, "her facial expression gave (...) the impression that she had never heard the term before;"⁸² moreover, he says that the issue of terrorism was never seen as an urgent priority on the agenda of Bush's team, even though warnings were been passed by him and DCI George Tenet. "Now Tenet's calls to me about threatening intelligence reports became more frequent and the information was good. There were growing number of reports that al Qeada's operational pace was picking up. Cells were discovered and rounded up by security services in Italy, France, and Germany. There were reliable reports of a threat to the U.S. Navy. (...) By late June, Tenet and I were convinced that a major series of attacks was about to come."⁸³ Derek Chollet, and James Goldgeier summarize the main idea behind the terrorist threat for Bush's administration during his first term before the 9/11, and according to them, "the administration understood terrorism to be a problem, but only because of support countries such as Iran provided to groups including Hezbollah and Hamas, not because terrorists could harm America on their own. The notion that nonstate actors, failed states, and civil conflicts should dominate America's attention was simply not accepted by the Bush team. They found it inconceivable that a bin Laden could threaten the mightiest power in world history. They could not imagine it, so they did not prepare for it."84

After the 9/11 attacks, the idea of terrorism changed drastically for Bush's administration. A series of speeches were given by Bush after the 9/11 events, and some of them were selected to

⁸¹ Clarke, *Against all enemies*, 227.

⁸² Ibid., 229.

⁸³ Ibid., 235.

⁸⁴ Chollet, and Goldgeier, America between the wars, 310-311.

examine Bush's interpretation of terrorism. First, he refers to terrorists using the term 'evil': "This will be a different kind of conflict against a different kind of enemy. (...) We are planning a broad and sustained campaign to secure our country and eradicate the evil of terrorism."⁸⁵ Second, Bush shares two similar ideas with Clinton; first, separating the terrorist threat of originating from religious purposes: "The face of terror is not the true face of Islam. That is not what Islam is all about. Islam is peace. These terrorists do not represent peace. They represent evil and war;"⁸⁶ and second, that terrorism should be considered a global threat: "Terrorists and terrorist networks operate across international borders and derive their financing from sources in many nations. (...) Our effort to combat and destroy the financial underpinnings of global terrorism must therefore be broad."⁸⁷ At last, Bush uses a more aggressive respond to the threat, asserting that it should be eliminated: "The only way to defeat terrorism as a threat to our way of life is to stop it, eliminate it, and destroy it where it grows."⁸⁸ Additionally, in contrast with Clinton's view as stated before, Bush did not consider transnational actors such as Al Qeada or Taliban a threat since they did not represent a state, dealing with the threat of terrorism based on state actors. "The kinds of global challenges that Clinton talked about constantly as his term wound down - economic globalization, (...) and the rise of nonstate actors – were hardly mentioned by Bush or his top aides. (...) They believed U.S. foreign policy had to return to its focus on relationships with major countries, state-based threats."⁸⁹ The Afghanistan War initiated in October 2001 is a clear example of that, when Bush decided to target Afghanistan as a state to fight the terrorism threat. "The leadership of al Qeada has great influence in Afghanistan and supports the Taliban regime in controlling most of that country. In Afghanistan, we see al Qeada's vision for the world."90

⁸⁵ George W. Bush, *We Will Prevail: President George W. Bush on War, Terrorism, and Freedom* (New York, N.Y: Continuum, 2003), 8.

⁸⁶ Ibid., 9.

⁸⁷ Ibid., 18.

⁸⁸ Ibid., 15.

⁸⁹ Chollet, and Goldgeier, America between the wars, 295.

⁹⁰ Bush, We Will Prevail, 13.

Strategy and Policy Analysis

Looking at Bill Clinton's second term (1997-2000) first, it could be noticed that Clinton saw his popularity rise especially after the 1997 election. "In 1996 Bill Clinton became the first Democratic president since Franklin Roosevelt to win a reelection. (...) Furthermore, (...) Clinton received public approval ratings in 1999 that were unprecedented for a president so deep into his second term."⁹¹ During Clinton's first presidential campaign and when he first took office, his focus was on internal issues, "in fact, (...) he defined himself primarily as a domestic president." ⁹² However, "the administration perceived a strong connection between the domestic and foreign realms. What engaged Clinton most, after all, was the economy, and he and his advisers, to a greater degree than Cold War administrations, appreciated the intimate relationship between the domestic and international economies. As governor of Arkansas Clinton had viewed his state as an essentially underdeveloped country that could benefit from foreign investments and export markets."⁹³ Additionally, "Clinton drew several of his initial top advisers from the Carter foreign policy team,"⁹⁴ such as Secretary of State Warren Christopher who was later replaced by Madeleine Albright, and foreign policy adviser Anthony Lake who was later substituted by Samuel R. Berger (Sandy Berger).

According to Thomas J. Badey, the strategies used by the Clinton administration to solve the problem of terrorism are related to a policy that contains three efforts. The first effort involves the idea of economically isolating perceived proponents of international terrorism, based on the Section 6(j) of the Export Administration Act of 1979, that requires the publication of an annual list of state sponsors of terrorism. "Activities attributed to these states generally include the funding of those with similar or converging interests, providing safe haven for individuals identified by others as terrorists, and violence against their own nationals overseas. The actual levels of involvement of individual states on the list, however, vary significantly." ⁹⁵ The list had been criticized for not reflecting the realities of the

⁹¹ Richard A. Melanson, *American Foreign Policy since the Vietnam War: The search for consensus from Richard Nixon to George W. Bush* (Armonk, N.Y: M.E. Sharpe, 2005), 233.

⁹² Ibid., 279.

⁹³ Ibid., 240.

⁹⁴ Ibid.

⁹⁵ Thomas J. Badey, "US Anti-Terrorism Policy: The Clinton Administration." *Contemporary Security Policy* 19, no. 2 (1998): 56.

contemporary international environment, therefore, the impact of the state-centered economic isolation had been limited. "Significant changes in behaviour or policy have not been noted in any of the states that have been the target of these policies nor has there been a drastic change in the number of incidents of international terrorism which could be attributed direct to these efforts."⁹⁶ Despite its inefficiency, this policy represents a significant step forward in addressing the issue of international terrorism since it is the first effort of the Clinton administration that targets terrorist organizations directly.

The second element of Clinton's policy is about increasing multilateral cooperation and agreements through international organizations on issues concerning terrorism. Several forums had been reached for such an effort, but the G-7 was the primary vehicle for U.S. policies. "Since the Halifax summit, held shortly after the Oklahoma City bombing in June 1995, the pursuit of increased multilateral co-operation has become an important element of the President's anti-terrorist policies."97 The meeting in Paris in July 1996 is an example of the G-7 cooperation. "All members endorsed 25 explicit ways to enhance cooperation in the fight against terrorism and transnational crime and agreed to urge all states to join these efforts. (...) The ministers further agreed to declare terrorist bombings an international crime, to consider criminalizing the possession of biological weapons and to explore ways to stop terrorists from using encryption methods."98 Although the efforts of the United States had been clear and successful with the G-7, in larger institutions such as the UN, cooperation was more difficult. "Increased specification and the willingness to address more controversial issues such as encryption and biological weapons indicate clear progress, as do efforts to establish joint databases. Common agreement on measures to enhance co-operation, however, do not guarantee their implementation. (...) While progress has been made, it remains to be seen how well the declared intentions of the eight G-7 countries will be translated into action; (...) effective co-operation is limited by the failure to agree on a definition."⁹⁹ The third element of Clinton's policy involves the idea of increasing resources to fight

⁹⁶ Ibid, 59.

⁹⁷ Ibid., 60.

⁹⁸ Ibid., 61.

⁹⁹ Ibid., 62.

the terrorist threat. "The first commitment of such new resources came immediately after the Oklahoma City bombing and was called the 'Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred in Oklahoma City'. Rescinding funds from a wide variety of programmes, among others those allocated for UN peace-keeping operations, this act provided in excess of \$250 million dollars for various anti-terrorism initiatives. The primary beneficiary of this reallocation was the FBI which received \$77 million, while only \$66 million were invested in reconstruction programmes."¹⁰⁰ In addition, Clinton implemented new legislative provisions such as the 'Anti-terrorism and Effective Death Penalty Act' in April 1996, increasing the federal enforcement power and allocating approximately one billion dollars to the fight against terrorism; less than six months later, Clinton also signed the 'Federal Aviation Reauthorization Act' allocating more than \$1 billion of the budget direct to anti-terrorist measures. These legislations represent a major step forward in the execution and codification of the administration's anti-terrorism policies in Clinton's second term.

Before examining Clinton's grand strategy against terrorism during his second term, it is importantly enough to notice that his administration used different grand strategies for both terms. Chin-Kuei Tsui argues "that in the first term of Clinton's presidency, the United States tended for the most part to adopt a 'crime' frame to portray terrorism and terrorists, and to interpret the terrorist attacks."¹⁰¹ According to Tsui, the construction of a law enforcement-based counterterrorism approach against terrorism was built specially after the United States experienced a number of significant terrorist attacks on home soil and overseas in Clinton's first term, namely, the 1993 World Trade Center bombing, the 1995 Oklahoma City bombing, the 1996 Khobar Towers bombing and the 1996 Centennial Olympic Park bombing in Atlanta, Georgia. "In contrast to his first-term counterterrorism policy, Clinton's second-term policy toward terrorism was overall more aggressive and military- based in terms of (...) the real practices of counterterrorism implemented by the administration."¹⁰² Tsui believes that the religious Fatwa that was published in February 1998 by Bin Laden declaring war against Americans, and

¹⁰⁰ Ibid., 63.

 ¹⁰¹ Tsui, Clinton, New Terrorism and the Origins of the War on Terror, 58.
 ¹⁰² Ibid., 74

the US embassy bombings in Africa in August 1998 "prompted the Clinton administration to actively address the threats posed by bin Laden and al Qaeda, through both diplomatic and coercive means. (...) In short, Clinton's policy toward bin Laden was simple and clear; that is, he has to be killed and eliminated. To achieve this goal, the use of force was necessary."¹⁰³

In relation to the 1998 Bin Laden's fatwa declaration, it could be said that the consequences of it were the two new Presidential Decision Directives (PDD) on counterterrorism issued by Clinton named PDD 62 and PDD 63, finally identifying the fight against terrorism a top national security priority and recognizing that the threat was not only overseas. According to Richard Clarke, with the help of the Counterterrorism Security Group (CSG), they were able to develop these documents. "There would be ten components to the U.S. policy and programs for counterterrorism and security. For each program, there would be clarity about responsibility, which department or agencies were in charge. The CSG would officially become not just a crisis response committee, but a policy formulation body with a budget and programmatic role. Moreover, the CSG would have to oversee how the ten programs."¹⁰⁴ In relation to the US embassy bombings in Africa, it could be said that the consequences were larger and more drastic. A few days after the attacks, Clinton ordered Operation Infinite Reach, American cruise missile strikes on al-Qaeda bases in Khost, Afghanistan, and Khartoum, Sudan, which was the largest U.S. action in response to a terrorist attack since the 1986 one in Libya. Additionally, according to Clarke,

on the same day that we sent cruise missiles into Afghanistan, President Clinton signed Executive Order 13099, imposing sanctions against Usama bin Laden and Al Qeada. Some months later these sanctions would be extended to the Taliban, as we determined that there was effectively little difference between their leadership and that of Al Qeada. With these orders, the focus of the U.S. strategy to combat al Qeada's financial network moved from a

¹⁰³ Ibid.

¹⁰⁴ Clarke, Against All Enemies, 167-168.

narrow approach focused primarily on law enforcement to a wider approach that aimed to bring into the fight all the varied tools and resources of the U.S. government.¹⁰⁵

On 12 October 2000, at the end of Clinton's second term, his administration faced one more terrorist attack, and this time against USS Cole, a guided missile destroyer of the United States Navy refueled in the harbor of Aden in Yemen. "Although in the case of the USS Cole, the White House decided not to launch military retaliations, the use of force was never excluded by the NSC staff. President Clinton and Madeleine Albright, the Secretary of State, asserted several times in their speeches that when political and diplomatic tools were constrained, 'extraordinary steps' were indispensable." ¹⁰⁶ In sum, a diplomatic and coercive grand strategy was chosen by Clinton's administration in his second term, due to a series of terrorist threats experienced throughout the years of his presidency.

Looking at George W. Bush's first term (2001-2004), it could be said that Bush was not a foreign policy expert when he first assumed control of the presidency; "unlike his father, Bush did not have extensive experience abroad or in government,"¹⁰⁷ even though he served as the governor of Texas from 1995 until 2000. "During the presidential campaign, he had talked about both a humbler foreign policy and a reinvigorated defense establishment; how he was going to reconcile those goals was still unclear. But in truth, the president's focus was elsewhere, on the domestic arena - tax cuts, education reform, faith-based voluntarism, energy policy."¹⁰⁸ "Terrorism was rarely mentioned on the campaign trail, or in Bush's speeches, despite the fact that terrorists associated with al Qaeda had blown a hole in the USS Cole in October 2000. International terrorism did not register with the American public as a pressing problem, although, after 9/11, questions arose regarding the lack of response to the Cole attack. During the 2000 elections, the voters did not press George W. Bush on how he would handle terrorism."¹⁰⁹ According to Melvyn P. Leffler, when the Bush administration finally entered office, it "focused its foreign policy attention on China and Russia; on determining whether a Middle East peace

¹⁰⁵ Ibid., 190.

¹⁰⁶ Tsui, Clinton, New Terrorism and the Origins of the War on Terror, 78-79.

¹⁰⁷ Starr-Deelen, Presidential Policies on Terrorism, 109.

 ¹⁰⁸ Melvyn P. Leffler, "9/11 in Retrospect: George W. Bush's Grand Strategy, Reconsidered." *Foreign Affairs* 90, no. 5 (2011):
 34.

¹⁰⁹ Starr-Deelen, Presidential Policies on Terrorism, 109.

settlement was in the cards; on building a ballistic missile defense system; and on contemplating how to deal with 'rogue' states such as Iran, Iraq, Libya, and North Korea. At many meetings of the National Security Council, officials debated the pros and cons of a new sanctions regime against Saddam Hussein's dictatorial government in Baghdad; they also discussed what would be done if U.S. planes enforcing the no-fly zones over Iraq were shot down. Little was agreed on."¹¹⁰ Since Bush had little experience with dealing with foreign matters, he "assembled a group of eight Republican experts, nicknamed the Vulcans, to tutor him on world affairs. The group was drawn mostly from people who had served in the third and fourth tiers of his father's administration."¹¹¹ Although the Vulcans ran the foreign policy aspects of the administration on daily basis, Bush also counted on the expertise of Dick Cheney as vice-president and Colin Powell as Secretary of State.

The strategies used by the Bush administration to solve the problem of terrorism are related to a policy that contains two main efforts. The first effort involves the idea of preemptive action. "The administration announced that it was adopting a policy of anticipatory self-defense - essentially, preventive warfare. Bush declared that he would take action to preclude not only imminent threats but also gathering ones, and would act alone if necessary."¹¹² The new policy would stress preemption of future attacks, it means that the U.S. will carry attacks first in order to destroy the enemy's capacity to respond, instead of relying on investigation, evidence gathering and prosecution to be able to act. According to Donald Rumsfeld, Bush's Secretary of Defense, "this was a more ambitious goal than the approaches previous presidents had set. It reflected Bush's view, which I shared, that 9/11 was a seminal event, not simply another typical terrorist outrage to which the world had become accustomed."¹¹³ "The administration pointed out that after September 11 there could be no doubt that terrorists and the rogue states that supported them would stop at nothing in their attempts to strike America again."¹¹⁴ The second effort from Bush's team to combat terrorism is related to the idea of democracy

¹¹⁰ Leffler, "9/11 in Retrospect," 33-34.

¹¹¹ Daalder, and Lindsay, America Unbound, 22.

¹¹² Leffler, "9/11 in Retrospect," 34.

¹¹³ Donald Rumsfeld, Known and Unknown: A Memoir (New York: Sentinel, 2011), 355.

¹¹⁴ Daalder, and Lindsay, America Unbound, 124.

promotion and regime change. In a speech given in 2003, Bush emphasized the need for democracy promotion in the Middle East:

We've witnessed, in little over a generation, the swiftest advance of freedom in the 2,500 year story of democracy. (...) It is no accident that the rise of so many democracies took place in a time when the world's most influential nation was itself a democracy. (...) And now we must apply that lesson in our own time. We've reached another great turning point -- and the resolve we show will shape the next stage of the world democratic movement. (...) Our commitment to democracy is also tested in the Middle East, which is my focus today, and must be a focus of American policy for decades to come. (...) Many Middle Eastern governments now understand that military dictatorship and theocratic rule are a straight, smooth highway to nowhere. (...) Governments across the Middle East and North Africa are beginning to see the need for change. (...) Therefore, the United States has adopted a new policy, a forward strategy of freedom in the Middle East.¹¹⁵

Bush believed that through the implementation of democracy in Middle Eastern countries, America's security problems regarding terrorism in the region and at home would disappear. "The idea of regime change was not new to American foreign policy. (...) What was different in the Bush presidency was the willingness, even in the absence of a direct attack on the United States, to use U.S. military forces for the express purpose of toppling other governments."¹¹⁶ The consequences of all these efforts led eventually to a war strategy, not only in Afghanistan (2001) but in Iraq (2003) as well. Even though the justifications for war by the administration are different between these two cases, all the efforts mentioned earlier can be found in the reasons to invade both countries.

In the case of Afghanistan, according to Rumsfeld, the president's goals were: "to make absolutely clear to the Taliban and to the world that harboring terrorists carried a price; to acquire

 ¹¹⁵ "President Bush Discusses Freedom in Iraq and Middle East," The White House, last modified November 6, 2003, https://georgewbush-whitehouse.archives.gov/news/releases/2003/11/20031106-2.html
 ¹¹⁶ Daalder, and Lindsay, *America Unbound*, 14.

intelligence for future operations against al-Qaida and against the Taliban; to develop relationships with the key groups in Afghanistan that opposed the Taliban and al-Qaida; to make it increasingly difficult for the terrorists to use Afghanistan as a base of operations; to alter the military balance over time by denying the Taliban the offensive systems that hamper the progress of opposition forces; and to provide humanitarian relief to Afghan people suffering under the Taliban."¹¹⁷ In the case of Iraq, according to Condoleezza Rice,

the argument was really more straightforward: Saddam Hussein was a cancer in the Middle East who had attacked his neighbors, throwing the region into chaos. (...) He had drawn the United States into conflict twice. (...) The sanctions put into place to contain him had crumbled under the weight of international corruption and his considerable guile. He had tried to assassinate a former President of the United States and supported terrorists, harboring some of the most notorious of them in his country. There had been no arms inspections in Iraq for more than four years. And it was the unanimous view of the U.S. intelligence community that he had reconstituted his chemical and biological weapons programs.¹¹⁸

Rumsfeld adds that, "though intelligence did not report that Saddam was tightly connected to al-Qaida or that he was involved in the 9/11 attack, Iraq was included in almost any analysis of state supporters of terrorism. Iraq had been on the State Department's list of state sponsors of terror since 1990. The regime's links to individual terrorists and terrorist groups earned Iraq its place on the 'axis of evil' list."¹¹⁹ In sum, Bush's administration applied a policy based on preemptive actions and democracy change in both war cases, in order to fight the threat of terrorism.

When examining Bush's grand strategy against terrorism during his first term, according to Karen A. Feste, Bush followed a conflict resolution strategy of fighting. "In conflict resolution, the strategy is demonstrated in several ways: by engaging the adversary through coercive tactics and

¹¹⁷ Rumsfeld, Known and Unknown, 387.

¹¹⁸ Condoleezza Rice, No higher honour: A memoir of my years in Washington (New York: Simon & Schuster, 2011), 197.

¹¹⁹ Rumsfeld, *Known and Unknown*, 421.

deliberately expanding the intensity of the conflict in order to defeat the opponent. It is highly assertive and aggressive with minimal cooperativeness. It consists of proving who is right and wrong, and winning by inflicting the most damage or forcing one's opponent to give up. The goal is victory over the enemy. It is used for quick action, handling vital issues, and is appropriate when there is need for protection in a situation."¹²⁰ The fight against terrorism came to dominate the foreign policy agenda, and it became the major concern of the administration's national security policy. According to Bush, "prior to 9/11, many had viewed terrorism primarily as a crime to be prosecuted; (...) on 9/11, it was obvious the law enforcement approach to terrorism had failed. (...) They could not be deterred by the threat of prosecution. They had declared war on America. To protect the country, we had to wage war against the terrorists. (...) Putting America on a war footing was one of the most important decisions of my presidency."¹²¹ The war strategy chosen by the Bush administration became famously known as 'The War on Terror' (WOT), an international political and military campaign led by the U.S. against the al-Qaeda. The term was originally used with the focus on countries associated with al-Qaeda, but throughout time, it became associated to a variety of actions to eliminate terrorist organizations that would pose a threat to American security.

The Bush administration claimed several sources of authority for its WOT. Internationally, it asserted that the United States was entitled to acts in self-defense under Article 51 of the UN Charter, "nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations."¹²² Domestically, Bush alleged that the authority to conduct the war came from two sources. First, Article II of the U.S. Constitution which entrusts the president with wartime powers as commander in chief: "the President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; (...) and he shall have Power to grant Reprieves and Pardons

¹²⁰ Feste, America Responds to Terrorism, 200.

¹²¹ George W. Bush, *Decision Points* (New York: Crown Publishers, 2010), 154.

¹²² "CHAPTER VII: ACTION WITH RESPECT TO THREATS TO THE PEACE, BREACHES OF THE PEACE, AND ACTS OF AGGRESSION," United Nations, accessed May 29, 2019. https://www.un.org/en/sections/un-charter/chapter-vii.

for Offenses against the United States, except in Cases of Impeachment."¹²³ Second, Bush enlarged the legal framework when establishing his strategy, expanding the powers of the president to fight terrorists. He relied upon two authorizations: the Authorization for Use of Military Force (AUMF) of September 2001 to justify the campaign against the Taliban in Afghanistan; and the AUMF to defend against the continuing threat posed by Iraq, passed by Congress in 2002. According to Shoon Kathleen Murray,

the initiative for a war authorization came from the White House. On the morning of the attack, Vice President Dick Cheney began strategizing about what extraordinary authority the president would need to respond to the emergency. (...) When President Bush met congressional leadership the next morning, on September 12, he had a list of requests ready. He wanted a supplementary spending bill, increased authority in law enforcement at home, and, most important here, a congressional authorization to use military force abroad.¹²⁴

Critics had raised concerns about the 2001 AUMF, suggesting that it thrived outside and beyond the control of Congress. The original intent of the resolution was meant to be a temporary grant of powers to the president to fight specifically the perpetrators of the 9/11 attacks. Later, the idea was stretched to a broader interpretation, emerging long-term use of the war authority and action of the U.S. military, even targeting different locations and different groups. In sum, due to the shift on the sense of danger caused by terrorist attacks on America soil, a war grand strategy was chosen by the Bush administration in his first term.

¹²³ "Article II: Executive Branch," National Constitution Center, accessed May 29, 2019. https://constitutioncenter.org/interactive-constitution/articles/article-ii.

¹²⁴ Shoon Kathleen Murray, "The Contemporary Presidency: Stretching the 2001 AUMF: A History of Two Presidencies: Stretching the 2001 AUMF." *Presidential Studies Quarterly* 45, no. 1 (2015): 176.

Chapter 4: The Bureaucratic Analysis

Introduction

In this chapter, the second level of analysis of the U.S. foreign policy of Bill Clinton and George W. Bush's administrations is presented. First, it will provide an analysis of some key concepts in order to understand the frame of complications produced by bureaucratic politics. Second, it will look at the domestic context of the time period that might have influenced on the bureaucratic scenario, particularly the relationship between both presidents and the directors of the FBI and the CIA. Third, a bureaucratic analysis will be provided by investigating the bureaucratic reality of these administrations and how the role of government agencies such as the CIA and the FBI influenced U.S. foreign policy when dealing with the matter of terrorism. At last, it will look at the rendition policy in order to understand the ways the administrations handled foreign policies carried by such bureaucratic agencies.

Concepts of bureaucratic structures

As previously seen in Chapter 2, some key concepts were emphasized in order to understand the frame and possible complications produced by bureaucratic politics. In this section, an analysis of some of these concepts will be provided and applied to the context of terrorism in the Clinton and Bush administrations, considering the role of the FBI and CIA as bureaucratic agencies. The first concept involves the term 'stakeholders' or 'players'. The CIA and FBI are certainly examples of that because they sheer political power and autonomy that allow them to affect a bureaucratic outcome. According to Patrick S. Roberts, "autonomy refers to an agency's ability to craft and implement a perspective independent of elected politicians and other agencies. (...) In the two cases presented here, the FBI and CIA gain autonomy when they exercise executive power, performing tasks that are so urgent, secretive, or forceful that they cannot be anticipated by law."¹²⁵ Roberts argues that in the case of the FBI, its extraordinary power was best appreciated for its sinking reputation following the terrorist attacks of

¹²⁵ Patrick S. Roberts, "How Security Agencies Control Change: Executive Power and the Quest for Autonomy in the FBI and CIA." *Public Organization Review* 9, no. 2 (2009): 169-170.

2001. "Members of Congress as well as pundits and experts bashed the agency for its poor counterterrorism performance and failure to identify and track suspected terrorists."¹²⁶ In the case of the CIA, even though Roberts argues that the autonomy and power of the CIA are more complex than the FBI, the agency faced the same pressures to remake itself for counterterrorism as those that confronted the FBI, calling both agencies for reform in the year of 2001.

The second concept is about 'action channels' and the idea of procedures and teams within a government and its establishments. When presidents Clinton or Bush would raise questions regarding issues of terrorism and foreign policy, to be able to obtain a proper answer to make decisions, the presidents had to face the action channels within the government and its committees. In order to understand this concept better, the explanation of the action channels of the official U.S. government opinion on Saddam Hussein and the possession of weapons of mass destruction (WMD) will be used as an example.

The president asks the DCI if Saddam Hussein has WMD. The DCI asks the Intelligence Community Executive Committee, which asks the National Foreign Intelligence Board, which asks each of its member intelligence organizations to independently answer the question. After each intelligence organization hashes out its own answer, interagency committees are set up to debate the answer among agencies. The resulting opinions and minority opinions and dissenting opinions will then be sent to the Board, which will discuss them and send them up to the Executive Committee. The Intelligence Community Executive Committee will further discuss the issue and then make a report to the National Intelligence Council. The NIC will make their own investigation of all the facts and analysis put forward by the intelligence community. At some point, the particular member of that office charged with overnight of the broad issue area of proliferation will use a National Intelligence Estimate. That official NIE is then presented to the president.¹²⁷

¹²⁶ Ibid., 176.

¹²⁷ Hudson, *Foreign Policy Analysis*, 91.

The third concept is about group manipulation, which involves tools such as framing and agenda. First, when it comes to manipulation of group framing, a famous example of frame taken was the decision of Bush to go to war with Afghanistan (2001) and Iraq (2003) based on the information generated by his administration. According to Stephen D. Reese and Seth C. Lewis, "the WOT was the label assigned by the Bush administration to its national security policy, launched in response to the attacks of 9/11. The cultural construction and political rationale supporting this slogan represent a powerful organizing principle that has become a widely accepted framing."¹²⁸ Second, considering the manipulation of group agenda, an example of that was carried by the Bush administration again. They were accused by Richard Clark of not taking the issue of terrorism as a priority in the state's agenda, an agenda that apparently was not followed by Bush's team. "Our country seems unable to do all that must be done until there has been some awful calamity that validates the importance of the threat. (...) The right war was to fight for elimination of al Qaeda, to stabilize nations threatened by radical Islamic terrorists, to offer a clear alternative to counter the radical 'theology' and ideology of the terrorists, and to reduce our own vulnerabilities at home. It was an obvious agenda."¹²⁹

The fourth concept involves the idea of subversion and equalizers through the individual role in the playing field. For instance, Richard Clark accused the FBI for failing to take the issue of terrorism seriously: "I had believed for at least five years that al Qeada was here. I had not had much luck convincing the FBI to pay close attention. Officially, the FBI said that they knew of only a handful of sympathizers who were under surveillance. There were no active cells, no indigenously based threat, according to the Bureau." It could be said that the individual or individuals that were given the directives to investigate terrorists in American soil could have simply not implemented them. Officials in a higher position may not have the time to check each of these directives, leading to a subversion of failure within the FBI on the matter of terrorism. At last, there is the concept of games. The conflict between the CIA and the FBI as bureaucratic organizations to adequately share information relating to the 9/11

¹²⁸ Stephen D. Reese, and Seth C. Lewis, "Framing the War on Terror: The Internalization of Policy in the US Press." *Journalism* 10, no. 6 (2009): 777.

¹²⁹ Clarke, Against all enemies, 239.

terrorist attacks is a clear example of this concept. An article by the New York Times summarizes the 9/11 congressional report findings:

The September 11 attacks were preventable, but the plot went undetected because of communications lapses between the F.B.I. and C.I.A., which failed to share intelligence related to two hijackers. (...) The Central Intelligence Agency knew about the terror connections between the two men, Khalid al-Midhar and Nawaq Alhazmi, who in 2000 moved to San Diego, frequenting Muslim circles that the Federal Bureau of Investigation had infiltrated. (...) If the intelligence agency had shared its information and that if the F.B.I. had used its informants more aggressively, the presence of Mr. Midhar and Mr. Alhazmi in San Diego offered 'the best chance to unravel the September 11 plot.'¹³⁰

In sum, the FBI and the CIA were significant 'players' when dealing with the matter of terrorism before and after the 9/11. The elements that surround bureaucratic politics are complex, and they create a problematic environment to its players and the system itself.

Background on the time period

During a presidential term, there are times that the president might face a challengeable situation within the administration, particularly in the bureaucratic set. In the time period of Clinton's second term, it is important to notice the troubled relationship between Clinton and his FBI director, Louis Freeh, that might have influenced the bureaucratic scenario that Clinton and his administration found themselves in the end of 2000. In his memoir book, Clinton explains the circumstances of appointing Freeh as the new FBI director in 1996.

In the third week of July, (...) I dismissed the director of the FBI, William Sessions, after he refused to resign despite numerous problems within the agency. We had to find a replacement. (...) Bernie Nussbaum urged me to choose Louis Freeh, a former FBI agent whom President (George H. W.) Bush had appointed to the federal bench in New York after a stellar career as a federal prosecutor. (...) I knew Freeh was a Republican, but Nussbaum assured me that he was

¹³⁰ "9/11 Congressional Report Faults F.B.I.-C.I.A. Lapses," The New York Times, last modified July 24, 2003, https://www.nytimes.com/2003/07/24/us/9-11-congressional-report-faults-fbi-cia-lapses.html.

a professional and stand-up guy who would not use the FBI for political purposes. (...) I would just have to trust Bernie Nussbaum's judgment.¹³¹

Freeh also touches upon this topic in his own memoir book, where he explains that the troubled relationship started due to the rejection of a personal pass sent to Freeh by Clinton. "Hard on the heels of my briefing on Madison Guaranty Savings and Loan, the White House sent over a personal pass for my use. (...) Personal passes let you come and go to at 1600 Pennsylvania Avenue without having to be logged in. The passes were given out to cabinet officers as a matter of routine."¹³² Freeh claims that he refused the pass due to the investigation on illicit fund-raising during the 1996 presidential campaign which involved Clinton and his administration. According to him,

a personal pass was just what I did not want. If the FBI was going to be involved in an investigation of the president, as seemed possible, I wanted every visit I made to the White House to be part of some public record. (...) So I sent the pass back with a polite but fairly terse note; (...) and that, I was to find out much later, offended Bill Clinton mightily; (...) not only was returning the pass a personal affront to the president, it was seemingly a declaration of open hostility on my part. (...) That meant no personal pass, but it also marked the end of any hope I had of establishing a close working relationship with my boss.¹³³

Besides the inconvenient pass situation, Freeh came to distrust Clinton due to other relevant events. First, there was the criminal investigation of the suicide of Vincent Foster, which involved the FBI assistance and the Clinton family; Foster was the Deputy White House Counsel to President Clinton from 1991 to 1993, and previously in Arkansas he had been a colleague and friend of Hillary Clinton, Bill Clinton's wife; Foster took his own life on July 20, 1993 at Fort Marcy Park in Virginia, which led to the investigation of Foster's death, creating a delicate crime investigation situation between Bill Clinton and Louis Freeh. Second, there was the investigation into allegations of illicit fund-raising during the 1996 presidential campaign involving Clinton and his administration, followed by the FBI memo written by

¹³¹ William Jefferson Clinton, My life (New York: Alfred A. Knopf, 2004), 530.

¹³² Louis J. Freeh, *My FBI: Bringing Down the Mafia, Investigating Bill Clinton, and Fighting the War on Terror* (New York: St. Martin's Griffin, 2006), 250.

Freeh leaking to the press. Freeh explains in his own words how unfortunate this event was: "Bill Clinton stopped talking with me just about the time word of my memo surfaced, and he did not speak to me again until shortly after the USS Cole was attacked almost four years later, and then only a few words."¹³⁴ Third, there was the Monica Lewinsky case, a political sex scandal involving President Bill Clinton and a sexual relationship in the White House. "On January 17, 1998, the president had been deposed as part of the discovery in Jones suit, and in that session he had denied having sexual relationships with Monica Lewinsky. Eight months later, the president acknowledged in a national address that, while his testimony in the Jones trial was 'legally accurate', he had indeed enjoyed a relationship with the former White House intern that was 'not appropriate' and 'wrong'. (...) The committee did eventually decide to suspend Bill Clinton's (law) license for a period of five years, embarrassment enough."¹³⁵ Furthermore, besides the criminal investigations and the sexual scandal, Freeh strongly criticized Clinton's failure to follow through on his promise to pursue the killers behind the terrorist attack of the 1996 Khobar towers bombing in Saudi Arabia that killed 19 Americans. "For example, an FBI investigation report showed that the Iranian government was the mastermind of this bombing. However, the White House eventually decided not to take any effective action to retaliate due to political sensitivities related to the US-Iranian relationship. Clearly, at that time, improving US–Iranian relations was perceived as a greater priority by Clinton's national security team than the investigation."¹³⁶

Louis Freeh continued as the FBI director until Bush's first term, but he resigned five months after Bush's presidential inauguration. "Freeh made the announcement at a meeting of top FBI personnel. He gave no reason for leaving the high-profile law enforcement post two years before the end of his 10-year term."¹³⁷ According to the Washington Post, Freeh's resignation caught all FBI senior aides and president Bush by surprise, the expectation in the bureau was that Freeh would leave next to the end of his term in 2003, primarily because of financial need. "Freeh was effusive in his praise of

¹³⁴ Ibid., 256.

¹³⁵ Ibid., 271.

¹³⁶ Tsui, Clinton, New Terrorism and the Origins of the War on Terror, 75.

¹³⁷ "Louis Freeh To Resign As Director Of the FBI," The Washington Post, last modified May, 2001, https://www.washingtonpost.com/archive/politics/2001/05/02/louis-freeh-to-resign-as-director-of-the-fbi/106f0bfa-ace7-4c79-baaf-c758e98f0252/?utm_term=.b258dcfe5f0a

Bush, crediting him with bringing 'great honor and integrity to the Oval Office.' He also praised Vice President Cheney for his 'dedication to duty in serving the nation'. (...) In contrast, Freeh offered brief, one-sentence words of thanks to former president Bill Clinton."¹³⁸ President Bush nominated Robert Mueller for the new position in July, and he officially became the FBI director on September 4, 2001, just one week before the September 11 attacks. In sum, the unfriendly relationship between the FBI director and President Clinton and the FBI leadership vaccum in Bush's first term might have influenced the bureaucratic reality of both administrations.

On the other hand, DCI George Tenet would hold a different relationship with Clinton and Bush. "Soon after the presidential election of 1992, Tenet joined Bill Clinton's transition team as director for intelligence issues; (...) In 1995, he moved to the CIA to become deputy to DCI John Deutch; (...) When Deutch quit after only 19 months, President Clinton nominated his national security advisor, Tony Lake, as DCI, but Senate Republicans blocked Lake as being too liberal. That left Tenet, who got the job almost by default."¹³⁹ Clinton and Tenet had little personal contact, since Clinton did not require the DCI to be present for the daily intelligence briefing, often preferring to read the written President's Daily Brief (PDB) instead. Neither Tenet or Clinton mention their relationship in their memoir books, and when they refer to each other to explain a certain situation is always in an impartial way. "When George W. Bush won the presidency, George Tenet expected to be replaced as soon as the Republicans took office. In early 2001, however, Senator David Boren called Bush and urged him to keep Tenet as a gesture of bipartisanship. The senator suggested that Bush ask his father, himself a former DCI, about Tenet. President George H. W. Bush had been impressed by Tenet, who had shepherded Robert Gates through the Senate confirmation process in 1991 and later led the effort to rename CIA headquarters for the elder Bush. Tenet stayed."¹⁴⁰ According to Tenet, "as the administrations changed, my role, and that of CIA, (...) changed too. The Bush administration also had a more traditional and perhaps more appropriate view regarding CIA's involvement."¹⁴¹ In contrast with the Clinton administration, "Bush

¹³⁸ Ibid.

¹³⁹ Richard D. White, "George Tenet and the Last Great Days of the CIA." *Public Administration Review* 68, no. 3 (2008): 421. ¹⁴⁰ Ibid., 423.

¹⁴¹ Tenet, At the center of the storm, 80.

decided to resume the daily intelligence briefings that Clinton had abandoned, and Tenet, at Bush's urging, attended them himself each day. That was a significant break from tradition; past CIA directors had allowed agency analysts to handle the briefings themselves. No other CIA director had ever scheduled himself to meet with the president every single morning to discuss the day's intelligence."¹⁴² Tenet became soon a trusted insider of the Bush administration, continuing with the good relationship around the time 9/11 happened. "In a perverse way, 9/11 made Tenet's job easier. It gave him clarity, allowing him to know exactly what his priority was, that he had the full support of his president, and that he would have a blank check for more people, more funding, and expanded covert authority to do his job. A week after the attack, Bush signed a secret order giving the CIA more than \$800 million."¹⁴³

Even though Bush and Tenet kept a trusting relationship until the beginning of the first presidential term, the scenario within the administration changed in the end of the summer of 2002, especially among Tenet and the office of the Vice President, Defense Department and the intelligence community. On August 26, 2002, Vice President Richard Cheney announced that there was no doubt that Saddam Hussein had weapons of mass destruction, which caught Tenet by surprise for many reasons. According to Tenet himself, "for starters, the vice president's staff had not sent the speech to CIA for clearance, as was usually done with remarks that should be based on intelligence. The speech also went well beyond what our analysis could support. The intelligence community's belief was that, left unchecked, Iraq would probably not acquire nuclear weapons until near end of the decade."¹⁴⁴ When the Senate Select Committee on Intelligence (SSCI) became aware of diverging information and dispute, it ordered the CIA to complete a crash National Intelligence Estimate on whether Iraq possessed WMD. "The new estimate concluded that 'Baghdad has chemical and biological weapons (...) and could make a nuclear weapon within several months', but Tenet later admitted the estimate was 'flawed' and contained little hard evidence. As the inconsistent intelligence fueled more controversy, the DCI attempted to quell a press leak that the CIA's internal analysis conflicted with that of the White House.

¹⁴² Risen, State of war, 17.

 $^{^{\}rm 143}$ White, "George Tenet and the Last Great Days of the CIA," 424.

¹⁴⁴ Tenet, At the center of the storm, 315.

Supposed to stay above the partisan fray, Tenet found himself in the odd position of downplaying the conclusions of his own analysts at the CIA."¹⁴⁵ Moreover, in October, Tenet removed material from a presidential speech claiming that Iraq tried to buy 500 tons of uranium oxide from Niger, an act that was extremely criticized by CIA analysts that concluded that the information had originated from unreliable source and forged documents. In June 2004, after some other inconvenient events and mainly for Tenet admitting the intelligence flaws, Senator Richard Shelby called for the DCI's resignation. "On July 11, 2004, with the political firestorm over weapons of mass destruction still building, Tenet resigned as director of central intelligence. Five months later, he stood in the East Room of the White House, where President Bush, still loyal to his former DCI, praised the CIA and awarded Tenet the Presidential Medal of Freedom."¹⁴⁶ In sum, the distant relationship between the CIA director and President Clinton and the turbulent scenario between Tenet and the members of the Bush team might have influenced the bureaucratic reality of both administrations.

Bureaucratic Analysis

The bureaucratic analysis will investigate the strategies Bill Clinton and George W. Bush adopted to solve the problem of terrorism in a bureaucratic context. In order to recognize the problems inside these bureaucratic organizations, it is important to understand the role of each of these agencies. According to Frederick P. Hitz and Brian K. Weiss,

the FBI, as the primary U.S. federal law enforcement agency, was to continue focusing on catching criminals, its success measured in arrests and prosecutions. Law enforcement is by and large reactive, taking action only after a crime is committed. It does not require strategic analysis but operates case by case; intelligence is important, but only to provide tips for investigations. (...) Secrecy is important only to protect a case and witnesses before trial; if the goal is conviction, law enforcement must be willing to reveal both sources and methods.¹⁴⁷

¹⁴⁵ White, "George Tenet and the Last Great Days of the CIA," 424.

¹⁴⁶ Ibid., 426.

¹⁴⁷ Frederick P. Hitz, and Brian K. Weiss, "Helping the CIA and FBI Connect the Dots in the War on Terror," *International Journal of Intelligence and CounterIntelligence* 17, no. 1 (2004): 4.

Moreover, the FBI is part of the Executive Branch, "it is the principal investigative arm of the U.S. Department of Justice and a full member of the U.S. Intelligence Community."¹⁴⁸ Even though the FBI director is nominated by the President and confirmed by the Senate, the director reports to the Attorney General and the Director of National Intelligence; and for that reason, the FBI as an actor would fall into the category of junior participants mentioned by Halperin in chapter 2, since it does not directly report to the President.

On the other hand, "the focus of the Intelligence Community, coordinated by the DCI as established in the National Security Act, is strategic understanding. 'Pure intelligence,' as John le Carré calls it, is forward looking and oriented toward policy. (...) Intelligence officials, as directed by the National Security Act, must protect sources and methods, especially those that will be of future use. They are therefore reluctant to involve themselves in the chain of evidence or reveal sources to law enforcement."¹⁴⁹ Moreover, the CIA is an independent agency which is monitored by the Congress and the Executive Branch, and it "is responsible for providing intelligence on a wide range of national security issues to senior US policymakers."¹⁵⁰ Just like the FBI, the DCI is also appointed by the President and confirmed by the Senate, but its director reports directly to the Director of National Intelligence. Additionally, "in forming U.S. foreign policy, the president relies on advice from the National Security Council. This group is made up of the vice-president, secretary of state, secretary of defense, head of the Central Intelligence Agency, and chair of the Joint Chiefs of Staff (the nation's highest military adviser)."¹⁵¹ The CIA as an actor would fall into the category of junior participants, however, the director as an individual actor could be considered a senior participant since he reports directly to the president when covering foreign policy issues. It might seem easy to identify the different focusses of each of these agencies, but the reality in practice can be challenging.

¹⁴⁸ "What is the FBI?" U.S. Department of Justice, accessed April 30, 2019, https://www.fbi.gov/about/faqs/what-is-the-fbi. ¹⁴⁹ Ibid.

¹⁵⁰ "Who we are," Central Intelligence Agency, last modified November 01, 2018, https://www.cia.gov/about-cia/todayscia/who-we-are.

¹⁵¹ "America's Foreign Policy: A Brief History," Constitutional Rights Foundation, accessed April 30, 2019, http://www.crfusa.org/war-in-iraq/foreign-policy.html.

During Clinton's second term, many problems were later to be found inside those organizations, that can be argued to be the causes of organization failure that led to the 9/11 attacks. There were three main problems identified within the FBI and the CIA during Clinton's administration: the problem of external and internal gap roles existing in the agencies, proper analysis of information collected due to the lack of technology and experience, and information sharing. The first problem is related to external structure, "the CIA and other agencies were responsible for tracking terrorists abroad, while the FBI was supposed to watch them at home. Nobody, however, was clearly responsible for monitoring the communications or movements of suspected terrorists between the United States and foreign countries. The result was that terrorists could operate seamlessly across borders but the US Intelligence Community could not."¹⁵² Moreover, the internal structure of these agencies had also its issues. "The Bureau's internal structure was highly decentralized, with power concentrated in 56 local field offices, each run by a Special Agent-In-Charge (SAC). (...) By the 1990s, field office primacy had become so engrained that some joked the FBI consisted of '56 field offices with a headquarters attached'. It is fair to say that when the Cold War ended, the FBI was less a single agency than loosely connected agencies, each of which set its own priorities, assigned its own personnel, ran its own cases, followed its own orders, and guarded its own information."¹⁵³

The second problem these organizations faced during Clinton's presidency was the proper analysis of information collected due to the lack of experience and technology. "The final report of the joint inquiry into the 9/11 attacks, for its part, focused almost exclusively on problems of analysis, dissemination, and translation of existing information, not collection. The main exception cited is the difficulty in obtaining FISA surveillance. Other analyses have shown how, beginning with the two hijackers known to the CIA, Nawaq al-Hazmi and Khalid Al-Mihdhar, the FBI and other federal agencies, using easily obtainable information like listed addresses, phone numbers, and INS watch lists, could have discovered all 19 hijackers."¹⁵⁴ The lack of experience in analyzing the intelligence information collected

¹⁵² Zegart, "9/11 and the FBI," 167.

¹⁵³ Ibid., 167-168.

¹⁵⁴ Frederick P. Hitz, and Brian J. Weiss, "Helping the CIA and FBI Connect the Dots in the War on Terror," *International Journal of Intelligence and CounterIntelligence* 17, no. 1 (2004), 16.

on terrorism issues was a serious problem. Moreover, "the Bureau's computer inadequacies made it extremely costly for agents to conduct their own analysis. As the 9/11 Commission concluded in a staff statement, 'The FBI did not have an effective system for storing, searching, or retrieving information of intelligence value contained in its investigative files'." ¹⁵⁵ The problem of lack of experience and technology was also acknowledged by Richard Clarke:

the lack of computer support, however, was a failure of the Bureau's leadership. Local police departments throughout the country had far more advanced data systems than the FBI. In New York I saw piles of terrorism files on the floor of the JTTF. There was only one low-paid file clerk there, and he could not keep up with the volume of paper that was being generated. There was no way for one agent to know that information another agent had collected, even in the same office. Wiretap recordings lay around for weeks because there were too few Arabic or Farsi or Pashto translators. (...) When the FBI did uncover something interesting and report it to Washington, no written record of it ever left the Bureau. This was in marked contrast to CIA, NSA, and the State Department, which flooded my secure e-mail with over one hundred detailed reports every day.¹⁵⁶

Louis Freeh does admit in his book that if the FBI had a better technological system, perhaps the 9/11 attacks would have been prevented. In his own words he stated, "I regret that I was never able to convince Congress to fully fund our technological initiatives. I'm embarrassed that on that afternoon and evening of September 11, 2001, FBI agents had to send photos of the suspected terrorists via express mail service because they still lacked the computing power to scan and send images."¹⁵⁷

The third and last problem involves the focus on the historic inability of the CIA and the FBI to share information. The core of the problem is that the secret culture of law enforcement and intelligence organizations is designed to protect, not share information. "For the Intelligence Community, the justification for a cult of secrecy comes directly from its charter: the duty to "protect

¹⁵⁵ Zegart, "9/11 and the FBI," 170.

¹⁵⁶ Clarke, Against all Enemies, 216-217.

¹⁵⁷ Freeh, My FBI, 289.

sources and methods," as stated in the National Security Act. For the FBI, it comes from the legal requirement to protect evidence for prosecution. 'Maintain the integrity of the investigation' and 'preserve the chain of evidence' are cultural mantras ground into fresh recruits at the FBI's training facility."¹⁵⁸ Moreover, "the two agencies (...) had very different purposes for the same information. The CIA, whose main goal was strategic understanding, had a broader approach to counterintelligence, more often preferring to leave the suspected persons in place and under surveillance rather than allowing the FBI to arrest them. (...) There were also disagreements over sources. The FBI often wanted testimony; the CIA rarely wanted to reveal its hand through the publicity of trial."¹⁵⁹ In other words, these two agencies would deal with counterterrorism cases differently; the FBI would use criminal investigations to seek prosecution for specific past attacks, and the CIA would use intelligence investigations to seek information about potential future attacks. Overall, the legal barriers to passing information across this divide were low, and Richard Clarke recognizes the problem himself: "what was buried in CIA and FBI was not a matter of one sparrow falling from a tree, red lights and bells should have been going off. They had specific information about individual terrorists from which one could have deduced what was about to happen. None of that information got to me or the White House."¹⁶⁰ In sum, that was the reality of Clinton's administration, with many external and internal problems within its main bureaucratic agencies, and the way the Clinton administration handled the information generated by the FBI and CIA led to an intelligence failure. According to Clarke, "although the Clinton administration had sought tougher money laundering provisions, only after 9/11 did Congress muster the political will to strengthen the U.S. laws to fight terrorist financing."¹⁶¹

The reality of the Bush administration before the 9/11 attacks was the same, or even inferior when presenting some facts. Bush also failed to recognize all the organizational problems mentioned earlier in the Clinton administration, and according to Clarke, Bush's administration failed to recognize the matter of terrorism in general. As mentioned in the previous chapter, Clarke explains in his memoir

 $^{^{158}}$ Hitz, and Weiss, "Helping the CIA and FBI Connect the Dots in the War on Terror," 13.

¹⁵⁹ Ibid., 5.

¹⁶⁰ Clarke, Against all Enemies, 237.

¹⁶¹ Ibid., 195.

book the several times he briefed the new Bush administration on the issue of terrorism, and that they failed to take the threat seriously. "When the Bush administration came into office, I wanted to raise the profile of our efforts to combat terrorist financing, but found little interest. (...) In general, the Bush appointees distrusted anything invented by the Clinton administration and anything of a multilateral nature."¹⁶² The same thoughts were shared by Tenet, confirming that "the Bush crowd (...) carried a heavy load of aversion to any policy the Clinton administration had favored. Doing things differently from their predecessors seemed almost an imperative with them."¹⁶³ Moreover, Clarke emphasized his warnings and concerns during the Spring of 2001, including details about The Principals Committee meeting that he called on September 4, 2001 to urgently talk about Al Qaeda and suggestions to possibly initiate a policy debate. "The Principals meeting, when it finally took place, was largely a nonevent. Tenet and I spoke passionately about the urgency and seriousness of the Al Qaeda threat. No one disagreed. (...) Rice ended up the discussion without a solution. She asked that I finalize the broad policy document, a National Security Presidential Directive, on al Qaeda and send it to her for Presidential signature."¹⁶⁴ In her memoir book, Rice responds to Clarke's statements:

From the very beginning, I pressed for a strategy to disable al Qaeda and directed Richard Clarke (...) to develop one. When threat levels began to spike in the summer of 2001, we moved the U.S. government at all levels to a high state of alert. Secretary of State Colin Powell and Secretary of Defense Donald Rumsfeld had secured our embassies and military bases abroad. After all, the intelligence assessment was that an attack would most likely come in Jordan, Saudi Arabia, Israel, or in Europe. (...) I did everything I could. I was convinced of that intellectually. But, given the severity of what occurred, I clearly hadn't done enough.¹⁶⁵

In sum, before the 9/11 attacks, the way the Bush administration handled the information generated by the FBI and CIA also led to an intelligence failure. Bush struggled to deal with the matter of terrorism

¹⁶² Ibid., 196.

¹⁶³ Tenet, At the center of the storm, 139.

¹⁶⁴ Ibid., 237-238.

¹⁶⁵ Rice, *No higher honour,* xvi-xvii.

in general, since the 9/11 attacks happened during his presidency and none of the bureaucratic agencies or his team of advisors were able to prevent them.

On the other hand, within the months that followed the 9/11 attacks, Bush and his administration recognized the problems within the bureaucratic agencies. Bush himself admitted that "in terms of whether or not the FBI and the CIA were communicating properly, I think it is clear they were not;"¹⁶⁶ In May 2002, FBI director Robert Mueller revealed the second phase of the Bureau's reorganization, and the most important aspect of domestic intelligence reform thus far. "He called for nothing less than a total change of mindset, a 'shift from reactive to proactive orientation' of the FBI. In extraordinarily frank language, Mueller recognized the need to 'fundamentally change the way we do our business.' He recognized that 'new technologies are needed,' that the FBI must do a 'much better job of recruiting, managing, and training' its people, and most importantly, the need to do 'a better job of collaborating with others' and 'managing, analyzing and sharing information.'"¹⁶⁷ In July 2002, the government released the President's National Strategy for Homeland Security that officially and openly recognized the bureaucratic problems:

Today, there is no single agency or computer network that integrates all homeland security information nationwide, nor is it likely that there ever will be. Instead, much of the information exists in disparate databases scattered among federal, state, and local entities. In many cases, these computer systems cannot share information—either "horizontally" (across the same level of government) or "vertically" (between federal, state, and local governments). Databases used for law enforcement, immigration, intelligence, and public health surveillance have not been connected in ways that allow us to recognize information gaps or redundancies.¹⁶⁸

Besides recognizing the problems within these bureaucratic agencies, Bush's administration saw the need to adopt a set of procedures to change the bureaucratic scenario and create solutions to

¹⁶⁶ "Bush Cites CIA-FBI Breakdown: House-Senate Panel Starts Probing 9/11 Intelligence Failure," *The Washington Post*, June 5, 2002, LexisNexis Academic.

¹⁶⁷ Hitz, and Weiss, "Helping the CIA and FBI Connect the Dots in the War on Terror," 21.

¹⁶⁸ Office of Homeland Security, National Strategy for Homeland Security (Washington, D.C.: The White House, 2002), 55.

fix internal issues. The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (U.S. Patriot Act) signed into law on October 26, 2001 and The Homeland Security Act (HSA) effective on November 25, 2002 can be both seen as examples of the solutions created by Bush's team. Looking at the U.S. Patriot Act first, Bush saw the need to implement new security policies, facilitating the work of law enforcement agencies by giving them broader powers to investigate, indict and capture terrorists, including the increase of penalties for committing and supporting terrorist crimes. "The bill (...) modernized our counterterrorism capabilities by giving investigators access to tools like roving wiretaps, which allowed them to track suspects who changed cell phone numbers – an authority that had long been used to catch drug traffickers and mob bosses. It authorized aggressive financial measures to freeze terrorist assets. And it included judicial and congressional oversight to protect civil liberties."¹⁶⁹ The main purpose of the act is emphasized by Condoleezza Rice: "The PATRIOT Act had expanded the tools that the FBI and other agencies could use to fight terrorism. It helped eliminate the wall between law enforcement and intelligence officials by easing restrictions on information sharing that had prevented effective counterterrorism cooperation prior to 9/11."¹⁷⁰ Additionally, according to James Risen, "The Patriot Act of 2001 has been widely criticized for giving the government too much power to engage in secret searches and to spy on suspects, and even some Republicans chafed at the idea of giving the government still more surveillance powers under an extended and expanded version."¹⁷¹ Bush responded to the criticism by highlighting the number one lesson he learned from the 9/11 attacks. "Do not take chances. When our law enforcement and intelligence professionals found people with ties to terrorist networks inside the United States, I would rather be criticized for taking them into custody too early than waiting until it was too late."172

¹⁶⁹ Bush, Decision Points, 161.

¹⁷⁰ Rice, *No higher honour,* 113.

¹⁷¹ James Risen, State of War: The Secret History of the CIA and the Bush Administration (New York: Free Press, 2006), 47.

¹⁷² Bush, *Decision Points*, 162.

Looking at the HSA, Bush saw the need to stablish a new department within the federal government, named the Department of Homeland Security (DHS), including a new cabinet-level position of Secretary of Homeland Security. According to Bush,

democratic Senator Joe Liebermsn of Connecticut had been making the strong case for creating a new federal department that unified out homeland security efforts. (...) Initially I was wary of his idea for a new department. A big bureaucracy would be cumbersome. I was also anxious about a massive reorganization in the midst of crisis. (...) Over time, I changed my mind. I recognized that having one department focused on homeland security would align authority and responsibility. With the agencies accountable for protecting the country under one roof, there would be fewer gaps and less redundancy. I also knew there was a successful precedent for restructuring the government in wartime. (...) I decided the reorganization was worth the risk.¹⁷³

In June 2002, President Bush announced his plans to create the DHS, and in July 2002, his administration released the national strategy for homeland security document, which outlines the evolution of the DHS and identifies some of the challenges the new department might face. "The DHS is a permanent agency and has budgetary authority over its mission. It also has a more comprehensive national strategy. However, the creation of this department entails the largest reorganization of the federal government since World War II and will likely take several years to implement fully."¹⁷⁴ Even though intelligence abroad may be the first line of defense against the threat of terrorism, after the 9/11 attacks, the Bush administration saw the need to change by focusing on homeland security efforts in the internal level. Coordinating domestic security issues within these bureaucratic agencies, including the ones explained earlier, is now the job of the DHS.

¹⁷³ Ibid., 156.

¹⁷⁴ "The Department of Homeland Security: Goals and Challenges," Nuclear Threat Initiative, last modified April 1, 2003, https://www.nti.org/analysis/articles/homeland-security-goals-challenges.

Two examples of these issues can explicitly be found in the document, including the goal to enable a new critical infrastructure of information sharing. "Homeland security requires improved information sharing between the intelligence community, law enforcement agencies, and government decision-makers. (...) The Administration will expand on this initiative by leading a review of all authorities governing the analysis, integrity, and disclosure of intelligence with the aim of improving information sharing through legislative reform while guarding against incursions on liberties." ¹⁷⁵ Moreover, the issue of technology is also mentioned in the document: "The Nation's advantage in science and technology is a key to securing the homeland. New technologies for analysis, information sharing, detection of attacks, and countering chemical, biological, radiological, and nuclear weapons will help prevent and minimize the damage from future terrorist attacks. Just as science and technology have helped us defeat past enemies overseas, so too will they help us defeat the efforts of terrorists to attack our homeland and disrupt our way of life."¹⁷⁶ In sum, "the DHS is in a unique position to bridge the gaps between foreign and domestic, intelligence and law enforcement, federal and local, public and private - exactly what is necessary to defend against transnational threats like terrorism. The missed opportunities prior to 9/11 show that when agencies share only what they consider important, important pieces of the puzzle are left behind. Agencies must learn to share, or at least make available for search, everything that is relevant, not just that deemed share-worthy."¹⁷⁷

Rendition Policy

The Clinton and Bush administrations not only used a different approach to the problem of terrorism in the bureaucratic context, but also acted differently when applying certain foreign policies carried by these bureaucratic agencies, named the rendition policy. According to Mark J. Murray,

rendition is defined simply as any time a fugitive is surrendered by one country and given to another. It should not to be confused with extradition, which is a subset of rendition

¹⁷⁵ Office of Homeland Security, National Strategy for Homeland Security, 48.

¹⁷⁶ Ibid., 51.

¹⁷⁷ Hitz, and Weiss, "Helping the CIA and FBI Connect the Dots in the War on Terror," 29-30.

characterized by a legal process and considered to be the official vehicle to transfer suspects in custody between foreign governments. (...) Rendition (...) is a policy where individuals known to be members or affiliates of terrorist organizations are seized and covertly transferred to a third country detention facility for debriefing. The process is extrajudicial, done in secret, and typically not carried out exclusively by U.S. personnel.¹⁷⁸

The name and the practices involving the rendition policy changed during the years, particularly from the Clinton to the Bush administration, and its roots can be traced back to the Ronald Reagan presidency. "During the Reagan administration, the United States apprehended individuals wanted for acts of terrorism against U.S. citizens and then transported them to the United States for prosecution in federal courts."¹⁷⁹ The Clinton administration viewed terrorism as a serious threat and acted accordingly, continuing with the practices of the rendition policy toward capturing terrorists, but implementing new elements into it. "Vital to an understanding of the initial rendition initiative is recognition that the programme began as a practice intended to facilitate the judicial process. It was not initiated to gain data, but rather 'to dismantle these terrorist cells overseas'. (...) However, its evolution to a programme deliberately designed to evade domestic legal prohibitions against torture began when the Clinton administration, frustrated at the lack of domestic legal options, realized the need 'to come up with a third party'."¹⁸⁰ Clinton chose to deliver suspects to a third country for trial, either to be judged for their previous crimes or in some cases executed. "Egypt received the vast majority of prisoners extraordinarily rendered by the Clinton administration and several of these prisoners were tortured and executed once they came into Egyptian custody."¹⁸¹ According to Averell Schmidt and Kathryn Sikkink, there are four main elements surrounding the rendition policy during the Clinton years that clearly differ from the new Bush administration to come: "rendition and extraordinary rendition cases prior to 2001 involved few foreign governments; the United States was not involved in

¹⁷⁸ Mark J. Murray, "Extraordinary Rendition and U.S. Counterterrorism Policy." *Journal of Strategic Security* 4, no. 3 (2011): 16. ¹⁷⁹ Averell Schmidt, and Kathryn Sikkink, "Partners in Crime: An Empirical Evaluation of the CIA Rendition, Detention, and Interrogation Program," *Perspectives on Politics* 16, no. 4 (2018): 1017.

 ¹⁸⁰ James D. Boys, "What's so Extraordinary about Rendition?" *The International Journal of Human Rights* 15, no. 4 (2011): 593.
 ¹⁸¹ Schmidt, and Sikkink, "Partners in Crime," 1017.

interrogation; detainees were sent to countries where they were wanted for criminal prosecution; and the goal of these policies was not to interrogate suspects for intelligence gathering purposes."¹⁸²

Moreover, the policy would be put into practice mostly by a joint FBI-CIA operation, since it involved criminal investigations and overseas intelligence. According to James D. Boys, "during the initial rendition policy, between 1993 and 1996, 'more terrorists were arrested and extradited to the United States than during the totality of the previous three administrations'. (...) CIA director George Tenet acknowledged that in this second phase of the Clinton rendition policy, (...) more than 50 al Qaeda terrorists had been dealt with in this manner."¹⁸³ Besides the effectiveness shown by the new elements implemented into the policy, Clinton had to deal with bureaucratic difficulties. "Despite such vocal support from within the highest levels of the civilian government, the Clinton administration faced bureaucratic challenges from the Pentagon and the CIA, which claimed a lack of resources to enact the programme. In a series of incidents that reveal insubordination and an effort to mislead on a grand and systematic scale, members of the military and the CIA briefed reporters and members of Congress that the administration had prevented them from apprehending war criminals and terrorists."¹⁸⁴ Clinton's inability to overcome such objections stand in contrast to the decisions made by Bush, that later, also brought new elements to the policy, finding support from different resources.

The Bush administration greatly enhanced the policy of rendition after the 9/11 attacks, and just as Clinton, Bush implemented new elements to it. An urgent issue for the administration was how to handle individuals captured on battlefields in Afghanistan. "The president, and his foreign policy advisers, hoped to extract information from those captured regarding the inner workings of both the Taliban and al-Qaeda. Perhaps most importantly, the administration hoped to gain intelligence concerning possible future attacks against the American homeland. Yet, due to the Geneva Conventions, of which the United States was a signatory country, certain parameters existed for the treatment of

¹⁸² Ibid.

¹⁸³ Boys, "What's so Extraordinary about Rendition?" 592.

¹⁸⁴ Ibid.

prisoners of war."¹⁸⁵ In order to find legal ways to implement new elements to the policy, on November 2001, Bush issued a military order titled 'Detention, Treatment, and Trial of Certain Non-citizens in the War Against Terrorism', which authorized the creation of military tribunals for individuals captured while fighting in Afghanistan. The administration decided to classify these men as enemy combatants, which meant that those with ties to any terrorist organizations would not have their rights granted by the Geneva Conventions. Besides finding support in the federal government and in the military to implement the new decisions, Bush chose the CIA as the main bureaucratic agency to put the policy into practice. According to him, "prior to 9/11, many had viewed terrorism primarily as a crime to be prosecuted, as the government had after the bombing of the World Trade Center in 1993. (...) On 9/11, it was obvious the law enforcement approach to terrorism had failed. (...) They could not be deterred by the threat of prosecution."¹⁸⁶ "President Bush chose the CIA, over the FBI and the Pentagon, to take the lead in handling senior al Qaeda prisoners. By choosing the CIA over the FBI, Bush was rejecting the law enforcement approach to fighting terrorism that had been favored during the Clinton area. Bush had decided that al Qaeda was a national security threat, not a law enforcement problem. (...) That meant that the FBI, which had taken the lead in criminal investigations of al Qaeda prior to 9/11, would be pushed to the sidelines."¹⁸⁷ "On September 26, 2001, (...) several hundred CIA officers landed in the Panshjir Valley of Afghanistan, and 316 members of the American military's special forces soon joined them."¹⁸⁸ In sum, Bush favored the U.S. military power, intelligence capabilities, and all components of the federal government in order to confront terrorism.

One of the most controversial elements of the new rendition policy of the Bush administration was the approval of aggressive interrogation techniques, which caused massive public criticism, especially for falling in the category of human rights abuse. According to Bush,

¹⁸⁵ Scott Nicholas Romaniuk, Francis Grice, Daniela Irrera, and Stewart Webb, *The Palgrave Handbook of Global Counterterrorism Policy* (London: Palgrave Macmillan UK, 2017), 172.

¹⁸⁶ Bush, *Decision Points*, 154.¹⁸⁷ Risen, *State of War*, 28.

¹⁸⁸ Romaniuk, Grice, Irrera, and Webb, *The Palgrave Handbook of Global Counterterrorism Policy*, 171.

at my direction, Department of Justice and CIA lawyers conducted a careful legal review. They concluded that the enhanced interrogation program complied with the Constitution and all applicable laws, including those that ban torture. (...) I knew that an interrogation program this sensitive and controversial would one day become public. (...) I would have preferred that we get the information another way. But the choice between security and values was real. (...) In the wake of the 9/11, that was a risk I was unwilling to take. My most solemn responsibility as president was to protect the country. I approved the use of the interrogation techniques.¹⁸⁹

"What Bush and Cheney did was different less in kind than in degree – creating an expanded programme of rendition and secret prisons, as well as aggressively pursuing 'targeted killings' of 'high-value targets'. (...) Torture thus became a primary goal, not merely a collateral consequence, of rendition to third countries."¹⁹⁰ Even though Clinton did not suffer the same criticism at the time due to the fact that the practices of his administration did not become public, he also made the use of aggressive practices as part of his rendition policy. "Bill Clinton authorized 'kidnapping and forcible abductions where the normal extradition process was unavailable to bring fugitives to a country where they would stand trial for the crimes of which they were accused'.¹⁹¹ These renditions were seen as illegal under international law, and the policy received a new name after these accusations, what would come to be known as 'extraordinary rendition'. Even though the term became famous during the Bush administration, it could also be partly applied to the second term of Clinton's presidency.

In contrast to Clinton's term, rendition cases after the 9/11 attacks involved more foreign governments than the previous administration. "Prior to the public disquiet that emerged concerning the policy, many of these governments were complicit in the operations, causing Amnesty International to report, 'Europe's governments have repeatedly denied their complicity in the US programme of rendition. As more evidence of this programme has come to light, however, it has become clear that

¹⁸⁹ Bush, Decision Points, 169.

¹⁹⁰ Boys, "What's so Extraordinary about Rendition?," 595.

¹⁹¹ Ibid.

many European governments have adopted a 'see no evil, hear no evil' approach when it comes to rendition flights using their territory, and that some states have been actively involved in individual cases."¹⁹² Sweden is an example of that, which was considered guilty by the United Nations Human Rights Committee for collaborating with the CIA rendition policy due to its involvement in the case of Mohammed al-Zari and Ahmed Agiza and their forced transit to Egypt. According to Human Rights Watch,

Sweden justified the transfer saying it secured assurances from Egypt that the suspect would not be tortured upon return. Human Rights Watch said that other countries, including the United States, which assisted in the transfer, should take heed of the authoritative ruling. Ahmed Agiza, who was an asylum seeker in Sweden, credibly alleged that he was tortured after Swedish security officials and police, working with U.S. operatives, forcibly returned him to Egypt in December 2001. Agiza was tortured despite diplomatic assurances from Egyptian officials to Swedish authorities that he would be treated humanely. The U.N. committee, which monitors states' obligations under the international Convention against Torture, said that such assurances could not protect Agiza from the risk of torture he faced upon return.¹⁹³

The dimension of the new elements involving the rendition policy implemented by Bush was more global than before, placing other foreign governments in sight for the same position of criticism received by the U.S. Both the Clinton and the Bush administrations used the rendition policy to deal with the matter of terrorism; however, they made different choices when creating certain elements of the policy.

¹⁹² Ibid., 596.

¹⁹³ "Sweden Violated Torture Ban with U.S. Help," Human Rights Watch, accessed May 21, 2019, https://www.hrw.org/news/2005/05/19/sweden-violated-torture-ban-us-help.

Chapter 5: Conclusion

In conclusion, it is asserted that the 9/11 attacks introduced a new perspective on terrorism in the U.S. government, playing a very crucial role on the shift of the U.S. foreign policy from one administration to the other. Bush and Clinton not only held a different set of values, but they also used different approaches to deal with the terrorist threat. Bill Clinton's foreign policy strategies to combat terrorism involved actions based on a liberal worldview, and three main reasons are given to support that: the belief in progress, modernization and cooperation among nations, the focus on dealing with transnational actors, and the emphasis on multilateral cooperation through IO. On the other hand, George W. Bush's foreign policy strategies involved actions that relate to realist and neoconservative worldviews. According to realism and its assumptions, four main reasons can be given to support this argument: the state actor focus, emphasis on national security and self-interest, possession of power, and the pessimistic view of human nature. In relation to neoconservatism and its concepts, four main reasons are discussed: promotion of democracy and regime change, U.S. active role in the world, massive military resources, and unilateral actions. The evidences are outlined in the examples in this essay, which were found by using groundworks such as the NSS 1998, the 2000 article by Condoleezza Rice called 'Promoting the National Interest', and the NSS 2002. In sum, Clinton's counterterrorism initiatives and actions can be justified by being based on a liberal view, while Bush's initiatives and actions can be justified by being based on realist and neoconservative views.

The context of Clinton's second term and Bush's first term were dissimilar. Clinton faced a series of broader events internationally and domestically that might have influenced the scenario when adopting strategies related to terrorism, while Bush faced only one significant fact internally. Although Bush had a short time in office before the 9/11 events, it is asserted that the 9/11 attacks themselves were the ones that drastically prompted the Bush administration to adopt a different strategy to the matter of terrorism. When it comes to defining terrorism, Clinton classified it as serious global threat, and he separated the idea of the threat from religious purposes. He dealt with the threat emanating

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from transnational actors, such as the Al-Qeada and the Taliban as terrorist organizations, which are considered non-state actors. On the other hand, Bush did not see the threat of terrorism as urgent as Clinton in his first nine months in office before the 9/11 events, since he could only see the terrorist threat emanating from state actors. After the attacks, the Bush administration drastically changed their perspective. Bush defined terrorism in a similar way that Clinton, but he kept the mindset of dealing with the matter of terrorism by targeting state actors, such as Afghanistan and Iraq.

Looking at Bill Clinton's second term, it could be concluded that the strategies used by his administration to solve the problem of terrorism are related to a policy that contains three efforts: economically isolating perceived proponents of international terrorism, increasing multilateral cooperation and agreements through international organizations, and the idea of increasing resources to fight the terrorist threat. The administration chose a diplomatic and coercive grand strategy due to a series of terrorist threats experienced throughout the years of Clinton's presidency, responding to the threat by creating new legislative provisions and with cruise missile strikes. On the other hand, the strategies used by the Bush team in his first term in office are related to a policy that contains two main efforts: the idea of preemptive action, and to the idea of democracy promotion and regime change. In contrast to the Clinton administration, due to the shift on the sense of danger caused by terrorist attacks on America soil, Bush chose a more aggressive strategy, conducting a decision that led to a war grand strategy. He responded to the threat by establishing a more elaborated legal framework to expand the powers of the president to fight terrorists, and by using military forces to fight and sustain a campaign against terrorist groups.

An analysis of some key concepts of bureaucratic structures showed that the FBI and the CIA were significant players when dealing with foreign policy and the matter of terrorism, proving that the elements that surround bureaucratic politics are complex, creating a problematic setting to its players and the system itself. Both Clinton and Bush experienced a challengeable situation in the bureaucratic set that might have influenced on the internal scenario and the decisions they made towards terrorism

issues. Clinton held an unfriendly relationship with the FBI director Louis Freeh, and a distant one with little personal contact towards George Tenet, former DCI. As equally challenging, Bush dealt with a leadership vaccum in the FBI only a few months within office, finding a replacement three months later. In the CIA, even though Bush had a good relationship and active professional routine with Tenet, halfway through his first term, the scenario within his administration changed to a turbulent one, especially among Tenet and the office of the Vice President, Defense Department and the intelligence community, which eventually led to Tenet's resignation, and another leadership vaccum in the Bush administration, but this time in the CIA. Three main problems were identified within the FBI and the CIA during Clinton's second term, which were later also to be found to exist in Bush's first term before the 9/11 events: the problem of external and internal gap roles existing in the agencies, proper analysis of information collected due to the lack of technology and experience, and information sharing. Both Clinton and Bush failed to recognize all the organizational problems within these bureaucratic agencies, leading to an intelligence failure. Furthermore, Bush failed to identify the matter of terrorism in general. It was only after the 9/11 that the Bush administration recognized and saw the need to adopt a set of procedures to change the bureaucratic scenario and create solutions to fix internal issues; therefore, Bush implemented new security policies and stablished a new department within the federal government, including a new cabinet-level position.

The Clinton and Bush administrations not only used a different approach in the bureaucratic context, but also acted differently when applying the rendition policy, which was in part carried by these bureaucratic agencies. Both the administrations used the rendition policy to deal with the matter of terrorism, however, they made different choices for its elements and practices. During Clinton's second term, rendition cases involved fewer foreign governments, these policies did not involve the U.S. on the process of questioning suspects for intelligence gathering, and detainees were sent to a third country where they were wanted for criminal prosecution. Moreover, the policy would be put into practice mostly by an operation conducted by the FBI and the CIA. In contrast, Bush found in the U.S. military,

intelligence capabilities, and all components of the federal government a way to enlarge the policy, creating an expanded program of rendition and secret prisons; furthermore, under his administration, a new term was acknowledged, known as extraordinary rendition. Additionally, Bush favored the CIA as the main bureaucratic agency to put the policy into practice. According to Anthony Lake, Clinton's first national security advisor, the administrations' overall setting can be summarized in a few lines:

There is a tendency within the government to try to compartmentalize the problem and fit it into boxes. There are issue boxes: Proliferation. Traditional terrorism. Modern terrorism. Crime. Critical infrastructure security. There are jurisdictional boxes: International. National. State. Local. Government. Business. There are response boxes: Law enforcement. Diplomacy. Intelligence. Emergency management. Each involves a separate organization, ethos, and approach. (...) These boxes are distinct, discrete, and disunited – but the threats they aim to address are just the opposite. As the world evolves, and with it the face of modern terror and crime, our definitions of the problem must be revised as well. (...) The fact is, acts of terror and crime are not so different. And in an era of globalization, the line between national and international action is blurred – certainly in the eyes of terrorists and criminals.¹⁹⁴

In sum, after the 9/11 events, the Bush administration saw the rise of a new strain of terrorism, historically more violent and more international than the previous administration of Clinton. Bush decided to act accordingly, by adopting a different set of strategies and approaches to solve the terrorism matter.

¹⁹⁴ Anthony Lake, *6 Nightmares: Real Threats in a Dangerous World and How America Can Meet Them* (New York: Little, Brown and Company, 2000), 57-58.

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