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**PRESIDENT OBAMA'S
COUNTERTERRORISM
STRATEGY IN THE
WAR ON TERROR**

An Assessment

Leonard Cutler



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To Sheila, my life's partner, to whom I am consistently grateful

PREFACE

The presidency of Barack Obama is historic in several respects, including the two wars that he inherited from George W. Bush, as well as the additional civil wars and crises that he faced in fostering his global counterterrorism policy.

For their part, Republicans in both houses of Congress remained firm in their opposition to supporting Obama's initiatives and proposals in addressing principal threats to our national security interests as it relates to counterterrorism policy, specifically in the Middle East and Asia.

Now that Obama's tenure as President and Commander-in-Chief of the USA has ended, there is developing considerable interest from the media, academic scholars, and the public on evaluating his eight years in the White House. It is important to note that a full and complete assessment of a president's tenure as Commander-in-Chief as well as Chief Executive requires several years from the conclusion of his administration to fairly determine his legacy with respect to his policies from 2009 to 2016.

This book is a start in that process, which it is hoped will serve as a valuable resource and will provide its readers with useful information as they enter the debate on the Obama presidency as it relates to counterterrorism policy.

The intention of this author has been to produce a scholarly and readable study that is engaging to students of history, political science, and the law as well as the general reader, who, I trust, even if a bit

overwhelmed by my attention to detail, may still profit from the work's larger points and message.

NY, USA

Leonard Cutler

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Despite all of the assistance given to me, there may very well exist errors in the writing of the book, and if so, I am alone fully responsible.

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Introduction

Abstract President Barack Obama's counterterrorism strategy for dealing with al-Qaida, the Taliban, and the Islamic State (ISIL) was a light footprint approach relying upon local forces coupled with innovative drone technology. This was labeled the Yemen model, considered as the successful prototype to combat terrorism. The Obama administration found itself confronting strained alliances in the Middle East where power vacuums existed, which resulted in a lack of coherent policy and complexity of power struggles. Obama's counterterrorism strategy during his presidency lacked core principles to anchor it. As a result, US policies were incrementally tailored with situational responses to regional conflicts. Instead of ending the nation's perpetual war footing and curbing the president's power to use force, Obama personally pursued and expanded executive war power.

Keywords Flexible pragmatism · Light footprint · Training · Advising
Assisting · Incremental and situational responses · Expanded war power

President Obama's counterterrorism strategy for dealing with the threat from al-Qaida, the Taliban, the Islamic State (ISIL), and their associated forces at best can be characterized as flexible pragmatism. His presidency was committed to ending America's long, hard war in Afghanistan while actually targeting terrorist insurgents more effectively. The light footprint approach by which the USA relied upon trained local security

forces to track, apprehend, arrest, prosecute, and incarcerate terrorists, coupled with strikes from a distance with innovative drone technology potentially made it easier for Obama to be tough at little cost to Americans by obviating the need for years-long military occupations.

To effectively address new threats to national security policy, it was essential that President Obama work collaboratively and cooperatively with Congress. Revising or repealing the Authorization for the Use of Military Force (AUMF), clarifying the standards and criteria to be used for unmanned armed vehicles and targeted killing, and codifying stringent transparency reporting and oversight requirements were critical to reinforcing the separation of powers doctrine by demonstrating shared legislative/executive decision-making in counterterrorism policy, and providing greater authority and legitimacy for any military action taken by the administration.

With an eye on his own ultimate legacy, Obama's principal challenge after his reelection to a second term was to build upon his counterterrorism strategy which emphasized that al-Qaida's splinter groups remained the principal threat to the USA; however, the administration increasingly found itself trying to maintain an ever-growing patchwork of strained alliances composed of unappealing allies in several different theaters of military confrontation in the Middle East where power vacuums were created. As a result there existed a lack of coherent policy and an increasing complexity of power struggles, particularly in the Gulf.

Because of the pace of events in Iraq, Syria, and Yemen the USA failed to effectively develop a long-term counterterrorism strategy for that region. By relying on local and regional forces, the administration risked making the chaos worse, strengthening terrorist groups and potentially drawing the USA into battles it did not want. The Yemen Model, which included the mixture of drone strikes and targeted killing of top al-Qaida leaders, was held up by Obama as the successful prototype for combating terrorism, only to see the American-backed government crumble and the efforts against al-Qaida operatives in Yemen placed in a holding pattern. The Houthi movement and the Islamic State in Yemen stepped into a power vacuum to stake their own interest, despite the fact that neither had the credibility or legitimacy to unify or govern that country.

Employing this approach meant by most thoughtful estimates that President Obama's successor would inherit an incomplete war, similar to what he was left from George W. Bush. As Mr. Obama inherited wars in Iraq and Afghanistan, the next president would be the heir to his unfinished wars in Iraq, Syria, Yemen, as well as Afghanistan.

The essential contradiction of President Obama's counterterrorism strategy during his tenure was that it lacked core principles to anchor it and as a result policies were tailored to address individual crises as they flared up. It is probably accurate to suggest that overall, Obama developed and undertook incremental and situational responses to involve the USA in regional conflicts. While his stated objective to end the nation's perpetual war footing was to curb the president's power to use force, he personally pursued and expanded executive war power.

When he completed the withdrawal of American military troops from Iraq in December of 2011, Obama predicted a stable, self-reliant Iraqi government would be established. Quite the contrary occurred. Turmoil, terrorism, and incompetency overtook the nation of Iraq, and for the past 5 plus years, the Obama administration has attempted to determine the most effective course of action to stabilize that state.

The withdrawal of American military troops from Afghanistan began in 2014, and with the swearing in of Ashraf Ghani Ahmadzai, Afghanistan's second elected president in history, it was hoped that an effective power-sharing coalition government would be established that could stabilize the country. The Obama administration came to realize that the war in Afghanistan was, in any traditional sense, an unwinnable one. After 13 years of conflict, which claimed over 30,000 lives and almost \$1 trillion spent to defeat al-Qaida and the Taliban, the end result was less than satisfactory. There was simply no way for the USA to win such a war except by stopping it. Yet to take that course of action would have meant defeat, and that was unacceptable. By narrowing the goals, the question remained whether the president essentially gave up on things that he had promised Afghans over the years, most notably, assisting in reconstructing the system of justice and eliminating fraud and corruption at all levels of government.

The new mission for the USA in 2015 included training, advising, and assisting the Afghan army, and continuing to mount counterterrorism operations against the Taliban and others who posed a threat to the USA and Afghanistan. It had become clear to President Obama that there remained a need to keep roughly 10,000 troops and thousands of civilian contractors in Afghanistan through the end of 2016, and at least 5500 troops when his successor took office. It appeared that just as decades after the end of World War II and the Korean War, where thousands of American military advisors remained in those theaters of war, the prospect existed for a similar development in Afghanistan longer term.

The Yemen model, which may turn out to be an enduring policy legacy of the Obama presidency, broadly interpreted the Authorization for the Use of Military Force, directed at al-Qaida and the Taliban, whether in Afghanistan, Pakistan, Yemen, or Somalia, to include the use of drones and targeted killing to achieve counterterrorism objectives directed against terrorist jihadists regardless of which nation or region was affected.

The administration maintained that unmanned armed drones (UAVs) were ideal in terms of their military value because of their ability to fly hundreds of miles over some of the most treacherous terrain, strike their targets with precision, and return to home base. Drones reduced damage to American personnel because there did not exist constraints of pilot fatigue, and they could spend more time on gathering strategic intelligence, targeting with greater precision, and reducing collateral damage in their attacks.

Targeted killing for the Obama administration was shaped by the availability of UAVs, resistance of particular state authorities to permit American boots on the ground, and the decreasing urgency of interrogation of terrorists given the vast amount of intelligence the USA had accumulated.

The president acknowledged that there were instances in which innocent civilians were injured or even killed in drone strikes, as well as members of allied military forces. Yet he and his advisors insisted that such targeted strikes were consistent with the right of self-defense and therefore acceptable under the requirements of international law and the United Nations Charter.

President Obama, demonstrating striking self-confidence, personally reviewed and approved every drone strike against al-Qaida terrorists in Yemen, Somalia, and Pakistan. In applying his lawyering skills to counterterrorism, it was enabling, not constraining, the president's proactive campaign against terrorists, even to the killing of an American cleric in Yemen which was apparently the first time since the Civil War that the US government, without benefit of a trial, carried out the deliberate killing of an American citizen considered a wartime enemy.

There existed for most of the Obama presidency a total lack of transparency regarding the legal framework and targeted choice for killings, which amounted to extra judicial intervention, and this remained a major concern in terms of both domestic and international law. While it may have made sense to advocate for exercise of broad discretionary

power where and when a serious threat to national security existed, such unchecked, unfettered power was ripe for potential abuse, regardless of who the president was.

In what became the benchmark address focusing on his counterterrorism policy to guide the balance of his presidency, Barack Obama, in May of 2013, at the National Defense University (NDU), defined America's goal as a series of persistent targeted efforts to dismantle specific networks of violent extremists that threaten our country. The way to accomplish this objective was through the use of partnerships to pursue and prosecute terrorists, employing drone strikes effectively, and when capture was not feasible, targeted killing was acceptable against militants who posed a continuing and imminent threat to the USA. However, there had to be near certainty that no civilians would be killed or injured.

The president continued to justify targeting and killing extremists because their acts of terrorism against Muslims dwarfed any estimate of civilian casualties produced as a result of UAV attacks. The problem remained that effectively defining imminent threats and developing specific standards and criteria to apply to targeted killings remained highly subjective. What the USA considered appropriate with respect to employing UAVs for targeted killing may have been unacceptable to our allies, particularly to the government of the sovereign state where the lethal attack was conducted.

It appeared under the concept of imminent threat; individuals were targeted on the sole basis of their status as operational leaders of a group even if they were not in fact involved in any terrorist plot at the time. The administration never explained whether the option of capture, which it emphasized was the preference, was infeasible. From the government's own reports, hundreds died as a result of drone attacks, while a minimal number of terrorists were captured.

In his NDU Address, the president announced that some drone operations were to shift from the CIA to the Joint Special Operations Command of the Department of Defense, which created the potential for establishing more transparency and greater accountability since CIA covert drone attacks were never unclassified. However, in a major blow to the president, in the summer of 2015, it was revealed that the planned consolidated control for the Pentagon of the targeted-killing program through the use of UAVs was not to happen. The CIA, through its allies in Congress, was able to thwart any effort on the part of the Department

of Defense, or even the president, to curtail its clandestine activity, which was not subject to the same obligations of international treaties and covenants or domestic oversight as was the Pentagon.

The Obama administration had an obligation to the American people and to Congress to provide a full and complete accounting of the president's policy of targeted killing, because it had come to define US counterterrorism policy throughout the world. The president failed to do so.

Almost a year after his National Defense University Address, President Obama visited West Point and delivered a foreign policy speech which reinforced his major components for a comprehensive counterterrorism strategy. Most notable among them was the need for a proactive light footprint approach by relying on local and regional trained security forces.

His geographic focus and emphasis had shifted from Afghanistan and Pakistan to Yemen, Somalia, Mali, and North Africa, which had become the hotbed for al-Qaida activity. He unveiled a \$5 billion Counterterrorism Partnership Fund (CTPF) to be specifically employed to train local forces in the Middle East and Africa with a priority placed on assisting "moderate" Syrian rebels.

The president stressed the need for the USA to draw upon its successes and shortcomings from our experiences in Iraq and Afghanistan by effectively partnering with countries where terrorist networks sought a foothold. He believed that "signature targeted strikes" with the use of UAVs was still pivotal to achieving our counterterrorism objectives against al-Qaida, whether the focus was in Yemen or North Africa.

The principal terrorist threat no longer came from a centralized al-Qaida leadership. Instead, decentralized al-Qaida affiliates and extremists with specific agenda operated in several countries. The president's view was that over the longer term training the locals was far cheaper and could prove more effective, and it was certainly more politically sustainable, than deploying heavy boot straps on the ground.

Certainly with an eye toward the November elections, particularly in the Senate, and given the president's waning popularity with the voters, the members of Congress did not rubber-stamp the president's CTPF initiative. Lawmakers from both houses of Congress, including Democrats and Republicans, were upset that they were not provided any advance warning or for that matter any details of this new initiative. Several restrictions were placed on the program, including an extensive cut in authorized spending for training, support, and equipment for targeted local counterterrorism activities.

President Obama was forced to lead a new major counterterrorism effort in 2014 against the brutal jihadist group, the Islamic State, which emerged as a major terrorist threat committed to massive destruction in Iraq and Syria. Initially, after his successful reelection campaign, the president totally misread this highly disciplined organization's ability, efficiency, and military expertise, as well as its sophisticated use of information technology that enabled it to gain control of a mass of territory as large as Britain, lying between eastern Syria and western Iraq.

The White House pursued a diplomatic and military strategy with Sunni states in the region to use their individual and collective influence to push ISIL out of the areas they controlled. Creating a solid anti-Islamic front required Sunnis joining with Iraq's Shiite leaders for success in this effort. That was far easier said than done, and in reality it was not achieved.

There were three civil wars concurrently raging in the Arab world: the civil war within Sunni Islam between radical jihadists and moderate mainstream Sunni Muslims and regimes; the civil war across the region between Sunnis funded by Saudi Arabia and Shiites funded by Iran; and the civil war between Sunni jihadists and all other minorities in the region: Turkmen, Kurds, Christians, Jews, and Alawites.

The Islamic State emerged because Iraqi and Syrian Sunnis were disaffected from power by the Iraqi State regime in Baghdad and the pro-Iranian Alawite/Shiite regime in Damascus. If ISIL lost its grip in Syria and Iraq, it would cease to be a caliphate (an Islamist nation in that region). Caliphates cannot exist as underground movements because territorial authority is a necessity. If its command of territory were lost, all oaths of allegiance were no longer binding.

The president emphasized the need for a broad coalition to defeat the Islamic State, with Iraq playing the major role militarily. The US counterterrorism strategy included training, equipment, intelligence, and UAVs and targeted killing, but not American boots on the ground. The president's critics were quick to point out that this approach was very distinct from the successful light footprint strategy used in both Somalia and Yemen. It was deemed highly complex and would require considerable time to achieve its objectives, especially in Syria where the opposition groups and forces ran the gamut from radical jihadists to those who believed in inclusive democracy.

The number one counterterrorism mission of the USA was to drive ISIL from Iraq. Since Syria was a mess, the objective there was to limit

ISIL's capacity to resupply and send their troops back over the Syria border into Iraq to take additional territory. The sudden and stunning fall of Ramadi, the capital of Iraq's Anbar province, in the spring of 2015, called into serious question the Obama administration's strategy in the region.

The USA was fully committed to continued intensified UAV attacks, coupled with additional training, assistance, and equipment; however, the principal onus was on Iraq, through ground fighting, to stabilize the situation. The Iraqi government and Shiite allies had to do more to empower the Sunnis to recapture Ramadi and other lost territory in Iraq, or this setback would serve as a precursor for a total Iraqi collapse.

However, to defeat the Islamic State, it was essential for the Obama administration to try to find a solution to the Syria problem. This country was carved up three ways: about a third controlled by President Bashar Assad and forces loyal to him, a third dominated by ISIL with its established caliphate, and a third dominated by the Nusra Front (now known as Jabhat Fateh al-Sham), an affiliate of al-Qaida.

With al-Qaida and ISIL enjoying safe havens across parts of Yemen, Syria, and Iraq, and with terrorist attacks on the rise worldwide, doubts grew about the effectiveness and sustainability of the "light footprint" counterterrorism strategy against global extremist movements. This model predicated on training local forces, targeted killings, and bombing terrorists with drones actually made the situation worse and drone strikes did not defeat terrorist organizations.

The Obama administration suffered from policy confusion according to former Defense Intelligence Analysis Chief Michael Flynn. Its policy of benign neglect toward strife-torn Yemen and Syria ensured terrorist safe havens for al-Qaida and ISIL. Administration officials insisted that its counterterrorism policy worked since neither al-Qaida nor ISIL were able to launch a coordinated attack on the US homeland. Drone strikes made it harder for terrorists to plan complex attacks even though they did produce international backlash.

Critics of this strategy argued that the USA should have been permitting special operations troops to direct airstrikes and embed with local units on the Syrian and Iraqi battlefields. Additionally, they suggested that the US should have taken military action to remove Syrian President Bashar al-Assad, a magnet for extremists opposed to him. The administration was opposed to these actions because of the failures in both Iraq and Afghanistan after years-long occupations which did not defeat the extremists or create stable democracies.