

# Reflections on Twenty Years of Counterterrorism Strategy and Policy

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## INTRODUCTION

As we approach the 20<sup>th</sup> anniversary of the 9/11 attacks on the United States, it is natural to engage in self-reflection—and even self-criticism—of the way we as a nation responded to the events of that horrible day in 2001, and in subsequent years as the terrorist threat evolved and took on new and different forms. In one sense, there is much on which to look with satisfaction and even pride. After all, the incontrovertible bottom line of our collective effort across three presidential administrations has been the avoidance of additional catastrophic attacks on the homeland. If you look closely at the way in which our senior intelligence officials describe the homeland threat environment, there is a range of terrorism-related concerns we confront as a nation, but the threat of mass casualty attack orchestrated by a foreign terrorist organization like al Qaeda has diminished significantly.<sup>1</sup>

At the same time, it is difficult to look back on those twenty years of focused national effort, with the massive application of resources and an extraordinarily high human cost, and conclude that we have solved or significantly mitigated the problem of terrorism and violent extremism. As former UK government official Suzanne Raine recently argued, “[t]he uncomfortable truth is that there have been no real changes to the underlying conditions that gave rise to the new wave of

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1. See OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, ANNUAL THREAT ASSESSMENT OF THE U.S. INTELLIGENCE COMMUNITY 23 (2021) (noting “Al Qaeda’s senior leadership cadre has suffered severe losses in the past few years . . .”).

Islamist terrorism which started in the 1990s.”<sup>2</sup> If anything, the threat we face today is more diverse and more complex, particularly given the increase in volume and intensity of the domestic terrorism threat here in the United States. And while our capacity to play effective offense and defense against that threat is significantly enhanced compared to where we stood at the time of 9/11, terrorist groups and other violent extremists also enjoy significant advantages that have emerged over that time.

Thus, while terrorism concerns may no longer sit alone atop our hierarchy of national security concerns as they did in the immediate aftermath of 9/11, the effort to keep Americans safe from terrorist attacks at home and abroad promises to consume a significant portion of our national wealth—and policymaker bandwidth—for the indefinite future. Metaphorically speaking, we are on a terrorism treadmill, with the speed ramping up or down from time to time in response to specific attacks or threats, but with little sense that we will reach a destination anytime soon, or ever succeed in jumping safely off the machine. There seems to be no way out of this reality, certainly not in the near or medium term.

Within that somewhat bleak landscape as backdrop, herein follow some personal reflections on counterterrorism policy and strategy. These reflections clearly benefit from hindsight, something that is never available to the policymaker in real time. However, policymakers should feel obligated to learn from past mistakes and missteps and to use what we have learned to improve policy and strategy going forward.

## I. CT STRATEGY ACROSS THREE ADMINISTRATIONS

Four National Counterterrorism Strategies have been published by the three administrations covering the last twenty years of post 9/11 history. President George W. Bush’s administration issued its first strategy in 2003 and then updated that document with a second document in 2006.<sup>3</sup> President Obama issued his administration’s CT strategy in 2011, and President Trump’s administration followed suit in 2018.<sup>4</sup> While there are certainly differences in tone and tenor, and indeed in specific areas of policy focus and priority, it has been argued—correctly, in my view—that there is more continuity than change across these four strategies.<sup>5</sup> For example, each of the strategies published since 9/11 has explicitly

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2. Suzanne Raine, What Should We Do When the Terrorists Go Quiet, ENGELSBURG IDEAS (May 20, 2021), <https://perma.cc/3W2D-46LU>.

3. PRESIDENT GEORGE W. BUSH, NATIONAL STRATEGY FOR COMBATING TERRORISM (2003) [hereinafter 2003 NSCT]; PRESIDENT GEORGE W. BUSH, NATIONAL STRATEGY FOR COMBATING TERRORISM (2006) [hereinafter 2006 NSCT].

4. PRESIDENT BARACK OBAMA, NATIONAL STRATEGY FOR COUNTERTERRORISM (2011) [hereinafter 2011 NSCT]; PRESIDENT DONALD J. TRUMP, NATIONAL STRATEGY FOR COUNTERTERRORISM OF THE UNITED STATES OF AMERICA (2018) [hereinafter 2018 NSCT].

5. Joshua A. Geltzer, *Trump’s Counterterrorism Strategy is a Relief*, THE ATLANTIC (Oct. 4, 2018), <https://perma.cc/55T3-7N45>.

adopted a whole-of-government approach to counterterrorism.<sup>6</sup> The idea that U.S. efforts to counter terrorism should involve all elements of national power—military, intelligence, diplomatic, law enforcement, financial, and emerging homeland security capabilities—has been foundational for all three administrations and is therefore fully embedded into each of these strategy documents.

Further, each of the strategies rests upon a fundamental assumption that American power and capacity is insufficient on its own to produce the results we were seeking. Whether it was the call to nations around the world to join the original GWOT coalition, or the effort across the multiple administrations to build and sustain coalitions to pursue our counterterrorism objectives in South Asia and the Middle East against both al Qaeda and ISIS, the reliance on sustainable political and security partnerships has been a staple of U.S. CT policy.<sup>7</sup> Beyond just coalition building, the United States has also devoted enormous time and huge sums of money to the task of capacity building with partner governments, and specifically the military, intelligence, and security services of those partners.

A third area of commonality and consistency across administrations of otherwise divergent policy priorities has been the continued expansion and investment in our homeland security capabilities. Each administration since 9/11 has seen the virtue of a “borders out” approach to counterterrorism as the strategy most likely to fend off new waves of attacks on the homeland.<sup>8</sup>

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6. 2003 NSCT, *supra* note 3, at 29 (“This National Strategy reflects the reality that success will only come through the sustained, steadfast, and systematic application of all the elements of national power—diplomatic, economic, information, financial, law enforcement, intelligence, and military—simultaneously across four fronts.”); 2006 NSCT, *supra* note 3, at 1 (“Not only do we employ military power, we use diplomatic, financial, intelligence, and law enforcement activities . . . We have broken old orthodoxies that once confined our counterterrorism efforts primarily to the criminal justice domain.”); 2011 NSCT, *supra* note 4, at 7 (“Pursuing a “Whole-of-Government” Effort: To succeed at both the tactical and strategic levels, we must foster a rapid, coordinated, and effective CT effort that reflects the full capabilities and resources of our entire government.”); 2018 NSCT, *supra* note 4, at 1 (“We must confront terrorists with the combined power of America’s strengths—our strong military, our law enforcement and intelligence communities, our civilian government institutions, our vibrant private sector, our civil society, our international partnerships, and the firm resolve of the American people.”).

7. *See* 2003 NSCT, *supra* note 3, at 20 (“An essential element of our strategy remains working with others to reorient existing partnerships and create new mechanisms for cooperation among the willing and able states around the world.”); 2006 NSCT, *supra* note 3, at 19 (“Since September 11, most of our important successes against al-Qaida and other terrorist organizations have been made possible through effective partnerships.”); 2011 NSCT, *supra* note 4, at 6 (“The United States alone cannot eliminate every terrorist or terrorist organization that threatens our safety, security, or interests. Therefore, we must join with key partners and allies to share the burdens of common security.”); 2018 NSCT, *supra* note 4, at II (“Experience has also highlighted the importance of strong partnerships in sustaining our counterterrorism efforts.”).

8. *See* 2003 NSCT, *supra* note 3, at 12 (“[W]e will defend the United States . . . at home and abroad by both proactively protecting our homeland and extending our defenses to ensure we identify and neutralize the threat as early as possible.”); 2006 NSCT, *supra* note 3, at 1 (“[W]e use diplomatic, financial, intelligence, and law enforcement activities to protect the Homeland and extend our defenses, disrupt terrorist operations, and deprive our enemies of what they need to operate and survive.”); 2011 NSCT, *supra* note 4, at 1 (“Offensive efforts to protect the Homeland have been complemented by equally robust defensive efforts to prevent terrorists from entering the United States or from operating freely inside U.S. borders. To support the defensive side of this equation, we have made massive

A fourth thread that runs through each of the four strategies centers on the ideological component of our struggle against terrorism and violent extremism. Whether cast as the Bush Administration's determination to "win the War on Terror [through] the advancement of freedom and human dignity through effective democracy," or as the Obama Administration's declared objective to "counter al Qaeda ideology and its resonance and diminish the specific drivers of violence that al Qaeda exploits," it is clear that each U.S. administration recognized that addressing the underlying narrative that animated and motivated our terrorist adversaries was fundamental to the success of our strategies.<sup>9</sup>

Finally, it seems obvious to me in retrospect that the primary purpose of each of these carefully crafted strategy documents was to serve principally as a tool for strategic communications rather than as some sort of an intellectual framework for the development of new CT policies. In each case, the strategies were published at a point where the administration in question was already fully engaged in the implementation and execution of its own CT policies. The strategy documents themselves, and the process that produced them, became vehicles for explaining to the American people, as well as to a much wider global audience, the nature of the current terrorist threat and the specific ways that the administration intended to protect the American people from being victimized by terrorist groups as they had been on 9/11.

It is this facet of CT strategy development that I believe is most in need of rethinking by future administrations: the way we explain to the public at large how they should think about terrorism and what they should expect their government to do about it. The emergence of domestic terrorism threats as perhaps the most urgent category of current terrorism concerns also underscores the need for policymakers to think about strategy documents as primarily a tool for strategic communication. In the current political environment, it is imperative that the President and his national security team speak clearly and precisely about the nature of that domestic threat and various strategies they will employ to address it.

## II. TOWARD A MORE REALISTIC APPROACH TO COUNTERTERRORISM

The last twenty years of counterterrorism work across multiple diverse and challenging operating environments has provided us with tremendous insight into both our strengths and weaknesses with respect to implementing CT strategies. By now, we should have a good handle on what tangible results we as a CT and Homeland enterprise are capable of delivering and what outcomes are likely to remain beyond our reach, and those insights should serve as the foundation on which future CT strategies are built.

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investments in our aviation, maritime, and border-security capabilities and information sharing to make the United States a hardened and increasingly difficult target for terrorists to penetrate."); 2018 NSCT, *supra* note 4, at 27 ("Our efforts will begin overseas, where we will ensure that our partners share and use information, such as watchlists, biometric information, and travel data, to prevent terrorists and fleeing foreign fighters from traveling to the United States.")

9. 2006 NSCT, *supra* note 3, at 9; 2011 NSCT, *supra* note 4, at 9.

*A. Maintaining Our Strengths: Integration, Direct Action, Intelligence, Partnerships, Layered Defenses*

The list of things the U.S. does consistently well begins with threat mitigation and disruption through direct action. In the period since 9/11, we have honed our ability to integrate our formidable intelligence, law enforcement, military, and paramilitary capabilities in such a way as to make it very difficult for terrorist groups to plan and execute successful attacks on U.S. interests. This is particularly true with respect to complex attacks that require extensive planning and preparation. The more time a terrorist group requires to plan and execute an attack, the more likely we can disrupt that chain of events before an attack takes place.

This superb direct action capability almost always begins with high quality intelligence that tells us which terrorist actors have the intent and capability to attack our interests, what they are potentially planning, and where they are operating. Good intelligence then allows us to choose from a menu of operational approaches to mitigate or disrupt that threat, using either our own military, intelligence, or law enforcement resources or those of a trusted partner. While effective threat disruption has at times resulted from good luck or seemingly random circumstance, there is a much longer list of examples in which the skillful application of CT tradecraft resulted in the shutting down of a particularly dangerous threat vector.

As we move into a future where the U.S. CT footprint becomes far less robust and global, that reliance on exquisite intelligence to guide our operational disruption actions could become a genuine vulnerability rather than a source of strength. We are entering a period now when gaining access to that intelligence will become more difficult than ever. This seems inevitable both because our terrorist adversaries are becoming more adept at concealing what they are doing, but also, perhaps more importantly, because of our reduced overseas footprint in key conflict zones. However, to date, the investment we have made in the collection and processing of that intelligence—as well as the operational capacity to act swiftly and precisely on that intelligence using military or law enforcement tools—has kept us significantly safer than we otherwise would have been.

Another significant area of proven strength for the United States has been our ability to forge and maintain coalitions and partnerships that provide a multiplier effect for our own unique CT capabilities. Those arrangements have taken the form of formal alliance relationships or highly developed coalition structures, like in Afghanistan or the effort to defeat ISIS. Such coalition arrangements have important tangible benefits: they allow us to draw on the specific sources of comparative advantage that each of the participants brings to the table, while also providing important political benefits by signaling that the United States is not acting alone but rather with many like-minded countries. Of course, when viewed from the perspective of our partners' interests, we are not always the easiest partners ourselves with whom to work on these difficult challenges. We often expect our role as coalition leader or the stronger partner to translate into unquestioning alignment around our goals or methods, when in fact it is accommodation and even compromise that helps sustain long term partnerships.

Our partnering arrangements have also been developed around train, advise, and assist relationships between American CT professionals and foreign counterparts. Some of these bilateral relationships are conducted openly and in full public view in both the United States and the partner country, while others are covert, clandestine, or only partially acknowledged. However, the key takeaway is that we have proven ourselves agile and adept at tailoring engagement strategies to our own needs as well as the needs of the partner in question. This element of strategy has also allowed us to focus our resources on theaters of particular concern while deferring to other highly capable partners to take more of a leading role in regions or theaters we might consider to be of secondary concern.

A third fundamental source of strength in our approach to CT since 9/11 has been our ability to construct a multi-layered defense, with a focus on a “borders out” approach to homeland security. The continued effort to invest in an intelligence-driven screening framework for admission into the United States has led terrorist groups to conclude that we are a truly hard target and that penetrating the United States for purposes of carrying out a terrorist attack may simply be too difficult. That layered approach to defending the homeland also includes a substantial investment in the capacity of state, local, and tribal law enforcement organizations over the last two decades. While there is certainly much more work that remains to develop comparably effective defensive strategies to mitigate against cyberattacks that may have a terrorism link, we can certainly look upon the array of defenses we have created since 9/11 and conclude that we are in a much safer and more secure place than we were at that time.

*B. Addressing Our Shortcomings: Countering Violent Extremism, Near-Term Threat Disruption vs. Long-Term Ideological Challenge, Regional Stabilization*

My own list of shortcomings and failures in our post-9/11 CT strategy and policy framework centers on the part of the framework that aimed to reduce the prevalence of violent extremism by diminishing the attraction of violent extremist narratives and by addressing the underlying sources and drivers of terrorism. We simply have not succeeded in this endeavor, not to any reasonable standard of success. The most succinct formulation of this set of objectives was articulated in the Obama Administration’s CT Strategy, which called for the United States to redouble “efforts to undercut the resonance of the al Qaeda message while addressing those specific drivers of violence that al Qaeda exploits to recruit and motivate new generations of terrorists.”<sup>10</sup> Even those like myself who are favorably disposed toward Obama CT strategy and policy would be hard-pressed to find positive measures of effectiveness or success in this area. If anything, the global pool of terrorists and violent extremists is larger today than it was at the time of 9/11: a 2019 CSIS study noted that “despite nearly two decades of U.S.-led counterterrorism operations, there are nearly four times as many Sunni Islamic militants today as there

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10. 2011 NSCT, *supra* note 4, at 19.

were on September 11, 2001.”<sup>11</sup> That is a clear and inarguable bottom line indicator of a lack of strategic success.

The “why” behind that CSIS bottom line is complicated and worthy of its own extended treatment that extends well beyond the scope of this essay, but a significant part of it is tied to some of the contradiction inherent in efforts to manage short-term versus long-term CT imperatives. In many instances since 9/11, we have employed to great effect the direct action capabilities outlined earlier in this essay. That aggressive, forward-leaning effort to disrupt and mitigate imminent threats and keep Americans safe has been a staple of CT policy for the Bush, Obama, and Trump administrations, and rightly so. At the same time, that approach has at times fostered an image of a U.S. CT apparatus that is indiscriminate with its lethality and values American lives above the lives of citizens of other countries. The continued growth trajectory in the population of Sunni Islamic militants cited in the CSIS report seems to be an unintended, and perhaps unavoidable, consequence of direct action policies that successive American presidents have felt compelled to pursue. This constitutes one of the fundamental dilemmas of CT policy and strategy: how to manage the near-term threat disruption challenge without making the long-term ideological challenge more formidable, or even unsolvable. Over time, we have addressed or significantly mitigated specific elements of the terrorist grievance narrative tied to U.S. detention policy and the notion that U.S. troops are “foreign occupiers,” but it seems far less likely that we will be able to do the same with respect to U.S. direct action policies.

Another significant part of our failure to reduce the prevalence of terrorism and violent extremism is linked to our inability to deliver genuinely transformational and sustainable political outcomes in conflict zones around the world where terrorism and violent extremism are either a defining feature, or a significant component, of the conflict. Whether it is Afghanistan, Iraq, Yemen, Somalia, Syria, or the countries of the Sahel region in Africa, sustained U.S. engagement and investment in either conflict resolution or political stabilization have not ultimately created measurable progress in terms of diminished support for terrorism and violent extremism. We have not produced sustainable security frameworks or more inclusive and responsive governance in those societies. Indeed, our engagement and investment are seen by many as having provided additional fuel for the recruitment/radicalization narrative used by al Qaeda, ISIS, and other like-minded terrorist groups. And while it is ultimately not the unilateral responsibility of the United States to produce such positive outcomes in key conflict zones, it seems that we have predicated our CT strategies on being able to do exactly that. That strikes me as a fundamentally flawed approach.

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11. Hannah Byrne, Seth Jones, Nicholas Harrington, Danika Newlee, Clayton Sharb, and Charles Vallee, *The Evolution of the Salafi-Jihadist Threat: Current and Future Challenges from the Islamic State, Al-Qaeda, and Other Groups* CSIS (Nov. 20, 2018), <https://perma.cc/MK7M7-2ESS>.

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Where does that leave us with CT strategy and policy going forward into the third post-9/11 decade, where we will struggle to manage terrorism threats of various sorts, attached to an increasingly diverse set of extremist ideologies? My own conclusion is that with our declared CT strategies and policies, we have led the American people to believe that terrorism is a problem to be solved or eliminated, when in truth it is a problem that must be managed, mitigated, or contained. A more honest appraisal of our strengths and weaknesses should lead us to bring significantly more humility to the phase of strategy development where strategic objectives are set to guide policy formulation.

Adopting this approach would lead us to articulate more realistic CT objectives than has been our habit since 9/11. Rather than speaking of defeating a particular group or an ideology, we would instead speak of more feasible goals, such as diminishing a group's capacity to recruit new adherents, limiting its geographical reach, or preventing its access to dangerous technologies. Rather than speaking of the necessity to address underlying conditions that contribute to terrorism, we might instead choose to acknowledge that those conditions may in fact be beyond our capacity to change in the near term and our approach must therefore be more tactically focused on threat disruption. These sorts of more limited strategic objectives have in fact featured in the CT strategies of all three post-9/11 administrations, but they have tended to get lost amidst more soaring rhetorical flourishes tied to notions of victory or ultimate elimination of the threat, leaving us on the aforementioned metaphorical treadmill.

By focusing on more limited, but ultimately more feasible, strategic aims, we set the conditions for a more sustainable CT policy that can generate broad support among the American people. When CT policy is perceived to be a disguise either for unfocused nation-building or for a posture of permanent forever war, it stands very little chance of enjoying sustained popular support. On the other hand, when CT strategy and policy is perceived to be guided by sober appraisals of threat and appropriate application of our national capabilities to defend ourselves against that threat, we stand a far better chance of sustaining a consistent approach over time. That approach may not prove as politically palatable as a strategy that contains a theory of ultimate victory over the adversary, but it reflects a far more realistic pathway to dealing with a problem set that is unlikely to diminish for decades to come. A reframing of CT strategy and policy in this fashion would also garner greater international support for our CT efforts, as it would signal clearly that we have in fact learned from two decades of experience since 9/11, and that we bring to the problem a practical, problem-solving mindset.