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**A Law Enforcement Perspective to Intelligence Failure in Mass Casualty Terrorist
Attacks by Global Jihadist Movements: A Comparative Study of Terrorist Attacks
of September 11, 2001 and November 15-20, 2003**

by

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ABSTRACT

A Law Enforcement Perspective to Intelligence Failure in Mass Casualty Terrorist Attacks by Global Jihadist Movements: A Comparative Study of Terrorist Attacks of September 11, 2001 and November 15-20, 2003

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This study aims to explain, from a law enforcement perspective, the extent to which five factors—policy/bureaucratic obstacles, organizational problems, defects in intelligence cycle, lack of international intelligence sharing, and the capabilities of perpetrators—contribute to intelligence failure in mass casualty terrorist attacks. In an attempt to find answers to a set of probing questions based on the five factors mentioned above, the study which examines intelligence failure in two mass casualty terrorist attacks by global jihadist movements applies existing theories of and knowledge on intelligence failure to case studies of two mass casualty terrorist attacks: the 9/11 attacks in 2001 and the Istanbul bombings in 2003. The core findings of the study suggest that while some specific problems in the intelligence community, particularly structural problems and lack of information sharing can result in intelligence failure, government policies against terrorism (perception of threat, implementation of policies) and toward intelligence units (adequate funding, guidance, and oversight of the intelligence agencies) as well as the capability of perpetrators and the lack of international intelligence sharing also play an important role in intelligence failure. On the other hand, whether such

attacks are inevitable remains questionable. Even if governments implement right policies and intelligence agencies do their best, the capacity and the willingness of terrorists and terrorist organizations can facilitate success of such attacks. Given the fact that intelligence failures are not rare events, even if particular instances could have been avoided, the general phenomenon cannot. The study has implications for reorganization of intelligence agencies, understanding of the global terrorism threat posed by jihadist movements and the role of law enforcement intelligence in countering transnational terrorism.

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Dedication

In memoriam of my grandmother, Fatma Ozkan,
and my grandfather, Mustafa Ozkan,
who passed away in 2011 and in 2004, respectively.

Dedicated to my forever love, Mujdem,
and my wonderful children, Mustafa Mert and Sinem.

Table of Contents

1. INTRODUCTION	1
INTRODUCTION AND OVERVIEW OF THE STUDY	1
STATEMENT OF THE PROBLEM	3
SIGNIFICANCE OF THE STUDY	5
2. LITERATURE REVIEW	7
INTELLIGENCE FAILURE.....	7
MASS CASUALTY TERRORISM	18
GLOBAL JIHADIST NETWORK.....	21
LAW ENFORCEMENT AS A COUNTERTERRORISM TOOL	27
INTERNATIONAL INTELLIGENCE SHARING	30
3. METHODOLOGY	37
RESEARCH DESIGN	37
Units of Analysis.....	39
Sampling.....	40
Research Question	41
Research Question 1:	42
Research Question 2:	44
Research Question 3:	45
Research Question 4:	49
Research Question 5:	51
Data Collection Process.....	53
ANALYZING THE DATA	57
VALIDITY AND RELIABILITY.....	59
4. THE CASE OF SEPTEMBER 11, 2001	62
INTRODUCTION.....	62
THE CAPABILITY OF PERPETRATORS	65
Characters and the Plot Summary.....	65
Mindset and Background Characteristics of the Group Members	71
Recruiting and Training.....	72
Finance	74
Masking Techniques and Tactics of the Group.....	74
POLICY/BUREAUCRATIC FAILURES	79
State Policy and Bureaucratic Barriers	79
Legislative and Executive Failures.....	86
Allocation of Financial Resources	88
ORGANIZATIONAL OBSTACLES.....	89
Organizational Structure and Culture	89
Interagency & intra-agency information sharing.....	94
Use of Technology	102
Personnel Management and Allocation of Domestic Resources.....	102
DEFECTS IN INTELLIGENCE CYCLE.....	104
Needs Assessment and Direction	104
Collection	106
Processing and Analysis	109
General Analytical Failures	109
Problems with Analyzing Threat and Warning Information.....	111

Dissemination	121
LACK OF INTERNATIONAL INTELLIGENCE SHARING	122
CONCLUSION OF THE CHAPTER.....	127
5. THE CASE OF NOVEMBER 15-20, 2003.....	132
INTRODUCTION.....	132
THE CAPABILITY OF PERPETRATORS	134
Characters and the Plot Summary.....	134
Mindset and Background Characteristics of the Group Members	145
Recruiting and Training.....	148
Finance	152
Masking Techniques and Tactics of the Group	153
POLICY/BUREAUCRATIC FAILURES	158
State Policy and Bureaucratic Barriers	158
Legislative and Executive Failures.....	166
Allocation of Financial Resources	170
ORGANIZATIONAL OBSTACLES.....	171
Organizational Structure and Culture	171
Interagency & intra-agency information sharing.....	178
Use of Technology	180
Personnel Management and Allocation of Domestic Resources.....	182
DEFECTS IN INTELLIGENCE CYCLE.....	185
Need Assessment and Direction	185
Collection	188
Processing and Analysis	191
General Analytical Failures	191
Problems with Analyzing Threat and Warning Information.....	194
Dissemination	196
LACK OF INTERNATIONAL INTELLIGENCE SHARING	197
CONCLUSION OF THE CHAPTER.....	204
6. FINDINGS AND DISCUSSION.....	208
FINDINGS	208
Findings for Category 1: State/Government Policies and Bureaucratic Barriers	208
Findings for Category 2: Organizational Obstacles.....	210
Findings for Category 3: Defects in Intelligence Cycle	214
Findings for Category 4: Lack of International Intelligence Sharing	215
Findings for Category 5: The Capability of Perpetrators	216
DISCUSSIONS	217
Strengths and Limitations of the Study.....	217
Policy and Theoretical Implications for Future Studies	220
7. CONCLUSION	226
BIBLIOGRAPHY	232
APPENDICES	238
Appendix-1: Consent Statement.....	238
Appendix-2: Interview Questions.....	239
Appendix-3: Codes and Categories.....	241
Appendix-4: Curriculum Vita	242

List of Abbreviations

Af/Pak	Afghanistan/Pakistan
AQ	Al-Qaeda
AQC	Al-Qaeda Central
AQT	Al-Qaeda in Turkey
CIA	Central Intelligence Agency
CTC	CIA's Counter Terrorist Center
DCI	Director of Central Intelligence
DHS	Department of Homeland Security
FBI	Federal Bureau of Investigation
FISA	Foreign Intelligence Surveillance Act
IC	Intelligence Community
IDB	Turkish Police Intelligence Agency [Istihbarat Dairesi Başkanlığı]
INS	The United States Immigration and Naturalization Service
ISAK	Intelligence Academy of IDB [Istihbarat Akademisi]
KSM	Khalid Sheikh Mohammed
MIT	Turkish National Intelligence Agency [Milli Istihbarat Teskilati]
NIE	National Intelligence Estimate
NORAD	The North American Aerospace Defence Command
NSA	National Security Agency
OBL	Osama bin Laden
OIG	CIA's Office of Inspector General
TNP	General Directorate of Turkish National Police
UAE	The United Arab Emirates
WTC	World Trade Center

1. INTRODUCTION

INTRODUCTION AND OVERVIEW OF THE STUDY

Intelligence failure can be defined as the inability of intelligence community as well as policymakers to anticipate or prevent incidents that result in unexpected and undesired consequences. It has been always discussed whether intelligence failure is inevitable or not. As in the words of Jervis, if we consider intelligence as a game between hidere and findere while the former usually has the advantage striking first, then we cannot expect to anticipate and prevent every attack.¹ Just as the Irish Republican Army (IRA) stated after the failed bombing attempt in 1984 to assassinate the British Prime Minister Margaret Thatcher, “Today we were unlucky, but remember we only have to be lucky once. You will have to be lucky always”.² Therefore, failure is considered inevitable and an inherent part of intelligence since no intelligence agency is able to be lucky all the time.³ After those attacks, the public always tries to find out on whom to put blame for the intelligence failure. The public often blames intelligence agencies at first. However, it should be borne in mind that this perception is always encouraged by policymakers who often want to shift the responsibility away from them. In fact, it is also the responsibility of policymakers to make good use of the information at hand and pursue necessary reforms needed for better intelligence. In this regard, intelligence failures encompass policy failures. Moreover, terrorism almost always has a political agenda and it is the governments’ policies that, to some extent, may lead to radicalization, extremism, and consequent involvement of violent extremists in terrorist attacks. With creative and

¹Robert Jervis, *Why Intelligence Fails: Lessons from the Iranian Revolution and the Iraq War* (Cornell

²as quoted in Peter Taylor, *Brits: The War Against the IRA* (London: Bloomsbury Publishing PLC, 2001), 265.

³Richard K. Betts, “Analysis, War, and Decision: Why Intelligence Failures Are Inevitable,” *World Politics* 31, no. 1 (October 1978): 61–89.

flexible policies, governments can encourage terrorists and extremists to leave their organizations or abandon their support for devastating terrorist acts. Thus, public policy and government actions are linked to intelligence failures. Therefore, instead of trying to find scapegoats, it is more important to focus on what to do for future attacks and how to improve overall capacity of intelligence agencies to anticipate, prevent, and respond to such attacks.

In this study, intelligence failure will be examined in a context that includes not just intelligence agencies but also government policies and capability of terrorist organizations. Since the government policies are so broad and sometimes vague, they will be explained as complementary in understanding intelligence failure. Most fundamentally, the focus of the study is on law enforcement/domestic intelligence agencies since they are the ones who have exclusively dealt with and responded to terrorism at home.

Having devoted to the first chapter to introductory pieces, the researcher will address relevant literature of intelligence failure in the second part of the study. This part in which intelligence failure will be examined by exemplifying historical events will focus on understanding the concepts of intelligence failure, mass casualty attacks, law enforcement as a counterterrorism tool, and global jihadists movements. The third chapter will address the methodology the researcher employed for the present study. In the fourth and the fifth chapters the cases of September 11, 2001 and November 15-20, 2003 will be addressed respectively. The sixth chapter will discuss the findings and implications while the remaining chapter will be devoted to conclusion.

The primary audiences for this study are the intelligence, policy, and scholarly communities concerned with the threat of global terrorism stemming from Al Qaeda ideology. The secondary audience group is comprised of practitioners and scholars interested in the transformation in and reorganization of intelligence units and counterterrorism strategies in the post-9/11 era. The final audience would be academics and practitioners studying the components of and typologies in international intelligence cooperation on counterterrorism. The study has also implications for intelligence sharing network, intelligence reform, and Parliamentary/Congressional oversight.

STATEMENT OF THE PROBLEM

This dissertation research will examine under which circumstances intelligence failures occur and what similarities and differences emerge in different countries in terms of intelligence failure.

Even though the traditional American intelligence system separated intelligence from law enforcement during the Cold War, the role of law enforcement intelligence in counterterrorism has steadily increased after the 9/11 attacks and been considered as one of the most important tools in disrupting and preventing terrorist attacks as well as discouraging and prosecuting terrorists in the criminal justice system. Since the new terrorism that has shaped after the demise of the Soviet Union is much more lethal, indiscriminate, and complicated, the role of law enforcement intelligence has been evolved and increased. Terrorists no longer depend on state-sponsorship. Due to the advances in technology, communication, and transportation, terrorists are able to recruit members from among citizens from different nationalities, hide among public easily, plan

for attacks overseas, get trained ideologically and militarily, find financing for their attack plans and carry them out in local or international settings. This complexity makes it difficult for local law enforcement agencies to confront this transnational threat. As a result, police organizations are prone to failures to preempt and prevent the attacks before they occur.

This study aims to explore, from a law enforcement perspective, the extent to which five factors—policy/bureaucratic obstacles, organizational problems, defects in intelligence cycle, lack of international intelligence sharing, and the capabilities of perpetrators—contribute to intelligence failure. This study applies existing theories of intelligence failure to case studies of two mass casualty terrorist attacks:

1. The September 11, 2001 attacks (hereinafter 9/11) in the U.S.
2. The November 15 and 20, 2003 bombings in Istanbul (hereinafter November 15-20)

The study includes a structured, focused comparison of the cases by studying in detail the five factors mentioned above. The study is not intended to assign responsibility for each of the cases studied, but to assess the relative importance of these key factors. It is always difficult to provide strictly objective truths about what actually happens on the ground when it comes to intelligence studies due to the fact that most of the data are classified and the data collected through interviews might be biased and reflect subjective accounts of intelligence officials. Bearing this in mind, this study, at this stage, reflects impressions and arguments of key actors, aiming to shed light on shortcomings of both governments and intelligence community in intelligence failures and contribute to better preparation for and prevention of future terrorist plots.

SIGNIFICANCE OF THE STUDY

The dissertation addresses the critical issues of intelligence failure in mass casualty terrorist attacks by global jihadist network based on Al Qaeda ideology. Broad analysis of intelligence failures resulting in mass casualty terrorist attacks helps us understand the weaknesses of our systems and the capability of terrorists. Starting from here then can we enhance and strengthen our security structure to prevent further attacks.

Even though there is a rich volume of data on terrorism events in general and intelligence failures in surprise attacks leading to a war in particular, there are few studies on intelligence failures in mass casualty terrorist attacks.⁴ In terms of comparative studies that reflect perspectives from different countries, there is a lack of data on the issue.

In addition, while the media and the public passionately speak out when a failure occurs, intelligence officials and policy makers are always reluctant to talk about them. Let alone intelligence failures, they don't talk about even intelligence successes, claiming, "the secret of our success is the secret of our success." Furthermore, producers and users of intelligence often ignore, or at least downplay, intelligence failures. This in turn makes the phenomenon more difficult to understand by the public who often has the right to know how effectively their taxes are being spent when it comes to the question of national security. In this respect, this study is a modest try at contributing to our

⁴ For intelligence failures in surprise attacks see Richard A. Posner, *Preventing Surprise Attacks: Intelligence Reform in the Wake of 9/11* (Rowman & Littlefield Publishers, Inc., 2005).; Richard K. Betts, *Surprise Attack: Lessons for Defense Planning* (Brookings Institution Press, 1983).; Abraham Ben-Zvi, "Hindsight and Foresight: A Conceptual Framework for the Analysis of Surprise Attacks," *World Politics* 28, no. 3 (April 1976): 381–395.; Ephraim Kam, *Surprise Attack: The Victim's Perspective* (Harvard University Press, 2004).; Ariel Levite, *Intelligence and Strategic Surprises* (Columbia University Press, 1987)., among others. For American experience of intelligence failures in mass casualty terrorist attacks see Thomas E. Copeland, *Fool Me Twice: Intelligence Failure and Mass Casualty Terrorism*, 1st ed. (Martinus Nijhoff/Brill, 2007).

understanding of the phenomenon by looking at the failures in detail with an insider—law enforcement intelligence professional—perspective.

Generally, the failures are attributed to the security apparatus first. But when we dig into the details, we see that policymakers also share much of the responsibility for inability to prevent the mass casualty attacks. Therefore, government policies and intelligence shortcomings have to be considered together in intelligence failures. This study investigated both government policies in general terms and intelligence role in detail leading up to the large-scale terrorist attacks.

Fixing intelligence at home alone is only a tiny part of the solution. The problem today transcends national borders. The global cases show that there has to be a sincere and effective cooperation between the agencies so that they can share information that is helpful to prevent terrorist attacks. This study shows how important international intelligence sharing has become in response to emerging global threats like al-Qaeda.

Last and not the least, analysis of these events case by case helps us enhance our tools to deal with globally emerging jihadist movements known as Al-Qaeda Central (Core AQ), Al-Qaeda affiliated, or Al-Qaeda inspired groups including homegrown jihadists that either directly or indirectly involved in many of the mass casualty terrorist attacks for the last decade.

2. LITERATURE REVIEW

INTELLIGENCE FAILURE

Before explaining intelligence failure, we need to know what intelligence is all about. First and foremost, intelligence is a type of, but not synonymous with, information. Intelligence differs from raw information. Information has to be analyzed and put in a context. Policymakers often tend to ask intelligence directors about what the meaning of the intelligence they provide for themselves is. Therefore, intelligence authorities must analyze the intelligence they gather. Second, intelligence is secrecy. Although open sources are important factors of intelligence activities, most of the actionable intelligent comes through methods of secret intelligence gathering such as wire-tapping and reconnaissance activities as well as use of informants and human sources.

My definition which I developed by benefiting from Herman's⁵ understanding of intelligence is, "Intelligence is gathering and processing unprocessed/raw information/data on certain individuals, movements, companies and groups as well as states and non-state actors, which is secretly collected by government's specialists by certain overt and covert collection methods and tactics including HUMINT (informants, informers, secret agents), SIGINT (monitoring communication, telephone-tapping, codebreaking), OSINT (data mining, Internet), imagery, and the like to be analyzed through specific intelligence skills for distribution for customers, usually policymakers, in order to provide national and human security as well as to contribute to decision making process on issues related to national defense, economy and foreign affairs, thus playing a role as a warning system against uncertainty and unimagined surprises as well as a guide to the future."

⁵ Michael Herman, *Intelligence Services in the Information Age* (Routledge, 2001), 3–28.

When it comes to intelligence failures in mass casualty attacks, mass casualty terrorist attacks usually come as a surprise and are unpredictable in our daily lives. Even if intelligence units and leadership know some indicators that may cause a mass casualty terrorist attack beforehand, the public are almost always caught by surprise. Surprise is defined as something impossible to foresee.⁶ Yet there are instances when some of them can be labeled as predictable surprises. In other words, not all surprise attacks are unpredictable. Despite the fact that some of them are predicted, certain factors can contribute to failure to prevent them from happening. This is explained by the concept of relative surprise. Grabo points out that “warning is not something which analysts and policy makers either have or do not have; it is an abstraction, an intangible, a hypothesis, understanding of which depends on varying perception of each individual.”⁷ Lowenthal differentiates strategic and tactical surprise. According to him, stopping a terrorist attack requires tactical insights into the terrorists’ immediate plans.⁸

Intelligence failures and surprise attacks, be it unpredicted or relative surprise, have been an unavoidable part of history and international relations. On the one hand, the Japanese attack on Pearl Harbor in 1941, the German invasion of the Soviet Union in 1941, and the Egyptian-Syrian attack on Israel in 1973 (Yom Kippur War, or the Ramadan War for the Arabs) are examples of intelligence failures and consequent surprise attacks that led to a war. On the other hand, failure to foresee the turmoil in Iran leading up to the overthrow of the Shah in 1978-1979, failure to predict the Soviet

⁶ Richard K. Betts, “Intelligence Warning: Old Problems, New Agendas,” *Parameters: U.S. Army War College Quarterly* 28, no. 1 (1998): 18.

⁷ Cynthia M. Grabo, *Anticipating Surprise: Analysis for Strategic Warning* (University Press of America, 2004).

⁸ Mark M. Lowenthal, *Intelligence: From Secrets to Policy*, 3rd ed. (Washington, DC: CQ Press, 2006), 128.

invasion of Afghanistan in 1979, inability to foresee the Soviet breakup, the surprise accompanying the Indian and Pakistani nuclear tests and North Korea's three-stage rocket test in 1998, and the misjudgment of Iraq's programs of weapons of mass destruction are other examples of intelligence failures that proved to be not understood correctly by the American intelligence community.⁹

The biggest surprise attack on the US had been the Japanese attack on Pearl Harbor in December 1941.¹⁰ Roberta Wohlstetter's study of Pearl Harbor¹¹ which is the most studied intelligence failure¹² is regarded as the first systematic inquiry on intelligence failure in academia. As she explained in her book, there were a lot of reasons why the attack could not have been prevented.

First, there was so much misperception of threat by policymakers that although the warnings had pointed to a possible attack on Pearl Harbor, leaders all thought the Japanese had more reasons and interests to attack the Soviet Union in the east to complement the German invasion of the Soviets in the west, rather than to attack the US which obviously had greater power than Japan in terms of both military and economic capacity. The US also failed to understand the motivating factors of the Japanese behind the attack, underestimating their devotion to national honor which was a culture alien to Americans at that time. The Japanese knew they would probably be defeated but they thought it more honorable to fight a losing war than abandon their announced policy of

⁹John Diamond, *The CIA and the Culture of Failure: U.S. Intelligence from the End of the Cold War to the Invasion of Iraq* (Stanford, CA: Stanford University Press, 2008).

¹⁰Posner, *Preventing Surprise Attacks*, 73.

¹¹Roberta Wohlstetter, *Pearl Harbor: Warning and Decision*, 1st ed. (Stanford University Press, 1962).

¹²Jervis, *Why Intelligence Fails*, 123.

dominating Asia. In this sense, to understand the devotion and the capability of an enemy becomes very important to prevent this kind of attacks.¹³

The second point was about the problem with warning information. First of all, there were false alarms that were proved to be a waste of time and resources. People cannot keep themselves at peak alert all the time; they get tired. Therefore, the warnings were lost in signals-to-noise.¹⁴ To be able to separate signals from noises, one has to have some hypotheses for guidance. Otherwise, it is expectations that determine what signals should be sifted for further analysis.¹⁵ Another problem with warning is whether it can be acted upon and conclusive for a specific event. For example, one month before 9/11, the President was informed about a possible al-Qaeda strike with hijacked aircraft. But this warning might have been inconclusive and lacked specific actionable information.¹⁶

The third problem was organizational. The structure of American intelligence agencies at that time were inadequate and did not allow effective intelligence sharing between agencies. After all, there was a lack of agencies that could have performed this job. For example, there was no overall commander and no Joint Army-Navy staff; Army and Navy had separate intelligence services and information sharing was poor. There were War and Navy Departments and War Department was simply the army department; there was no Department of Defense. In addition, there was no counterpart to the CIA (which was created in 1947), nor was there a Defense Intelligence Agency (which was created in 1961). Simply, there was no center for evaluating a mass of conflicting signals. Lastly, there was no procedure for synthesizing confidential with public sources of

¹³Posner, *Preventing Surprise Attacks*, 77.

¹⁴Ibid., 78.

¹⁵Wohlstetter, *Pearl Harbor*, 56.

¹⁶Richard K. Betts, "The New Politics of Intelligence: Will Reforms Work This Time?," *Foreign Affairs* 83, no. 3 (June 2004): 2–8.

information about enemy intentions and capabilities. All these organizational problems seem to have been corrected later by the creation of the Defense Department, the CIA and the DIA.¹⁷

Posner identifies at least seven commonalities in surprise attacks:

1. Victim's perception of the attacker as being too weak
2. Victim lacked a deep understanding of the attacker's intentions and capabilities
3. Victim thought principal danger lay elsewhere or in the future
4. Victim was lulled by false alarms or deliberately deception
5. Intelligence officers were reluctant for career reasons to challenge superior's opinion
6. Warnings to local agencies lacked clarity and credibility
7. There were deficiencies in the organization such as a lack of a coordinating mechanism and/or poor information sharing.¹⁸

When we look at the intelligence failure in 9/11, we can see similar organizational problems in American intelligence community and their relations with other public and private sectors, which was later reshaped with Intelligence Reform and Terrorism Prevention Act of 2004:

“By the spring of 2000, two of the hijackers, al-Mihdhar and al-Hazmi, were each living under their own name in San Diego, and the latter even applied for a new visa. The Immigration and Naturalization Service (INS) had no reason to be concerned because the CIA had withheld their names from TIPOFF, the basic terrorist watch list. Neither did the FBI have any reason to look for them because the last the FBI knew from the CIA was that the two terrorists were overseas. No agency told the Federal Aviation Administration (FAA) to be looking for the two, apparently because the

¹⁷Posner, *Preventing Surprise Attacks*, 79.

¹⁸Ibid., 85–86.

FAA was not in the law enforcement business. The airlines were not informed because they were private, not public. So, on the morning of September 11, four sets of terrorists succeeded in boarding U.S. commercial jetliners, and three managed to strike their target: the World Trade Center towers in Manhattan and the Pentagon in the nation's capital.”¹⁹

Looking from the “big picture” perspective, Diamond attributes the 9/11 catastrophe to failure by intelligence leaders to focus analytical attention on the terrorist threat, the failure by overworked intelligence officers to fully understand the enemy's motivations and intentions, and a reluctance to take military action against that enemy, among others. He also examines the uniqueness of the post-Cold War period. The Soviet collapse meant the disappearance of the threat for which the CIA was designed and built. And there was the emergence of a new and elusive enemy not vulnerable to traditional calculations of deterrence.²⁰

Intelligence failure is difficult to define because there is a lack of publicly available data on the ratio of intelligence successes to failures so that we can determine what is done differently in cases of success from cases of failure. Besides, people are more interested in failure than success in that it results in unexpected and unwanted surprise events. Analyses of surprise attacks mostly focus on failures of intelligence agencies even though not all surprises are the result of failures of intelligence agencies. First and foremost, intelligence is for policy. Policymakers and implementers as the intelligence consumers are in a position to use knowledge produced by intelligence effectively. In this regard, it gains importance to look at actions of governments and public policies for their role in intelligence failures. According to Jervis, intelligence

¹⁹Gregory F. Treverton, *Intelligence for an Age of Terror* (Cambridge University Press, 2009), 7–8.

²⁰Diamond, *The CIA and the Culture of Failure*, 14.

failure is a mismatch between the estimates and what later information reveals, and existence of failure is not mysterious if not fortunate.²¹ Betts argues that the most crucial mistakes have been made by the decision makers who consume the intelligence produced by the collectors of raw information and the professionals who produce finished analyses.²² He also points out that policymakers do not think that partial or ambiguous warnings should exonerate intelligence. For them the function of intelligence is not just to alert them to danger but also to give an answer—in effect, to make the strategic decision about how to respond.²³

As suggested above the working definition of intelligence failure is that policy makers or intelligence units knew, should have known or could have known enough information under the circumstances to assess the probability of a coming attack that could enable them to prevent it but failed to act or respond accordingly. The discussions have always been on whether intelligence failure is inevitable. The *Intelligence and Security Committee* who had investigated the work of the British intelligence agencies and the police covering the period before the London attacks occurred named its report as “Could 7/7 Have Been Prevented?”. Jervis insists that even if certain instances could have been prevented, the general phenomenon cannot.²⁴ Hedley agrees with the fact that allegations of intelligence failure are inevitable because in intelligence, failures are inevitable. He considers failures as a cost of doing business in a free country.²⁵

²¹Jervis, *Why Intelligence Fails*, 2.

²²Richard K. Betts, *Enemies of Intelligence: Knowledge and Power in American National Security* (New York: Columbia University Press, 2007), 19.

²³*Ibid.*, 27.

²⁴Jervis, *Why Intelligence Fails*, 5.

²⁵John Hollister Hedley, “Learning from Intelligence Failures,” *International Journal of Intelligence and CounterIntelligence* 18, no. 3 (2005): 435–450.

Betts who emphasizes the responsibility of decision makers for failure and argues that “intelligence failures are not only inevitable, they are natural”²⁶ identifies three important factors contributing to intelligence failures: first is attack warning. The timely forecast of an enemy’s plans and the distribution of such a forecast to relevant authorities are the problems here. The second is operational evaluation. Whereas analysts in nonoperational units tend to produce more pessimistic assessments, operational agencies tend to dismiss the overloaded data that come from other agencies in an ambiguous way. And the third is defense planning. Intelligence usage necessitates developing doctrines and forces for deterrence and defense to evaluate threats posed by enemies, in terms of both potentials and objectives, over a period of several years. The problem here is that in peacetime, political leaders tend to refuse the most pessimistic security assessments because this would mean allocating more money and technical means to security agencies that would increase expenditures on the budget.²⁷

Handel agrees with Betts that intelligence failures are inevitable and the highest responsibility lies with the decision makers who fail to understand the nature of threat and refuse to accept the analysis provided by intelligence agencies. He also points out that the main problem in intelligence failures is the cognitive nature of human activity based in the psychological limitations of human nature.²⁸

One of the intelligence errors is wrong estimation. As Jervis put it, understanding how others think is an essential job of intelligence and the fundamental reason why it is so frequently wrong. Examples abound: the wrong estimate of Hitler’s move to attack to

²⁶Betts, “Analysis, War, and Decision,” 67.

²⁷Betts, *Enemies of Intelligence*, 19–52.

²⁸Michael I. Handel, “Intelligence and the Problem of Strategic Surprise,” *Journal of Strategic Studies* 7, no. 3 (September 1984): 229–281.

Russia because many believed Hitler could not do such a crazy thing, the Indian nuclear test in 1998 that American policymakers thought it would not be in the interest of India, and the Cuban missile crisis that Sherman Kent told: “We missed the Soviet decision to put missiles into Cuba because we could not believe that Khrushchev could make such a mistake.”²⁹ Therefore, it is very important to think alternatively “instituting red teams, devil’s advocates, analytical kibitzer, or other mechanisms for thinking outside the box.”³⁰ We see similar wrong estimation based on rational thinking in the 1973 Yom Kippur War when the US intelligence community concluded that the Arabs would not attack because attacking Israel which was superior in terms of military capacity would be irrational on the part of the Arabs. But this intelligence analysis underestimated the Arab leaders who—even at the risk of losing—believed they could thereby gain some political objectives.³¹ The 9/11 Commission accordingly concluded that it is important to institutionalize creative thinking by routinizing, even bureaucratizing the exercise of imagination.³² When we look at the intelligence failure in the case of South Korea in 1950 when three-year old CIA failed to provide a clear warning of a coming North Korean attack, we see the creation of the Office of National Estimates (ONE) as a bureaucratic response. With this, the US became the first country to institutionalize estimative intelligence in a permanent bureaucracy.³³

Graham and Nussbaum identify five major problems that contribute to intelligence failures: (1) failure of the intelligence community and policymakers to adapt

²⁹Jervis, *Why Intelligence Fails*, 176–177.

³⁰Betts, *Enemies of Intelligence*, 114.

³¹Hedley, “Learning from Intelligence Failures,” 440.

³²*The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States* (New York: W. W. Norton & Company, 2004), 344.

³³Hedley, “Learning from Intelligence Failures,” 438.

to a changing adversary and global environment, (2) failure of the intelligence community to provide big picture strategic intelligence, (3) failure to establish intelligence-wide priorities and then deploy behind them, (4) failure of the intelligence community to recruit human intelligence staff, to train them, diversify them, reward, or sanction them, or maintain their skills, and (5) failure to understand that tactical intelligence-gathering operations need to appreciate the strategic implications of their acts.³⁴

Focusing on problems with collection and analysis, Russell identifies two major shortcomings of the CIA's failures in assessing the WMD programs of potential enemies: poor human intelligence collection and poor quality analysis. According to him, these problems cannot be remedied by the creation of new departments at home, but by increasing its effectiveness overseas through separating itself from the US official facilitates overseas as its main infrastructure for human intelligence collection, bolstering the use of non-official cover officers who have no connections to the American diplomatic infrastructure, and recruiting, training, and rewarding top analytical talent in WMD fields.³⁵

In an effort to identify common sources of strategic surprises Parker and Stern examine three factors—psychological, bureau-organizational, and agenda-political—that may have contributed to 9/11. In their psychological explanation, overvaluation, overconfidence, and insensitivity as well as wishful thinking may have played a role in the gross underestimation of the threat. They explain bureau-organizational factors from

³⁴Bob Graham and Jeff Nussbaum, *Intelligence Matters: The CIA, the FBI, Saudi Arabia, and the Failure of America's War on Terror* (Kansas: University Press of Kansas, 2008), 272–285.

³⁵Richard L. Russell, "A Weak Pillar for American National Security: The CIA's Dismal Performance Against WMD Threats," *Intelligence and National Security* 20, no. 3 (September 2005): 466–485.

the perspective of organizational behavior and governmental (cabinet and bureaucratic) politics. According to this approach, the fault lines are avoidance, wait-and-see tendencies, a current-events fixation, the “cry wolf” phenomenon, problem with distinguishing signal from noise, delays, biases in interpretation, compartmentalization, and problems in coordination, communication, and information sharing. Their agenda-political perspective points to three main factors that explain policy failure: overcrowded agendas, the failure of key actors to place issues high enough on the agenda to be acted on adequately, and competing priorities. Overall, they tend to suggest a broad and complementary pattern of individual and collective problem avoidance and policy failure.³⁶

In line with those who focuses on organizational problems in intelligence failure, Amy Zegart who examines 9/11 and the role of the FBI in detail suggests that organizational weaknesses are the root causes of failure. Rather than highlighting the role of individuals that can suggest the wrong causes of failure and the wrong remedies to address them, she insists that the harder-to-see aspects of organizational life—such as training, procedures, cultures, and agency structures—often matter more. According to her, individuals may have made mistakes, but it was the system that failed to prevent the 9/11 attacks.³⁷

³⁶Charles F. Parker and Eric K. Stern, “Blindsided? September 11 and the Origins of Strategic Surprise,” *Political Psychology* 23, no. 3 (2002): 601–630.

³⁷Amy Zegart, “9/11 and the FBI: The Organizational Roots of Failure,” *Intelligence and National Security* 22, no. 2 (2007): 165–184.

MASS CASUALTY TERRORISM

Terrorism is an old phenomenon going back to centuries ago. Although it is a crime in the classic sense, it has always had political and psychological aims. While terrorists want to see radical changes in political spectrum and get concession from political decision-makers they also want people watch their violent attacks. The immediate targets are often secondary or irrelevant to their aims of spreading fear and alarm among public and gaining political and economic concession from policymakers.³⁸

Trends in terrorist tactics have evolved during the history. Among their tactics have been assassination, kidnapping, killing security officials as well as noncombatants and civilians, hijacking planes, holding hostages, and embassy takeovers. Nowadays, one of the most lethal tactics of terrorists is the use of improvised explosive devices, which can be remotely controlled and kill indiscriminately civilians who have nothing to do with what terrorists want. More worrisome is suicide bombings by radical groups, which are almost impossible to stop and guarantee mass casualties and extensive damage.³⁹ And the most dangerous is the use of weapons of mass destruction (WMD) in terrorist attacks in which the number of casualties would impossible to estimate.

Mass casualty terrorist attack can be defined as a terrorist attack that produces or has the capacity to produce large numbers of casualties. There have been many examples of such large-scale terrorist attacks around the world. Some examples taken from the Global Terrorism Database⁴⁰ include:

- The attack against the World Trade Center in New York in 1993
- The bombing of the Murrah federal building in Oklahoma City in 1995

³⁸Ian O. Lesser et al., *Countering the New Terrorism* (RAND Corporation, 1999).

³⁹Ehud Sprinzak, "Rational Fanatics," *Foreign Policy* no. 120 (2000): 66–73.

⁴⁰www.start.umd.edu/gtd/

- The bombing of the Air Force housing complex at Khobar Towers, Saudi Arabia in 1996.
- The bombings of the US Embassies in Kenya and Tanzania in 1998
- The 9/11 attacks in 2001
- Bali bombings in Indonesia in 2002
- Istanbul bombings in 2003
- Madrid train bombings in 2004
- London Subway bombings in 2005
- Sharm el-Sheikh attacks in Egypt in 2005
- Mumbai attacks in 2008

In the past, even the bloodiest terrorist events affected only a relatively few people. But now, weapons of enormous destructive power are both readily acquired and harder to track. There has been a radical transformation in the character of terrorism. A few individuals could make use of the tremendous destructive power. Fanaticism inspired by all kinds of religious-sectarian-nationalist convictions is now taking on a millenarian and apocalyptic tone.

Mass casualty bombers have so far covered a wide range of terrorist groups of varying size and motivation, including the Tamil Tigers of Tamil Eelam (LTTE), Hezbollah in Lebanon, Chechen groups in Russia, and al-Qaeda and like-minded groups worldwide.⁴¹ And, most recent concerns have been on religiously motivated terrorists.⁴² A Japanese cult called Aum Shinrikyo (Supreme Truth) placed containers of sarin poison gas on five trains of the Tokyo underground network in 1995. The attack resulted in 12

⁴¹Chris Quillen, "A Historical Analysis of Mass Casualty Bombers," *Studies in Conflict & Terrorism* 25, no. 5 (2002): 279–292.

⁴²Bruce Hoffman, *Inside Terrorism* (Columbia University Press, 2006).

dead, 5,500 injured. This successful use of chemical attack was only one example how WMDs can cause mass casualties as well as fear and panic in society. We saw another use of WMDs (this time as a biological attack) in Anthrax incidents in the fall of 2001 in the US, where concerns about bioterrorism moved from theory to reality.⁴³ As to the menace of WMDs, the WMD Commission stated that “there are dozens of entities that could strike a devastating blow against the US.”⁴⁴

Mass casualty terrorism is not only about the number of deaths and injuries but also fear and panic it creates in society as well as the likelihood of more casualties successful in the way the perpetrators intended. For example, in the first World Trade Center bombing in 1993, terrorists aimed at toppling one building into the other, killing tens of thousands. The mastermind of that attack, Ramzi Yousef said later that he had hoped to kill 250,000 people.⁴⁵

Given the fact that WMDs are hard for the terrorists to acquire, at least for now, the best alternative they have in order to cause mass casualties is to resort to suicide bombings. From the year 1983 when 241 US Marines were killed when a suicide bomber drove an explosive-laden vehicle to their barracks in Lebanon to the year 2007, there have been more than 1400 suicide attacks recorded by the Global Terrorism Database, killing thousands of people and injuring more.⁴⁶ As Quillen noted “mass casualty

⁴³Leonard A. Cole, *The Anthrax Letters: A Medical Detective Story* (Washington, DC: Joseph Henry Press, 2003).

⁴⁴The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, “Report to the President of the United States,” 2005, 4, http://www.gpoaccess.gov/wmd/pdf/full_wmd_report.pdf.

⁴⁵*The 9/11 Commission Report*, 72.

⁴⁶ The Global Terrorism Database retrieved from <http://www.start.umd.edu/gtd/>

bombers are the most technologically and logistically sophisticated terrorist groups that have repeatedly showed their willingness to kill indiscriminately and in large numbers.”⁴⁷

GLOBAL JIHADIST NETWORK

The roots of the global jihadist movements can be traced back to the 1980s. When the Soviet Union invaded Afghanistan, thousands of young Muslims, commonly called as *mujahedeen*, all around the world, including the Europe, the Middle East, and the Asia traveled to the country to fight a holy war (jihad) against the invaders alongside their Afghan brothers. Out of concern that the Soviets could succeed in invading the country, the United States, the Great Britain, and the Gulf States, supported, trained, and even armed those mujahedeen in their efforts to repel the enemy. Eventually, the mujahedeen who drove the Soviets out of Afghanistan left to shift for themselves after the Soviets’ withdrawal. They started to seek new enemies, both in their own countries and around the world. They thought that if they were able to defeat the Soviets, they could defeat any power, including America whom they thought was supporting the oppressive and corrupt regimes in the region as well as Israel’s actions against Palestinian people. Some of the mujahedeen with the expertise on guerilla tactics, explosive production, recruitment, and organization, returned from Afghanistan to start a similar fight in their own homelands against governments they deemed as being infidel, corrupt or despotic. This was indeed what the CIA called a “blowback”.⁴⁸

With the end of the Cold War we have seen a rapid shift in the nature of transnational terrorism. The collapse of the Soviet Union led to emergence of various

⁴⁷Quillen, “A Historical Analysis of Mass Casualty Bombers,” 290.

⁴⁸ Simon Reeve, *The New Jackal* (Andre Deutsh, 1999), 1–3.

fundamentalist groups including nationalist, separatist and radical organizations taking advantage of the vacuum left after the end of the Cold War. In today's globalized world the threat is asymmetric stemming from transnational, much less bounded, and non-state actors that come in many size and shapes.⁴⁹

This new type of terrorism is even more unpredictable and indiscriminate. Terrorists in the 1970s and 1980s, used to have definable objectives such as being recognized, control of a certain territory or being independent. However, this is not the case today. The new wave of terrorism including global jihadism has few goals. They just want revenge, killing as many people as possible without considerations of universal moral values.⁵⁰

As in the cases of the 1993 World Trade Center attack by Ramzi Yousef, a Muslim jihadist; the 1995 Sarin gas attack by Aum Shinrikyo, a Buddhist-inspired cult in Japan; the 1995 Oklahoma City bombing by Timothy McVeigh, an American right-wing extremist; and the 9/11 and the November 2003 attacks by Al Qaeda, terrorists tried to achieve the psychological effect of their indiscriminate attacks with media saturation. This new type of terrorism has been affected by the changes in global environment. Thus, it cannot be understood without considering conditions caused by late modernity and globalization. Globalization altered structures and modus operandi of terrorist organizations. Terrorists have made use of the so-called information revolution brought by globalization. They are now able to move from one country to another, establishing loose networks by overcoming national boundaries. Globalization also brought about both integration and fragmentation. On the one hand, the process of globalization has

⁴⁹Treverton, *Intelligence for an Age of Terror*.

⁵⁰Reeve, *The New Jackal*, 4.

provided benefits for an increasingly cosmopolitan elite, but on the other hand, it has triggered the rise of political, ethnic and religious identities, rejecting the universal norms globalization promotes. It is in this context that religiously inspired terrorism has raised.⁵¹

The global jihadist network supported by, or inspired from al-Qaeda's jihadist ideology has been the most effective threat of this kind of terrorism for about two decades. They neither respect state boundaries which have become obsolete with globalization nor boundaries inside a state that create a wall separating law enforcement from intelligence out of concerns about the privacy of citizens.

In the twenty-first century we see the emergence of transnational challenges rather than international threats. The jihadist movements have become global in nature after 9/11. Jihadi actions that took place in one or two countries diversified across the globe. Today jihadi actions are not limited to places like Afghanistan, Pakistan or Yemen. Members and actions of jihadi groups are present even in the US and Europe. There are local cells of al-Qaeda across the globe. What is more, any jihadi action does not have to be claimed by al-Qaeda. There are numerous groups like al-Qaeda in the world, who pursue al-Qaeda-like jihadi ideology.

According to Gerges, jihadis who had focused their fight against the near enemy since the 1970s, called for a new global jihad against the far enemy (the US and its allies) in the late 1990s.⁵² Today, we can say that the al Qaeda has made the jihad global in terms of indoctrination, financing, grouping and training thanks to advances in technology.

⁵¹ Peter Neumann, *Old and New Terrorism* (Polity, 2009), 2–5.

⁵² Fawaz A. Gerges, *The Far Enemy: Why Jihad Went Global* (Cambridge University Press, 2009).

What is al-Qaeda and how did it evolve? According to Sageman it is both a terrorist organization and a social movement. It is a terrorist organization because it has carried out numerous terror attacks directed by its core structure. It is a social movement because it is not a single organization that is influenced solely by so called al-Qaeda Central. It is composed of formal and informal networks that mobilize people all around the world to resort to terrorism. There is not a coherent command and control structure. It has evolved from a structured group of al-Qaeda masterminds under the leadership of a Saudi businessman, Osama bin Laden, controlling vast resources and issuing commands to loosely connected informal local groups that carry out operations from the bottom up—also known as homegrown terrorism and a leaderless jihad. Although physically unconnected, these terrorists form virtual yet violent networks mobilized both face-to-face and online. The participants of this global jihadist network share, to some extent, a vision of the world. According to this vision, the world has decayed into a morass of greed and moral depravity. They blame western influence and corrupt governments of Muslim countries for corrupting their religion. Members of this revivalist ideology called *Salafism*—from the Arabic word *salaf*, the ancient ones—want to reconstruct the original Muslim community (so called the Golden Age, which spanned about forty years, from 622 to 662 covering a portion of the Prophet's life and the first four caliphs) under the Islamic law based on a simple scriptural interpretation of the Quran. They reject traditional interpretations that evolved over fourteen centuries because they believe such commentaries have been corrupted by Western philosophy. Some of them see themselves heroes, martyrs, seeking dreams of glory fighting for justice and fairness and are willing to sacrifice themselves in pursuit of a utopia. On the other hand, Salafis the majority of

whom advocate the peaceful transformation of society can be grouped into three: those who promote social change through face-to-face preaching, those who call for the creation of political parties to bring about changes politically, and those who, after having seen failed political attempts in some countries like Egypt (the case of Egyptian Muslim Brothers) and Algeria (the case of FIS) argue that the capture of the state could never take place through peaceful means and there should be violent overthrow of the governments which they call “near enemy” (the local ruler). Having seen that they had not overthrown any of their governments, one faction argued that the “far enemy” (in this case the West, and especially the US) supports the “near enemy”. Some thought that they would never succeed as long as this was the case. Hence they advocated a switch in strategy, namely to expel the “far enemy” from the Middle East or as they call it, to go after the “head of the snake”. This could be achieved by two ways: either attacking Western interests in those countries or hitting them at home. They attempted both. Bin Laden declared war against the US and its allies, funded and controlled camps in Afghanistan to train young Muslims who wanted to join the global fight, and provided seed money for the local terrorists, sometimes funding the proposed operation completely.⁵³

Al-Qaeda has also a decentralized system in which not only top leaders make the choices. The movement does not have one modus operandi and centralized command and controlled system. Its system of recruitment, operation, funding is spanned differently all around the world. In Neumann’s words it has become a social networking of terrorist organizations that ignores formal hierarchies.⁵⁴

⁵³ Marc Sageman, *Leaderless Jihad: Terror Networks in the Twenty-First Century* (Philadelphia: University of Pennsylvania Press, 2008), 29–46.

⁵⁴ Peter Neumann, *Old and New Terrorism* (Polity, 2009), 153.

Al-Qaeda became an ideology today. That means that there are many al-Qaedas in the globe not just one. Al-Qaeda started as a group and moved to a movement that set people in motion across the globe. In this way it has become a supranational movement in nature, which can galvanize and inspire youths across the globe, who are ripe for recruitment.

When it comes to the notion of jihad, Al Qaeda members put jihad as the number one duty of Muslims. Jihad, which literally means effort, or supreme effort, also refers to fighting an enemy in certain circumstances. In the Quran, jihad is repeated 33 times.⁵⁵

Contrary to what Al Qaeda promotes, the most common usage of jihad is to strive hard referring most of the time internal spiritual struggle for avoiding sins and personal striving for self-improvement. This argument is reinforced by various sayings (*hadith*) of the Islamic Prophet who once said while returning from warfare: "You have now returned from the smaller jihad, *jihad al-asghar*. The bigger jihad, *jihad al-akbar* continues to remain a duty with you." In this respect there seems to be two kinds of jihad. One is internal jihad called the bigger jihad, *jihad al-akbar* and the other is external jihad called the smaller jihad, *al-jihad al-asghar*.⁵⁶

It is also acknowledged that, there is no place for force and coercion in Islam. Respect and love are the most important aspects emphasized in Islam, which itself literally means peace. According to mainstream Muslims, one must struggle hard for personal self-improvement while one also must struggle to help others to accomplish their journey for internal spiritual self-improvement.

⁵⁵ Ozcan Ozkan, *A Computerized Program of Concordance of the Quran* (Unpublished).

⁵⁶ *Islam* (Ankara: The Presidency of Religious Affairs, 2005).

For those who resort to suicide terrorism is trying to legitimate their violent acts by characterizing them as “meaningful suicide”. However, any kind of suicide acts is not permissible in Islam, let alone meaningful. One who makes a suicide attack is both killing himself/herself “*nafs*” while at the same time killing innocent people. In Islam, one cannot declare a war on his/her own. In addition, one cannot kill innocent people especially the elderly, the children, and the religiously even in warfare. This rule is stricter in peacetime. On the other hand, suicide bombers are also contaminating the bright image of Islam, causing non-Muslims to think Islam as a violent religion, a negative image that would take years and decades for removing from their minds. Therefore, committing suicide of this kind can be described as “multi-layered murder”.

LAW ENFORCEMENT AS A COUNTERTERRORISM TOOL

It is widely accepted that all of the counterterrorism tools such as military, diplomacy, national intelligence, and law enforcement are not separable from each other. Even they must go hand in hand with economic, educational, social and cultural policies. Law enforcement has a vital role in counterterrorism that cannot be excluded from counterterrorism arsenal. Prevention, detection, and prosecution of terrorists necessitate using the law enforcement tool. To do this, states have to integrate intelligence and law enforcement functions.

Counterterrorism requires using all the available tools including military, diplomatic, law enforcement, intelligence, and economic tools. Perhaps the most important one is law enforcement because terrorism is first and foremost a crime. It is considered by many countries’ jurisdictions as a serious crime. Law enforcement

including law enforcement intelligence agencies is at the core of the counterterrorism efforts. As Kris states “Law enforcement can disrupt terrorist plots through arrests, incapacitates terrorists through incarceration after prosecution, obtain intelligence from terrorists or their supporters through recruiting them as cooperating assets.”⁵⁷

In the past, one of the barriers to using law enforcement as a counterterrorism tool was thought to be the distinction between domestic and foreign intelligence. For example, according to Zegart “the CIA was mainly responsible for tracking terrorists abroad, while the FBI was supposed to watch them at home. Nobody, however, was clearly responsible for monitoring activities of terrorists between the United States and foreign countries. The result was that terrorists could operate seamlessly across borders but the U.S. Intelligence Community could not.”⁵⁸

Another barrier was the discussion on public versus private. The engagement of the public in counterterrorism has been very difficult in that the public have always tended to see intelligence as a spy job in which many do not want to be involved. Therefore, counterterrorism was largely a government monopoly and private companies and citizens played a limited role.⁵⁹ Now, this is being overcome by community policing in which community partnerships are promoted between the law enforcement agencies and the citizens and organizations by increasing trust in police.

The American traditional law enforcement approach has been radically changed after 9/11. In the past, “FBI officials never considered intelligence their core business, and other officials never considered the FBI a major part of the Intelligence

⁵⁷David S. Kris, “Law Enforcement as a Counterterrorism Tool,” *Journal of National Security Law & Policy* 5 (2011).

⁵⁸Amy B. Zegart, *Spying Blind: The CIA, the FBI, and the Origins of 9/11* (Princeton: Princeton University Press, 2009), 121.

⁵⁹Trevorton, *Intelligence for an Age of Terror*, 57.

Community.”⁶⁰ American policymakers used to think that while intelligence is focused on the future and on policy, law enforcement is oriented not forwards but rather towards response. Law enforcement tends to act after the fact and its business is not policy but prosecution, putting “bad guys” in jail. However, this approach has changed after “intelligence-led policing”, which was developed in England in the 1990s, was introduced to the US law enforcement system after 9/11. This approach which has much in common with so called “community policing” rejects the reactive nature of traditional law enforcement, seeking instead to identify and manage emerging criminal problems as well as to protect the next crime, not just prosecute the last one.⁶¹

Especially after the examples of mass casualty attacks such as the 1993 World Trade Center bombing, the 1995 Tokyo subway and Oklahoma City bombings, and the 1998 embassy bombings, the mentality changed from classical after-the-case policing to proactive policing to disrupt plots before they occur. These events radically raised the awareness of the fact that loosely affiliated groups could make huge damages using terrorist tactics and if capable weapons of mass destructions as in the case of the 1995 Tokyo sarin gas attack.

Therefore, nowadays, there is a consensus view that law enforcement—along with the others in the government’s toolbox—helps protect national security.⁶² Some arguments like “we are at war, our enemies are not common criminals, they are lethal, intelligent and adaptable and thus we should fight them using military and intelligence

⁶⁰Zegart, *Spying Blind*, 122.

⁶¹Treverton, *Intelligence for an Age of Terror*, 55.

⁶²Kris, “Law Enforcement as a Counterterrorism Tool,” 9.

methods, not law enforcement methods” have led to discussion of excluding law enforcement from counterterrorism efforts.⁶³

However, as already emphasized, to better fight against terrorism requires using all the available tools, thus not limiting the options at our disposals. According to Kris, law enforcements is effective in counterterrorism in three ways:

1. It disrupts terrorist plots through arrests or other interventions,
2. It incapacitates terrorists through prosecution and conviction,
3. It can gather intelligence through interrogation and recruitment terrorists or their supporters that supports continuing efforts.⁶⁴

In this respect, stronger law enforcement intelligence is needed to identify potential suspects and stop them before they make suicide bombings, which is impossible for law enforcement agents to forecast its place and time with accurate predictions.

INTERNATIONAL INTELLIGENCE SHARING

Today, terrorism became transnational in scope. Thanks to globalization, not only countries, economies, cultures and societies but also terrorist networks became interconnected. These networked organizations are capable to operate and do harms in global scale without any governmental support. Since these networks and individuals do not respect traditional rules of engagement, fighting with them requires effective international intelligence cooperation. Today terrorists benefit from unwillingness of law enforcement and intelligence units to engage in transnational investigations.⁶⁵

⁶³ Ibid., 11.

⁶⁴ Kris, “Law Enforcement as a Counterterrorism Tool” 13–26.

⁶⁵ *Cross-Cutting Issues: International Cooperation* (New York: United Nations, 2006), 1.

Relying on military capabilities when fighting with them is not enough because they have no established boundaries. Therefore strategy of deterrence through threats of retaliation that worked in the 20th century does not work against these terrorists who live among people. Since terrorists know that they cannot defeat governmental security forces in the battlefield, they choose to make surprise attacks including suicide bombings and bombings with remote-controlled mechanisms while they hide themselves in either rough terrain or among the civilian population. Therefore, governments must have good intelligence about terrorists' capabilities and plans, which they can share with their partners for mutual interests. Since this is the case with the 21st century terror threat, international intelligence sharing becomes an urgent necessity in dealing with them.⁶⁶

Why do law enforcement intelligence agencies need intelligence sharing? Today's globalized world brings a lot of uncertainty. The capabilities of global terrorists cannot be understood without information from domestic intelligence partners. To collect intelligence requires a great deal of financial, human and technical capabilities. To collect it overseas requires much more of these. In addition, policymakers must be satisfied with the quality and quantity of intelligence provided by intelligence agencies. This dual need to know about issues of mutual concern is what leads intelligence agencies to share intelligence with their counterparts overseas. More importantly, key benefit from sharing intelligence is that it reduces waste of time and resources.

On the other hand, why do some states not share intelligence with each other? The reasons may involve sovereignty issues, the diversity of law enforcement structures, the absence of enabling legislation, divergences in approaches and priorities, and the absence

⁶⁶ *Cross-Cutting Issues: International Cooperation* (New York: United Nations, 2006), 1.

of clear channels of communication for the exchange of information.⁶⁷ When channels exist in some instances, inefficiency of the organizations or personnel can also hinder information sharing.

According to Walsh, it is either the bargaining problem or the enforcement problem that hinders intelligence sharing.⁶⁸ The bargaining problem arises when one party cannot negotiate what and/or how much to gain from intelligence sharing. In this case, it becomes unclear whether there will be any compensation such as technical assistance, exchange of signal intelligence, satellite imagery, aerial reconnaissance, training assistance, and the like. It becomes more difficult when intelligence sharing provides benefits to one part and imposes costs on the other.⁶⁹ Therefore, potential for large gains is an important motive for states to share intelligence.

When it comes to the enforcement problem, some states later draw back to share intelligence. It is either because of the government political decisions or the decision taken by lower-level authorities in intelligence agencies, who suspect the shared intelligence might be shared to a third party without their approval and consent.⁷⁰

In addition to these two factors, one of the barriers to intelligence sharing is the secret nature of intelligence. Often states are in a position to share secret or clandestinely obtained information. Fearing of deciphering its sources and methods of intelligence gathering, states sometimes hesitate to share intelligence. This understandable concern plays an important role in unwillingness to share intelligence.

⁶⁷ *Cross-Cutting Issues: International Cooperation*, 2.

⁶⁸ James Igoe Walsh, *The International Politics of Intelligence Sharing* (Columbia University Press, 2009), 8.

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*, 9–10.

One of the methods to create a suitable atmosphere for international intelligence sharing is through international regimes. According to Chertoff, many governments who are responsive and accountable to their own citizens consider countering jihadist movements a domestic matter outside the scope of international laws, which in fact is not the case. The global jihadist movements fall under the scope of international law. When one country harbors terrorists like Taliban's Afghanistan or Saddam's Iraq, international law must acknowledge that such a state has an obligation to avoid becoming a platform for attacks on other states.⁷¹ For example, 9/11 and the 2003 Istanbul bombings is the result of Taliban's support of mujahedeen and Osama bin Laden. Similarly, PKK, Kurdish terrorist group, made attacks in Turkey thanks to safe havens in Northern Iraq where they got trained, motivated, supported, and launched their atrocities, claiming 40,000 lives in Turkey.

The long-applied Westphalian principles of sovereignty, which argued that an independent state is not subject to external control over its internal affairs without its content does not apply to today's global fight against terrorism. True, imposing international law on a nation without its consent undermines sovereignty; however, sovereignty of states should be held and respected as long as states keep non-state terrorists away from doing harm to other nations from within their territories. What if a state fails to prevent this from happening? Then the sovereignty of all nations will be sacrificed to protect the sovereignty of one. States must not be left helpless in case of an attack that comes from a non-state actor that creates safe havens within one state to attack another. Because, in this case it makes no difference to the attacked state whether the attack comes from a government or a non-state network. When a terrorist group creates

⁷¹ Chertoff, *Homeland Security*.

and finds safe heavens in one country, international law must acknowledge that such a nation has an obligation to avoid becoming a platform for attacks on other sovereign nations.⁷² As in the case of Turkey versus Iraq, Iraq has long been neglecting the PKK presence in the Northern Iraq where they created their safe heavens and training centers as well as headquarters. Turkey who always insisted Iraq to take action against the PKK presence in northern Iraq has had to launch unilateral air bombardments against the PKK camps in northern Iraq without asking for consent from the Iraqi governments. Iraqi governments always complained about this situation. However, these complaints of the Iraqi governments who failed to deprive the PKK of the safe heavens and training camps within Iraq make no sense for the Turkish governments who have had no option other than taking unilateral decisions regarding the PKK presence in Iraq. Therefore international law must be updated to reflect the reciprocal nature of sovereignty while it also has to overcome the unwillingness or inability to contain the non-state actors that are sheltered are harbored within their borders.⁷³ This is reflected in Resolution 1373, which was adopted in the UN Security Council right after the 9/11 attacks. According to this resolution, “all member states must refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists, deny safe haven to those who finance, plan, support, or commit terrorist acts, or provide safe havens, prevent those who finance, plan, facilitate or commit terrorist acts from using their respective territories for those purposes against other States or their citizens, and prevent the movement of terrorists or terrorist groups by effective border

⁷² Ibid., 153–179.

⁷³ Chertoff, *Homeland Security*.

controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents.”⁷⁴

The second is to create bilateral or regional agreements. Since many nations differs on understanding terrorism and applying counterterrorism methods, consensus on a global anti-terrorism regime/law is hard to achieve. Therefore, partners can come together to develop bilateral agreements on terrorism issues that matter each other. Instead of waiting for international consensus, states can find ways to cooperate bilaterally when a non-state actor threatens their security. For example, intelligence cooperation between the US and UK is a good example of bilateral partnership. Similar cooperation at bilateral, sub-regional or regional level to address common issues is evolving rapidly all around the world.⁷⁵

The third method is mutual trust and confidence. Mutual trust among individual agencies allows partners to share intelligence without waiting for legally binding processes. Since terrorism is not understood as a uniform phenomenon among countries, counterterrorism is not a “one size fits all” process.⁷⁶ Therefore each country can develop their own countering methods based on their culture and political structure while cooperating with trusted partners on individual bases. Partners trust each other if there exists no divergence of interest. Trust is both an essential ingredient for intelligence sharing and the most important factor driving sharing. Therefore, trust must exist in order for agencies to share intelligence.⁷⁷ In this respect, law enforcement liaison officers play

⁷⁴ <http://www.un.org/News/Press/docs/2001/sc7158.doc.htm>

⁷⁵ *Cross-Cutting Issues: International Cooperation*, 1.

⁷⁶ Joseph T. McCann, *Terrorism on American Soil* (Boulder, CO: Sentient Publication, 2006).

⁷⁷ Walsh, *The International Politics of Intelligence Sharing*, 13.

an important role in building confidence and trust among agencies. They also facilitate cooperation. Therefore, it is important that countries with mutual understanding have arrangements for the exchange of liaison police officers.

3. METHODOLOGY

RESEARCH DESIGN

This study is an explanatory case study using qualitative research techniques. This qualitative case study will be led by how and why questions examining both within-case analysis of single cases (internal examination of single cases) and cross-case comparisons of a small number of cases in a single study.⁷⁸ In this regard, the researcher applied what Robert K. Yin describes as holistic multiple-case design in a qualitative way by analytically and structurally examining a small number of similar cases in different settings.⁷⁹ In analyzing the cases, this study will take an interpretive approach rather than a positivist approach, thus providing rich and detailed descriptions of the cases with narratives rather than objective and statistical description of positivist orientation.⁸⁰ In this regard, the researcher seeks to discover the meaning of the events from the law enforcement perspective rather than to test theories and causal relationships between variables. In this context, the researcher aims to understand how members of law enforcement intelligence assign meanings to intelligence failure in mass casualty attacks by global jihadist movements.

At least three reasons support the use of qualitative case study method in this study. First, although there is a rich volume of data on terrorism events in general and intelligence failures in surprise attacks leading to a war in particular, there is no sufficient database on intelligence failures in mass casualty terrorist attacks. The in-depth case studies would help overcome this gap by offering ways to explain the ‘within case’ and

⁷⁸ Robert K. Yin, *Case Study Research: Design and Methods*, 3rd ed. (SAGE Publications, Inc, 2002), 6.

⁷⁹ Ibid., 43–45.

⁸⁰ Norman K. Denzin and Yvonna S. Lincoln, “Introduction: The Discipline and Practice of Qualitative Research,” in *Strategies of Qualitative Inquiry*, ed. Norman K. Denzin and Yvonna S. Lincoln (Sage Publications, Inc, 2008), 1–44.

‘between case’ variations in intelligence failure in mass casualty terrorism. Allowing exploring situations in which the phenomenon being studied does not have a clear and single outcome, the case study thus enables the researcher to see the holistic and meaningful features of events in certain settings.⁸¹ Among the types of case studies, this research is what Stake calls “an instrumental case study”.⁸² The choice of instrumental case study is made because it is expected to enhance our understanding of that other external interest. The case itself plays a supportive role, facilitating our understanding of something else.⁸³ In this regard, this case study will facilitate our understanding of intelligence failure.

Second, given the nature of intelligence studies, the qualitative method is considered as the most appropriate one since every detailed qualitative accounts that often come in the form of words might contribute to a better understanding of the issue studied, which may not be understood through using quantitative, experimental or survey researches. This qualitative case study provided rich descriptions that were achieved through examining official and non-official documents as well as interviewing key figures concerning the cases. With regard to interviews, the point is not the quantity but the quality of interviews since they were used to complement and compare the findings acquired from other sources including official and non-official reports and documents. On the other hand since direct quotations are a basic source of raw data in qualitative

⁸¹ Robert K. Yin, *Case Study Research: Design and Methods*, 4th ed. (Sage Publications, Inc, 2008). Clifford Geertz, *The Interpretation Of Cultures* (Basic Books, 1977).

⁸² Robert E. Stake, “Case Studies,” in *Handbook of Qualitative Research*, ed. Norman K. Denzin and Yvonna S. Lincoln (Sage Publications, Inc, 1994), 237.

⁸³ Ibid.

research, the current study includes quotations that provide respondents' thoughts, experiences and perceptions, which is then interpreted by the researcher.⁸⁴

In addition, the researcher tried to apply what Joseph S. Nye introduces as three levels of analysis (which is also very common in explaining past events in history and international relations) including the system level, domestic level, and individual level explanations with a consideration of what he calls “the rule of parsimony” and “counterfactuals.”⁸⁵ In this context, the global circumstances affecting domestic issues and individual way of decision taking are explained during the study.

Units of Analysis

The scope of the proposed study is highly focused. In exploring the role of intelligence in mass casualty terrorist attacks, the researcher mentioned about government policies in general terms and concentrated on intelligence agencies with a special reference to law enforcement/domestic intelligence units.

The study focused on the intelligence role in mass casualty terrorist attacks in two countries, the United States and Turkey. The primary units of analysis are the events themselves:

1. The September 11, 2001 bombings in the US,
2. The November 15 and 20, 2003 bombings in Turkey.

Several reasons influenced the selection of these cases. First and foremost, the cases share a common outcome—a terrorist attack by global jihadist movements resulted

⁸⁴ Michael Quinn Patton, *Qualitative Evaluation and Research Methods*, 2nd ed. (SAGE Publications, Inc, 1990), 24.

⁸⁵ Joseph S. Nye, *Understanding International Conflicts: An Introduction to Theory and History*, 3rd ed. (Longman Publishing Group, 1999), 32–50.

in large number of casualties. Second, investigatory reports and subsequent analysis pointed out failures that caused mass casualties in those attacks. Third, they all happened in democratic countries where transparency and accountability, albeit applied in different levels in each country, necessitates creating appropriate commissions to investigate the events, inform public through private and/or state-backed media outlets, and making the critical and official reports public. Publicly available data in such democratic countries lead to a rapid increase in studies examined by scholars and journalists after these kinds of attacks. The availability of this kind of data is considered as a good place to start for an intelligence study.

On the other hand, the law enforcement intelligence structures of these countries have a lot in common, ranging from educational level of personnel and legal constraints on abuse of powers to division of labor and capability to send staff overseas as liaison to exchange information. Since they are the ones who respond to terrorist attacks at home, another units of analysis will be the law enforcement intelligence organization of the two countries.

Finally, while these attacks are explained in detail, the perpetrators, Al-Qaeda Central in the 9/11 case and Al-Qaeda in Turkey in the Istanbul case will be another units of analysis for this study.

Sampling

Purposive and snowball sampling strategies were used in the study. Primarily, law enforcement personnel were chosen as the target population. In-depth interviews were conducted with the participants from Turkish and American police.

Interviewees were chosen among the practitioners who, albeit retired or appointed to another position, worked in these organizations at the time of the attacks. After holding interviews with purposely-selected samples, the snowball sampling method was employed to reach more interviewees. The goal of this sampling was to make as much interviews as possible with officials from different positions, units, and years of experience. The samples include executive directors, deputy directors, directors of units, middle level managers, and more importantly front line officers who have valuable information of the cases selected. The researcher conducted thirty interviews with those who, albeit retired or appointed to another position, worked in these organizations at the time of the attacks and could make contributions to the current study with their views and perspectives on the attacks.

Research Question

Working definition of intelligence failure used in this study is that: policy makers or intelligence units knew, should have known or could have known enough information under the circumstances to assess the probability of a coming attack that could enable them to prevent it but failed to act or respond accordingly. Any or some sets of the abovementioned factors can lead to intelligence failure. Sometimes there might be some interference in the process other than intelligence that prevents mass casualty attacks. That could be a last-minute awakening of operational units, public awareness and vigilance, unwillingness of terrorists to carry out the attack, malfunctioned explosive or device and so on. For instance, high level of alert during the Millennium did not contribute to detaining Ahmed Ressam, the Millennium terrorist whose plan was to bomb

Los Angeles International Airport, while he was driving his rental car off a ferry traveling from Canada to Port Angeles, Washington. When a vigilant customs inspector stopped him at the Port for a secondary inspection he panicked and tried to flee. By examining Ressam's car, inspectors found hidden explosives and timing devices as well as information about sleeper cells in Boston and New York.⁸⁶ Even if a planned attack does not succeed due to any of these reasons, there is surely an intelligence failure. In this study, however, I selected cases that resulted in mass casualty attacks.

The central research question of this study is "How do policy/bureaucratic failures, organizational obstacles, defects in intelligence cycle, lack of international intelligence sharing, and the capability of perpetrators contribute to intelligence failures leading to consequent mass casualty attacks? In terms of the secondary questions, the questions provided in *Appendix-2* were used to complement to support the central research question.

Research Question 1:

How have public policy/bureaucratic obstacles contributed to intelligence failure?

Intelligence cannot be separated from policymaking at governmental level. The purpose of intelligence, first and foremost, is to serve policy and it is the responsibility of policy makers in government to use intelligence produced by intelligence officials. Therefore, intelligence failures can be linked to government policies as well as bureaucratic processes. This includes failures of public policies, unreasonable legal restraints on the intelligence community, failure to act appropriately on intelligence, wrong perception of threat environment, failing of governments to oversee intelligence agencies, inadequate

⁸⁶Zegart, *Spying Blind*, 9–10.

funding for intelligence and physical security measures, inadequate allocation of personnel and technical tools to intelligence community, failure of governments to implement effective policies, and the like. Even worse in the intelligence/policy debate is a government not using the intelligence produced. The worst, though, is administrative deception and manipulation. For instance, there were numerous accusations of Bush administration deception, manipulation, and damage to the intelligence system during the process leading to the 2003 Iraq War. The President Bush and the Prime Minister Tony Blair denied the so-called Downing Street memo written by Blair's aide, Matthew Rycroft, which in July 2002 noted reports by the chief of British intelligence that Bush had decided to overthrow Saddam Hussein and that "the intelligence and facts were being fixed around the policy."⁸⁷ As Betts argues policymakers are often dissatisfied with what they get from intelligence analysts, while analysts are frustrated when what they produce is apparently misused or not used at all. The best analysis is useless if those with authority to act on it do not use it. For example, in the Middle East War of 1973, Israeli military intelligence produced a report well before October 1973, warning in detail of the threat posed by the Egyptian antitank missiles, but tacticians and the high command did not respond to it.⁸⁸ In Germany's surprise attack on the Soviet Union in 1941—known as Operation Barbarossa—Stalin's intelligence community provided him with enough intelligence indicating an attack was coming but Stalin chose to believe that the Germans would not attack.⁸⁹

⁸⁷Elisabeth Bumiller, "Bush and Blair Deny 'Fixed' Iraq Reports," *The New York Times*, June 8, 2005.

⁸⁸Betts, *Enemies of Intelligence*, 66–103.

⁸⁹Stephen Marrin, "Preventing Intelligence Failures by Learning from the Past," *International Journal of Intelligence and CounterIntelligence* 17, no. 4 (2004): 655–672.

Research Question 2:

How have organizational problems contributed to intelligence failure?

Individual mistakes matter but what matters most in mass casualty terror attacks is organizational problems that can be harder to detect. Every intelligence community faces organizational problems. There have always been discussions on structural problems and intelligence reform. However organizational change is difficult. According to organizational theory, employees' old habits, routines, norms and thinking obscure organizational adaptation and change. From the political science literature, rational choice approach also hinders organizational change. Officials are motivated by keeping positions supporting the status-quo and reluctant to make major changes unless a top-down legislation or an executive action makes them to change.⁹⁰ It is also true that major changes are usually triggered by major crisis.

More specifically, organizational problems in intelligence include problems of organizational culture, poor information sharing, duplication of effort, bureaucratic turf battles, use of technology among others. Some problems at the organizational level may be vertical as well as horizontal. Turf wars are especially important in that competition between agencies leads to poor information sharing which in turn contributes to intelligence failure. For example, it took five years for the FBI and the NYPD and health departments to agree on an allocation of responsibilities for investigating suspected biological attacks.⁹¹ If it had not been the 9/11 attacks and the events of Anthrax letter, it would have taken more years for them to reach an agreement on this. In addition, one of

⁹⁰ Zegart, *Spying Blind*, 45–47.

⁹¹ Judith Miller, "City and F.B.I. Reach Agreement on Bioterror Investigations" *The New York Times*, November 21, 2004, retrieved from http://www.nytimes.com/2004/11/21/nyregion/21protocol.html?_r=1&pagewanted=2.

the most salient discussions of reorganization of intelligence community is how to integrate domestic with foreign intelligence in today's globalized world where terrorists no longer need to recognize national borders.⁹² Al-Qaeda attacks worldwide have clearly shown that the artificial divide between what is domestic intelligence and what is foreign intelligence is no longer tenable and must be replaced by a new conception of intelligence that may take shape differently in different countries depending on their political and intelligence cultures as well as their preparedness to such a change.

Another factor contributing to intelligence failure is the lack of use of technology. The fact that everything is going faster in our globalized world, trends in technology is no exception. Globalization only accelerated this change. Technology is thus vital for any intelligence activity. Use of technology and use of human sources must go hand in hand. Without one, the other is ineffective, if not useless. While it is important to penetrate the terrorist groups by using human agents, technology is indispensable in allowing agents to get access to huge data sources. By technology, agents and analysts would have a more comprehensive view of relevant data.⁹³

Research Question 3:

How have defects in intelligence cycle contributed to intelligence failure?

The intelligence cycle can be regarded in general as a four-step process that includes need assessment (threat assessment) and direction, collection, processing and analysis, and dissemination. The first stage is where discussions take place about how to manage national intelligence requirements based on the threat assessment. Then, raw information

⁹²Michael A Turner, *Why Secret Intelligence Fails* (Virginia: Potomac Books Inc., 2005), 153.

⁹³ Michael Herman, "Counter-Terrorism, Information Technology and Intelligence Change," in *Twenty-First Century Intelligence*, ed. Wesley K. Wark, Studies in Intelligence (Routledge, 2005), 40–58.

is collected overtly (openly) and covertly (secretly) as well as technically and physically including, imagery, signals intelligence, human intelligence, and open-source information. At the process and analysis stage officials (agents) and analysts take a closer look at all the information and determine how it fits together trying to understand what is happening, why it is happening, what might occur next, and how it affects. In the final step of dissemination, decision makers are given final written or oral analysis to take further decisions and/or take action.⁹⁴ Any defect in any stage of the intelligence cycle can contribute to intelligence failures.

Need assessment (threat assessment), the first step of the intelligence cycle, is very crucial for other stages. Wrong threat assessment causes wrong direction, even no direction. Therefore, problem with threat assessment and direction affects collection efforts in a negative way.

Collection is the core feature of intelligence and the most valuable part of it is human intelligence. Equally important are cultural and linguistic obstacles that can make the gathering of any intelligence difficult. We can see the importance of human intelligence in every case. For example, the American naval attaché in Tokyo, who was the principal source of information, gathered much of his information only from open sources and Office of Naval Intelligence (ONI) had no human intelligence agents inside the Japanese naval establishment.⁹⁵ In the 9/11 case, there was a shortage of FBI or other

⁹⁴ The CIA, the FBI, and the MIT Websites retrieved from respectively <https://www.cia.gov/library/publications/additional-publications/the-work-of-a-nation/work-of-the-cia.html>; <http://www.fbi.gov/about-us/intelligence/intelligence-cycle>; <http://www.mit.gov.tr/t-cark.html>.

⁹⁵Frederic L. Borch, "Comparing Pearl Harbor and 9/11: Intelligence Failure? American Unpreparedness? Military Responsibility?," *The Journal of Military History* 67, no. 3 (2003): 852.

intelligence agents with the language capability and ethnic background to infiltrate the terrorist cells.⁹⁶

Perhaps, the most important aspect of intelligence cycle is analysis. Collecting information is of little value unless someone correctly analyzes and evaluates the information and sets it into context to be used. As Turner puts it: “analysis is the heart of the intelligence process.”⁹⁷ Today, terrorists operate in varied local contexts and this makes it difficult for analysts to understand terrorist minds. In addition, targets have become more diffuse and scattered, which makes the analysts’ job more complicated.⁹⁸ For example, the so called “shoebomber” Richard Reid who attempted to destroy a commercial airline in-flight by explosives hidden in his shoes in 2001 came as a total surprise to the CIA analysts none of whom had thought about a terrorist hiding explosives in his shoes before.⁹⁹ Therefore, collection and analysis are keys in the overall picture. They even affect the warning mechanism. Betts argues that if both collection and analysis had been better, it was possible to have provided longer advance warning of the fragility of the Shah’s regime in Iran.¹⁰⁰ On the other hand, even individual thinking and psychological elements affect the cycle. As Higgins suggests, the function of the cycle may be impaired when individual knowledge is not reflected in corporate understanding.¹⁰¹ Equally important is to take appropriate action. As Sageman stated the American responses to former al-Qaeda attacks such as the 1998 East African embassy bombings were very weak. There was no response even after the bombing of the USS

⁹⁶Ibid., 857.

⁹⁷Turner, *Why Secret Intelligence Fails*, 2.

⁹⁸Paul Maddrell, “Failing Intelligence: U.S. Intelligence in the Age of Transnational Threats,” *International Journal of Intelligence and CounterIntelligence* 22, no. 2 (2009): 213.

⁹⁹George Tenet, *At the Center of the Storm: My Years at the CIA* (London: HarperCollins, 2007), 232.

¹⁰⁰Betts, “Intelligence Warning.”

¹⁰¹ Oliver Higgins “The Theory and Practice of Intelligence Collection” in Jerry H. Ratcliffe, *Strategic Thinking in Criminal Intelligence*, 2nd ed. (Sydney: The Federation Press, 2009), 85.

Cole off Yemen in 2000. This lack of serious response in the years before 9/11 might have encouraged al-Qaeda to escalate its terrorist activities resulting in the 9/11 attacks in 2001.¹⁰²

Scholars have identified two key aspects of the warning information available to intelligence units: the quantity of information (the problem of signals vs. noise) and the quality of information.¹⁰³ What matters is to what extent intelligence analysts are able to filter out the noise from the signals; in other words, to distinguish relevant data (signal) from the irrelevant (noise). However, the reliability and validity of incoming information is also important in order to reach consistent conclusions about the truth. Often, intelligence agencies warn clearly whether an attack is coming and that it will be soon but this kind of vague information is not enough to take necessary precautions on time. Therefore, warnings should be clear enough to be act upon. Similarly, we should differentiate strategic warning from tactical warning. Strategic warning is warning of changes in the nature of the threat while tactical warning is warning of a specific event. Any lack or misunderstanding of both warnings may result in intelligence failures.¹⁰⁴ To understand what future may bring, we had to study past behavior, which is a predictor of future behavior in terrorist thinking.¹⁰⁵

¹⁰²Sageman, *Leaderless Jihad*, 125.

¹⁰³ See Roberta Wohlstetter, "Cuba and Pearl Harbor: Hindsight and Foresight," *Foreign Affairs* 43 (1965 1964): 691.; Posner, *Preventing Surprise Attacks*.; Levite, *Intelligence and Strategic Surprises*.; Kam, *Surprise Attack*.

¹⁰⁴Turner, *Why Secret Intelligence Fails*, 2.

¹⁰⁵ McCann, *Terrorism on American Soil*.

Research Question 4:

Is there any lack of international intelligence sharing that has contributed to intelligence failure?

Globalization has for more than three decades integrated the world in terms of culture, economy, politics, and social interaction. Some terrorist organizations have also gone global in terms of recruitment, funding, affiliates, support, and action. Al-Qaeda is the most effective of its kind. Wilkinson sees al-Qaeda as “the most widely dispersed non-state terrorist network with a global reach.”¹⁰⁶ In order to fight against this global threat better, intelligence agencies should cooperate with each other and share information on emerging threats.

Global terrorism challenged governments in terms of intelligence sharing. Governments tend not to share information with the excuse of the national sovereignty. By exploiting this situation the terrorists are able to operate freely in other countries. Global jihadi movements also operate in various countries. Planning, recruitment, funding, operation and escape after operation may include more than one country. Therefore combating this new kind of terrorism requires intelligence agencies to cooperate with each other. This is very difficult for sovereign countries and agencies since they have yet to agree on what constitutes terrorism. Even if there is a consensus among some countries, some of them may become hesitant or reluctant to share sensitive intelligence. At the core of this is the trust issue. Governments and intelligence agencies find it very difficult to trust one another. They only trust each other after they get to know

¹⁰⁶Paul Wilkinson, *Terrorism Versus Democracy: The Liberal State Response*, 2nd ed. (New York: Routledge, 2006), 5.

each other. Otherwise there has to be a supranational body that can coordinate the information sharing. This is only being implemented in European Union with some defects. For the other countries it has to be rely on informal and bilateral contacts.

All the cases that the researcher selected for this study are not only local issues but also have foreign connections. Therefore, it is argued that the lack of international intelligence sharing contributes to intelligence failure. Given the fact that the terrorism threat has gone global, intelligence collection has also become global. We are witnessing a rapid increase in partnerships between intelligence agencies around the world. This partnership is not confined to solely foreign intelligence units but encompasses law enforcement units. For example, even the New York Police Department (NYPD), which is not a federal but a state police, has numerous offices in overseas countries where they can coordinate their efforts of counterterrorism. For many intelligence agencies, the overseas presence can be regarded as “early warning system”. Today, since the threat is transnational, intelligence agencies rely on liaison partners in other countries. This is because local partners can more easily and effectively obtain human intelligence on terrorist networks. Today, terrorists have become more careful in where they meet and what they say on telecommunication devices (telephone, fax, and emails). This has made communication intelligence (COMINT) and imagery intelligence (IMINT) play secondary role in intelligence collection on them. As George Tenet, former CIA director, noted in his book, the best intelligence obtained on al-Qaeda has been the HUMINT.¹⁰⁷ As Maddrell concluded “transnational intelligence collection on today’s threats forces spy agencies to engage in global intelligence collection.”¹⁰⁸ We have

¹⁰⁷Tenet, *At the Center of the Storm*.

¹⁰⁸Maddrell, “Failing Intelligence,” 215.

recently seen the importance of international intelligence sharing in what British officials described as the longest, costliest and most serious terrorist case in the country's history. A 2006 plot to bomb trans-Atlantic airliners with suicide bombers who were to bring down at least seven airliners heading from London to the United States and Canada on a single day with explosions created by mixing liquids carried aboard in plastic soft-drink bottles were uncovered when US intelligence officials warned their British counterparts of possible links of plotters to their al-Qaeda contacts in Pakistan, which provided Scotland Yard with leads that led to a surveillance operation in Britain.¹⁰⁹

Research Question 5:

How have the capability and the capacity of the perpetrators contributed to intelligence failure?

To understand the capacity and capability of terrorist organization and terrorists is very important since success of any attack depends in a great part on the ability of plotters to prepare for the plan and execute them without having caught by intelligence radar. Terrorists use various masking techniques to escape from the scrutiny of intelligence agencies that carry out surveillance and tracking on them. Especially in open democratic countries, terrorists can camouflage their activities with ease. In some terror plots, terrorists did not succeed even if intelligence agencies failed. In other cases, terrorists did not reach their desire because of timely interruption by the security units. The example of the recent failed Times Square bombing shows how important the capability of perpetrators is. If the plotter had had a better training and better equipment, the outcome

¹⁰⁹John F. Burns, "London Court Sentences 3 to Life in Airline Bomb Plot," *The New York Times*, July 12, 2010, retrieved from http://www.nytimes.com/2010/07/13/world/europe/13britain.html?_r=1&ref=europe.

would have been devastating leading to another mass casualty terrorist attack.¹¹⁰ Furthermore, concealing their strategic intentions and misleading intelligence agencies are other important factors in this category. One of the enemy's tools to mislead victim is deception. For example, the Egyptian deception was the core factor to affect Israel's military readiness and response to the attack on the eve of the Yom Kippur War. With this deception, Egypt was able to reduce Israel's early warning space, to create a delay in decision-making by the Israeli leadership, and to generate a delay in operational responses in the field.¹¹¹

Since this study is about global terrorist movements, it is also important to explain their travel tactics because any global terrorist groups like Al Qaeda need to travel international borders to carry out their attacks in a global scale like 9/11. Since they have to travel globally, they need passports, visas, and relative documents to acquire permission of entry to foreign countries legally. Otherwise they depend on illegal entrances via smuggling that is difficult to do. In order to get passports and visas, many terrorist organizations use travel document forgers (travel facilitators) who produce false passports and fake visas for terrorists. They do this by substituting photos, altering stolen or borrowed passports, inserting fake cachets or avoiding problematic ones (as in the case of both 9/11 and November 2003 when the plotters cleaned the evidence of travel to and from Pakistan from their passports in order not get attention from the border inspectors), recruiting corrupt government agents working in passport units, using high-tech graphic devices and software to forge documents, and so on. As seen in many cases like the 1993

¹¹⁰Michael M. Grynbaum, William K. Rashbaum and Al Baker, "Police Seek Man Taped Near Times Sq. Bomb Scene," *The New York Times*, retrieved from <http://www.nytimes.com/2010/05/03/nyregion/03timessquare.html>.

¹¹¹Yigal Sheffy, "Overcoming Strategic Weakness: The Egyptian Deception and the Yom Kippur War," *Intelligence and National Security* 21, no. 5 (2006): 809–828.

World Trade Center Bombing, the 1997 Atlantic Avenue Subway Plot, the 1999 Millennium Plot, 9/11 and November 2003 bombings, terrorists used fraudulent passports, photo-substituted documents, and stolen identities for international travels.¹¹²

Since the researcher is studying the global jihadist movements, dedicating a separate category for why the capability of perpetrators matters is of utmost importance. Jihadists have different motives than other terrorists, including leftist and separatist terrorists in the 1960s or 1970s. The jihadists' motives can be found in their faith of divine duty, which justifies religiously their acts of violence. Their dedication to their religious cause and willingness to die and kill can be a multiplier factor for security agencies to prevent their acts of violence.

Data Collection Process

The primary sources of data in this study are official and non-official reports, testimonies and interviews. First, the researcher reviewed as many print and electronic publications associated with these events as possible in order to gain the insight about the events. Studies on intelligence failures are mostly relied on secondary sources given the fact that many official documents pertaining to such events are highly classified. However, abundance of credible open sources including government and investigatory commissions reports, testimonies, terrorist accounts on the media, journalistic investigations on leaks of classified information, memoirs, books by inside and outside counter-terrorism experts, journalistic books on individual terrorist life, and ethnographic studies which include the terrorist accounts of the events allowed the researcher to make cross case

¹¹² *9/11 and Terrorist Travel: A Staff Report of the National Commission on Terrorist Attacks Upon the United States* (Turner, 2004), 50–54.

analysis to better understand the events. For instance, in the case of Istanbul bombings, the researcher benefited much from the court-collected testimonies of those who planned, perpetrated, supported, and facilitated the bombings as well as those who harbored the responsible members of the organization for the attacks. These documents are also used to triangulate, corroborate, and enhance the data collected through interviews.

The researcher's professional experience allowed him to gain access to classified information, and face-to-face interactions with key law enforcement and intelligence personnel.

For the Istanbul case, the researcher read and reviewed over 1000 pages from 372 testimonies as well as other relevant documents when available before the interviews were conducted. In the 9/11 case, documents including the 9/11 Commission report and other official and non-official reports were gathered from open sources including websites, press releases and libraries.

For anyone who is doing research about intelligence needs establishing and maintaining sense of trust. As expected from most of the intelligence studies, the researcher may have had difficulty to recruit individuals who would participate in the study voluntarily. To overcome this problem, the researcher found key persons referred as "gate keeper" in qualitative researches.¹¹³ While the gatekeeper in the Istanbul case was an executive director in law enforcement intelligence, an overseas official from American law enforcement intelligence played the role of gatekeeper so that the researcher gained access to individuals interviewed. Without these gatekeepers who enabled the researcher to gain access to potential interviewees, it would have been

¹¹³ John W. Creswell, *Qualitative Inquiry and Research Design: Choosing Among Five Traditions* (SAGE Publications, Inc, 1997).

impossible for the researcher to conduct this research. Many welcomed the researcher as a colleague rather than as a researcher, which facilitated the communication.

Since the researcher chose the purposive sampling, the snowball process was pursued to reach more participants. In this stage, key informants played a very important role to point the researcher to more individuals who voluntarily accepted to give valuable information about the cases studied. In both cases, the researcher had the opportunity to have more than one key informant. Thanks to key informants, the researcher was granted ready-made credibility in the eyes of potential interviewees.

It is important to provide anonymity and confidentiality in intelligence researches since this is often the only way to get access to information. During the interviews, the researcher tried to create an atmosphere in which the participants could feel comfortable. The researcher started each interview by explaining his occupational background and the purpose of the study, all of which helped to establish trust, reduce the potential barriers and pave the way for sincere interviews. Despite this, the researcher had to pump some of them in some cases for more information about the failure points in both cases. While the Turkish participants were more outspoken and unreserved, the American participants acted more hesitantly, abstaining from giving detailed accounts, and remaining reserved for more information. Therefore, the researcher had to rely on their general descriptions and explanations on the 9/11 case.

When it comes to the interview process, interviews were conducted in the offices interviewees worked or in a separate room allocated for the interview. Due to the sensitiveness of the case and to ensure participant's full concentration, during the interviews no body was allowed to come in to the office or room in which the interview

took place. Each interview differed in length, reaching over fifty hours of interviews in total. The interviews were not tape recorded as requested by the participants. In rare cases, the researcher made the interviews in public places including cafés and restaurants chosen by the respondents.

Since the study involved human subjects, the researcher presented the informed consent form (*see appendix 1*), which outlined the nature, purpose and procedures of the study to all participants and asked them kindly and properly but not insisted to have their written consent for the interview. Interviews started as soon as they verbally agreed to the informed consent. The researcher omitted some personal and organizational information about interviewees so their confidentiality was maintained. To ensure their privacy, the researcher kept confidential any personal detail about the participants. To describe a participant, the researcher used interview date as identifying elements to ensure confidentiality. Since no electronic device was used during the interviews, the researcher relied on handwritten notes. These notes were later computerized and kept in cryptic folders encrypted using *TrueCrypt* program in a secure computer, to which only the researcher had access.

The researcher used semi-structured informal interview method, which is common format in qualitative case studies. Due to the nature of intelligence studies, the best method to get information is through informal conversations without a format and strictly predetermined questions. The semi-structured and open-ended questions presented in *Appendix 2* enabled the researcher to start the conversation. As the researcher discovered more, he reformulated the questions depending on the context and the course of the interview. The researcher started the conversations by asking general questions first.

Later, specific questions were asked to get insights of the participants on certain failure points explained above. In some cases, follow-up questions were formulated and asked for further information.

Since this study contained human subjects, the researcher got approval from the Rutgers Institutional Review Board for the Protection of Human Subjects (IRB) prior to beginning the research (approved on January 01, 2011) and strictly followed its guidelines.

ANALYZING THE DATA

As to the process of data analysis, the researcher first explained how those attacks occurred by giving details about the case that was arranged in a chronological order. Details and facts were given about the contexts in which the case occurred, including information about the global, historical, and social factors that may have had relevance on the situation. Next, he examined the intelligence structures of these countries with a particular focus on law enforcement/domestic intelligence units of each country and explained their role in dealing with terrorism. Since policy makers also share much of the responsibility for inability to lead, direct, and provide intelligence units with what they need to prevent such attacks the researcher also examined the general attitude of the governments toward terrorism in general and Al-Qaeda in particular in order to connect the policies to what happened on the grounds. Nevertheless, the focus was on law enforcement/domestic intelligence agencies since they are the ones who exclusively deal with and respond to terrorism, and are asked “Five Ws” first when a terrorist attack

occurs. Finally, the researcher examined the terrorist organizations/perpetrators of the attacks who claimed the responsibility for the attacks.

Since the researcher made off-the-record interviews, he relied on his handwritten notes in analyzing the accounts. The data obtained from the interviews and aforementioned documents were used for the analysis and interpretation of the role of the law enforcement intelligence in the mass casualty attacks. The main characteristics of the analysis were contextual rather than outcome-oriented. The researcher took an inductive approach to examining the present phenomenon supported by a grounded theory approach,¹¹⁴ which will be discussed in the theoretical implication of the study.

After reading the relevant documents, the researcher began interviewing. As the interviews were conducted, the researcher started coding. Coding can be defined as discovering and describing process in which the researcher labels, separates, compiles, and organizes data to relate the coding meaningfully to categories.¹¹⁵ In this regard, specific quotes from interviews and specific points in the documents reviewed constituted codes. Then, the researcher started to generate from his coded data categorization which means the process of characterizing the meaning of a unit of data with respect to certain generic properties.¹¹⁶ The codes and categories emerged as a word, a sentence, a paragraph, or several paragraphs. For instance, when one mentioned about the role and importance of human intelligence, the researcher coded this as *collection* efforts under the category of *defects in intelligence cycle*. Or, when something about intelligence sharing between domestic agencies arose in the interviews or the documents, this was

¹¹⁴ Barney Glaser and Anselm Strauss, *The Discovery of Grounded Theory: Strategies for Qualitative Research* (Aldine Transaction, 1967).

¹¹⁵ Thomas (Tom) R. Lindlof and Bryan C. (Copeland) Taylor, *Qualitative Communication Research Methods*, Third Edition (SAGE Publications, Inc, 2010), 246–249.

¹¹⁶ *Ibid.*, 246.

coded as *inter agency information sharing* under the category of *organizational problems*. Or, when something about how terrorists managed to escape from the intelligence radar was mentioned, the researcher coded this as *masking techniques and the tactics of the group* under the category of *the capability of perpetrator*.

During this iterative process, a total of 19 codes were generated, which at the same time clustered correspondingly under 5 broader categories (see *Appendix-3* for categories and corresponding codes). By coding and categorizing the data (interview notes and documents), the researcher was able to analyze and interpret the data in a more structured way.

VALIDITY AND RELIABILITY

According to Maxwell, validity refers to correctness or credibility of a description, conclusion, explanation, interpretation, or other kind of account.¹¹⁷ Maxwell divides the validity threats into four main types: description, interpretation, theory, and generalization.¹¹⁸

The main threat to valid description is, in the sense of describing what researchers saw or heard, is the inaccuracy or incompleteness of the data.¹¹⁹ Since the interviews were not tape-recorded, this threat was considered important to the researcher. The researcher tried to solve this issue by taking notes and listening very carefully. More importantly, after each interview, the researcher computerized the hand notes as early as

¹¹⁷ Joseph Alex Maxwell, *Qualitative Research Design: An Interactive Approach* (SAGE Publications, Inc, 1996), 87.

¹¹⁸ Ibid., 89.

¹¹⁹ Ibid.

possible while taking into account what he did not write down but heard so that the whole story was not missing.

As to the threats to valid interpretation it is about imposing one's own framework or meaning, rather than understanding the perspective of the individuals studied and the meanings they attach to their words and actions.¹²⁰ This threat was minimized by listening carefully to the responses of the participants and not insisting the assumptions that the researcher already had. More importantly, the researcher did not asked leading, closed, or short-answered questions but asked how and why questions as Yin suggests¹²¹ in order to give the participants the opportunity to reveal their own perspective. Furthermore, the researcher avoided pigeonholing narratives by the strategy known as member check¹²² to increase the validity of the study. In this respect, the researcher did not assume the responses of the participants are necessarily valid and their responses should be taken as evidence.

As to the theoretical validity, the researcher paid attention to discrepant data, alternative explanations, and possible opposite accounts.

When it comes to generalization, researches such as the current study that encompasses small number of cases may not be truly representative of other settings since they provide rich descriptions of a setting using purposive rather than probability sampling. In this sense, external generalization, which refers to generalizability of a study beyond its settings and populations, is not an important issue for this kind of qualitative study.¹²³ Therefore, it's up to readers to determine to what extent outcomes from this

¹²⁰ Ibid., 90.

¹²¹ Yin, *Case Study Research*.

¹²² Maxwell, *Qualitative Research Design: An Interactive Approach*, 94.

¹²³ Ibid., 97.

study can be analytically generalized, if not statistically, to larger settings. Analyzing multiple organizations and cases would thus be helpful in addressing this limitation. However, internal generalization, which refers to the generalizability of a conclusion within the setting or group studied, was maintained in this study by methods of applying triangulation, making comparisons, and providing rich data.

As to reliability which means demonstrating that the operations of a study can be repeated with the same results,¹²⁴ it is very difficult to discuss the reliability of intelligence studies such as this study, since some documentation is not publicly available and it is very difficult for another researcher to replicate the operation of this study including interviews to get rich descriptions and insights.

¹²⁴ Yin, *Case Study Research: Design and Methods*, 34.

4. THE CASE OF SEPTEMBER 11, 2001

INTRODUCTION

On September 11, 2001, nineteen AQ hijackers carried out coordinated suicide attacks using commercial airlines as weapons in the American homeland.¹²⁵ At the beginning, it was supposed to be twenty-seven individuals (hijackers and other conspirators) who were to participate in the suicide missions but while five of them¹²⁶ were denied visas, the other two¹²⁷ who obtained visas did not take part in the hijackings for other reasons.¹²⁸ The hijackers boarded the planes in groups of four or five. The two hijacked planes, respectively, crashed into the North and South Towers of the World Trade Center while another plane crashed into the Pentagon, and the other aimed at crushing into the Capitol or the White House fell into an empty field in Pennsylvania.

American Airlines Flight 11 took off from Boston, Massachusetts for Los Angeles with eighty-one passengers at 7:59 am and was hijacked at about 8:14 am by five hijackers: Mohamed Atta (Pilot Hijacker), Abdul Aziz al Omari, Waleed al Shehri, Satam al Suqami, and Wail al Shehri. At 8:46 am, it crashed into the North Tower of the World Trade Center.

United Airlines Flight 175 took off from Boston, Massachusetts for Los Angeles with fifty-six passengers at 8:42 am and was hijacked at about 8:46 am by five hijackers: Marwan al Shehhi (Pilot Hijacker), Mohand al Shehri, Hamza al Ghamdi, Faye

¹²⁵ Fifteen of the hijackers were from Saudi Arabia while the remaining two from the United Arab Emirates (UAE), one from Egypt, and one from Lebanon.

¹²⁶ Tawfiq bin Attash (Khallad), Ramzi Binalshibh, Saeed al Ghamdi, Zakariya Essabar, and Ali Abdul Aziz Ali (none were denied visas because consular officials believed they were potential terrorists. They were denied visas either because consular officials believed they might be intending immigrants or because they had failed to submit documents supporting their application).

¹²⁷ Mushabib al Hamlan (did not participate) and Mohamed al Kahtani (refused entry into the US).

¹²⁸ *9/11 and Terrorist Travel*, 1.

Banihammad, and Ahmed al Ghamdi. It crashed into the South Tower of the World Trade Center at 9:03 am.

American Airlines Flight 77 took off from Washington Dulles International Airport for Los Angeles with fifty-eight passengers at 8:20 am and was hijacked at about 8:51 by five hijackers: Hani Hanjour (Pilot Hijacker), Khalid al Mihdhar, Majed Moqed, Nawaf al Hazmi, and Salem al Hazmi. It crashed into the Pentagon at 9:37 am.

United Airlines Flight 93 took off from Newark (New Jersey) Liberty International Airport for San Francisco with forty-one passengers at 8:42 am was hijacked at 9:28 am by four hijackers: Ziad Samir Jarrah (Pilot Hijacker), Saeed al Ghamdi, Ahmed al Nami, Ahmad al Haznawi. The plane, hijacked to target the Capitol or the White House, crashed into an empty field in Shanksville, Pennsylvania at 10:02 am. On this plane, passengers fought with the hijackers and the hijackers crashed the plane immediately.

2,996 people including all 227 civilians and 19 hijackers aboard died in the attacks. The FBI started to investigate the case on the same day. The FBI's investigation called PENTTBOM¹²⁹ involved 7,000 of the FBI's then 11,000 special agents. The 19 hijackers were identified within days through names on flight, credit cards, identical letters, passport recovered, and left-behind luggage of Mohamed Atta that contained identity of all 19 hijackers and the plan of the attacks.

These attacks were unprecedented in the history of both the United States of America and the world. No terrorist organization had ever been able to make such a big, lethal, simultaneous and complicated attack against a superpower before. How could it have happened? Why did it happen? How did the American security agencies fail to

¹²⁹ PENTTBOM stands for Pentagon, Twin Towers, and bomb.

predict and prevent the attacks? All these questions led to examining these attacks in more detail in this study.

As revealed in many reports including the one by the National Commission on Terrorist Attacks Upon the United States, which was created by the Congress and the President to investigate the facts of the attacks, 9/11 is more about systemic problems as well as organizational weaknesses.¹³⁰ However, it was not just organizational problems but also other factors that contributed to intelligence failure.

After the attacks, everybody tended to blame the CIA for not being able to prevent it. However, not just the CIA, foreign intelligence agency, but also the FBI, domestic intelligence agency bore responsibility for the failures in these attacks because nineteen hijackers for some time lived in the U.S. and made contact with local people. Besides, the failure in the 9/11 plot was in greater part due to the inability to connect the dots. As will be explained in the study, many important dots were already somewhere in government agencies but the reason why they failed was in greater part because they did not connect the related dots so that the big picture about the coming threat could be seen.

To understand the attacks and to see the intelligence failure in this case, I start with examining the capabilities of perpetrators on which I largely depend on the governmental and open sources. Second, I will explain policy/bureaucratic failures. Third, I will describe organizational obstacles that caused intelligence community to fail to prevent the attacks. Fourth, I will address defects in intelligence cycle incorporating analytical problems with threat and warning indicators. Finally, I will seek to shed light on the importance of international intelligence sharing in these attacks.

¹³⁰ *The 9/11 Commission Report.*

THE CAPABILITY OF PERPETRATORS

Characters and the Plot Summary

The 9/11 attacks were carried out by AQ terrorist organization headed by Osama bin Laden (OBL)¹³¹. Khalid Sheikh Mohamed (KSM),¹³² a Pakistani, who was the financier of the 1993 World Trade Center bombing and the uncle of Ramzi Yousef, the perpetrator of the attack¹³³ was tasked by OBL to act as the mastermind and coordinator of the attacks. The other characters are as follows:

American Airlines Flight 11 (North Tower of the World Trade Center):

- Mohamed Atta¹³⁴ (Pilot Hijacker), an Egyptian origin German citizen,
- Abdul Aziz al Omari,¹³⁵ a Saudi
- Waleed al Shehri,¹³⁶ a Saudi
- Satam al Suqami, a Saudi,

¹³¹ Born on March 10, 1957 in Saudi Arabia, Osama bin Laden was the founder of AQ. After the Soviets invaded Afghanistan, he went to Afghanistan to join jihad. He funded and fought alongside the Afghans. There he established AQ in 1988. The US first realized AQ and OBL in 1992 when a bomb exploded in a hotel in Aden, where US soldiers had just left, killing two tourists. In 1994, The US identified him as a terrorist financier. After the AQ bombing of the US-operated Saudi National Guard training center in Riyadh, Saudi Arabia, and OBL's issuing a *fatwa*, religious decree, authorizing attacks on Western military targets in the Arabian Peninsula, he was designated as a terrorist leader not just a financier. [Paul Thompson, *The Terror Timeline* (HarperCollins, 2004), 16-17.] He was killed inside a private residential compound in Abbottabad, Pakistan, by members of US Navy and CIA operatives in a covert operation.

¹³² Pious but poorly trained in religion, a drinker and a womanizer, KSM was administrative assistant to OBL's mentor, Abdullah Azzam. He went to college in the US. His enmity towards US stemmed not from his experience in the US as a student but rather from his disagreement with US foreign policy favoring Israel [John Farmer, *The Ground Truth: The Untold Story of America Under Attack on 9/11* (Riverhead Hardcover, 2009). He was involved in the 1993 WTC bombing and the 1995 Bojinka plot. KSM learned from the first World Trade Center bombing that bombing with explosives could be problematic and therefore thought about using airplanes as weapons [*The 9/11 Commission Report*.] He was arrested by Pakistani security agents working with the CIA agents in Pakistan in 2003

¹³³ On February 26, 1993, Ramzi Yousef organized the bombing of the World Trade Center where six people were killed.

¹³⁴ Born in 1969 in Egypt, Mohamed al-Amir Atta's family was moderate in religious matters. Atta was raised by his mother. His father nicknamed him "Bolbol"—Arabic slang for nightingale. At the age of 17 he entered Cairo University, the department of architecture. He went to Hamburg at the age of 24. He enrolled in an urban planning program at Technical University of Hamburg-Harburg. [John Miller, Michael Stone, and Chris Mitchell, *The Cell* (New York: Hyperion, 2002).]

¹³⁵ Born in 1978, Omari had graduated from high school with honors, obtained an undergraduate degree from the Imam Muhammad Ibn Saud Islamic University. He was married and had a daughter.

¹³⁶ He fought in Chechnya.

- Wail al Shehri,¹³⁷ a Saudi

American Airlines Flight 77 (Pentagon):

- Hani Hanjour¹³⁸ (Pilot Hijacker),
- Khalid al Mihdhar¹³⁹, a Saudi citizen,
- Nawaf al Hazmi¹⁴⁰, a Saudi citizen,
- Salem al Hazmi¹⁴¹, a Saudi
- Majed Moqed,¹⁴² a Saudi,

United Airlines Flight 93 (Pennsylvania):

- Ziad Samir Jarrah (Pilot Hijacker), a native of Lebanon German citizen,
- Saeed al Ghamdi,¹⁴³ a Saudi,
- Ahmed al Nami,¹⁴⁴ a Saudi
- Ahmad al Haznawi¹⁴⁵, a Saudi, born 1981,

United Airlines Flight 175 (South Tower of the World Trade Center)

- Marwan al Shehhi (Pilot Hijacker),¹⁴⁶ an Emirati German citizen
- Mohand al Shehri,¹⁴⁷ a Saudi
- Hamza al Ghamdi,¹⁴⁸ a Saudi,

¹³⁷ He fought in Chechnya and had psychological problems.

¹³⁸ He had lived in the US at various times throughout the 1990s and already had a pilot's license. That's the reason why the AQ's leadership chose him as the fourth pilot hijacker. His last arrival was in December 2000.

¹³⁹ Born on May 16, 1975 he had already possessed a US visa. He fought in Chechnya, Bosnia, and Afghanistan for several years.

¹⁴⁰ Born on August 9, 1976 he had already possessed a US visa. He fought in Chechnya, Bosnia, and Afghanistan for several years.

¹⁴¹ Brother of Nawaf al Hazmi. He fought in Chechnya, and Afghanistan with his brother.

¹⁴² Born in 1977, Moqed dropped out of college.

¹⁴³ Born in 1979, Ghamdi dropped out of college, broke his family and was regarded as a devout Muslim.

¹⁴⁴ Born in 1977, he was one of the so-called muscle hijackers.

¹⁴⁵ He fought in Chechnya.

¹⁴⁶ Born in 1978, he joined Emirati army where he served as a sergeant. He received a military scholarship to study in Germany.

¹⁴⁷ He fought in Chechnya.

- Fayez Banihammad,¹⁴⁹ an Emirati
- Ahmed al Ghamdi,¹⁵⁰ a Saudi

The beginning of the 9/11 plot can be traced back to the year of 1996 when OBL and KSM met in Tora Bora, Afghanistan to discuss plane operations although it was two and half years before the attacks that they started to take action for suicide missions by applying for US visas. At that time, OBL started to see the US as “head of the snake”, and the source of evil and corruption in the world. It was KSM who persuaded OBL of his plan to train pilots to crash airplanes into buildings. OBL over the next three years would test the structure of American security and improve AQ’s capabilities to attack in the US homeland. OBL would understand that the American security apparatus were apparent than real. On February 23, 1998, OBL issued a fatwa judging killing and fighting Americans and their allies, whether civilians or military, is an obligation for every Muslim who is able to do so in any country. On August 7, 1998, American embassies in Kenya and Tanzania were almost simultaneously bombed by AQ without warning, showing its capability for simultaneous attacks. OBL was indicted for the embassy bombings in a New York court. After the American bombardments in Afghanistan as retaliation for embassy bombings and the above-mentioned indictment, OBL started to change its location to escape from the US intelligence. In late 1998 or early 1999, he met with KSM and authorized him to go ahead with the planes operation. The first plan for planes operations included 10 aircrafts to be hijacked, nine of which would crash into targets on both coasts of the US. KSM himself was to land the tenth aircraft at a US airport and deliver a speech denouncing US support for Israel and

¹⁴⁸ He fought in Chechnya.

¹⁴⁹ Born in 1977, he was one of the so-called muscle hijackers.

¹⁵⁰ He fought in Chechnya.

repressive regimes in the Arab world. OBL rejected this plan, considering it as impractical and vulnerable to compromise. In the spring of 1999, OBL chose four mujahedeen for pilot training; Khalid al Mihdar, Nawaf al Hazmi, Abu Bara al Yemeni, and Khallad (Tawfiq bir Attash). By the fall of 1999, national security apparatus focused on the Millennium to make sure that no terrorist attack would occur. In late November, four Saudi nationals, Mohammed Atta, Ziad Samir Jarrah, Marwan al Shehhi, and Ramzi Binalshibh who were to constitute the Hamburg cell, made a curious travel from Germany to Afghanistan and Pakistan. These four individuals would complement Khalid al Mihdar and Nawaf al Hazmi and form the core of the 9/11 attackers. The Hamburg group was introduced by Mohammed Atef to OBL, to whom they immediately swore loyalty. They were instructed by OBL to return to Germany and enrol in flight schools.

In early January 2000, the NSA monitoring of telephone conversations during the investigations of embassy bombings picked up a conversation about a meeting in Kuala Lumpur, Malaysia, which was to be attended, according to the conversation, by Khalid al Mihdar and two others named Nawaf and Salem. CIA agents tracked Mihdar to Dubai en route to Malaysia. They broke into his hotel room in Dubai and faxed his passport information to Headquarters, which informed intelligence services around the world about the travellers and asked them to probe their activities to see if there is any real threat posed by these individuals. The meeting took place on January 5, 2000. After the meeting, they flew from Kuala Lumpur to Bangkok on January 8, 2000, where they were lost to surveillance. One week later, Hazmi and Mihdar entered the US undetected. By the way, the German cell applied for new visas. While 3 of them got visas, Ramzi Binalshibh, a Yemeni, could not because of generalized suspicion that visa applicants

from Yemen might seek immigration in the US not because of concerns about his association with AQ. All three found a flight school in Florida and started classes by the fall of 2000. Khalid al Mihdar and Nawaf al Hazmi too started to take classes on English and flying in San Diego. Since they performed poor in the classes, they stopped learning to fly. On June 10, 2000, Mihdhar flew home to Yemen to visit his family, the act of which angered KSM. On December 8, 2000, Hani Hanjour, the fourth pilot hijacker, arrived in San Diego from Afghanistan where he was getting jihadi training and met Hazmi. At the same time, the US security apparatus were distracted by the USS Cole bombing by AQ's suicide bombers on October 12, 2000. The AQ operative Khallad had been identified as having been the intermediary in the plot between the AQ leadership and the suicide bombers. During the course, some of the operatives made international travels for business and visits. Mohammed Atta travelled to Germany in January 2001, met with Ramzi Binalshibh and told him that three pilots from the Hamburg cell in addition to the fourth pilot Hani Hanjour were ready awaiting orders. Both Shehhi and Atta were stopped and questioned by INS officials while re-entering the US. Atta also encountered law enforcement on April 26, 2001 when he was stopped in a routine traffic stop. Atta, Shehhi and Jarrah settled in Florida while Hazmi and Hanjour settled in Paterson, New Jersey. Hazmi's brother Salem al Hazmi, Majed Moqed, Ahmed al Ghamdi, Abdul Aziz al Omari, and later Mihdhar joined the Paterson group in their apartment. The remaining hijackers, the so-called muscle, began arriving in the US in late April 2001. Once all of the hijackers were in place in New Jersey and Florida, Atta made the last contacts with Ramzi Binalshibh in Spain on July 8, 2001.¹⁵¹ In the US,

¹⁵¹ The hijackers began to arrive at the US in January 2000. Though Khalid al Mihdhar and Nawaf al Hazmi came to the United States as early as January 2000, the remaining muscle entered between April 23,

Hanjour and Hazmi rented small aircrafts and had already flown reconnaissance flights near the Pentagon. Hanjour was assigned to the Pentagon, Jarrah the Capitol, and Atta and Shehhi the World Trade Center. After the meeting, Atta returned to Florida on July 19, 2001. Ramzi Binalshibh briefed KSM on Atta's progress. He told him that Atta was having trouble with Jarrah's possible pull back because of his continues desire to visit his German citizen Turkish girlfriend, Aysel Senguen.¹⁵² He saw her for the last time in July 2001. Concerning that Jarrah might be backing out of the operation, KSM ordered Ramzi Binalshibh to send money to Zacarias Moussaoui, who had been taking flight lessons in Norman, Oklahoma beginning in February but had stopped in May, in order to help prepare him as a potential substitute pilot hijacker for Jarrah.

They made the last preparations in August. They bought small knives. Hazmi and Mihdhar used the Internet terminals of William Paterson University in Wayne, New Jersey, to buy flight tickets for the morning of September 11. Atta wanted to hijack planes departing on long flights because they would be full of fuel to increase the impetus of blasts. As to selection of the attack day, Atta preferred to wait until after the first week in September, when Congress would be back in session. As August gave way to September, the operatives were finalizing their plans. Atta and Binalshibh continued to debate whether to strike the White House or the Capitol. OBL had wanted to strike the

2001, and June 29, 2001. Because entering the US as tourist visas automatically guaranteed tourists six months of stay. Thus the most came in the spring and early summer of 2001 in order to be able to remain in the US legally until the attacks [*9/11 and Terrorist Travel*, 8.]

¹⁵² She had been the girlfriend of Jarrah for a period of five years in Germany. Jarrah urged her to veil herself in public. Jarrah visited her in Germany and she visited Jarrah in the US in early 2001. They saw each other for the last time in July 2001 in Germany. Jarrah told her he would return soon and they would marry and start their family. He e-mailed and telephoned her almost every day. On September 11, 2001 Jarrah made his last call to her. They did not talk long. He said three times 'I love you' to her. Aysel asked him what was up. Jarrah only answered 'I love you', and hung up. Two months later, the German police gave her a copy of a letter that was from Jarrah who wrote: "I want you to believe that I deeply love you. It is my mistake to make you hope that we would marry one day and have children. I did not run away from you, I did what I had to do, you should be proud" (<http://articles.latimes.com/2002/nov/21/world/fg-trial21>)

White House but Atta believed that would be a hard target to hit. Still, he kept the White House as a target while left the Capitol as an alternative should the White House became too difficult to hit. Atta told Binalshibh that they chose September 11 as the attack day. Binalshibh in turn passed this information to AQ operatives in Hamburg and the United Arab Emirates from where they all returned to Pakistan by the first week of September. At the same time the plot had fully ripened. On September 10, 2001, two of the team assigned to American Airlines Flight 11 stayed at a hotel in Portland, Maine while the remaining two stayed at a hotel in Newton, Massachusetts. The team assigned to United Airlines Flight 175 stayed at a hotel in Boston. The team assigned to United Airlines Flight 93 stayed at a Newark Airport Days Inn. And, the team assigned to American Airlines Flight 77 stayed at a hotel in Herndon, Virginia.¹⁵³ The next day would be the one that changed the course of the history.

Mindset and Background Characteristics of the Group Members

AQ members are holding Sunni version of Islam. Their understanding of Islam differs from traditional moderate Sunni Islam. The biggest difference is that they put jihad as the number one duty for all Muslims. Jihad, which literally means struggling hard and fighting an enemy, has many interpretations in meaning in Islamic literature. As explained before, the most common usage of jihad is internal spiritual struggle for avoiding sins and personal striving for self-improvement. However, for OBL and other AQ members jihad equates with violently fight against the enemy.

¹⁵³ Farmer, *The Ground Truth*, 13–71; *The 9/11 Commission Report*.

AQ members are willing to be martyred. To express the willingness of being martyrdom OBL once stated “we love death more than you Americans love life”.¹⁵⁴ The members make no room to dialogue with the West. AQ not only targets Western civilization, but also they are against any Muslim country that rejects their version of Islam. They abuse Islam as a political ideology. They reject distinction between combatant and non-combatant. As understood from OBL’s fatwa dated February 23, 1998, killing the enemy, whether civilians or military, is justified as being an obligation for every Muslim. Although many innocent Muslims died in terrorist attacks AQ and its affiliates carried out, they do not care about mainstream Muslims who turn against them because of their indiscriminate killings and message of intolerance.

Recruiting and Training

According to Chertoff, the war on terrorism will be won or lost in the recruitment arena. AQ members have been quite experienced for recruitment. They have been fighting since the Soviet’s invasion to Afghanistan in 1979. Since then, many Muslims, men and women, young and old, literate and educated, were recruited by like-minded groups in various parts of the world for violent attacks for jihadi aims.

Similarly, the 9/11 attacks required the recruitment and training of operatives, the expenditure of a great deal of money, and nearly global logistical support as well as a level of sophistication in planning and execution. More importantly, AQ managed to escape from the all radar systems of the world’s only one superpower, including NSA’s eavesdropping, CIA’s clandestine activities, State Department’s watchlisting, FBI’s intelligence capabilities and local law enforcements’ vigilance. They would still have to

¹⁵⁴ Thompson, *The Terror Timeline*.

be able to board the airplanes, hijack them and crush them into their targets. To do that they had to get trained in flight schools and evade the security parameters of the Federal Aviation Administration and the North American Aerospace Defense command (NORAD).¹⁵⁵

First trainings were taken in Afghanistan camps where they learned basics of English language, international travel, martial arts, explosives, and counter surveillance tactics as well as how to function in America.¹⁵⁶ They enrolled in flight schools and studied the types of planes they would be flying. They even joined local gyms to stay in shape for their mission.¹⁵⁷

Some of the pilot hijackers rented small planes in Pennsylvania and New Jersey and flew the Hudson corridor that paralleled the New York skyline. Hanjour rented small aircraft on various occasions from the Caldwell Flight Academy in New Jersey. On July 20, 2001, he and Hazmi flew from Fairfield, New Jersey, to Gaithersburg, Maryland. Hanjour and Hazmi had already flown reconnaissance flights near the Pentagon.¹⁵⁸ They seemed to make rehearsals before the attacks.

The operatives, interestingly enough, drank alcohol, slept with prostitutes, watched strip shows, and rented porn videos. The mayor of the Paterson city, where six of the operatives lived is cited saying: “nobody ever saw them at mosques, but they liked the go-go clubs”.¹⁵⁹ Normally, jihadists are very strict in religious practices; however the 9/11 plotters who would kill themselves for their Islamic faith did not seem to pursue

¹⁵⁵ Farmer, *The Ground Truth*.

¹⁵⁶ Ibid., 36.

¹⁵⁷ Ibid., 57.

¹⁵⁸ Ibid., 57–58.

¹⁵⁹ Thompson, *The Terror Timeline*, 204.

strict Islamic practices while in the US. As in the words of University of Florida religion professor Richard Foltz, “something here does not add up”.¹⁶⁰

Finance

The 9/11 plotters eventually spent somewhere between \$400,000 and \$500,000 to plan and conduct their attack.¹⁶¹ The hijackers opened local bank accounts. At least thirty-five accounts are opened, fourteen of them at SunTrust Bank. All are opened with fake social security numbers none of which were checked by the banks.¹⁶² They kept their bank transaction to small accounts to avoid suspicion. Flight school and accommodation during the classes cost the three operatives from Hamburg cell \$114,500 wired to them by KSM’s nephew.¹⁶³ In late August 2001, an AQ operative in the UAE received a return transfer of \$46,000 in unused funds from the hijackers.¹⁶⁴

Masking Techniques and Tactics of the Group

OBL’s plan in the 9/11 attacks were well articulated and implemented thanks to in great part masking techniques and special tactics they used during the planning and implementing stages.

As explained before, AQ managed to escape from the all radar systems of the world’s only one superpower, including NSA’s eavesdropping, CIA’s clandestine activities, State Department’s watchlisting, FBI’s intelligence capabilities and local law enforcements’ vigilance.

¹⁶⁰ Ibid.

¹⁶¹ *The 9/11 Commission Report*, 169.

¹⁶² Thompson, *The Terror Timeline*, 191.

¹⁶³ Farmer, *The Ground Truth*, 45.

¹⁶⁴ Ibid., 64.

They managed to remain outside of the US worldwide intelligence network. The NSA that intercepts two million faxes, emails, telephone calls and other signals every hour could have discovered their communications. Or their activities could have been detected via imagery satellites by National Reconnaissance Office. Although the CIA was collecting intelligence on OBL since 1996, they managed to evade detection through human intelligence sources of CIA that was familiar with Islamic fundamentalism since the 1980s. They also managed to penetrate the US national defence at the border. The State Department could have restricted entry of some operatives known as having terrorist ties by denying them of visa and placing them on the terrorist watchlist (known as TIPOFF). The INS could have prevented operatives from entering from US borders. Assuming that the terrorists evaded the final obstacle of State Department watchlisting and INS detection and managed to make their way into the US, they could have been still falling under the radar of law enforcement, primarily the FBI. They managed to evade the FBI, too.¹⁶⁵

KSM trained the hijackers to be careful about their activities inside the US. They did not have connections with known radicals already in the US. They were exposed to western culture. Hijackers looked like an ordinary citizen with shaving their beards and wearing ordinary clothes. They even spent some time in Las Vegas. They kept their bank transaction to small accounts to avoid suspicion. They were taught to speak basic English, use internet, make travel reservations, and to rent an apartment. They also purchased flight simulators to use the game software to increase their familiarity with aircraft models and functions.¹⁶⁶ Ramzi Binalshibh gave Atta, when they last met in

¹⁶⁵ Farmer, *The Ground Truth*, 21-24.

¹⁶⁶ *The 9/11 Commission Report*, 157-158.

Spain in July 2001, eight necklaces and bracelets so that the hijackers could look like wealthy Saudis.¹⁶⁷

They attached great importance to secrecy from the beginning. Khalid al Mihdhar, Nawaf al-Hazmi, and Khallad bin Attash did not use the phone in their meeting in Kuala Lumpur on January 5, 2000 in any case. Atta told Ramzi Binalshibh to obtain new phone lines in order to preserve security. Ramzi Binalshibh obtained two new phones upon his return to Germany from Spain. With one he communicated with Atta and with the other KSM and others including Zacarias Moussaoui.¹⁶⁸

Some of them did not know the full details including hijacking planes before reaching the US. Atta ordered others not to say even good-bye to their families.¹⁶⁹

After Ramzi Binalshibh did not succeed to get a U.S. visa in May 2001, OBL asked him to act as a contact between himself and Mohamed Atta to transmit operational details. “To facilitate his travel, KSM provided Binalshibh with a genuine Saudi passport in the name of Hasan Ali al Assiri and a round-trip ticket to Kuala Lumpur, Malaysia, where he was supposed to meet Atta. His travel in this capacity illustrates the importance of “courier” travel to al Qaeda planning and operations.”¹⁷⁰

They used code names and changed them when necessary. For instances, nine hijackers used more than 364 aliases.¹⁷¹

To travel internationally, AQ relied heavily on travel facilitators who arranged real and fake visas, buying airline tickets, and arranging accommodation abroad, and document forgers who knew document alteration techniques. The operatives were given

¹⁶⁷ Farmer, *The Ground Truth*, 59.

¹⁶⁸ Ibid.

¹⁶⁹ Ibid.

¹⁷⁰ *9/11 and Terrorist Travel*, 5.

¹⁷¹ Ibid., 1.

false passports. AQ's document forgers manipulated the passports by inserting false entry-exit stamps in order to hide information about past travels of recruits to places like Afghanistan and Pakistan while travel facilitators got them new passports. AQ even had a separate unit for document forgery and passport adjustments. This office tasked with altering all kinds of documents like passports, visas, and identification cards was located in the AQ compound at the Kandahar airport and was managed by Muhammed Atef, al Qaeda's chief of military operations and the number two man in the organization.¹⁷² Nobody in intelligence agencies studied terrorist travel tactics. If they had done so, they could have discovered certain repetitive travel patterns that could be exposed.

One intelligence official said:

On the one hand, you have a terrorist organization like AQ that creates a separate branch for mastering all kinds of document forgery and on the other hand, as the superpower of the world you have no office allocated for analysing how terrorists travel abroad and make use of forged documents. This is not because you have lack of data on travel patterns of terrorists. On the contrary, law enforcement intelligence has had a lot of information on their travel methods thanks to seized documents from operations so far. Other than piling them up in the database no body cared about analyzing them scientifically to disrupt terrorist plans in the future.¹⁷³

KSM and OBL chose successfully young jihadists who did not have connections to known terrorists. Many were Saudis who could enter the US more easily than other Middle Eastern countries like Yemen because wealthier Saudis find little difficulty to convince consular officials they are not seeking immigration. Saudis rarely demanded immigration status after entering the US with a tourist visa. There were also Marwan al Shehhi and Fayeze Banihammad from the United Arab Emirates whose nationals were

¹⁷² Ibid., 56.

¹⁷³ *Interview, 7-Dec-2011.*

considered good visa risks both on economic and on security grounds.¹⁷⁴ Also, Mohammed Atta was a German citizen who benefited from “visa waiver” program. There was a bias favouring some nationals because of their nations’ favourable status with the US State Department, and favouring individuals with little or no prior links to jihadi activities.¹⁷⁵ OBL also used Moussaoui who had a French passport that allowed him to stay in the US without a visa for 90 days.

The reason why the hijackers chose to live in Paterson, New Jersey before the attacks is because Paterson is known to be home to many Middle Eastern immigrants, among others, where extremists could easily hide themselves. There are many Arabs living and doing business in that city.¹⁷⁶

As explained above, the 9/11 attacks required the recruitment and training of operatives, the expenditure of a great deal of money, and nearly global logistical support. More importantly, AQ managed to escape from the radar of the NSA, National Reconnaissance Office, the CIA, the State Department, the INS, and finally the FBI and local law enforcement agencies.

Based on these facts, OBL’s AQ had the capacity and the capability to think, plan, finance, get trained for, and finally execute the attacks without being caught by the intelligence community of the world’s superpower.

¹⁷⁴ *9/11 and Terrorist Travel*, 10.

¹⁷⁵ Farmer, *The Ground Truth*, 37.

¹⁷⁶ *Interview*, 5-Dec-2012.

POLICY/BUREAUCRATIC FAILURES

State Policy and Bureaucratic Barriers

The US government failed to adapt to new kind of terrorism after the Cold War. During the Cold War, the threat was coming from states and great powers. With the end of the Cold War, the threat changed form from states to non-states groups and individuals, from the great powers to weak states.

The 1995 National Intelligence Estimate¹⁷⁷ (NIE) informed about this emerging threat and potential targets. The 1995 NIE concluded that loosely organized transnational terrorist groups and individuals like OBL posed the greatest emerging threat to national security. CIA set up a station named “OBL station” in its Counter Terrorism Center in 1996. It was the first time CIA created a station that was not country based.¹⁷⁸ About 10-15 agents were assigned to the unit initially while the number grew to about 35-40 by 9/11.¹⁷⁹ However, the government did not generate an alarm for the part of the intelligence community.

After the Cold War, many policy makers thought that terrorists could not strike at home. The 1993 attack on World Trade Center showed that foreign terrorists could pose a serious threat. Despite growing threat of terrorism, the US tried to solve this new kind of terrorism with the same institutions and the mindset it had used during the Cold War. The governments did little to reform the agencies.¹⁸⁰ Although the CIA ranked terrorism ahead of nuclear proliferation and weapons of mass destruction as the single greatest

¹⁷⁷ Since 1979, CIA had been making threat assessment called National Intelligence Estimate (NIE) produced by its the National Intelligence Council, which is by its nature an interagency body still dominated by the CIA.

¹⁷⁸ Farmer, *The Ground Truth*, 21.

¹⁷⁹ Thompson, *The Terror Timeline*, 73.

¹⁸⁰ *The 9/11 Commission Report*, 352.

challenge to national security, policy makers failed to transform the mission and itself institutionally in practice.¹⁸¹

The Cold War was ended with the Soviets' withdrawing from Afghanistan. Despite this, the role of the military did not decrease. The US continued to allocate resources at Cold War levels, maintaining the same military bases around the world and rising defense spending. The Pentagon treated Russia as if it remained the Soviet Union with a global ambition. Even though ten years passed since the collapse of the Soviet Union, the American armed forces did not adapted to new emerging challenges. Continuation of presence of American forces around the world stimulated anti-Americanism. The systemic obstacles to effective intelligence gathering and sharing among agencies remained in place throughout the 1990s with the Pentagon continuing to control 80% of the intelligence budget, still not sharing information with the FBI and the CIA.¹⁸²

In the new kind of terrorism threat, the military option in counterterrorism is not always the best. You have to use every tool at your disposal including diplomacy, foreign intelligence and law enforcement intelligence. For the military, killing the enemy when identified is the best option, because if you try to capture them, you may end up with casualty or collateral damage. On the other hand, for intelligence and law enforcement, however, capturing the enemy is the first and the best option because capturing both incapacitates the enemy and allows you to get more from him. I think policymakers undervalued the role of law enforcement intelligence as a counterterrorism tool in pre-9/11 period.¹⁸³

According to Farmer, American government distrusts the concentration of power. Thus, it is not surprising that government agencies like the CIA, the FBI, and the NSA preserve their boundaries vigorously, creating a wall between each other. Those

¹⁸¹ Farmer, *The Ground Truth*, 75.

¹⁸² Ibid., 79–84.

¹⁸³ Interview, 2-Dec-2011,

boundaries are in a written format in the official documents that created agencies. For example, CIA was not given the authority to gather intelligence domestically. The CIA was not supposed to spy on Americans on US soil. It was the FBI's job. As a result, calls from US telephones to suspected AQ phone numbers abroad were not monitored on the assumption that the US party might be an American.¹⁸⁴

The Departments of State, War, and the Navy wanted to maintain their own independent intelligence agencies. In the words of Farmer,

“the boundaries between and within departments separated knowledge gained domestically from knowledge gained overseas; knowledge gained through human intelligence from knowledge gained electronically; knowledge gained through the investigation of criminal activities from knowledge gained for purposes of situational awareness as general intelligence. Each boundary created an obstacle to the sharing of information. Information sharing only occurred within departments on a need-to-know basis. However, everyone needed to know and no one knew it during the period leading up to the 9/11 attacks.”¹⁸⁵

For decades, policymaker did not act on solving this problem. After all, there was no coordinating body inside the system. After the Cold War, the US Intelligence Community increased to thirteen agencies. Eight of them were under the Defense Department¹⁸⁶ while four of them¹⁸⁷ were outside the CIA jurisdiction. The CIA was responsible for all of them while it had no control over them.

In addition, the policy makers did not understand that terrorists could also strike at home. Analysts and the state officials thought that terrorists planned to attack the American interest overseas not at the homeland. This attitude of complacency led to

¹⁸⁴ John Miller, Michael Stone, and Chris Mitchell, *The Cell*, 323.

¹⁸⁵ Farmer, *The Ground Truth*, 69–70.

¹⁸⁶ NSA (the National Security Agency), NRO (the National Reconnaissance Office), NGIA (the National Geospatial-Intelligence Agency), DIA (the Defense Intelligence Agency) and intelligence units in the Army, Navy, Air Force, and Marine Corps.

¹⁸⁷ The FBI, the State Department's Bureau of Intelligence and Research, and intelligence units in the departments of Energy and Treasury

failure to grasp the importance of global jihadist movements. The governments gave priority to countries such as China as a nuclear-armed country and North Korea as an unpredictable country instead of focusing on closer enemy. As Chertoff argued, they were distracted by the perceived threat of nuclear apocalypse.¹⁸⁸

In 1998, Samuel Berger, National Security Advisor in the Clinton administration, identified OBL as the most dangerous non-state terrorist in the world.¹⁸⁹ The Embassy bombings took place in the same year. The USS Cole was hit in 2000 and the FBI put OBL on its Ten Most Wanted list. Nevertheless, neither any NIE was produced to give insights about these developments for policy makers, nor did the policymakers request an update to the last NIE. The last NIE produced before the attacks was dated 1997 and did not mention about bin Laden adequately while mentioned al Qaeda to only a limited extent.

Despite major attacks like the 1993 World Trade Center (WTC) attack, the 1995 Oklahoma bombings, the 1996 Khobar Towers attack in Saudi Arabia, the 1998 embassy bombings in Kenya and Tanzania and the 2000 USS Cole attacks against the American interests, the government did not respond accordingly. In the words of Neil Herman, an FBI supervisor who headed the first WTC investigation, “terrorism is cyclical. Left alone, it always comes back, usually in a bolder and more lethal way than before.”¹⁹⁰

Zegart found that out of 340 recommendations in 12 official reports about intelligence reform issued before 9/11, only 35 resulted in implementation and the rest

¹⁸⁸ Chertoff, *Homeland Security*.

¹⁸⁹ Zegart, *Spying Blind*, 26.

¹⁹⁰ Cited in John Miller, Michael Stone, and Chris Mitchell, *The Cell*, 335.

resulted in no action.¹⁹¹ This meant that administrations did not go for major changes for the Intelligence Community, which was still working in Cold War mentality.

One of the stunning reports called “the Phase I Report on the Emerging Global Security Environment for the First Quarter of the 21st Century, The United States Commission on National Security/21st Century” dated September 15, 1999 shows the inability of the government to understand the threat. The report which warned policymakers of possibility of unannounced attacks on American cities by sub-national groups mentioned: “States, terrorists, and other disaffected groups will acquire weapons of mass destruction and mass disruption, and some will use them. Americans will likely die on American soil, possibly in large numbers.”¹⁹² It seems that the government did not devote its resources to the implications of the new terrorism, thus failing to mobilize the Intelligence Community towards this emerging threat.

The US policy towards the Israeli-Palestinian issue is another factor that contributed to Islamist radicalization. Many terrorists interviewed by law enforcement intelligence said that the reason to be radicalized against America is not the American culture or way of life but its policies around the world, most notably its support for Israeli actions in the region. For Al-Qaeda, the Israeli-Palestinian issue serves more as propaganda and a recruiting factor than a real issue.¹⁹³

Reaffirming this, another expert said:

The US failed to use soft power to win hearts and minds of the people at home and abroad. The fight against terrorism will be won on the idea front. You cannot eliminate it with hard power. You have to use your soft power to win peoples and individuals to your side. If you do not balance

¹⁹¹ Zegart, *Spying Blind*, 35.

¹⁹² Gary Hart & Warren B. Rudman, *New World Coming: American Security in the 21st Century* (The United States Commission on National Security/21st Century, September 1999), 4.

¹⁹³ Interview, 3-Dec-2011.

the hard and soft power, you lose in the first place, causing many people without hope for education, work or having family to join the AQ and like-minded groups. If we want to win the battle of ideas, we have to convey the message to ordinary citizens that we are not fighting with Islam.¹⁹⁴

The government and the bureaucracy also failed to implement policies on border security. On August 23, 2001, the CIA provided information about two of the hijackers to border and law enforcement authorities. “The CIA and the FBI considered the case important, but there was no way of knowing whether either hijacker was still in the country, because a border exit system Congress authorized in 1996, known as IIRIRA-the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, was never implemented.”¹⁹⁵

This is one of the bureaucratic failures of the US institutions since this system was authorized in 1996 but never fully implemented due to several reasons such as concern for losing money in tourism and education. As you know, millions of people around the world visit the US every year. They come to the US for a limited time periods depending on their visa status. Those who are coming to the US as a tourist, student or worker, are expected to leave the US at the end of their legal stay in the US. At the time of the 9/11 attacks, there is no way of knowing whether a visitor, a student or a worker overstays his legal permit to stay in the US. And as understood after the attacks, the terrorists took advantage of the absence of such an alarming system, staying illegally longer than they were supposed to. The same entry-exit system to track the individuals whether they overstays or not came into full effect only after 2005. If IIRIRA had been used effectively for example, Muhammad Atta and some others who violated his student visa status for flight schools could have been identified.¹⁹⁶

The administrations also failed to broaden the mandate of intelligence community to make a covert action to OBL abroad. According to OIG report, the

¹⁹⁴ *Interview, 2-Dec-2011.*

¹⁹⁵ *The 9/11 Commission Report; 9/11 and Terrorist Travel, 4.*

¹⁹⁶ *Interview, 2-Dec-2011.*

US policymakers had wanted OBL killed as early as August 1998; however, the government had not removed the ban on assassination and did not provide clear direction or authorization for the CIA to kill OBL.¹⁹⁷

The CIA attempted to get OBL first in 1998 when he gave his notorious fatwa. The first plan to get OBL was cancelled because of the low probability of success. Afterwards, the AQ bombed the American embassies in Kenya and Tanzania. The CIA started to work with Afghan tribal assets to capture OBL. The administrations did not give the full authority to security services for covert action to kill OBL, remaining undecided what course to pursue. Later, the President Clinton authorized the freezing of any assets that could be linked to OBL while the Pentagon made plans for ground operation to kill OBL. In 1999, the administration had one more opportunity to strike OBL. The CIA located his whereabouts. He was supposed to meet some Emirati sheikhs at a hunting camp in western Afghanistan. On February 8, 1999, the military began to prepare to launch cruise missiles. Clinton decided against the missile strike on the ground that the Emiratis were important strategically for the US in the region. Even in 2000, the US administrations gave no response to the Cole bombing either. On September 4, 2001, the Bush administration revised the US policy toward AQ and OBL. The revised policy included empowering the CIA to assassinate OBL with armed predators; however it was too late to act on it.¹⁹⁸ Reaffirming this, one official said:

Just as we did after 9/11, we had to act right after the embassy bombings. We had to go into Afghanistan, engage in covert

¹⁹⁷ *OIG Report on CIA Accountability with Respect to the 9/11 Attacks* (CIA, June 2005), 23.

¹⁹⁸ Farmer, *The Ground Truth*, 29–71.

actions, retaliate properly, capture or kill some of them so they were scattered and demoralized.¹⁹⁹

Legislative and Executive Failures

Before 9/11, law enforcement used to counter terrorism with laws designed for the 20th century. Since the threat was thought to be coming from either nation states or individual organized criminal groups, no one gave priority to global non-state actors such as AQ.

The Congress did not set up an appropriate balance between law enforcement requirements and individual rights in which the latter had always advantage over the former. This is the nature of democracies. One cannot be tracked or arrested if he/she has not yet advanced from advocacy to activation of a criminal plan. “In order for FBI agents to establish a “criminal predicate” that a group was planning to use violence, they had to use intelligence tactics and tools that could only be approved if a criminal predicate had already been established.”²⁰⁰

The Congress did not understand the threat posed by OBL, either.

“Between 1991 and 2001, there were at least six classified and a dozen unclassified reports on intelligence and counterterrorism. Two-thirds (340 out of 500) of recommendations of these reports targeted the CIA, the FBI, and the rest of the U.S. Intelligence Community. Yet only 35 of these 340 intelligence recommendations were successfully implemented before September 11, and the rest resulted in no action whatsoever.”²⁰¹

There was also a lack of Congressional oversight of intelligence activities.

Congress took little action to address institutional weaknesses. Although at least fourteen different House committees had some oversight authorization over terrorism issues, little effort was made to create an integrated policy toward terrorism. “Terrorism was a second-or third-order priority within the committees of Congress responsible for national

¹⁹⁹ *Interview, 8-Aug-2011.*

²⁰⁰ Copeland, *Fool Me Twice*, 246.

²⁰¹ Zegart, *Spying Blind*, 4.

security”²⁰². In the confirmation hearings for FBI’s New Director Robert Mueller who assumed office on September 4, 2001, fourteen senators asked Mueller ninety-four questions and only three questions out of ninety-four were about how he planned to address terrorism issue while in the FBI.²⁰³

In the 1970s, the FBI was doing counterespionage out of concerns for the Soviet threat at home. Its mishandling and abuses of counterintelligence activities such as targeting American citizens rather than foreign agents later became public which shook the prestige of the bureau. These allegations as well as the case of Aldrich H. Ames²⁰⁴ became the catalyst for new rules governing intelligence and criminal investigation, thus striking a balance between security and civil liberties. Many thought that it created a wall between the CIA and the FBI.

Moreover, FBI requests for FISA²⁰⁵ authority to start wiretaps were delayed since Office of Intelligence Policy and Review heavily took part in monitoring the FBI. This caused FBI to make far fewer requests for FISA authority.²⁰⁶ After 9/11, by the passage of the Patriot Act, the scope for FISA warrants was enlarged.

Finally, there were tight restrictions on intelligence community to aggressively track down suspects at home due to individual freedoms. One result was that the FBI agents in Minneapolis could not persuade supervisors at the FBI headquarters to seek a

²⁰² *The 9/11 Commission Report*, 102–107.

²⁰³ Zegart, *Spying Blind*, 145.

²⁰⁴ A CIA employee who for more than thirty years had had access to top secret intelligence was arrested on charges of selling vital information to Soviets in 1994.

²⁰⁵ FISA is a federal statute enacted in 1978 that regulates electronic surveillance and wiretapping as well as physical searches of foreign intelligence targets as well as international terrorists like OBL, not of ordinary criminals. FISA search and wiretaps are authorized by FISC (Foreign Intelligence Surveillance Court), a special court operating in secret. Before FISA, presidents would authorize searches without warrant for national security purposes. Before 9/11 FISA taps were permitted for 90 days with extensions. The Patriot Act extended FISA periods to 120 days.

²⁰⁶ *The 9/11 Commission Report*.

FISA warrant to search Moussaoui's computer, leaving information that linked him to the 9/11 plot to sit unopened.²⁰⁷ As to using human intelligence sources, the FBI is required by the 1996 Antiterrorism and Effective Death Penalty Act to get approval from headquarters and the Department of Justice to allow an informant to engage in an illegal criminal activity, a process which can take as long as six months.

Allocation of Financial Resources

Since policy makers thought that terrorists could not strike at home, intelligence collection did not concentrate on threats at home, and resources and efforts were dispelled. During the 1990s, 80% of all US spending for intelligence used to go to the Department of Defense while intelligence budgets in general and CIA's budgets in particular continued to shrink.²⁰⁸ After 9/11, intelligence budget for homeland security and overseas issues rose more than 50%.²⁰⁹

Except for adaptation shortcomings, we cannot say that the US was not aware of the dangers posed by these new terrorists, particularly by the jihadist network of OBL. The US policymakers singled out OBL and his AQ network as the most dangerous of this new terrorism. However, due to some political concerns of policymakers as well as reluctance of Americans in participating in campaigns against terrorists in peacetime, no vigorous attempt was done in legislating reforms for intelligence community. Having taken lessons from FBI and CIA misdeeds, policymakers did not like intelligence business, because if they happened to leak, it was hard to explain it to the public. Domestic security measures such as wider authority for intelligence units to gather

²⁰⁷ *Ibid.*, 276.

²⁰⁸ *Ibid.*, 93.

²⁰⁹ *Ibid.*, 361.

intelligence were not thus pursued by administrations vigorously. The administrations established rules that made domestic intelligence gathering even harder due to concerns of civil liberties, let alone wider authorities for intelligence gathering.²¹⁰ However, this was an obstacle for law enforcement intelligence that needed laws to be as modern as technology, tactics, and techniques terrorists made use of. Therefore, policy makers seemed to fail to understand the balance between civil liberties and law enforcement requirements to combat terrorism.

Given the facts above, it can be argued that the American administrations failed to adapt to the new kind of security threat environment after the Cold War ended and failed to allocate resources accordingly. The governments did not reform the intelligence community appropriately while judicial obstacles restricting intelligence gathering preserved.

ORGANIZATIONAL OBSTACLES

Organizational Structure and Culture

The FBI was founded in 1908 to investigate violations of federal law inside the US. It also worked on foreign spies and terrorists operating inside the United States.

The FBI is under the authority of the Justice Department. It is dealing with above 200 crimes. The most important issues that the FBI is now dealing with are cyber-crime, counter-terrorism, and counter-intelligence. These priorities are identified by the Director of the FBI, but they can differ in some other states based on the views of the Special Agents in Charge (SAC). All around the US, the FBI has above 12,500 personnel in 56 field offices. In addition to field offices, there are about 400 satellite offices around the country.²¹¹

²¹⁰ Timothy Naftali, *Blind Spot* (New York: Basic Books, 2005), 311–313.

²¹¹ *Interview*, 7-Dec-2011

The FBI constitutes of 5% of the law enforcement community, because other than the FBI, there are nearly 17,000 state and local law enforcement units in the US, where about 760,000 personnel work.²¹²

As a law enforcement unit, the FBI hardly considered intelligence their core business, and never adapted itself as an intelligence-driven agency. As one expert pointed out:

The FBI always considered itself as an agency exclusively countering organized-crime, not terrorism. It focused on making cases and investigations. It was a reactive organization, not a proactive one. Even the idea to expand the number of legal attaches overseas after the attacks against American interests during the 1990s, was to support organized crime efforts not intelligence on terrorism. However, this changed after 9/11. FBI Director Robert Mueller made efforts for disrupting terrorist plots before they occur and penetrating terrorist groups through intelligence tactics the top priority for the FBI, replacing the FBI's old focus on making criminal cases.²¹³

Law enforcement culture is very important to understand how it functions. In Zegart's words, "Culture involves the ideas, values, and beliefs that color how agency employees view the world and what they hold dear."²¹⁴ In other words, it is the way things are done in an organization. The FBI's institutional culture was to catch and prosecute criminals.²¹⁵ The law enforcement focused on proving the guilt of persons apprehended and charged. They wanted events as finished – case solved, justice done. The system of law enforcement was not designed to look for clues that might be harbingers of worse things to come. The FBI always focused on prosecution rather than gathering intelligence. Intelligence was seen as a second-class profession within the FBI,

²¹² *Interview, 3-Dec-2011*

²¹³ *Interview, 17-May-2011.*

²¹⁴ Zegart, *Spying Blind*, 63.

²¹⁵ Gregory F. Treverton, "Terrorism, Intelligence and Law Enforcement: Learning the Right Lessons," in *Twenty-First Century Intelligence*, ed. Wesley K. Wark, Studies in Intelligence (Routledge, 2005), 129.

playing a supportive role for the investigation units.²¹⁶ The rewards and promotions went to prosecutions rather than intelligence activities that could present opportunities for disrupting bigger plots. This is reflected by an intelligence official as follows:

Intelligence requires some skills contrary to policing. Police officers think differently than intelligence agents. Above all, they tend to focus on certain and evidence-based cases whereas intelligence is about making inferences from uncertainty. Furthermore, incentives and promotions go to finished cases in law enforcement whereas in the intelligence world, intelligence gathering may continue for a long time. Good spies can't become good policemen while good policemen rarely do good intelligence analysis. Complaining and politically strained bureaucracy of policing hinders intelligent efforts.²¹⁷

The FBI has a decentralized system. Many experts are scattered in field offices where they get their assignments from field office's Special Agent in Charge (SAC). Therefore, priorities can be changed in each field office. This fragmentation structure made field offices around the country hesitant to adapt to changes required by Headquarters before 9/11.

According to Farmer, in light of the growing Islamist threat, the FBI tried to change its structure from a reactive to a proactive one oriented to prevent events before they occur. However, these changes remained much in theory and less in practice. The reforms failed to address organizational fault lines. For instance, it was the Manhattan field office, not FBI Headquarters that took the lead investigating terrorism. FBI's intelligence agents estranged themselves from FBI's criminal investigative agents, and vice versa. The persistence of the field-office culture made the Phoenix memo go underestimated if not unnoticed. The agents in Arizona working on the flight-schools problem were unaware that agents in Minnesota were investigating Moussaoui who

²¹⁶ Copeland, *Fool Me Twice*.

²¹⁷ Interview, 8-Aug-2011.

overstayed his student visa while taking flight lessons, or that agents in New York were looking for Mihdhar and Hazmi, and vice versa.²¹⁸

The FBI agents were also hesitant to deal with informants, wiretaps and surveillance that they thought could make them in trouble, because they always held risk-averse organizational culture. The FBI leaders warned agents not to share too much information even within their own squads, making them afraid to share information with criminal prosecutors as well as their fellow agents. In 1998, Robert M. “Bear” Bryant, deputy director of the FBI between 1997-1999, released a revolutionary project for reorganizing the FBI. It included changing the FBI’s priorities from crimes to intelligence, counter-terrorism and national security issues. He believed that intelligence would be vital to any law enforcement agency all around the world for the coming century. The plan also called for changing the archaic technology the FBI had been using. It was a dramatic shift for the FBI from reactive, crime-driven and conviction-oriented to proactive, intelligence-led policing. If this plan in theory had been successfully implemented in practice, the FBI would be more professional in countering terrorism.²¹⁹

Recognizing the dangers posed by Islamist terrorists, the FBI established the Radical Fundamentalist Unit (RFU) in 1994 and started to gather intelligence on radical fundamentalists. The unit succeeded to disrupt some major plots including a plot to blow up the United Nations building and the Lincoln and Holland Tunnels in New York City. In 1995, FBI managed to bring suspects of the 1993 World Trade Center bombing into justice as well as solving the 1995 Bojinka Plot.

²¹⁸ Farmer, *The Ground Truth*, 77–79.

²¹⁹ *The 9/11 Commission Report*, 76.

During Louis J. Freeh's tenure between 1993-2001, counterterrorism became one of the top priorities for the FBI. It started to focus on proactive efforts in addition to its reactive capabilities to solve crimes. New units, Counterterrorism Division and Investigative Services Division, were established to support Bureau's counterterrorism efforts. Mirroring CIA's OBL Station, it set up a special office to disrupt OBL's financial networks in 1999. In 2000, Freeh started a program called MAXCAP 05 to upgrade the counterterrorist capabilities of all fifty-six U.S. field offices.²²⁰ Although FBI directors prioritized counter terrorism, they failed to put the priorities in motion for the entire field offices. Moreover, despite the fact that the FBI had been the sole unit responsible for domestic terrorist activities, the FBI's directors did not have direct relations with the Presidents.²²¹

State Department's system of watchlisting terrorists was not also working properly. The FBI never cared about submitting names to the State Department for inclusion in the TIPOFF watchlist program, which was designed to collect information on suspected terrorists from all sources and prevent them from entering the US.

“FBI's watchlisting policy also reflected the pre-9/11 view of the division of labor between the FBI and the CIA: terrorists out of the country were the CIA's problem, and there was no reason to watchlist any terrorists who were already in the country. The statistics are telling. In 2001, the CIA provided 1,527 source documents to TIPOFF; the State Department, 2,013; the INS, 173. The FBI, during this same year, provided 63 documents to TIPOFF—fewer than were obtained from the public media, and about the same number as were provided by the Australian Intelligence Agency (52).”²²²

The CIA also failed to contribute to watchlisting program. The CIA increased the

²²⁰ Zegart, *Spying Blind*, 19.

²²¹ *The 9/11 Commission Report*, 358.

²²² *9/11 and Terrorist Travel*, 80.

number of names it put to TIPOFF list after 9/11, from 1,761 during the three months before 9/11 to 4,251 in the three months afterwards.²²³ Similarly, after the 1993 attacks, FBI started to analyze passports of suspects that were interrogated but it did not share the passport information with CIA for further analysis.²²⁴

In intelligence professions, agents usually work overtime and find little time to spend for their private life. As this is the case, they need motivation to continue to do their job in an effective way. Incentive system in an organization is therefore very important. According to Zegart, “incentive systems determine which types of activities are rewarded and which are not.”²²⁵ It should reward efforts and motivate future actions. As in the FBI case, we see a wrong incentive system that rewards wrong actions. For example, as explained above the rewards and promotions went to prosecutions rather than intelligence activities.

Interagency & intra-agency information sharing

The Joint Inquiry and the 9/11 Commission put the lack of integration across and the fragmentation of the Intelligence Community as the most problematic area leading up to poor information sharing between and within the agencies.²²⁶ Zegart also criticizes the counterterrorism efforts as being split among forty-six different agencies without adequate coordination between them.²²⁷

²²³ Trevorton, “Terrorism, Intelligence and Law Enforcement: Learning the Right Lessons,” 124.

²²⁴ *9/11 and Terrorist Travel*, 1.

²²⁵ Zegart, *Spying Blind*, 63.

²²⁶ *The 9/11 Commission Report; Joint Inquiry into Intelligence Community Activities Before & After the Terrorist Attacks of September 11, 2001* (Diane Pub., 2002).

²²⁷ Zegart, *Spying Blind*, 3.

The problem with the intelligence sharing was both horizontal and vertical. This is in part due to side effects of specialization. The nature of intelligence requires departments to divide work into subunits and agents to specialize in one area. This sometimes makes agents unaware of what is going on in other parts of their departments. As Zegart put it, they become disconnected and isolated from the big picture analysis. This problem is doubled in decentralized structure of the FBI whose fifty-six local offices are run by a special agent in charge (SAC) and set their own priorities. The FBI's decentralized structure made FBI agents unaware of what agents in other offices or headquarters were thinking or doing.²²⁸ This disconnection between agents, fifty-six offices, and the headquarters made three urgent information (namely the Phoenix memo, the Moussaoui's laptop search and the situation of hijackers al-Mihdhar and al-Hazmi) go unnoticed before 9/11. As one participant stated:

One of the problems with coordination within the agency is the FBI's traditional decentralized structure. Everybody takes care of his own office and set his own priorities. Many don't think about what the national priorities are. That's why local offices don't pay attention to what others are doing or what information they have. Thus, the cases of Phoenix memo and the Moussaoui's laptop went unnoticed. I don't think any field office other than New York even knew before 2001 what al-Qaeda looked like.²²⁹

There was surely a lack of information sharing between agencies. While the CIA is legally restricted to collect intelligence about American citizens and to deal with police work at home due to the fears that it can lead to an American Gestapo, the FBI is responsible for federal-level intelligence and law enforcement. This led to a split between domestic and foreign intelligence creating a wall between the CIA and the FBI. The FBI

²²⁸ Ibid., 52.

²²⁹ *Interview, 3-May-2011.*

and the CIA always battled over information sharing. Because information is power, everyone wants to control that power. CIA went through compartmentalization after the espionage case of Aldrich Ames became public in the 1990s. Therefore, analysts were reluctant to share information both within and outside the agency.

The problem is that no one actually understood the global aspect of the threat. The CIA considered domestic terrorism to be the FBI's mission while the FBI considered AQ to be the CIA's mission. Therefore, no body in intelligence community focused sufficiently on possible links of foreigners staying in the US or traveling from and to the US as well as on AQ and its lethal operational plans inside the US. Therefore, both OBL station in the CIA and Radical Fundamentalist Unit (RFU) in the FBI knowingly clashed on issues related to AQ. The so-called wall hindered intelligent and law enforcement units to work together more effectively.²³⁰

In fact the US wanted a distinction between intelligence and law enforcement out of concerns for civil liberties. While law enforcement is oriented toward response after the fact, intelligence is future-oriented, looking for patterns and making analysis. While law enforcement seeks to put bad guys in jail by making a case in public, thus revealing information on how it knows what it knows, intelligence seeks to protect sources and methods, thus staying out of the chain of evidence so they do not testify in court. While the CIA made the foreign intelligence and operations, it was barred from law enforcement and domestic operations. Therefore, the US purposefully created a wall between CIA and FBI.²³¹

That wall that we all heard about after 9/11 was a legal wall, separating information from intelligence and investigation. This wall existed both between the agencies (between the CIA and the FBI) and within the agency (inside the FBI). So, intelligence side always justified holding information with this so-called wall. The wall was an excuse. In fact, they

²³⁰ Ibid.

²³¹ Trevorton, "Terrorism, Intelligence and Law Enforcement: Learning the Right Lessons," 121–140.

did not share not because of the wall but because they did not want to share. It is human nature; they were just jealous of information.²³²

The CIA failed to share with the FBI the information about Khalid al-Mihdhar and Nawaf al-Hazmi who had participated in an al-Qaeda meeting in Malaysia and later had become among the hijackers of the 9/11. The CIA lost track of them in Thailand and did not inform the FBI that the two entered the US in early 2000 until August 23, 2001 when it was too late to take an action against them.²³³ The FBI was made aware of the meeting in Kuala Lumpur though the FBI noted that the CIA had the lead and would let the FBI know if a domestic angle arose. In the Counter Terrorist Center of the CIA, the FBI liaison learned of Mihdhar's visa and his attendance in the meeting in Kuala Lumpur and request permission to share this information in case of a possibility that some would be traveling to the US. They told the FBI liaison that that was not a matter for FBI.²³⁴

If the FBI had known their names in advance, they would have been caught, because Hazmi and Mihdhar used their real names while in the US. They signed their names on their rental agreement while they were living in Los Angeles. They also used their real names in taking flight school trainings. The CIA also failed to put them on the watchlist of the State Department on time that would deny them entry into the US. Normally, the CIA by its own guidelines was supposed to notify the FBI of all suspected terrorists.²³⁵

At least three of the hijackers (Khalid al Mihdhar and Nawaf and Salem al Hazmi) were known to the intelligence community and thus potentially could be watchlisted.

²³² *Interview, 3-May-2011.*

²³³ *The 9/11 Commission Report*, 182.

²³⁴ *9/11 and Terrorist Travel*, 1.

²³⁵ Treverton, "Terrorism, Intelligence and Law Enforcement: Learning the Right Lessons."

“Had they been watchlisted earlier, their terrorist connections could have been exposed at the time they applied for a visa (in the case of Mihdhar and Salem al Hazmi) and applied for admission at a port of entry (in the case of all three) a decision could have been made to deny them entry or to track them in the United States.”²³⁶ As OIG report concluded, “earlier watchlisting of al-Mihdhar could have prevented his re-entry into the US in July 2001. Informing the FBI and good operational follow-through by CIA and FBI might have resulted in surveillance of both al-Mihdhar and al-Hazmi. Surveillance, in turn, would have had the potential to yield information on flight training, financing, and links to others who were complicit in the 9/11 attacks.”²³⁷

In the same vein, the State Department requested information from the FBI and other law enforcement agencies investigating the 9/11 attacks. “When it was discovered that two of the 9/11 hijackers were known to the CIA in 1999 but this information had not been passed to State Department for watchlisting purposes, Assistant Secretary for Consular Affairs Mary Ryan requested a meeting with CIA Director George Tenet at which she expressed her outrage over this failure to share information. Tenet promised Ryan there would be changes; shortly thereafter, CIA contributions to the TIPOFF watch list increased dramatically.”²³⁸

The problem with intelligence sharing between CIA and FBI is also a matter of different understandings of intelligence business on both sides. As the old saying about the FBI and the CIA goes, “FBI wants to string someone up and CIA wants to string him/her along”²³⁹

²³⁶ *9/11 and Terrorist Travel*, 139.

²³⁷ *OIG Report on CIA Accountability with Respect to the 9/11 Attacks*, 15.

²³⁸ *9/11 and Terrorist Travel*, 151.

²³⁹ Malcolm Gladwell, “Connecting the Dots,” *The New Yorker*, March 10, 2003.

The problem with intelligence sharing is also present between the FBI and state law enforcement units. One state law enforcement official put this as follows:

We are following a case and bringing it to a certain level, working ground-up on the street. From that point, Federals take the case and that's it, we stay out of it. They don't share and don't like to share, which creates a disconnection on our part from the case. Federals think they can handle and solve all of the issues where in fact they need us, they need our street intelligence. How could the FBI follow all the leads with around 100 agents in a state while you have thousands of them on the street in that state.²⁴⁰

The FBI did not make regular threat assessments on terrorism and did not share information routinely with the rest of the Intelligence Community.²⁴¹ The FBI agents did not share case-related data even within the Bureau, not to mention with other agencies. One official put this as follows:

Information just split across the agencies and even within an agency. We have some piece of information while another agency has a bit of it and others have also related information, but what we lacked before 9/11 was to put all the pieces together so that they made sense. Simply, we lacked a unified effort in understanding and countering global extremist movements.²⁴²

Just to record another inefficiency of cooperation between agencies, the CIA and the NSA also failed to set up an efficient information sharing networks between each other. According to OIG report, the NSA was unwilling to share raw SIGINT transcripts with the CIA. In the late 1990s, however, NSA managers offered to allow a CTC officer to be detailed to NSA to cull the transcripts for useful information. The CTC sent one officer to the NSA for a brief period of time in 2000, but failed to send others, citing

²⁴⁰ *Interview, 4-Dec-2012.*

²⁴¹ *Joint Inquiry into Intelligence Community Activities Before & After the Terrorist Attacks of September 11, 2001*, 81.

²⁴² *Interview, 3-Dec-2011.*

resource constraints.²⁴³ In order to develop a more concrete coordination among agencies, George Tenet, the Director of Central Intelligence, tried to set up a promotion system in which agents can only be promoted to a senior rank based on serving in intelligence agencies outside their own agencies. However, this was never implemented.

On the other hand, information flow is important for not only national level but also local level. Even a tiny piece of information might sometimes stop and disrupt a major incident when analyzed properly and acted upon immediately. Even low-level information sharing between local law enforcement units can contribute to national counterterrorism efforts. One local law enforcement member said:

Before 9/11, we had barriers to knowledge even in petty crimes in local levels. For example, Mohamed Atta was issued a ticket by a local police official for driving without a driver's licence in April 2001 in Florida. Since he did not show up on the day of his scheduled court, a criminal bench warrant was issued for his arrest. A few months later, he was stopped again for another traffic violation in another county in Florida. Since arrest warrants for traffic violations were not shared among different jurisdictions, the officer who stopped Atta did not know about his arrest warrant.²⁴⁴

To overcome the so-called wall between intelligence and law enforcement agencies that blocked information sharing, there were Joint Terrorism Task Forces (JTTFs) which numbered thirty-five before 9/11 and increased to above a hundred after the attacks.²⁴⁵ In addition to increasing the number of JTTFs, the US established the Department of Homeland Security in federal level and fusion centers in subfederal level following 9/11 to facilitate the information sharing and coordination among agencies. The DHS was established to manage and coordinate nationwide homeland security

²⁴³ *OIG Report on CIA Accountability with Respect to the 9/11 Attacks*, 23.

²⁴⁴ *Interview*, 5-Dec-2012.

²⁴⁵ *Interview*, 3-Dec-2011

activities, which were scattered and dispersed among various agencies working independently of one another.²⁴⁶

In the DHS, there is above 200,000 people working to protect security and minimize the consequences of any kind of disasters at homeland. People in the DHS rely much on citizens' support. They engage and encourage citizens to be part of their collective effort aimed at protecting security and reduce the effects of disasters. Since its foundation, there has been considerable willingness for better information sharing among agencies ranging from tribal and local to state and federal level. In addition, the DHS built partnerships with more than ten countries to fight against the common enemy.²⁴⁷

Graphia defined fusion centers as “multiagency facilities tasked with improving the collection, analysis and dissemination of information and intelligence within the law enforcement community as well as between public and private sector partners.” She also studied the effectiveness of the fusion centers and found that fusion centers are facilitating and improving law enforcement's information collection and sharing capabilities, while they have yet to develop robust analytical capabilities, or to overcome other obstacles.²⁴⁸

To cure this problem, one intelligence official suggests,

We have to change from the mindset of “need to know” to “need to share” or even “good to share” since we live in a world where uncertainty from new kind of terrorism that recognize no borders keeps us awake at every night. In such a world it is wrong to build walls and strict borders between our own agencies. We also did not need to create a new department, which is another later of bureaucracy. In order to get better intelligence, you need to hire people differently than you used to do before 9/11. We need skilled agents on the street not in front of the computers in giant headquarters. Analysts are important, I don't want to undervalue their job, but what we need is people on the ground who know the neighborhood, its people, its

²⁴⁶ Renee Dianne Graphia, “An Exploratory Study of the Perceived Utility and Effectiveness of State Fusion Centers” (Rutgers The State University of New Jersey - Newark, 2010), 96.

²⁴⁷ *Interview, 2-Dec-2011.*

²⁴⁸ Graphia, “An Exploratory Study of the Perceived Utility and Effectiveness of State Fusion Centers.”

culture, and the way of life.²⁴⁹

Use of Technology

Technology is vital for any intelligence activity. For an effective counter-terrorism, agents and analysts need to get access to huge amount of electronic data coming in from all relevant institutions. Paper files are so obsolete and difficult for agents to find out clues and connections on any case. The FBI used an old system to track individuals on the computer. “The FBI did not have a bureau-wide computer system until the mid-1990s.”²⁵⁰ It went through a modernization process in 2000 known as trilogy. The new computer system which would convert paper files to electronic files thus allowing agents across the country cross-check other’s case files were to be completed only in 2005. However, in Mueller’s words it did not work and had no prospect of succeeding any time soon²⁵¹. Zegart found that FBI’s main information system called Automated Case Supportsystem (ACS) was old-fashioned and too slow to use.²⁵²

Personnel Management and Allocation of Domestic Resources

It was in 1996 when the CIA established its special unit, Counter Terrorism Center that would follow OBL. By 1997 it discovered that OBL was more than just a financier and there existed a military wing around him that was planning a mass casualty attack against the American interests. But they failed to put their best personnel in that unit. Rather they put mid-level staff to run the unit and therefore nobody wanted to run it. Joint Inquiry

²⁴⁹ Interview, 8-Aug-2011.

²⁵⁰ John Miller, Michael Stone, and Chris Mitchell, *The Cell*, 331.

²⁵¹ Quoted in Zegart, *Spying Blind*, 11.

²⁵² Ibid., 137.

found that on 9/11, there were just five analysts assigned full-time to OBL desk.²⁵³ Amy found that on the FBI side, only 6% of the FBI personnel were working on counterterrorism in 2001.²⁵⁴ On the day of the attacks, about twenty individuals were working in the FBI's special AQ and OBL unit.²⁵⁵ The Intelligence Community (IC) failed to assign enough personnel to OBL units, who were to deal with long term analysis rather than day-do-day crises.²⁵⁶

The IC also failed in allocating domestic budget resources. According to OIG report: "DCI secured additional budgetary resources for CIA and the Intelligence Community (IC) but failed to alter the deployment of human and financial resources across agencies in a coordinated approach to the terrorism target. Manpower and funds were not used to support programs designed to counter OBL or AQ. In particular, funds from the base budgets of the Counterterrorist Center and other counterterrorism programs were moved to meet other Directorate of Operations and corporate needs that were unrelated to terrorism. More importantly, CTC managers did not spend all of the funds in their base budget, let alone the Reserve for Contingencies, even after it had been reduced by diversions of funds to other programs."²⁵⁷ The researcher finds this highly significant. Whatever the reason, the funds should have been used for counterterrorism efforts in all levels including developing strategies, hiring experts, purchasing related material, and the like. So, it can be argued that the agencies failed to manage financial resources.

²⁵³ *Joint Inquiry into Intelligence Community Activities Before & After the Terrorist Attacks of September 11, 2001*.

²⁵⁴ Zegart, *Spying Blind*, 4.

²⁵⁵ Thompson, *The Terror Timeline*, 107.

²⁵⁶ *Joint Inquiry into Intelligence Community Activities Before & After the Terrorist Attacks of September 11, 2001*, 387.

²⁵⁷ *OIG Report on CIA Accountability with Respect to the 9/11 Attacks*, 8–11.

According to Zegart, more than 90% of intelligence budget went to technical capacity building rather than recruiting new agents.²⁵⁸ The Commission found that counterterrorism spending did not increase according to threat level.²⁵⁹

OIG report also found that “staff in CTC responsible for OBL had an excessive workload. Most of its officers did not have the operational experience, expertise, and training necessary to do their work in an effective way.”²⁶⁰ So it can be argued that the managers of CTC failed to staff the OBL Station in an effective manner.

As understood from the facts above, the organizational structure of the FBI as well as the whole intelligence community was not designed to fight transnational terrorism that originated from anywhere on the globe. While the decentralized structure of FBI’s field offices hindered agents to grasp the big picture analysis, the interagency and intra-agency information sharing was persistent. Moreover, domestic resources were not used appropriately while the technology was not designed to make things easier, if not creeping.

DEFECTS IN INTELLIGENCE CYCLE

Needs Assessment and Direction

As stated before, any defect in any level of the intelligence cycle can contribute to intelligence failures. Need assessment (threat assessment), the first step of the intelligence cycle, is very crucial for other stages. As explained above, the threat assessment by the policy makers and individual intelligence agencies were not adequate to meet the challenges of newly emerging threats of loosely affiliated groups. Bin Laden,

²⁵⁸ Zegart, *Spying Blind*, 40.

²⁵⁹ *The 9/11 Commission Report*.

²⁶⁰ *OIG Report on CIA Accountability with Respect to the 9/11 Attacks*, 11–12.

Al-Qaeda, or even terrorism was not an important topic in the 2000 presidential campaign. Congress and the media called little attention to it.²⁶¹ Since the threat assessment was flawed, officials failed to make a vigorous plan to handle terrorism both at home and abroad. This failure in defining threat is thus reflected in CIA and FBI's internal structures where there was no comprehensive assessment as to the threat posed by AQ, causing poor direction. According to OIG report: "Intelligence community did not have a documented, comprehensive approach to AQ and the Director of Central Intelligence did not use all of his authorities in leading the international community's strategic effort against OBL."²⁶²

The FBI gave counterterrorism a top priority in 1998 in its five-year plan; however, it did not allocate its resources to this priority. Its spending remained the same from 1998 to until 9/11.²⁶³ After the 9/11 attacks, the FBI's threat assessment changed from traditional domestic crimes to international terrorism, Al-Qaeda being on the top of the list. FBI's new priorities are now as follows:

1. Al Qaeda Central (Core AQ)
2. Al Qaeda in Arabian Peninsula (AQAP)
3. Al Qaeda in Maghreb (AQIM)
4. Al Qaeda in Iraq (AQI)
5. Al Qaeda in Somalia (Al Shabab)
6. Al Qaeda Allies (Tehrik-e-Taliban Pakistan/TTP, Laskhar-e-Tayyiba/LeT)
7. Homegrown violent extremist at home (HVEs)

²⁶¹ *The 9/11 Commission Report*, 341.

²⁶² *OIG Report on CIA Accountability with Respect to the 9/11 Attacks*, 7.

²⁶³ *The 9/11 Commission Report*.

8. Neo-Nazis , militias, Puerto Rican radicals, anarchists.²⁶⁴

Collection

Regarding collection efforts, the difficulty the FBI and the CIA faced in gathering intelligence was already mentioned. There were strict legislative guidelines and judicial constraints as in the case of FISA warrants. The agencies like the FBI, the CIA and the NSA failed to work together on communication intercepts of potential hijackers.²⁶⁵ They had few Arabic linguists to translate the intercepts. In the FBI, there were fewer than a handful people with Arabic proficiency before 9/11, however this number increased to above a hundred after the attacks.²⁶⁶ In addition, there was no way of double-checking of information provided by translators. The FBI agents and analysts had to rely on translators for whether to continue or stop an on-going investigation or open a new one. Besides, it was translators, not the FBI agents or decision makers, who would determine which document or media was to be translated. The translators thus were able to block information flow to decision makers when they considered a piece of information irrelevant or unworthy of translating when in fact it might be relevant and worth translating. A lot of information related to 9/11 might have been overlooked or not translated by this way.²⁶⁷

In order to understand the enemy you are fighting against, you need to have people who understand its culture and language. To do this, you need

²⁶⁴ *Interview, 2-Dec-2011*

²⁶⁵ *Joint Inquiry into Intelligence Community Activities Before & After the Terrorist Attacks of September 11, 2001*, 249.

²⁶⁶ *Interview, 9-Dec-2012*.

²⁶⁷ Just to constitute an example of FBI's interest in linguists, the FBI had no Turkish translator before 9/11. Given the geopolitical and geostrategic location of Turkey, as well as a considerable amount of Turkish population in the US, it is interesting that the FBI had no Turkish linguists who could translate and interpret documents and audio in Turkish, which would be related to ongoing investigations of counterterrorism or counterintelligence. "Interview, 3-May-2011."

to hire people differently. If you fight against Al Qaeda you need to hire people familiar with Arabic and Islamic culture and literature. Only by this way can you understand what it means when your targets communicate between each other. Honestly, law enforcement intelligence agencies had very few people capable of speaking Arabic and understanding Islamic culture at the time of 9/11.²⁶⁸

The Intelligence Community also failed to use the most valuable source of information, which is intelligence from human sources (HUMINT) effectively. The IC did not effectively make use of human resources to penetrate AQ's inner circle, relying on foreign liaison services and walk-ins (sources who volunteer) for actionable intelligence.²⁶⁹ In a declassified 1997 intelligence budget paper, the National Foreign Intelligence Program (NFIP) consisted of \$17.73 billion and only 9 percent of this budget (\$1.6 billion) went to HUMINT.²⁷⁰ Report of House and Senate found that the Intelligence Community as a whole failed to put human sources in Al-Qaeda inner circle to acquire intelligence that could have been acted upon before the September 11 attacks. The FBI's human intelligence focused on the Islamic radical activity in the US while it lacked coordination regarding human intelligence with the CIA, which is the core unit to do human intelligence overseas.²⁷¹ One official stated that:

We have difficulty in recruiting informants inside the US. For example in drug cases, laws allow us to go in a place and make pretext interviews like asking questions without disclosing yourself and your job, but when it comes to terrorism cases you can't task anybody and ask questions like this without an open investigation. To open an investigation you have to have a source or informant. Since we lacked the ability to use undercovers and other human sources in terrorism cases, we had difficulty to penetrate into the groups.²⁷²

²⁶⁸ Interview, 2-Dec-2011.

²⁶⁹ *OIG Report on CIA Accountability with Respect to the 9/11 Attacks*, 19.

²⁷⁰ Zegart, *Spying Blind*, 3.

²⁷¹ *Joint Inquiry into Intelligence Community Activities Before & After the Terrorist Attacks of September 11, 2001*, 386.

²⁷² Interview, 1-Dec-2012.

As one official working overseas put it:

The most valuable asset regarding human intelligence is through setting up relations with local intelligence units through liaison officers. In fact, there were not enough of our liaison officers overseas before 9/11 and we lacked to build trust with those locals, which are our main sources of information overseas.²⁷³

The problem was not only the quantity and quality of the human sources, but also how to handle them. The FBI got informants to report on cases but failed to ask them about an ongoing national counterterrorism effort. As the Joint Inquiry found: “This problem was painfully manifest in August 2001, when the FBI was made aware by the CIA that terrorist suspects Nawaf al-Hazmi and Khalid al-Mihdhar were in the United States. Neither the FBI field offices that were involved in the search nor FBI Headquarters thought to ask FBI field offices to ask their sources whether they were aware of the whereabouts of the two individuals, who later took part in the September 11 attacks. A San Diego FBI field office agent who handled such sources, including the source who had numerous contacts with Nawaf al-Hazmi and Khalid al-Mihdhar, insisted to the Joint Inquiry that he would have been able to find them through his sources.”²⁷⁴

On overseas, collecting intelligence was more difficult. The CIA requested that Malaysian intelligence provide surveillance of the Kuala Lumpur meeting attended by Khalid al Mihdhar, Nawaf al-Hazmi, and Khallad bin Attash, which was to take place on January 5, 2000. They were not wiretapped because they did not use the phone in the apartment. CIA should have found other ways to wiretap them. If requested, some devices could have been put in the apartment before the meeting to listen to conversation.

²⁷³ *Interview, 3-May-2011.*

²⁷⁴ *Joint Inquiry into Intelligence Community Activities Before & After the Terrorist Attacks of September 11, 2001*, 392.

And if they had been wiretapped, the CIA could have been linked to them to 9/11 plotters.²⁷⁵

Processing and Analysis

General Analytical Failures

When it comes to analysis stage, analysis is the vital part of the intelligence cycle. In this case, strategic analysis of al-Qaeda was not sufficient. The FBI had only two analysts assigned to Al-Qaeda unit. The CIA was looking for foreign cells and foreign targets, law enforcement was looking for sleeper cells and domestic targets, but nobody was looking for foreign cells and domestic targets.²⁷⁶

Analytical problems consisted bias and selective perception. Conventional wisdom made analysts think that terrorists would never strike the American homeland. Some thought that Al-Qaeda was only planning to harm a small number of Americans overseas. Nobody gave much attention to terrorists' using hijacked airplanes to strike their targets, because this method was used to negotiate to release prisoners, which al Qaeda would not be interested in. However, as revealed later AQ was in fact interested in hijacking airplanes as in the case of the Bojinka plot of 1995 and the foiled Millennium plot to blow up Los Angeles International Airport.

OIG Report found that "If intelligence community had been able to analyze the full range of information available before 9/11, they could have developed a more informed context in which to assess the threat reporting of the spring and summer that

²⁷⁵ Interview, 8-Aug-2011.

²⁷⁶ The 9/11 Commission Report, 258–263.

year”²⁷⁷. Moreover, Before 9/11, the DCI Counter Terrorist Center (CTC) focused on primarily operations while ignoring building strategies to counter AQ and OBL.²⁷⁸

Strategic analysis in IC was weak. Existing analysts focused primarily on current and tactical issues rather than on strategic analysis. There was no strategic analysis unit within the CTC until July 2001.²⁷⁹ The Team tasked by the Inspector General with reviewing the agencies’ failures in the run-up to the 9/11 attacks found:

- no comprehensive strategic assessment of AQ,
- no comprehensive report focusing on OBL since 1993,
- no examination of the potential for terrorists to use aircraft as weapons, as distinguished from traditional hijackings,
- limited analytic focus on the US as a potential target.²⁸⁰

FBI’s analytical capacity was also weak. Of 27,000 employees, only 153 were devoted to terrorism analysis. In addition, analytical expertise were lost by transfers to operational units. Fewer agents were assigned to counterterrorism on 9/11 than at the time of the embassy attacks in 1998.²⁸¹

To get a better picture on what is going on, you need to combine analysts’ job with the agents’ job on the street. You need to have them to work together. At every desk, you need to assign at least one analyst who will help the agent on the street do his/her job more effectively. Before 9/11, we had few analysts doing this job, facilitating the agents’ job on the street, but now we are improving in terms of attaching more importance to get them to work together.²⁸²

²⁷⁷ *OIG Report on CIA Accountability with Respect to the 9/11 Attacks*, 7.

²⁷⁸ *Ibid.*, 7–8.

²⁷⁹ *Ibid.*, 18.

²⁸⁰ *Ibid.*, 17.

²⁸¹ Thompson, *The Terror Timeline*, 107.

²⁸² *Interview*, 9-Dec-2012.

Another point that many attached importance was the quantity of the analysis for short terms not the quality for longer terms because of the urgency of daily events surrounding them. As one official put it:

The intelligence work is often to save the day due to the rapid developments, urgent cases, and so on. Nobody takes care of what future might bring. Everybody thinks it is considered as others' job. Therefore strategic analysis, which requires longer terms, is not given importance in law enforcement.²⁸³

Moreover, the respondents were in the opinion that leadership failed to give incentives and motivations to analysts whose job was seen as inferior compared to operational units.²⁸⁴

Problems with Analyzing Threat and Warning Information

Intelligence community missed many warning indicators of a coming attack. If the pieces had been put together, the outcome would have been very difficult. It is important to filter out the signals from the noise. There was enough information available to authorities in the 9/11 case. There were pieces of information but nobody was in charge of connecting the dots. With the benefit of hindsight, one can mark the following as clear signals.

The jihadis' aims to harm the US were known to Intelligence Community for a long time as in the cases of the first World Trade Center attack, a foiled 1993 plot to blow up several New York City landmarks including Lincoln and Holland Tunnels, the Bojinka plot of 1995, which included hijacking planes and crushing one into CIA headquarters and the foiled Millennium plot to blow up Los Angeles International Airport (LAX).

²⁸³ Interview, 3-Dec-2011.

²⁸⁴ Ibid.; "Interview, 9-Dec-2012"; "Interview, 17-May-2011."

In 1998, Douglas Waller wrote an article in the *Time Magazine* titled “Inside the Hunt for Osama” which claimed: “Intelligence sources tell *Time* they have evidence that bin Laden may be planning his boldest move yet--a strike on Washington or possibly New York City in an eye-for-an-eye retaliation” He went on to say in the article that Ramzi Yousef, the 1993 World Trade Center bomber, said to FBI officials in 1995 that if he had more money next time, he would have again attempted to bomb the World Trade Center.²⁸⁵ Until then, the CIA and the FBI have been chasing OBL and its network. Even the CIA set up a bin Laden unit in 1995 to expose his loose-knit network worldwide.

The Report on the Emerging Global Security Environment, which was explained above, could be considered as a warning information because it warned of possibility of unannounced attacks on American cities by sub-national groups. This report did not wake anybody up, either.

OBL’s speeches also serve as general warnings. OBL declared war on the US issuing fatwas (religious calls) dating back to 1996. He called on Muslims in his first fatwa in 1996 to wage wars against America and its allies. In 1998, he issued another fatwa encouraging all Muslims to attack Americans anywhere in the world followed by two simultaneous mass casualty attacks with bomb-laden trucks against the US embassies in Kenya and Tanzania killing 224 people and injuring many more. The US intelligence community must have seen this as a wake-up call. These events were such clear signals of his intentions that George Tenet, then the Director of Central Intelligence (DCI), declared war on him issuing a memo in which he stated “We are at war... I want no

²⁸⁵ Douglas Waller, “Inside the Hunt for Osama,” *Time*, December 21, 1998.

resources or people spared in this effort, either inside CIA or the Community.”²⁸⁶ He tried to improve coordination between different agencies; only after his efforts on counterterrorism did the FBI reach the same conclusion in its 1998 strategic report that the highest priority in the FBI was counterterrorism²⁸⁷ and that the FBI created a special unit dealing exclusively with OBL and put him on its Ten Most Wanted List in 1999. The State Department enlisted AQ as a foreign terrorist organization that was threatening to the US. However, “DCI failed to follow up these warnings and admonitions by creating a documented, comprehensive plan to guide the counterterrorism effort at the Intelligence Community level”²⁸⁸

The intelligence community knew that he was a threat because of his numerous public threats against America and American interests worldwide but failed to analyze that his network could seek target the US in the homeland. Therefore, FBI did not study aggressively OBL’s network, leaving the job to CIA.²⁸⁹

Hijacking airplanes was known to analysts before. In December 1994, four Algerian Muslims attempted to hijack an Air France flight in France to crash it into a landmark building of Paris, possibly the Eiffel Tower. In 1999, an Egyptian pilot flew an airplane into the sea after taking off from New York. In the 1995 “Bojinka” plot, Ramzi Yousef and his uncle Khalid Sheikh Mohammed (KSM) planned to hijack 12 airplanes en route from Asia to America and blow them up in the sky. This plot was funded by Mohamed Jamal Khalifah, OBL’s brother-in-law.²⁹⁰ The plot was disrupted with the

²⁸⁶ *Joint Inquiry into Intelligence Community Activities Before & After the Terrorist Attacks of September 11, 2001*, 231.

²⁸⁷ Federal Bureau of Investigation, *Keeping Tomorrow Safe: Draft FBI Strategic Plan, 1998–2003*, 1998.

²⁸⁸ *OIG Report on CIA Accountability with Respect to the 9/11 Attacks*, 8.

²⁸⁹ *Interview*, 3-May-2011.

²⁹⁰ *Joint Inquiry into Intelligence Community Activities Before & After the Terrorist Attacks of September 11, 2001*.

capture of one of the plotters, Abdul Hakim Murad who was planning to crash an airplane into the CIA headquarters.

Similarly, the US intelligence learned that a Turkish Islamist radical group named Kaplancilar, led by Metin Kaplan and based in Germany, had planned to dive-crash an airplane packed with explosives onto the Ataturk mausoleum in Ankara during a government ceremony in November 1998. The US authorities drew no lessons from these two plots, either.²⁹¹ In addition, the US government must have known about hijacking plans well before the attacks. In the 27th G8 summit in Genoa, Italy in July 2001, the Italian security authorities installed a missile defense system against possible airborne attacks with unidentified planes after being informed that OBL had been linked to an alleged plot to assassinate the US President, George W. Bush.²⁹² More interestingly, two years before the attacks, a report prepared for the US intelligence community warned that AQ could hijack airplanes to crash them into federal buildings like the headquarters of CIA, the Pentagon or the White House: "Suicide bomber(s) belonging to al-Qaida's Martyrdom Battalion could crash-land an aircraft packed with high explosives (C-4 and semtex) into the Pentagon, the headquarters of the Central Intelligence Agency (CIA), or the White House. Ramzi Yousef had planned to do this against the CIA headquarters."²⁹³ Despite these warnings, the Intelligence Community did not analyze how terrorists could attempt to hijack airplanes for suicide missions from the enemy's perspective (red team analysis).²⁹⁴ Commenting on general warnings, a state law enforcement official said:

²⁹¹ Matthew L. Wald, "Earlier Hijackings Offered Signals That Were Missed," *The New York Times*, October 3, 2001, <http://www.nytimes.com/2001/10/03/national/03WARN.html>.

²⁹² Rory Carroll, "Missiles to Protect Summit Leaders," *The Guardian*, July 11, 2001, <http://www.guardian.co.uk/world/2001/jul/11/globalisation.rorycarroll>.

²⁹³ Rex A. Hudson, *The Sociology and Psychology of Terrorism: Who Becomes a Terrorist and Why?* (Federal Research Division Library of Congress, September 1999), 7.

²⁹⁴ *The 9/11 Commission Report*, 347.

Everybody says it is the failure of connecting the dots. You can say this by looking at the case retrospectively. However, before the fact, you are not sure which leads are dependable. True, we had some missed signals and warnings that could lead us to connect them to 9/11. However, we had so many of them, maybe thousands of threads, but of those leads we had rarely a clear indicator pointing to the exact intention of the enemy such as the time and place of an attack.²⁹⁵

Latest Warning #1 Niaz Khan

Niaz Khan, a Pakistani British, and a former AQ insider, was trained in Pakistan by AQ members how to hijack a plane, how to smuggle guns and other weapons through airport security, techniques to overpower passengers and crew and get in to the cockpit. When he came to the US to meet some operatives, he defected. Afraid to be killed for betraying AQ he turned himself in to the FBI, telling FBI agents in Newark, New Jersey, he was in the US to carry out an attack. He told them about hijacking plans of AQ in the US more than a year before 9/11. The FBI had suspicious about the Khan even if he passed when they polygraphed him. The FBI Newark interrogated him for three weeks. Although FBI Newark agents believed him, FBI headquarters told them to return him to London and forget about him.²⁹⁶

Latest Warning #2 Khalid al-Mihdhar and Nawaf al-Hazmi

In early January 2000, the NSA monitoring of telephone conversations during the investigations of embassy bombings picked up a conversation about a meeting in Kuala Lumpur, Malaysia, which was to be attended according to the conversation, by Khalid al-Mihdhar, Nawaf al-Hazmi, and Khallad bin Attash. CIA agents tracked Mihdhar to Dubai en route to Malaysia. They broke into his hotel room in Dubai and faxed his passport on

²⁹⁵ Interview, 4-Dec-2012.

²⁹⁶ "NBC In Depth" (NBC, June 3, 2004).

which there was a multi-entry US visa to Headquarters, which informed intelligence services around the world about the travelers and asked them to probe their activities to see if there is any real threat posed by these individuals. The CIA knew that, after they met in a secret place to discuss future plans they were going to go to Bangkok, Thailand to make further contacts. The CIA made surveillance on them until they boarded a plane bound to Bangkok. After they left for Bangkok, the CIA notified their agents in Bangkok but it was too late. They disappeared once they landed Bangkok. After a few days Khalid al-Mihdhar and Nawaf al-Hazmi entered the US and settled in California where they would plan for the 9/11. The CIA did not notify other agencies of their presence even though it knew the two individuals were in the US. As to Khallad bin Attash, he continued another plan of attack overseas and finally took part in the USS Cole bombing in 2000.²⁹⁷ This clearly shows that the CIA was on the right track when they were tracking these three suspects but failed to understand that this would be a warning signal for a bigger plot in the US. Both the CIA and the NSA failed to put the names on the TIPOFF list even though they suspected them of being associated with Al Qaeda.

In fact, CIA came close to detection Mihdhar in late spring 2001. Tom Wilshire, a CIA representative to the FBI's International Terrorism Center searched a relationship between Mihdhar and Khallad, the mastermind of the Cole bombing. At one point, CIA believed that Khallad and Mihdhar were the same person but the FBI told CIA they were not. On the other hand, an FBI agent assigned to the CIA's Counterterrorist Center had been assisting in the FBI's investigation of the Cole bombing. She was tracing the movements of Fahd al Quso, who had traveled to Bangkok in January 2000 to give money to Khallad. Since this occurred right after the Kuala Lumpur meeting, the CIA

²⁹⁷ Farmer, *The Ground Truth; The 9/11 Commission Report; 9/11 and Terrorist Travel*.

shared with the FBI some of the surveillance photos taken of that meeting to see whether FBI was able to identify any of the participants. She had looked into information on al-Mihdhar on the CIA's databases and noticed that she could not share the contents of databases with criminal investigators. Therefore, CIA did not share anything about al-Mihdhar, including his having a US visa, at a meeting in June 2001 when representatives of the CIA met with the FBI in New York to get briefed on the progress of the FBI's Cole investigations. Later CIA did share with the FBI the name Khalid al Mihdhar, while still depriving the Bureau of the important details about him such as date of birth, passport number, and the like.²⁹⁸ If CIA had shared his information with either the FBI or the State Department, al Mihdhar could have been put on the TIPOFF list and denied entry to the US. Since this was not the case, al Mihdhar who at the time travelled to Saudi Arabia applied for and received a US visa, and came back to the US on July 4, 2001.

Had the CIA only shared the information about al-Mihdhar and al-Hazmi, the two would have been put under a routine surveillance, which could result in finding the others and preventing the 9/11 attacks consequently.²⁹⁹

The plot was still, however, detectable when an FBI agent, Maggie Gillespie, detailed to the CIA's Counterterrorist Center, had been searching for Hazmi and Mihdhar. She found that Hazmi and Mihdhar had traveled to US in 2000. On August 23, 2001, she notified INS, State Department, Customs, and the FBI of this information, and asked them to put Hazmi and Mihdhar on their watchlists. She told them Mihdhar's possible associations with the Cole bombers made him a risk to the national security. She added, however, that no criminal agents could be involved in the search of whether

²⁹⁸ Farmer, *The Ground Truth*.

²⁹⁹ *Interview, 5-Dec-2012.; Interview, 17-May-2012*

Mihdhar was still in the US. When the same instruction was made by a CIA supervisor the next day, FBI antiterrorism investigators got angry since they could not get intelligence on him. On August 25, 2001, the request from New York FBI's criminal investigators to open a criminal investigation of Mihdhar was rejected.³⁰⁰

The 9/11 Commission also found that Nawaf al-Hazmi was not just any hijacker but could be second-in-command of the 9/11 plot.³⁰¹ "If this warning signal had not lost, most of the hijackers would have been identified by the law enforcement. Nawaf al-Hazmi lived in Paterson, New Jersey where he met with several others from the four hijacking teams. If the local law enforcement had been notified at an earlier time, they would most probably have been investigated and found them months before the 9/11."³⁰² Zegart concludes that this was a real signal singled out of the noises and the signal was not missed. It was found and then lost.³⁰³ As explained above, the CIA failed to put them on the watchlist of the State Department on time that would deny them entry into the US. The Agency watchlisted the two in late August 2001 as a result of questions raised in May 2001 by a CIA officer on assignment at the FBI.³⁰⁴

Latest Warning #3 Phoenix Memo

The Report of House and Senate found that on July 10, 2001 Kenneth Williams, an FBI Phoenix field office agent in Arizona, sent an electronic communication (EC) to the Radical Fundamentalist Unit (RFU) and the OBL Unit (UBLU) at FBI headquarters as well as to International Terrorism squads in the FBI New York field office. His memo

³⁰⁰ John Miller, Michael Stone, and Chris Mitchell, *The Cell*, 305.

³⁰¹ *The 9/11 Commission Report*, 242.

³⁰² *Interview*, 5-Dec-2012..

³⁰³ Zegart, *Spying Blind*, 118.

³⁰⁴ *OIG Report on CIA Accountability with Respect to the 9/11 Attacks*, 13.

suggested that a large number of people are taking civil aviation-related trainings in Arizona flight schools for future terrorist activity. In his memo, he also recommended that the FBI,

- accumulate a list of civil aviation university/colleges around the country;
- establish liaison with these schools;
- discuss the theories contained in the Phoenix EC with the Intelligence Community; and
- consider seeking authority to obtain visa information concerning individuals seeking to attend flight schools.³⁰⁵

Nevertheless, no one in the FBI headquarters or in the FBI New York field office took action for his recommendations. As the Phoenix agent predicted, the memo fell to the bottom of the pile.³⁰⁶ No one sent it to the FBI's analytic unit or sharing it with the Intelligence Community for further analysis.³⁰⁷ Williams mentioned about ten people he had investigated with possible terrorist ties, one of whom was an associate of Hani Hanjour, and warned of a possible intent of OBL to send AQ operatives to American flight schools. The memo was marked "routine".³⁰⁸

³⁰⁵ An analyst at FBI headquarters conducted a study and found that each year there were about 600 Middle Eastern students attending the slightly over 1000 US flight schools. [Thompson, *The Terror Timeline*, 23.]

³⁰⁶ *Joint Inquiry into Intelligence Community Activities Before & After the Terrorist Attacks of September 11, 2001*, 20–21.

³⁰⁷ *Ibid.*, 80.

³⁰⁸ Farmer, *The Ground Truth*, 56.

Latest Warning #4 Moussaoui's laptop

The FBI agents in Minneapolis, Minnesota suspected that Zacarias Moussaoui³⁰⁹ who overstayed his student visa while taking a Boeing 747 flight training in Minnesota and who had gone to Pakistan and Afghanistan was planning to hijack an airplane. Acting on information from his flight instructor at Pan Am flight school, who contacted the FBI in Minnesota, the FBI agents in conjunction with the INS detained Moussaoui on August 17, 2001, on the immigration violation. He had \$32000 in a bank account and no reasonable explanation for his possession of that amount.³¹⁰ To get further information the agents sought a Foreign Intelligence Surveillance Act (FISA) warrant to search his belongings including his laptop. The warrant was sought because they are required by FISA to connect the contents of the laptop to criminal activity. The case agents had to be able to demonstrate that Moussaoui was an agent of a foreign power. He indeed was. The French authorities had been tracking him since 1995 and informed the FBI Minnesota that he was linked to an Islamist rebel leader in Chechnya, he travelled to Afghanistan several times, and had trained in camps there. Despite this information, the FBI headquarters declined to submit the FISA application on grounds of insufficient evidence to support a FISA warrant. On August 24, 2001, the case agent sought help from the CIA's Counterterrorist Center with the investigation. That day, the CIA sent a cable to London and Paris labeling Moussaoui as a potential suicide hijacker.³¹¹ Later investigation revealed that he was linked to al-Qaeda and became the only terrorist convicted in the US in connection with the 9/11 attacks. If Moussaoui's case had been

³⁰⁹ A French Muslim of Arab origin.

³¹⁰ Farmer, *The Ground Truth*, 63.

³¹¹ Ibid., 63.

linked to other information about OBL's plan to strike in the US, there would have been a big opportunity to derail the 9/11 plot.

Just a month ago before the attacks, the government was informed that OBL was determined to strike in the US. Before that, FBI special agent Kenneth Williams' memo suggested that disproportionate number of individuals of investigative interest were taking flight trainings in Arizona for possible plans to attack in the US. And finally, a few weeks before the attacks, the FBI Minnesota office requested a search warrant for searching the computer of Moussaoui, a suspected flight school student, but the FBI Headquarters neglected the request. If they had linked those together they would have found the clue that could lead them to the hijackers. There was failure to connect that information with other warnings, and inability to integrate them into a larger plot of terrorist activity.³¹²

Dissemination

Regarding dissemination, there were little analytical reports on Al-Qaeda, The last NIE produced before the attacks was dated 1997. Since the CIA did not wrote a new NIE between 1997 and 2001, and the FBI did not make regular threat assessments, policy makers had little to understand emerging AQ threat. The fact that the different agencies did not fully share what they knew about the individuals to each other, the finished intelligence did not go the authorities.

In terms of dissemination, policymakers wants us to give them a clear story about enemy intentions. However, as intelligence units we rarely have a clear picture. Policymakers don't like ambiguity whereas we always beset by uncertainty. As known, intelligence agencies have the challenge of signal-noise issue. Unless you have remarkable signals and credible human sources, you disseminate nothing except for general notifications.³¹³

As seen above, in every stage of the intelligence cycle, intelligence units seemed to have problems. Since threat assessments were not made properly, good intelligence

³¹² *Interview, 2-Dec-2011.*

³¹³ *Interview, 8-Aug-2011.*

was not gathered. Judicial restrictions, lack of human sources inside the terrorist groups, and clashes among different agencies on information sharing aggravated intelligence gathering activities. Analytical failures were present both in general terms and specific threads including the latest warnings. Since not adequate information is collected, dissemination is not in high quantity as well as quality.

LACK OF INTERNATIONAL INTELLIGENCE SHARING

Today, much of organized crimes and terrorist activities cross national borders. Transnational criminal organizations ranging from terrorists and drug smugglers to human traffickers and cyber criminals started to operate more freely thanks to globalization. As a result, no nation can rely exclusively on its own security agencies to protect its public from crime. Therefore, there emerged a need for intelligence institutions to cooperate with each other for solving common problems on international level. Therefore, it is very important to understand how effective the relations between the US agencies and their foreign counterparts were in order to fight against global terrorism.

When the CIA first established its specialized OBL unit, it also started develop relationships with the foreign intelligence services to penetrate his group. But the CIA was an external intelligence service that dealt with external intelligence agencies of foreign governments. Therefore, it heavily relied on information from those agencies. In fact, most reliable and actionable information was to come from domestic intelligence services of foreign governments, which were hesitant to make relations with the CIA. The FBI also expanded its liaison officers overseas between 1996-2001. Recognizing the domestic consequences of overseas events like the 1995 Bojinka Plot that included

crashing an airplane into CIA headquarters, the FBI increased the number of overseas FBI offices from 23 in 1996 to 44 by the end of the century.³¹⁴

Due to the fact that terrorists make use of everything globalisation has offered in terms of technology, communication, and transportation, our reliance on our partnerships has ever increased. We now need stronger partnerships not just in the US but all around the world. Just as a Joint Terrorism Task Force (JTTF) in New York City is important, a legal attaché in Istanbul or in Jordan is equally important. We have 66 liaison offices all around the world. We may have one thread in the New York JTTF while another in Istanbul or in London and the other in Jordan or in Riyadh. We have to follow all these threads that seem to be unrelated –but they are not, working closely together with our foreign counterparts to unravel a plot. This is the future of international intelligence sharing to better fight against terrorists. No one country can do it on its own. Any intelligence success or failure will depend on this kind of international intelligence sharing. As we have to exchange intelligence very quickly, we need to find ways to increase this cooperation. Since it is very difficult to create a global approach or multilateral mechanisms in counterterrorism, the best way to do this is through liaisons that increase mutual trust between agencies.³¹⁵

However, the CIA met this attempt with resistance. After the 9/11 attacks, the FBI increased the number of its legal attaches in overseas offices with London Office as the biggest one, where 12 agents work.³¹⁶ However, before 9/11, the CIA always resisted the FBI attempts to send its agents overseas where they could be located in the US embassies such as their CIA counterparts.³¹⁷

Before the attacks, we did not have a strong intelligence capabilities abroad, nor did we have a strong partnerships with our allies. If we consider this partnership as a security parameter beyond our borders, we did not have that parameter, either. Terrorists took advantage of all of these shortcomings. Having learned that our security begins beyond our borders, we implemented an effective cooperation strategy in terms of intelligence sharing with our partners abroad. By this way, the US became a tougher target for the same terrorists. You can always be a target; the

³¹⁴ Farmer, *The Ground Truth*, 25.

³¹⁵ Interview, 17-May-2011.

³¹⁶ Interview, 2-Dec-2011

³¹⁷ Ibid.

most important thing is to make yourself a tougher target for terrorist networks by building an effective intelligence network at home and abroad. We have disrupted many plots since 9/11 by working with our partners.³¹⁸

Another participant reinforced this point as saying:

Much of the actionable intelligence is collected from human sources. True, the US has a strong capability of technical and signal intelligence as well as financial superiority. However, we must rely on host countries in terms of getting valuable information on suspected terrorists outside the US territory. They are the ones who speak the languages of that population; they are familiar with the terrain, interacting with the population and having human sources (informants, undercovers, defectors, and agents). We actually depended on our own capabilities while neglecting the need for other countries' help in countering terrorism. We failed to combine our technical and financial capabilities with actionable human-based intelligence that we could have gained from our partners.³¹⁹

Commenting on the need for law enforcement intelligence cooperation, one official stated:

It is difficult to collect accurate and operational intelligence on terrorist movements of truly global reach such as AQ. They carefully select and train members, frequently change their modus operandi, pay a great deal of attention to its security and seek to carry out long-term planned attacks. They recruit, plan and carry out attacks in various countries including strong, failed and weak ones. Given the global nature of the threat, international intelligence sharing becomes more important in dealing with them. No state can collect useful intelligence on AQ-like global terrorist movements on its own. In addition to advanced technical and capabilities to gather intelligence, the US must rely on the collection of human intelligence with native trained intelligence personnel. Therefore, we must find ways to strengthen intelligence sharing arrangements with other foreign countries. If we want to make joint operations with our partners, we must develop relations with foreign law enforcement intelligence agencies in particular.³²⁰

³¹⁸ Ibid.

³¹⁹ Interview, 8-Aug-2011.

³²⁰ Interview, 3-May-2011.

A participant also reinforces the need for international law enforcement intelligence sharing as follows:

The US used to use CIA or the army for counterterrorism for a long time while the FBI had a secondary role for that. That is understandable if you have terrorism threat that comes from overseas and battlefields. However, it is not the case in our globalized world. Terrorists are among the public, living with us, and recognizing no boundaries thanks to global communication and transportation. Besides, you have other countries, which counter terrorism with their law enforcement units. For those countries, the only way for cooperation is to approach them with your law enforcement. If you go to them with your air force liaisons or CIA liaisons, this makes it difficult, if not impossible, for them to cooperate.³²¹

Since transnational terrorists are able to act very fast thanks to advancement in technology, transportation, and communication, so must the intelligence agencies. International intelligence sharing is therefore needed for urgent actions. However, intelligence exchange is sometimes becoming hard even between partners. For instance, when the FBI needed to link Moussaoui to a foreign power for FISA purposes and requested help from British officials, the British did not handle the case as a priority amid a large number of other terrorist-related inquiries.³²² However, as explained above the French authorities informed the FBI about his connection to radical networks overseas. After the attacks, when the same request was made to British officials, they passed valuable information about Moussaoui regarding his involvement in an Al-Qaeda training camp in Afghanistan to the United States on the same day.

In addition, the German link was a key issue in the 9/11 attacks. Atta's cell in Germany played a key role in hijacking the planes. Commenting on the German cell, one official said:

³²¹ *Interview, 17-May-2011.*

³²² *The 9/11 Commission Report*, 274.

Some plotters including Atta were college students in Germany. German intelligence had been following some of them because of their suspicious presence in Afghanistan, possibly for jihadi training reasons. They were part of an AQ cell in Hamburg, some seeking for flight trainings in the US.³²³

Another figure in Germany was Mahmoud Darkazanli who an AQ operative in Hamburg. He was linked to Mohammad Atta and his recruiter, Muhammad Zammar. He owned a company selling electronics, which was used by AQ for financial transaction. As a suspicious financier, he was put under surveillance in Germany upon several requests from the US intelligence. German intelligence stopped following him because of lack of evidence, therefore FBI had to send his agents to Germany to follow him without informing BKA, German domestic intelligence agency. However, FBI agents had to stop following him once BKA discovered their activities. If BKA had insisted the court that they should have continued to follow his activity or FBI agents had not been forced to pull back, then Atta and probably others could have been identified as 9/11 conspirators.³²⁴ As seen, some key figures were from Hamburg cell in Germany. If the US intelligence community had had better information sharing with German intelligence, the 9/11 plot could have been stopped in Germany.³²⁵

We used to get other general warnings from our counterparts like the British, Germans, Egyptians, Jordanians, and Russians on Islamists activities. They mentioned about AQ's plans to use hijacked planes to carry out attacks, to send students to the US to get flight trainings for these missions. However these were not specific intelligence that made us on alert. We just received the general warnings from our partners but what we lacked and desperately needed was more detailed information about those activities.³²⁶

³²³ Interview, 3-Dec-2011.

³²⁴ Gerald L. Posner, *Why America Slept: The Failure to Prevent 9/11* (Ballantine Books, 2004), 167–195.

³²⁵ Interview, 3-Dec-2011.

³²⁶ Interview, 8-Aug-2011.

Since AQ was truly a global network, the fight against it should have been global. The US agencies seemed to fail to create a network of intelligence around the world. Instead of establishing good partnerships with other countries, particularly related countries such as Saudi Arabia, Pakistan, Afghanistan, Yemen, and the like, they relied on their own sources, which proved to be poor.

CONCLUSION OF THE CHAPTER

The case study of the 9/11 attacks examined above shows how state policy/bureaucratic barriers, organizational obstacles, defects in intelligence cycle, lack of international intelligence sharing, and the capability of perpetrators contributed to intelligence failures leading to consequent mass casualty attacks carried out by members of Al-Qaeda headed by OBL on September 11, 2001 in the United States. In general, just as the governmental reports about intelligence failure in the 9/11 attacks including *9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States*, *9/11 and Terrorist Travel: A Staff Report of the National Commission on Terrorist Attacks Upon the United States*, *The Joint Inquiry into Intelligence Community Activities Before & After the Terrorist Attacks of September 11, 2001*, and *OIG Report on CIA Accountability with Respect to the 9/11 Attacks* suggested, this study is also in the parallel view of those reports. The researcher found that there are a lot of deficiencies in governmental and organizational levels that contributed to intelligence failure in the 9/11 case. The researcher found that there were enough signals that could have been used to prevent the 9/11 attacks had the dots been connected and had the information sharing between and inside the agencies been in place on a timely basis. In short, if the

intelligence community had not mishandled key leads before 9/11, the 9/11 attacks could have been prevented. Among the failure points examined above, seven points stand out as the most significant factors that contributed to intelligence failure in the 9/11 case.

First and foremost, the lack and absence of intelligence sharing within and between agencies was the most significant factor causing intelligence failure in this case. It seemed that over the decades, every part of the intelligence community created a wall for outside interference, estranging itself from the other parts of the intelligence community. Thus, the pieces of information were out there but the wall between agencies prevented them to connect the dots to come up with a meaningful analysis and actionable intelligence about terrorist activities on the US soil.

Second, the US institutions fought with the so-called “new terrorism” with the Cold War mentality. The administrations failed to adapt to problems of the new challenges of the twenty-first century. They did not pay more attention to non-state threats while they continued to devote more energy and resources to threats coming or would come from nation states. They thought that the boundaries of the US were so strong to be penetrated while in fact they were delicate. Furthermore, policy makers did not seek to remove judicial restrictions on FBI’s intelligence gathering at home while they did not full authority to CIA to make covert actions against OBL overseas.

Third, organizational structure of FBI as well whole intelligence community was out-dated. The intelligence gathering was conducted by separate agencies where there was no coordinating body inside the Intelligence Community. As the case of two hijackers, Nawaf al-Hazmi and Halid al-Mihdhar, showed, information was lost across the separate foreign and domestic intelligence agencies. The FBI’s decentralized structure

with separate field office culture further prevented a uniform understanding of the threat and the response. This fragmentation structure of the FBI also made difficult for the agency to adapt to changes required by headquarters. In addition, the FBI's old focus on prosecution rather than intelligence undermined the agents' capability, attention and willingness to gather intelligence. Furthermore, they failed to manage funds, which were redirected from counterterrorism programs to other priorities unrelated to counterterrorism efforts.

Fourth, in terms of problems with intelligence cycle, the threat assessment remained in documents and was never put on motion accordingly. Among the things that were known to intelligence community was:

- ✓ the use of hijacked planes for terrorist attacks as in the the 1994 Eiffel Tower plot, the 1995 Bojinka case, and the 2001 G8 summit plot in Italy;
- ✓ the jihadists' aims to strike inside America as in case of the 1993 World Trade Center attack and the Millennium plot;
- ✓ the OBL's declarations of jihad against America between 1996 and 2001 and plans to carry out a big attack in the US.

Despite all of this, collection activities were humble which in turn caused poor analytical and actionable intelligence reports to be disseminated to the policy-makers.

Fifth, even though a systemic failure had occurred in the days, weeks, months and years leading up to 9/11, there were still some changes to prevent the attacks before they occurred. The missed opportunities to thwart the 9/11 plot, explained above, including the cases of Khalid al-Mihdhar and Nawaf al-Hazmi, Phoenix memo, and Moussaoui's

laptop, if shared and compiled with other intelligence, could have led the intelligence units to identify key figures of the hijacking teams.

Sixth, the US intelligence community failed to establish strong partnerships with foreign intelligence agencies so that they could gain much from their intelligence gathering from human sources. For transnational cases, it is particularly difficult to piece together information from other sources. The US relied on friend countries such as the UK, Germany and Israel while ignoring strategic partners such as Saudi Arabia, Pakistan, Jordan, Turkey and the like. Those countries could have been more helpful to give detailed and actionable intelligence through their HUMINT efforts had a mutual trust in intelligence sharing with those countries been established.

Last, the capability of AQ compounded failure points explained above. 9/11 was an outcome of five-year planning and preparing for it. The AQ leadership discussed plans to carry out a big attack in the US with hijacked planes in 1996. From the late 1998 on, the planes operation passed from planning to implementation stages. The operatives got trained militarily, culturally and ideologically. They studied airline security, learning the weaknesses of the system. They took advantage of German, Saudi and Emirati passports in getting visas and gaining entry to the US. They acted as normally as an ordinary citizen. Besides, already a rich man, OBL had found no difficulty to finance the attacks. Having learned from past successes and mistakes, he remained patient, planning the attacks carefully for maximum impact. The operatives became well-trained, well-funded, and well-prepared for the attacks while they also acted on secrecy to avoid intelligence radar, in which they succeeded.

To sum up, the US intelligence community did not foresee the coming attacks; however, these unforeseen attacks were not unavoidable if some flaws had not existed. If the wall between separate intelligence agencies had not existed, judicial restrictions on FBI's intelligence gathering had not been in place, and the FBI and the CIA analysts had pieced together some information related to the latest warnings explained above, some key members could have been fell under the radar of intelligence, which in turn may have helped intelligence agencies to preempt the attacks.

5. THE CASE OF NOVEMBER 15-20, 2003

INTRODUCTION

On November 15 and 20, 2003, a group of Turkish jihadists made simultaneous suicide attacks against British and Jewish interests in Istanbul, killing 61 people and leaving 770 wounded. The targets were two synagogues, the British Consulate, and HSBC Bank.

The first bombing occurred on Saturday, November 15, 2003. A bomb-laden truck hit the Neve Salom Synagogue, on Saturday at 09:30 am. Thirteen people, including the suicide bomber, Gokhan Elaltuntas, died, and 107 people were wounded. The second attack came at 09:35 am, just five minutes after the first bombing. Another bomb-laden truck hit the Beth Israel Synagogue, killing fourteen people, including the suicide bomber, Mesut Cabuk, and wounding 213 people.

Five days later, on Thursday, November 20, 2003, at 10:55 am, another bomb-laden truck exploded in front of HSBC Bank in Istanbul. Fifteen people, including the suicide bomber, Ilyas Kuncak, died, and 192 people were wounded. Half an hour later, at approximately 11:00 am, another bomb-laden truck drove into the British Consulate building in the Beyoglu district of downtown Istanbul, killing nineteen people, including the suicide bomber, Feridun Ugurlu, the British Counsel General, Roger Short, and two police officers working in front of the gate for the protection of the Consulate building, while wounding 258 people.

Although those who planned, guided, and supported the attacks left the country just before or after the attacks, Turkish Police Intelligence was able to identify the perpetrators and the supporters within days and Turkish Police apprehended most of the prominent figures in one month. While this was regarded by some as a police success in

terms of finding the plotters, it was also regarded as an intelligence failure in terms of predicting and preventing the attacks.³²⁷

These devastating attacks surprised not only the Turkish public but also security agencies. Nobody within the intelligence community including Turkish National Intelligence Agency (MIT) and Police Intelligence Department (IDB) had predicted that such an attack could occur in Turkey. True, Turkey has faced numerous terrorist attacks by various terrorist groups³²⁸ during the twentieth century, but it had never seen such big, simultaneous and organized terrorist attacks. Therefore, these attacks were called the 9/11 of the Turkish Republic.

Who planned, organized and executed the attacks? How did the plotters and perpetrators escape the intelligence radar? How come nobody inside the intelligence community had a clue about the coming attacks? All these questions led to the examination of these attacks in more detail in this study.

The Turkish police have identified the plotters and perpetrators within 4 days. They found the attacks were carried out by a group called “Al-Qaeda in Turkey” (AQT) headed by Habib Aktas. Some officials also prefer to call the group “Habib Aktas Group of Al-Qaeda in Turkey” because over time many separate groups of Al-Qaeda in Turkey led by different figures emerged.³²⁹

During the investigation, the police arrested 245 suspects with weapons, ammunition, and chemical substances within a short time. Sixty-two of them were convicted and jailed. Although this can be seen as an intelligence success, more

³²⁷ *Interview, 10-Aug-2012.*

³²⁸ Mainly the Kurdish separatist group known as PKK (Kurdistan Workers Party), Marxist-Leninist group known as DHKP/C (Revolutionary People’s Liberation Party/Front) and religiously-motivated and Iran-backed radical group known as Turkish Hizbullah (Party of God).

³²⁹ *Interview, 13-Apr-2012.*

significantly, it can be considered as an intelligence failure in terms of preventing and predicting the attacks.

To understand the attacks and to see the intelligence failure in this case, I start by examining the capabilities of the perpetrators. For this, I largely depend on the testimonies and the accounts of those who planned, prepared, financed and helped to execute the attacks as well as interviews and governmental sources. Second, I will explain government/bureaucratic failures from the views of officials working in law enforcement intelligence. Third, I will describe the organizational obstacles that caused the intelligence community to fail to prevent the attacks. Fourth, I will address defects in the intelligence cycle by incorporating analytical problems with threat and warning indicators. Finally, I will seek to shed light on the importance of international intelligence sharing in these attacks.

THE CAPABILITY OF PERPETRATORS

Characters and the Plot Summary

The 2003 Istanbul attacks were carried out by a terrorist group called “Al-Qaeda in Turkey” (AQT) headed by Habib Aktas. Aktas is:

an Arab-origin Turkish citizen who was born in Mardin Province in 1973. He had been in training camps in the Af/Pak region since 1994. He studied in the International Islamic University in Pakistan. Being an Arab led top leaders in Al-Qaeda Central to favor him and trust him. Before the attacks, he went to Iraq for jihad, joined the Abu Musab al-Zarqawi group and [later] died there during the American bombardment of Fallujah on September 8, 2004. He was known in his jihadi circles as Ebu Enes et-Turki.³³⁰

³³⁰ *Testimony, 24-Nov-2003.*

This group was similar to other worldwide local groups inspired and/or supported by Al-Qaeda Central (AQC). According to several testimonies, AQT members are proud to be Al-Qaeda warriors who choose violent jihad as a way of life. It is understood from the testimonies that anytime Al-Qaeda orders an attack in a country, affiliated members make those attacks against British, Jewish, and American interests at that country.³³¹

Describing the group, a participant explained that:

The group franchised by Al-Qaeda and headed by Habib Aktas has a *shura*³³² structure with top leaders who manage lower cadres. The leadership is responsible for recruiting people and leading them to participate in future attacks. All of the top leaders have participated in religious and military trainings in the Afghanistan/Pakistan (Af/Pak) region and joined the fight in conflict/jihadi regions. The lower cadres have to make *bay'at*³³³ to Habib Aktas.³³⁴

The *shura* led by Habib Aktas consists of Gurcan Bac, Harun Ilhan, Adnan Ersoz and Baki Yigit. Out of five *shura* members, Baki Yigit later broke off from the group because of internal conflicts he had with the group; Adnan Ersoz was made to leave the group due to the fact that Habib Aktas believed he had become known to the intelligence agencies. The police know Gurcan Bac as:

one of Habib Aktas' top friends. Born in Manisa Province in 1971, Gurcan Bac was the mastermind of the HSBC and British Consulate attacks. He made the false documents together with Habib Aktas. He used code names while interacting with his business circles. He replaced Baki Yigit in the *shura* structure after Baki Yigit left the group. He died in Iraq as a result of the American bombardments.³³⁵

³³¹ Testimony, 19-Dec-2003.; Testimony, 2-Feb-2004.; Testimony, 25-Aug-2005.; Testimony, 27-July-2005.; Testimony, 7-Aug-2005.

³³² *Shura* is an Arabic word for "consultation". It is used by Muslim groups to demonstrate that people on the top structure decide their affairs in consultation with those who will be affected by that decision, which is in accordance with the Islamic tradition as well as the way of life of the Prophet Mohammad.

³³³ The word "bay'at" is used in the Arabic language for the oath of a full allegiance to a leader of a group or of an Islamic sect.

³³⁴ Interview, 9-Sep-2012.

³³⁵ Interview, 7-May-2011.

Harun Ilhan is known as:

the organizer of the synagogue attacks. Born in Konya Province in 1971, Harun Ilhan also replaced Baki Yigit in the *shura* structure after Yigit left the group. He joined radical groups while he was studying in the Department of Turkish Language and Literature at Marmara University in Istanbul. He is also related to Baki Yigit (the husband of his sister). He is married and has one son. Formerly, while in college, he acted as the leader of a group called Muslim Youth, which published a magazine by the same name. He went to the Af-Pak region in 1995 and got military and religious training there. He returned to Turkey in 2000. He met Habib Aktas in Istanbul for business reasons. After he joined the group he became responsible for coordinating the affairs of Turkish people who were to go to jihadi/conflict areas.³³⁶ Apprehended in Konya in December 2003, Harun Ilhan was also linked to a group in Konya headed by Seyit Ertul, who was also inspired by the Al-Qaeda ideology and aimed at striking American interests in Turkey.³³⁷

And Adnan Ersoz is known as:

the courier between Al Qaeda Central in Af-Pak and Turkey. Born in Kastamonu Province in 1970, Adnan Ersoz served as a connection point between Al-Qaeda and Turkish militants who wished to join Al Qaeda. He has an undergraduate degree in political science from Istanbul University. He got religious and military training in Pakistan and Afghanistan between 1996-1998. He is married and has two children. He met Habib Aktas while studying in Pakistan. He shared the same room with Habib Aktas in a dormitory there. He was the first among the group who went to Af-Pak for jihadi training. While in Afghanistan, he arranged a living place for his friends, Habib Aktas and Baki Yigit. When Habib Aktas and Baki Yigit arrived in Afghanistan in August 2001, Adnan joined them and they started their active jihadi plans in Afghanistan. Later he worked with Habib Aktas at the same company in Istanbul. He did not complete his compulsory military service. Neither he nor his family had criminal records in police archives. He read Sayyid Qutb and Mawdudi. He received religious and military training in Halden camp in Afghanistan, which was led by Libyan Ibn Seikh, who was later sent to Guantanamo upon apprehension by the American forces.³³⁸ Ersoz was apprehended while he was trying to enter Turkey. Adnan had never agreed to be a suicide bomber because he believed that he was not prepared for it.

³³⁶ *Testimony, 25-Aug-2005.*

³³⁷ *Interview, 13-Apr-2012.*

³³⁸ *Testimony, 19-Dec-2003.*

He knows that being a suicide bomber requires some religiously motivated training.³³⁹

And Baki Yigit is:

a former *shura* member of AQT. Born in Kayseri Province in 1966, Baki Yigit dropped out of college. He worked as a graphic artist for some time. He joined religious circles while in college. He got married in 1996. He met Habib Aktas and Adnan Ersoz on the recommendation of Harun Ilhan, his brother-in-law, in 2000. He first went to Afghanistan because he was evading military service. He went there with Habib Aktas. After 9/11, he moved to Pakistan out of concern about the American attacks against Afghanistan. Baki Yigit later broke off from the group as a result of a dispute with top leaders about the attacks. In 2002, he returned to Turkey. Since he cut ties with the group, he did not know the details of the attacks. He was apprehended in Istanbul in January 2004 and said in his testimony that he did not approve of the attacks.³⁴⁰

The *shura* was responsible for helping people who wanted to go to jihadi/conflict regions like Chechnya and Afghanistan. The top leaders of the group acted in coordination. For instance, while some members of the *shura* were in the Af-Pak region, some including Harun Ilhan and his aide, Ahmet Cemal Bugdayci³⁴¹, stayed in Turkey to coordinate affairs domestically.

The starting point of the Istanbul bombings is explained in one of the testimonies as follows:

While we were in Afghanistan in 2000, we stayed in a guesthouse belonging to Ali Uzun.³⁴² Other Turkish jihadists including Ahmet Demir, Gurcan Bac, Hakan Caliskan,³⁴³ and Mesut Cabuk stayed at al-Farouq

³³⁹ Interview, 13-Apr-2012.

³⁴⁰ Testimony, 2-Feb-2004.

³⁴¹ Ahmet Cemal Bugdayci used the passport of Suleyman Ugurlu, the brother of Feridun Ugurlu, for traveling abroad.

³⁴² Born in 1960 in Amasya, Ali Uzun has been a long time warrior in Af/Pak region. He went to Afghanistan in 1984 for jihad against Russians. When he got there there was no Turkish jihadist except for him. Since 1984, he has gone to Af-Pak region for 17 times. He married to an Iraqi woman and has 2 children. He had his own military training camp in Afghanistan. He and Habib Aktas acted as the leaders of the Turkish jihadists who participated in jihad in the region [Testimony, 14-Apr-2004.]

³⁴³ Apprehended by the police after the attacks, Hakan Caliskan was also a member of Al-Qaeda in Afghanistan and had plans to attack American and Israeli interests in Turkey. He stayed and got military

training camp in Kandahar, which was the only open camp for training for foreign jihadists at that time. In this camp, the training consists of 4 stages called *basic training*, *electronic devices training*, *mapping training*, and *explosive training*.³⁴⁴ Habib Aktas met with Mohammed Atef, also known as Abu Hafs al-Masri, the military chief of Al-Qaeda, and the number two in the organization, and told us that al-Masri had given him two options: either make a full *bay'at* to Al-Qaeda Central or continue jihad on his own. We preferred not to make *bay'at* to Al-Qaeda Central at this stage. Later, we discussed a plot against TUSIAD³⁴⁵ members. Hakan Caliskan offered this plan, the aim of which was to take 10-15 TUSIAD members hostage during one of their meetings and request ransom of one billion dollars. We were to take the money and return to Afghanistan by renting an airplane. If something went wrong, we were to kill all of the TUSIAD members. We shared this plan with al-Masri but he refused to help us with this plan because he believed that an attack in which some would martyr themselves for 10-15 TUSIAD members was not worth doing. Instead, he offered another plan, which would take place in Turkey, and asked for our help. His plan was to attack an Israeli tourist ship carrying Jewish tourists coming to Antalya.³⁴⁶ We said to him that we agreed with him on that plan and even offered him that we ourselves could carry it out. After a while, he gave us \$8.900 to be used for the attack. Later, Habib Aktas, Adnan Ersoz, and I met with Osama bin Laden (OBL) in Kandahar on September 2, 2001. We had breakfast together. Al-Masri and Khalid Sheikh Mohammed³⁴⁷ were also present next to Osama Bin Laden. This was an acquaintance meeting and we talked for about an hour. OBL explained at that breakfast that his grandmother was a Turk. He told us that the main goal of Al-Qaeda attacks is not the country itself where the attacks are carried out. The target is America and Israel or any American or Israeli place in any country. He went on to say that Muslims all over the world are oppressed and unhappy because of American and Israeli politics and all Muslims must join Al-Qaeda's jihad to fight against America and Israel. We did not talk about the planned attacks in Turkey with OBL. We talked about it later with al-Masri.³⁴⁸

training in this camp together with Habib Aktas and Gurcan Bac. He saw Osama bin Laden visiting their camps, al-Farouq, twice during his stay there [*Testimony*, 6-Dec-2003.]

³⁴⁴ The one who completed all of these stages was Mesut Cabuk, one of the suicide bombers.

³⁴⁵ TUSIAD is the Turkish acronym for Turkish Industrialists' and Businessmen's Association. It is the top business association of Turkey. The group believed that TUSIAD is a good target since it has many associated members from the Turkish Jewish community.

³⁴⁶ Adnan Ersoz also confessed in his testimony that al-Masri had another plan which was to attack Incirlik American airbase located in Adana and a ship carrying Jewish tourists coming to Mersin port [*Testimony*, 19-Dec-2003.].

³⁴⁷ The presence of Khalid Sheikh Mohammed at that breakfast made Habib Aktas worried when he learned about the capture of Khalid Sheikh Mohammed in March 2003 by the American forces. The reason of his anxiety is the possibility that Khalid Sheikh Mohammed can reveal their plot in Turkey to American officials and American officials can share the information with their Turkish counterparts [*Testimony*, 25-Aug-2005.]

³⁴⁸ *Testimony*, 2-Feb-2004.

After the American bombings of Afghanistan in late 2001, most of the camps including the Turkish camp were destroyed and thus the Turkish jihadists were to return to Pakistan or Turkey to continue their activities.

After they returned to Turkey in 2002, Habib Aktas, Gurcan Bac and Harun Ilhan gathered together to select targets. They first decided to attack the Adana-Incirlik military base, an Israeli ship, American/Israeli consulates, or synagogues. They calculated the cost and decided to get some money from Al-Qaeda Central in Pakistan. They communicated with Adnan Ersoz who was at that time in Pakistan as a liaison, and told him to provide \$150,000 from Al-Qaeda Central. Adnan Ersoz talked to al-Masri about this plan. Al-Masri agreed on that amount and pledged to give it to Adnan Ersoz in early 2003. Al-Masri ordered Adnan Ersoz to have members in Turkey open bank accounts with fake identities and said they would send the money in small amounts to those accounts. At that time, Habib Aktas believed that it was getting late and Adnan Ersoz might not be able to get the money. At the same time, he contacted with Louai Sakka³⁴⁹ and got \$50,000 from him and \$100,000 from another Al-Qaeda member in Iran. Later, Habib told Adnan that he no longer needed the money because he got the money from other sources. Thus,

³⁴⁹ Louai Sakka was the bridge between Habib Aktas and Al-Qaeda Centre and the most important Al-Qaeda member ever caught in Turkey. He was a Turkish origin who was born in Hatay Province. He was responsible for middle eastern affairs in Al-Qaeda structure and was directly meeting with OBL. He was using more than thirty false passports and ten code names. He was known to Turkish jihadits as Alaeddin, Syrian, Ala Fettahi or Abu Muhammad. Sometimes he was called as al-Turki by Al-Qaeda members. MIT interrogated him before 9/11 based on information given by CIA and deported him. CIA also interrogated him before but neither CIA nor MIT solved what kind of person he was. He was one of few people who knew when and how the 9/11 attacks would occur. He knew some of the 19 hijackers. He told one of his friends on the day of 9/11 attacks to turn on the TV and watch the attacks against the twin towers. He was planning to attack an Israeli ship coming to Antalya in August 2005. For this, he rented a yacht by 70.000 US Dollars. He was to put one tone bomb material to the yacht and crash it into an Israeli ship. His aim was to finish the attack that had been previously supposed to take place in 2003. While he was preparing for the attack, the bomb materials he put together set fire in his rented apartment in Antalya and left the apartment immediately. After the fire, police followed his steps and captured him in Diyarbakır Province. He was interrogated in Istanbul. [Faruk Mercan, *Savascinin Donusu* (Istanbul: Dogan Kitap, 2006), 20–45.]

Adnan stopped searching for the money, although he arranged to get the money from al-Masri.³⁵⁰

After the reconnaissance of American and Israeli consulates in Istanbul, they decided to abandon their plans against these places because they saw that these buildings were very well protected and it was difficult to create a mass casualty. Therefore, they concluded to attack a ship carrying Israeli tourists in Antalya.³⁵¹

The group started to obtain dynamite to be used in the attacks. The attacks were supposed to be carried out in 2002 using dynamites. However, realizing that getting dynamite and doing business in the dynamite industry were very difficult and required excessive bureaucratic regulation, they changed the planned attack and postponed the attacks for summer 2003.³⁵² Since they found it hard to work in the dynamite industry, they decided to set up a detergent company in which Habib Aktas could easily make explosives. They opened a chemical firm named *Gokkusagi* under the name Fevzi Yitiz in August 2003. Born in Van Province in 1972, Fevzi Yitiz is:

a college dropout. He went to the Af-Pak region due to his inability to pay tuition fees for college. In Afghanistan he got military training. He met and lived with Habib Aktas while in Af-Pak and adopted Al-Qaeda ideology. Upon his return to Turkey, he started to work for a construction firm. He fell from a building under construction while working and broke his lower back. Being a disabled man, he found difficulty in finding a good job. He got married in 2003. Before the attacks, Habib Aktas told him to leave the country for Iran and find Adnan Ersoz there. He gave him some email addresses and 1,200 Euros. Fevzi Yitiz arrived in Iran on November 12, 2003 and watched the attacks on TV. He repented after the attacks because he thought that the attacks targeted innocent people. On his return to Turkey, the police apprehended him.³⁵³

Fevzi Yitiz said in his testimony that:

³⁵⁰ *Testimony, 19-Dec-2003.*

³⁵¹ *Testimony, 25-Aug-2005.*

³⁵² *Ibid.*

³⁵³ *Testimony, 20-Feb-2004.*

In August 2003, Habib called me and told me that they would open a detergent firm. Since I was a disabled man, the firm was opened in my name, because the tax was lower for the disabled. Habib and Gurcan told me that they would carry out a big suicide bombing and offered me the chance to become a suicide bomber. He insisted on this offer but I refused. In October 2003, Habib Aktas, Gurcan Bac, Burhan Kus, and I started to produce explosives in *Gokkusagi*, located in Ikitelli Metalis Industrial Site, working day and night. Burhan Kus³⁵⁴ brought the chemical materials that I did not know where to get. When I asked about these materials they told me that it was none of my business. They only told me that these materials³⁵⁵ were to be used for bomb making and the firm *Gokkusagi* was only for show.

While Habib Aktas, an expert in making explosives due to his training in the Afghan camps, prepared the bomb materials, Gurcan Bac made the electrical installation for the bombs, and Burhan Kus helped find the trucks and transfer them to relevant places. Fevzi Yitiz, Osman Eken (another member of AQT) and Feridun Ugurlu helped to produce the explosives. In a month and a half month, the explosives were ready. They had produced 2,350 kilograms (5,181 pounds) of bomb materials. In each truck, there were 36 bags with 50 kilograms (110 pounds) of bomb materials in each.³⁵⁶ The reason for such a large quantity of bomb materials was to devastate the HSBC building and blow up the Israeli ship.³⁵⁷

The purchase of the four trucks, which were to be detonated, was completed by October 2003. The owner of the truck used in the Neve Salom Synagogue attack was Ahmet Ugurlu, the father of suicide bomber Feridun Ugurlu. The owner of the truck used

³⁵⁴ Burhan Kus, Habib Aktas's nephew, was the driver of the group. He taught Feridun Ugurlu, one of the suicide bombers, how to drive. When he was offered by Habib Aktas to become a suicide bomber, he rejected it. He was captured together with Sadettin Aktas, another member of AQT, by the American forces while they were fighting in Iraq and put in Abu Gurayb prison in 2005. [*Testimony*, 27-July-2005.]

³⁵⁵ The explosive was made of nitric acid, hydrogen peroxide, hydrochloric acid, acetone, beher, aluminium powder and fertilizer [*Interview*, 9-Sep-2012.]

³⁵⁶ *Ibid.*

³⁵⁷ *Ibid.*

in the Beth Israel Synagogue attack was Metin Ekinici, the brother of Azat Ekinici.³⁵⁸ The owner of the truck used in the HSBC Bank attack was Yuksel Celebi, and for the truck used in the British Consulate attack was Cahit Ozturk.³⁵⁹

The bomb materials were put into the four trucks in early November 2003. Gurcan Bac made the electrical installations in the trucks, making a switch near the steering wheel to activate the bomb installations. He had returned the safety deposit box key³⁶⁰ to the bank on October 27, 2003. The last meeting among the group members was done in Osman Eken's house with the participation of Habib Aktas, Gurcan Bac and Harun Ilhan. Habib Aktas told the members that everything was ready and explained the plan. According to the plan, Gurcan Bac and Feridun Ugurlu³⁶¹ would attack the Israeli ship coming to Antalya; Gokhan Elaltuntas³⁶² would attack the Neve Salom Synagogue under the watch of Harun Ilhan; Mesut Cabuk³⁶³ would attack the Beth Israel Synagogue under

³⁵⁸ Born in Bingol, Azat Ekinici is a key person in these attacks. Formerly, he was a drunk person, addicted to playing gambles. Azat Ekinici was wiretapped and followed by MIT while he was a college student in Istanbul University, Department of Religious Affairs. Bingol and Mardin Police Intelligence units had also followed and wiretapped Azat Ekinici in 1997. The police intelligence had a lot of information in his dossier. He was followed and wiretapped because of his suspicious presence in Afghanistan camps. Just a year ago before the Istanbul bombings, Istanbul police intelligence unit also wanted to follow him. However, MIT told the police not to follow him because they were following him. Azat Ekinici died in Iraq by making a suicide attack against a police station in Iraq. As will be explained later, this is one of the failure points. If he had been followed by the police, the group may have been disclosed before the attacks took place [*Interview, 15-Apr-2011.*]

³⁵⁹ *Ibid.*

³⁶⁰ Gurcan Bac opened a bank account in a bank in Istanbul in December 2002 on his name and rented a safety deposit box for a year in order to put the money given by AQC for the attacks into it.

³⁶¹ Born in Istanbul in 1976, Feridun Ugurlu is one of the four suicide bombers. He went to Pakistan for religious training in 1996. He made regular religious meetings promoting Salafi/Wahhabi thought with his circles after he returned home. Other people knew him as Yasin Ugurlu. He is married and has a daughter [*Testimony, 17-June-2004.*]

³⁶² Born in Bingol in 1981, Gokhan Elaltuntas, another suicide bomber, was a member of al-Qaeda in Turkey. He was engaged just before the bombings and was about to get married soon. Until he met Azat Ekinici, Gokhan Elaltuntas was a calm person, addicted to entertainment. He was at the time working in a store selling cell phones and computer spare parts [*Testimony, 18-Nov-2003.*]

³⁶³ Born in Bingol in 1974, Mesut Cabuk, the suicide bomber, was a member of al-Qaeda in Turkey. He lost his mother when he was 2 years old and was raised by his aunt after his father made the second marriage. Although he registered for the university, he did not participate in classes regularly and consequently left the college. He went to Pakistan for religious training and got married in 2000. He had

the watch of Yusuf Polat³⁶⁴; and Ilyas Kuncak³⁶⁵ would attack the HSBC Bank. Harun Ilhan would be the one to organize the attacks in Istanbul. After the installation of bomb materials was complete and the last meeting was held, all of the group members except the suicide bombers were instructed by Habib Aktas to leave the country and go abroad after the attacks. He himself went to Syria before the attacks.³⁶⁶

The attack against the Israeli ship in Antalya would take place on November 7, 2003. After this attack was carried out, Gokhan Elaltuntas would hit Neve Salom with the support of Harun Ilhan on November 8, 2003. Simultaneously, Mesut Cabuk would hit Beth Israel as soon as Yusuf Polat, the watchman, was ordered by Harun Ilhan. Lastly, Ilyas Kuncak would hit the HSBC Bank on November 10, 2003, after Harun Ilhan called him. If the Israeli ship did not come on the planned day, Gurcan Bac would call Harun Ilhan and postpone the attacks until the next week. If the ship still did not come in the second week, then Harun Ilhan would call the suicide bombers to attack the synagogues and the HSBC Bank anyway.³⁶⁷

Gurcan Bac and Feridun Ugurlu went to Antalya with the bomb laden-truck. Gurcan Bac had done the reconnaissance and gathered intelligence on Israeli ships coming to Antalya as well as the synagogues in Istanbul earlier. The truck Feridun Ugurlu drove traveled 722 km (448 miles) between Istanbul and Antalya. They started to

two children from this marriage. Days before the attacks he was jobless and living with his aunt in Bingol, only reading books at home [*Testimony*, 3-Dec-2003.]

³⁶⁴ Born in 1974 in Malatya, Yusuf Polat has never been abroad. He has no criminal record in police archives. He met AQT members with the recommendation of Feridun Ugurlu, the suicide bomber, whom he met in a mosque. He was apprehended by the police while leaving Turkey for Iran on November 25, 2003 [*Testimony*, 9-Dec-2003.]

³⁶⁵ Born in Ankara in 1956, Ilyas Kuncak, the suicide bomber, was known as a drunk person who was also addicted to gambling. He was not involved in any radical groups before and had never been abroad. He was joined the group after he met Feridun Ugurlu, the suicide bomber. On November 17, 2003, three days before he hit the HSBC Bank, he told his family he was going abroad for jihad [*Testimony*, 25-Nov-2003.]

³⁶⁶ *Interview*, 15-Apr-2011.

³⁶⁷ *Ibid.*

wait for the ship but it did not come on November 7, 2003 because of weather conditions. Gurcan Bac called Harun Ilhan and informed him that the ship had not come to Antalya. Upon receiving this information, Harun Ilhan called the others (Yusuf Polat, Gokhan Elaltuntas, and Ilyas Kuncak) to postpone the attacks until the next week.³⁶⁸

Habib Aktas came to Istanbul on November 8, 2003, to Istanbul and asked why the attacks were not carried out. Harun Ilhan told him that the ship did not come on November 7th, 2003 and the attacks were postponed for one week. The ship did not come the next week, either. Gurcan Bac called Harun Ilhan on November 14, 2003 and explained the situation. On the same day, Gurcan Bac and Feridun Ugurlu left Antalya and came back to Istanbul. Since the Antalya plan had not been implemented, they decided to use the bomb-laden truck against the British Consulate in Beyoglu, Istanbul. After they agreed on the new target, Harun Ilhan ordered the others to carry out the attacks on November 15, 2003.³⁶⁹

On November 15, 2003, the synagogue attacks were carried out simultaneously. Neve Salom was hit by suicide bomber Gokhan Elaltuntas, under the watch of Harun Ilhan at 09:30 am. Beth Israel was hit by suicide bomber Mesut Cabuk, under the watch of Yusuf Polat, at 09:35 am as soon as he was ordered by Harun Ilhan to act. In the synagogue attacks, twenty-seven people, including the suicide bombers, died and 320 people were wounded.³⁷⁰

On November 20, 2003, the HSBC Bank and the British Consulate were bombed simultaneously in Gurcan Bac's leadership. Ilyas Kuncak hit the HSBC Bank at 10:55 am, while Feridun Ugurlu hit the British Consulate at 11:00 am. In these two attacks,

³⁶⁸ Ibid.

³⁶⁹ Ibid.

³⁷⁰ Ibid.

thirty-four people, including the suicide bombers, died, and 450 people were wounded.³⁷¹

In total, sixty-one people were killed and 770 wounded.

Although the last two attacks came five days after the first two attacks, the security agencies could do nothing but watch. All of the attacks were carried out successfully, showing the capability of the group.

What is interesting about the targets is that the group members first targeted Israeli interests in Turkey. As an intelligence executive explained:

Many radical groups, including AQT, believe that Israel is the most dangerous enemy for them. They think that the Israeli or Jewish lobby controls even the United States. Therefore when we look at the initial targets (synagogues, an Israeli ship, and HSBC³⁷²) all of the four targets were believed by the group to be Jewish and Israeli interests.³⁷³

Mindset and Background Characteristics of the Group Members

AQT members hold the *Salafi* thought as other AQ groups. Most of them understand Salafism as jihad and violence. They consider jihad as indispensable as daily prayers and Ramadan fast. They put jihad second only to believing in God. When asked what they understood with this school of thought, one of the group members explained:

Salaf means predecessor, a *salafi* follows the earliest Muslims such as *Sahabah* (the companions of the Islamic Prophet, Muhammad), *Tabi'un* (the followers of the Sahabah) and *Tabi'al-Tabi'in* (the followers of the Tabi'un) in his life. Those and their followers are collectively called *Ahle Sunnat* (people of the traditions of the Islamic Prophet Muhammad). Today, Ahle Sunnat has lost its meaning. Ibn Taymiyyah acted on the real life of Ahle Sunnat. Muhammad ibn Abd al-Wahhab also followed Ibn Taymiyyah's road. In Turkey there are two different schools of Salafi thought. One is called *Havaric* or *Takfiris* and the other is followed by

³⁷¹ Ibid.

³⁷² The group members thought that the HSBC is an Israeli bank without knowing that it is in fact a British-led multinational company [Interview, 15-Mar-2011.]

³⁷³ Ibid.

those who ignores imperialism and have lost the power of resistance to God's enemies.³⁷⁴

On the other hand, some of them learned *Salafism* from translated books and concluded that Saudi Salafism and Takfirism, which classifies all non-practicing Muslims as *kafirs* (infidels) and calls upon its adherents to fight all Muslim infidels, represent wrong Salafi views.³⁷⁵

The group also holds the view that Turkey is a *Dar al-Harb*.³⁷⁶ Therefore, citizens must avoid praying behind mosque imams appointed by the Turkish secular state. They also avoid serving as government officials. Therefore, they choose to work in private companies and not to do their compulsory military services. They perform daily prayers at home rather than in mosques.³⁷⁷

According to some Turkish jihadists, those who take an oath in parliament after elections become infidels. They excommunicate these people for taking an oath in parliament. They also excommunicate those who do not agree with them on the priority of jihad.

Those who make laws against God's laws and order those laws implemented become infidels. Jihad is an individual duty, like and even more important than fasting and prayer. Habib Aktas and Gurcan Bac, who completely agree with the Salafi ideology of Al-Qaeda, were the ones who indoctrinated those views in new recruits in Turkey.³⁷⁸

Indoctrinated recruits, in a short time, start to feel sympathy towards the Al-Qaeda ideology. This sympathy increased among group members, especially after 9/11. For

³⁷⁴ *Testimony*, 2-Feb-2004.

³⁷⁵ *Testimony*, 25-Aug-2005.

³⁷⁶ *Dar al-Harb* is a term classically referring to those countries which Muslims have war with.

³⁷⁷ *Testimony*, 24-Nov-2003.

³⁷⁸ *Testimony*, 20-Feb-2004.

instance, one of the suicide bombers told his relatives that it was time to go to jihad and fight like Al-Qaeda.³⁷⁹

Most of the group members had family problems. Most were young and had a very difficult time controlling their emotions. Therefore, having been indoctrinated, they easily went for violent jihad. Some had health problems and got medical treatment. For instance, a key member in the group was receiving treatment for depression since he had experienced psychological problems.³⁸⁰

Mesut Cabuk had limited relations with his family, friends, and relatives. He was an avoidant person. He used not to speak about his job and friends. Most of the time, he had no job and depended on relatives' support for living. He used not to interact with people outside easily or take part in social activities if it was not necessary. He preferred spending time at home. At other times, he spent time in Internet cafés playing games until midnight.³⁸¹

Ilyas Kuncak was quite different from the other members of AQT. He was the last to join the group before the attacks. He had never been abroad for jihadi or military training. At the time of the attacks, he was 47 years old. His daughter said that he had been talking about jihad for 2 years. He was very angry with American soldiers for what they were doing in Iraq in terms of torture that Muslim women had experienced. He continuously read books without going outside or speaking with his family, and left his job twenty days before the attacks.³⁸²

³⁷⁹ *Testimony, 17-June-2004.*

³⁸⁰ *Interview, 7-May-2011.*

³⁸¹ *Testimony, 3-Dec-2003.*

³⁸² *Testimony, 25-Nov-2003.*

Gokhan Elaltuntas, who got engaged just a few months before the attacks, also surprised police. Gokhan, a new recruit, was supposed to be getting married at the time of the attacks. If he did not die he was going to get married within one month. His father said, “It is impossible for such a young man who is getting ready for marriage soon.” He went on to say, “My son cannot even hurt any ant. He even rented his apartment for marriage and bought all the furniture.”³⁸³

It seems that most of the group members were observing high degree of Al-Qaeda’s Salafi ideology. Once indoctrinated, they easily leave behind their past, as in the case of Azat Ekinici. He once was a drunk man addicted to gambling and later became a dedicated member of the group by leaving his bad habits behind.

Finally, when we look at the educational level of the group, we see that most of them have high school degrees only or dropped out of college for different reasons. Even though earlier terrorism studies attach importance to educational level of group members, the latest studies show that education does not significantly predict the violence status of the individuals.³⁸⁴

Recruiting and Training

This group is based on kinship. Peer relations, relatives and their religious circles are important factors in recruiting. They tend to recruit relatives and friends first. For instance, Habib Aktas recruited Sadettin Akdas, his brother; Burhan Kus, his nephew;

³⁸³ *Testimony, 18-Nov-2003.*

³⁸⁴ Ibrahim Sevki Eldivan, “Pathway From Tranquility To Violent Radicalization: A Case Study of 2003 Istanbul Bombings” (Ph.D., Rutgers The State University of New Jersey - Newark, 2011).

and Osman Eken, his brother-in-law. Similarly Abdulkadir Karakus³⁸⁵ recruited suicide bomber Ilyas Kuncak, his father-in-law. They also seek to recruit from their neighborhoods in rural areas or in suburbs of big cities, where there are conditions rural migrants have difficulty adapting to. In addition, they encourage marriages to improve kinship. For instance, Azat Ekin introduced Gokhan Elaltuntas to his fiancée. Considering these relations, we can call this group a 'sister organization'.

Some members met each other in either jihadi regions or in bookstores promoting jihadi struggle, as well as in worship gatherings in homes. They regularly gathered for recruiting and training. Even though all of the plotters are male, their wives also gathered regularly to support their cause.

In the regular meetings, young people are educated on the Salafi thought of Ibn Taymiyyah and Abdullah Azzam. Most of the times in these gatherings they listen to OBL's speeches and watch jihadi videos. They also make *bay'at* to group ideology. Based on this *bay'at*, they commit to obey all the rules of the group. Those who do not obey the rules are punished. As part of the *bay'at* ceremony, each member takes an oath, repeating the rules of the group, and then concludes it by embracing the other members.³⁸⁶

On the other hand, the selection criteria for suicide members are very important. First and foremost many members approve of suicide bombings. However, when asked about becoming a suicide bomber, most hesitate or reject actually becoming a suicide

³⁸⁵ Abdulkadir Karakus, another member of AQT, played a role in recruiting suicide members. He had not seeing his father for about a year and a half. He was at odds with his father because of his own radical thoughts. His father is a moderate Muslim who had never embraced radical Salafi thought and argued many times with his son on his radical thoughts. The last time his father saw him, he said to his father he was going to Mecca for pilgrimage *Testimony*, 22-Nov-2003.

³⁸⁶ *Testimony*, 9-Dec-2003.

bomber. For example, Feridun Ugurlu invited some of his friends, namely Bulent Yildiz and Suat Sarman, to become suicide bombers. He told them they would go to Heaven after they became martyrs in suicide bombings. Both told him that they approved of suicide bombings but they could not become suicide bombers.³⁸⁷

To motivate the members of the group to become suicide members, Habib Aktas and Gurcan Bas organized social events such as picnics in Istanbul. According to Fevzi Yitiz's testimony, the group members went to these motivational picnics three times before the attacks. At these picnics, Habib Aktas and Gurcan Bac spoke about jihad and the necessity of jihad. Group leaders talked about not only jihad but also tyranny and the torture Muslims have been living through.³⁸⁸

Suicide bombers are selected from those who have taken military and religious trainings and are ready for suicide missions. They prefer to call suicide missions "*istishhad*" (the Arabic word for martyrdom). However, when we look at the cases of Ilyas Kuncak and Gokhan Elaltuntas, this is not true of these two people. The two had never taken this kind of training and Gokhan Elaltuntas was a new recruit and about to get married. Therefore, when we look at these two cases we see that notion of *istishhad* plays an important factor in motivating suicide bombers even if they have no training.

The suicide bombers are indoctrinated by the necessity of *istishhad*. They are encouraged by jihadi videos. They are given books and albums about former suicide bombers. They listen to Palestinian marches and watch Palestinian jihadi DVDs. They also listen to OBL's sermons on jihad. Harun Ilhan was the one who made copies of the DVDs Habib Aktas brought from Afghanistan, the contents of which included OBL's

³⁸⁷ *Testimony, 23-Nov-2003.*

³⁸⁸ *Testimony, 20-Feb-2004.*

sermons and jihadi fightings, for distribution to other recruits. He himself provided a Turkish language voiceover for those DVDs. Possible suicide bombers are shown some videos and pictures of Americans and Israelis who are said to kill and torture innocent Muslims in places like Afghanistan and Palestine.³⁸⁹

Most importantly, they are indoctrinated with the view that although many innocent people will be dead, they themselves will be martyrs. They believe that as long as they are not involved in war, children, the elderly, women and religious clergy are not killed. However, if they mix with infidels, it is difficult to differentiate them from infidels. Therefore, it is allowed to shoot infidels even though there are some innocent among them.³⁹⁰ As shown, the suicide members do not consider innocent people when they choose a target. In addition, according to training documents captured in plotters' houses, at times where jihad is necessary for all Muslim, nobody needs permission from his/her family or boss. This explains how some who are married and have children or are about to get married, such as Gokhan Elaltuntas, could easily leave their family behind and kill themselves in suicide attacks.³⁹¹

Special training is given to suicide bombers. They are taught why suicide attacks are necessary and justified religiously. For instance, when Feridun Ugurlu invited his friends to become suicide members, he told them a story about Pharaohs. According to the story, some Egyptians in the Pharaohs' time believed in God (Allah) and rejected Pharaohs' rule. The Pharaohs decided to throw those people into a big fire if they maintained their beliefs. All of the believers then threw themselves into the fire, committing suicide. A woman with a child hesitated to throw herself into the fire, but

³⁸⁹ *Interview, 13-Apr-2012.*

³⁹⁰ Abdullah Azzam, *Cihat Ahkami* (Vural, 1997).

³⁹¹ *Interview, 13-Apr-2012.*

when her child told her not to hesitate, and that she would be a martyr, she too threw herself into the fire.³⁹²

If they do not know how to drive, they are trained to do so. For example Burhan Kus taught suicide bombers to drive professionally. Also the top leaders meet and talk to suicide bombers face to face to motivate them. Suicide bombers are thus taught about becoming martyrs in special trainings and made ready for the missions without doubt.³⁹³

Finance

The Istanbul bombers spent somewhere between \$100,000 and \$150,000 to plan and conduct the attacks. As explained before, AQC had agreed to finance the attacks in Turkey. Abu Hafs al-Masri, military chief of Al-Qaeda, gave Habib Aktas \$8,900 just for reconnaissance. Later Habib Aktas told Adnan Ersoz to request \$150,000 from AQC in 2002. Believing that Adnan might not be able to provide the money, Habib turned to other sources to provide money.

Louai Sakka played a very important role in providing money. Habib Aktas provided \$50,000 from Sakka and \$100,000 from other AQ members in Iran. The money was sent in small amounts to receivers in Turkey via different accounts in different countries. More than one bank was used to save the money with forged documents. Cash couriers were also used for transferring money to Turkey. They did not carry the money with them or put it in their homes. Rather they put it into safety deposit boxes in banks. For example, Gurcan Bac was the one who opened a bank account in his name, rented a safety deposit box for a year in a bank in Istanbul in December 2002, and put the money

³⁹² *Testimony, 23-Nov-2003.*

³⁹³ *Testimony, 19-Dec-2003.*

given by AQC for the attacks into it. He returned the safety deposit box key to the bank a few days before the attacks.³⁹⁴

Except for this amount of money, group members started to collect small amounts of money from their neighborhoods claiming that the money collected would go to families of those who lost their lives in jihad. However, this money was not adequate for big plots. Therefore, the group always needed money from AQC.³⁹⁵

Masking Techniques and Tactics of the Group

First and foremost, AQT members are not amateur terrorists. They are trained terrorists who acted professionally in the Istanbul bombings, thus leading to intelligence failures. In terms of intelligence and reconnaissance, they knew they had to consider all the details of the attack. Therefore, the perpetrators and those who guided them gathered intelligence and conducted reconnaissance on the targets beforehand. For instance, Harun Ilhan carried out reconnaissance on the synagogues and gave Gokhan Elaltuntas and Mesut Cabuk driving directions to them. Similarly Gurcan Bac conducted reconnaissance on the HSBC Building and the British Consulate, and taught Feridun Ugurlu and Ilyas Kuncak when and where in the buildings they would detonate the bombs in the trucks. They chose the attack dates according to their intent for mass casualty. They attacked the synagogues on a Saturday when Turkish Jews gathered for Saturday services. Likewise, they attacked the HSBC Bank on a Thursday morning when there were crowds of people inside and outside of the bank.³⁹⁶

³⁹⁴ *Interview, 13-Apr-2012.*

³⁹⁵ *Ibid.*

³⁹⁶ *Ibid.*

AQ members get training on making bombs using chemical substances in the Af-Pak camps. It is known that AQ members and affiliates work in and open chemical companies in the countries in which they operate. In this regard, working in companies producing or selling fertilizer is a good masking technique for members of the group in terms of producing explosives from chemical substances. Similarly, AQT members opened companies producing and selling chemicals. They preferred to open their own companies because working for other companies would make it hard for them to produce the chemical substances necessary for bomb making.³⁹⁷

In the past, you had to have conventional military manufactured explosives (MEs). But today thanks to globalization you can easily learn how to make an improvised explosive device even from the Internet. These guys, in a similar vein, did not have to get conventional MEs because they learned how to make IEDs in the camps. We, as the security agencies did not develop any strategy to include the business community into efforts to control chemical materials that could be used to make IEDs.³⁹⁸

They used forged passports and identity cards at some stages. To forge these documents, they used the identity cards of their relatives or friends but substituted their own pictures on the cards. To disguise their real intents, they told their relatives or friends different stories, such as, "I will find you a job abroad and need your identity cards." In addition, they sometimes stole the identity cards of their families and relatives and changed them accordingly. They also used the identity cards of others, such as Metin Ekinci, the brother of Azat Ekinci and Ahmet Ugurlu, the father of Feridun Ugurlu while buying the trucks that would be used for the suicide missions.³⁹⁹

³⁹⁷ Ibid.

³⁹⁸ Interview, 15-Mar-2011.

³⁹⁹ Interview, 13-Apr-2012.

Moreover, they used aliases, changed them when necessary, and explained to their relatives the reason why they aliases. They told their relatives that they used them because they had problems with compulsory military service or they were wanted by the police for minor larceny or financial crimes. Sometimes they explained that the name they chose to use is a *Sahabah* name and they wanted to use the name to associate themselves with *Sahabah*. In some cases, people only knew them by their aliases. They also used more than one alias as in the case of Habib Aktas. He used Abu Enes, Abu Zeyd, and Huseyn as aliases, all of which are *Sahabah* names.⁴⁰⁰

In addition, they dressed like everybody else in public and shaved their beards in order not to attract attention.⁴⁰¹

Furthermore, they attached great importance to not using cell phones. When they needed to use cell phones, they acted very carefully. They did not register their names on the cell phones they used; rather they used their friends' or relatives' identity cards when buying cell phone services and plans. They also worked in cell phone companies in order to get telephones more easily. In addition, they did not use home telephone service. When they spoke on the phone, they spoke with secret codes and ciphers. For instance, Habib Aktas told Yusuf Polat, the watchman of the synagogue attacks, that if the roads to synagogues were open, he would call Mesut Cabuk, the suicide bomber, and tell him to "take your wife and come" to indicate that the road was safe to come. Similarly, when the Israeli ship did not come to Antalya, Gurcan Bac called Harun Ilhan and told him to "meet next week" to indicate that the attacks were postponed to the next week. Moreover, when they gathered together at home and spoke about their plans, they put their cell

⁴⁰⁰ Ibid.

⁴⁰¹ Ibid.

phones next to a radio or a TV for frequency mixture in order to avoid being wiretapped. Often they turned off their cell phones and even took out the batteries.⁴⁰²

They also communicated via e-mail using different user names and passwords, and used secret codes and cryptic words when sending e-mails. Computer skills and knowledge among group members are very high. When necessary, they used couriers instead of computers or cell phones for communication.⁴⁰³

They often changed their meeting locations as well as their addresses as if they were exposed. They changed them more often as the attack day approached. If they believed they themselves were wanted by the police, they immediately left the country and continued their activities abroad. For example, Habib Aktas suspected just before the attacks that the police wanted Adnan Ersoz, and so made him leave the country and travel to Iran. This was because Irfan Kavak⁴⁰⁴, one of Ersoz's friends, was apprehended and interrogated by the MIT early in June 2003; and during the interrogation, Irfan Kavak was shown some pictures, among which was Ersoz's picture. Therefore Aktas told him to leave the country, believing that intelligence units were following him and that this could reveal the plans. Thus, Adnan Ersoz, who met with Aktas for the last time in Istanbul in June 2003 in Gurcan Bac's house, went to Iran with the money Habib Aktas gave him and lived there until the attacks were carried out without knowing the details.⁴⁰⁵

They renewed their passports when they deemed necessary by telling passport police that they lost them. The reason for this was to avoid attracting attention from the

⁴⁰² Ibid.

⁴⁰³ Ibid.

⁴⁰⁴ Irfan Kavak had stayed in Habib Aktas' house while he was in Pakistan. He was one of the people who did not agree with Habib about the attack. He did not think that Turkey is Dar al-Harb. Irfan told Habib that innocent Muslims would be harmed by the attacks. Irfan argued Habib on many matters and therefore left the group. Ibid.

⁴⁰⁵ Ibid.

border police; they believed that the police might suspect them if they saw many visas for Afghanistan, Iran or Pakistan in their passports.⁴⁰⁶

The group attached much importance to secrecy. The leaders interviewed those who wanted to join the group. Nobody was accepted without a reference. In their meetings, they always reminded each other about the importance of observing secrecy in their activities. Each person only had knowledge about what it was deemed he should know. Except for the leadership, nobody knew who did what and who was in which position. They also criticized and punished those who did not obey the secrecy rules. When somebody asked about something, he was told that it was none of his business. For instance, even though Fevzi Yitiz, in whose name the *Gokkusagi* detergent firm was opened, helped others to produce explosives, he was never told the exact time and place of the attacks.⁴⁰⁷

Not only did AQT members take an oath, but also their wives were instructed to maintain this secrecy. They ordered their wives not to speak about their activities in any circumstances ever. They were acting on the need-to-know principle. One of the group members explained in his testimony:

“Even if I was a key member in the group, coordinating the synagogue attacks I was not given the address of the detergent firm where they prepared the explosives. Moreover, Gurcan Bac was good at Internet use. One day he was googling chemical substances on the Internet and I asked why he was doing this and he told me that this was none of my business and I was ordered not to ask anything that was not related to my duty.”⁴⁰⁸

Lastly, on the bombing days, they used new cell phones and SIM cards because they thought that old phones might have been wiretapped by the police. After the attacks

⁴⁰⁶ Ibid.

⁴⁰⁷ Ibid.

⁴⁰⁸ *Testimony, 25-Aug-2005.*

they destroyed the cell phones and SIM cards. For instance, Yusuf Polat broke his telephone and threw it into a sewer. They also took precautions against traffic control on the bombing days. They put detergent parcels inside the trucks used for bombing. So, if the trucks were stopped and checked by the police, the first thing they would see inside the truck would be detergent parcels with all of the necessary documents, such as dispatch notes and invoices. Thus, they would appear to be selling detergent substances if checked by the police. They even wrote their company name on the trucks.⁴⁰⁹

Based on these accounts, it can be argued that the group had the capacity and capability to act professionally and succeed in carrying out the attacks without being caught by the intelligence units.

POLICY/BUREAUCRATIC FAILURES

State Policy and Bureaucratic Barriers

This section will explore the Turkish public and political context in which the Turkish jihadi networks have flourished. Since the present problems related to radical groups in Turkey are not just linked to today's problems but also a reflection of past practices especially after the 1960, 1971, and 1980 military coups as well as the post-modern coup on February 28, 1997, understanding why these groups chose Turkey as a target requires a consideration of the former policies of Turkish governments as well as bureaucratic wrongdoings.

Even though Turkish Muslims have for centuries remained moderate and against radical Wahhabism or Salafism, why Turkey was chosen as a target by Al-Qaeda and

⁴⁰⁹ *Interview, 13-Apr-2012.*

why so many Turkish Muslims followed Al-Qaeda's path is worth examining first in terms of state policy and bureaucratic failure.

The Turkish law enforcement calls radical Islamists who resort to violence "terrorists abusing religion". The IDB categorizes Islamic movements into three groups. The first group consists of ordinary Muslim groups that adhere to state rules and fulfill the state's requirements as well as abstain from any kind of violence, condemning any violent activities done in the name of religion. These groups, such as Naksibendi orders or the Gulen movement, are Turkish Muslims that adhere to *Sufi* traditions. The second involves radical groups that go beyond being an ordinary Muslim, trying to keep themselves away from state rules and regulations. While these groups have yet to resort to any kind of violence, they are similar to terrorist groups in terms of forming hierarchical organizations, having strict rules for joining and leaving the groups, and supporting violent means to achieve goals. While the first group is not followed by IDB, the second is carefully followed in that they have a tendency to jump into the third category, terrorist groups abusing religion. This term (terrorism abusing religion) is used because those Islamists claim religious motives for their violent acts. Thus, they abuse religion for their political objectives.⁴¹⁰

According to Mango, Turkey has long been fighting against the abuse of Islam for political aims. In fact, so called "Turkish Islam" has always remained an enemy towards the radical Wahhabi-Salafi thought which Al-Qaeda as well as Turkish Al-Qaeda promote. For a better understanding, we need to look at Ottoman history. The destruction of the Ottomans was realized with the help of Arab revolts. The Ottomans fought radical Wahhabis when they were in control of the Arab lands. The Ottoman statesmen described

⁴¹⁰ Ibid.

Wahhabis as “evil men”. The British forces allied with Wahhabis and Salafis in the First World War to bring down Ottoman rule. Thus, Turkish Muslims have always been alien to these extremist thoughts.⁴¹¹ In this respect, Turkish Muslims have not become sympathetic towards radical Wahhabism or Salafism.

Turkey is multi-cultural, multi-ethnic (Turks, Kurds, and other minorities) and multi-religious (Muslim, Christian, and Jews) country. Although the Turkish population is said to be 99% Muslim, other religious minorities and some radical sects in Islam in Turkey have always played important roles in shaping public and government politics toward religious practices. Although the majority of the Turkish population is Sunni Muslim, a considerable portion of the population is Alewi (7 million out of 78 million), who distance themselves from Sunni Muslims.

Turkey is also a secular state. Contrary to people’s wishes, all of the governments have restricted the religious practices of Muslims based on their biased understanding of secularism. For instance, all of the governments and bureaucratic structures created a domain of “public” and “private” spheres for Muslims in the country, where one can practice one’s religious duties only at home or in mosques, but not at work or in public. A Muslim woman in Turkey, for instance, cannot wear a headscarf while she is working in a government agency. Likewise, a Muslim girl with a headscarf cannot attend classes in state colleges (universities) in Turkey. AQT members testified that they first started to gather periodically to find a solution to the headscarf problem in universities, demanding lifting of the ban on headscarves in the universities.⁴¹²

⁴¹¹ Andrew Mango, *Turkey and the War on Terror* (Taylor & Francis US, 2005), 59.

⁴¹² *Testimony*, 25-Aug-2005; *Testimony*, 2-Feb-2004.

Government policies as well as bureaucracy in Turkey also restricted religious education. For instance, a Muslim family can send their children to religious schools only after middle school. In addition, it is very difficult for those who graduate from religious schools to find jobs in government. Some religious families send their children to other Muslim countries like Malaysia and Pakistan to educate them according to their beliefs. Moreover, the system does not give graduates of religious high schools the opportunity to register for good universities. In this way, according to testimonies of AQT members, the state applies double standard to those who opt for a more religious life for themselves, thus creating conditions conducive to radical practices by religiously motivated people.⁴¹³

During the Ottoman period, the state was ruled by Islamic *sharia* rule. After the Turkish Republic was founded on the Ottoman heritage in 1923, the state's Islamic past was forgotten and all religious rules and practices were abolished from the public discourse. This was called the modernization process. However, it turned out to be a Westernization project, which the majority of Muslims did not embrace because many projects that were anti-Islamic were imposed upon them forcefully. The founder of the Turkish Republic, Mustafa Kemal Atatürk, abolished the caliphate and replaced *Sharia* rule with the Swiss civil code and Italian penal code, and the Arabic script with the Latin one, all of which were interpreted as anti-Islamic acts by Muslims living in Turkey and other Muslim countries. Later, the Republican People's Party, forbid the wearing of religious headscarves in public places. They banned private Islamic schools, placing Islamic institutions under strict control of the state. They forced imams to recite *Adhan*, the Islamic call to prayer traditionally recited in Arabic, only in Turkish translation. In addition, only one interpretation of the Quran, by Muhammed Hamdi Yazir, was allowed

⁴¹³ *Testimony, 19-Dec-2003; Testimony, 14-Apr-2004; Testimony, 2-Feb-2004.*

to be published. This interpretation could and can still be understood only by scholars with Arabic language proficiency, not by ordinary Muslims. The Kemalists thus aimed at eliminating the role of Islamic religion in public and social spheres. These anti-Islamic practices that started with the creation of the Turkish Republic continued until the early period of the 21st century.⁴¹⁴

This modernization period was imposed from the centralized system. The people on the periphery felt alienated by the new system. The religious periphery, which included dedicated Muslim followers, felt that they were second-class citizens and found it difficult to be incorporated in the system. Therefore, they turned to religion more dedicatedly, moving further away from the state and, more importantly, feeling enmity toward it. In addition, the state and bureaucracy labeled these religious people “backward” and “reactionary people”, which further offended them. A participant describes the feelings of AQ sympathizers and Islamist radicals who opt to join jihad abroad as follows:

At the beginning, they have no intent to kill innocent civilian people. When they decide to go to Afghanistan and join the jihadi fight, it is because they think they have no other way out because they are of the opinion that they have no future in Turkey. They are usually dedicated and practicing Muslims but they think they cannot live their religion (practice their religious duties) in the country. They also think that they will not be able to make a living normally. In the eyes of media and bureaucratic elites they are considered reactionary people, a word that offends them a lot.⁴¹⁵

In addition to earlier military coups in 1960, 1971, and 1980 that took place in Turkey, the ruling military elites and bureaucracy of the February 28 post-modern coup

⁴¹⁴ Kamil Yilmaz, “Individual Disengagement of ‘Turkish Penitents’ from Political Violence as Rite of Passage: Voices from the Cracks of the Social Structure” (Ph.D. Thesis, Columbia University, 2012); Emrullah Uslu, “From Local Hizbollah to Global Terror: Militant Islam in Turkey,” *Middle East Policy* 14, no. 1 (2007): 124–141.

⁴¹⁵ Interview, 7-Jan-2012.

process, in particular, pressed the pious and devout Muslim. During this process, the Muslim entrepreneurial groups were forced to be subordinate to the ruling bureaucratic order. Although some government officials elected by the public have had disagreements with the military elites and bureaucracy on the threat perception, the military elites and bureaucracy considered reactionism as the number one enemy to the state. They failed to categorize militant Islamists such as Hizbullah as the most important threat after the PKK. The state identified reactionary movements as the major threat to the state. True, reactionism was harmful not only to the state but also to Islam itself, and reactionaries held backward ideas unrelated to the core principles inherent in Islam; however, what was wrong in countering reactionism was that it cracked down on ordinary Muslims in the name of countering radical ones. What further worsened this situation was the implementation of this policy through military units including the gendarmerie. The balance between democracy and security was forgotten and soldiers cracked down on many innocent pious Muslims who were forced to leave the country or become silent. However, terrorism is first and foremost a serious criminal act that must be countered by a criminal understanding. Using military tools to fight terrorists would be unproductive. From a military understanding, everything against the military is considered an enemy that must be destroyed; however, from a law enforcement perspective, terrorists are not considered enemies that must be killed at any cost. Terrorists are seen as criminals that could be rehabilitated. Not differentiating between the concepts of “enemy” and “criminal” while fighting terrorism can make some sympathizers become terrorists.

This repression facilitated the recruitment of young people by the radical groups who were claiming that the state became infidel and Muslims had to fight against the

infidel state by declaring jihad.⁴¹⁶ Therefore, one of the policy and bureaucratic failures is that policy makers and bureaucrats have failed in implementing measures on threat perception, which differed from the actual threat, violent radicalism. Therefore, there occurred a difference between the perceived and real threat environments, as well as a mistake in the implementation of the policy.⁴¹⁷

The arguments discussed above are also evident in the accounts of OBL, who said to AQT members at the breakfast on September 2, 2001:

Most Muslims in the region are upset about the abolishment of the caliphate by the Turkish government eighty years ago, and Turkey must feel shame about it. Turkey sides with infidels (the Americans and British) and there are a lot of foreign bases located in Turkey from where foreign forces wage war against Islamic lands. The Turkish government are oppressing Muslims through the headscarf issue and limiting religious practices.⁴¹⁸

In addition to this account of OBL, Yussuf al-Ayyeri, one of Osama bin Laden's closest associates and the author of "The Future of Iraq and The Arabian Peninsula After The Fall of Baghdad", which was published secretly, also criticized Turkey fiercely by saying:

Muslims must fight with the Turkish democratic system because this system is making Muslims love this world, forget the next world, and abandon jihad.⁴¹⁹

When we look at these words, it is understood that Turkish governments have failed to win the hearts and minds of Muslims abroad. Turkish governments had to take precautions against the view that Turkey is allying with the Western world to wage war

⁴¹⁶ *Testimony, 25-Aug-2005.*

⁴¹⁷ *Interview, 10-Aug-2012.*

⁴¹⁸ *Testimony, 2-Feb-2004; Testimony, 19-Dec-2003.*

⁴¹⁹ Amir Taheri, "Al Qaeda's Agenda For Iraq" (New York Post Online Edition, September 4, 2003), <http://denbeste.nu/external/Taheri01.html>.

against Islamic lands and oppressing Muslims by limiting religious practices. These and other similar accounts have made Turkey a target for attacks both for AQ members and motivated jihadists. In the eyes of radical jihadists, Turkey has thus become a *Dar al-Harb* and the fight for jihad should be brought to Turkey as well.

The responsibility for failure is also on the shoulders of policy makers who are briefed by intelligence agencies and have to act on intelligence in a timely manner. However, counterterrorism against jihadist groups was never a high enough priority in government. This is reinforced by another participant as follows:

Policy makers were informed about the coming threat in 2002 that OBL was always instructing AQ members that American, British, and Jewish interests should be targeted regardless of specific country. Policy makers were informed about foreigners in Turkey that could also be targeted by AQ. As known, AQT members later confessed that the targets were Jewish, American, and British interests in Turkey. Maybe the warnings were not that clear or specific but they were briefed about this general threat in 2002. The thing to do was to mobilize all of the intelligence agencies and local forces to pay more attention to foreign interests. They could also have made those agencies identify vulnerable and high-risk foreign assets and harden security measures to protect them.⁴²⁰

There were also bureaucratic obstacles to creating and implementing policies against terrorism. There is an old saying in Turkish, “You can come to power but never be a capable government.” The point of this saying is that bureaucratic order is the most vital element for administrating the Turkish Republic and no matter how a government comes to power as a result of public elections or not, it should obey the rules of bureaucratic order if it wants to stay in power. Otherwise, bureaucratic elites, including military power circles, would do everything to curb government activities, including changing the government and even overthrowing it. Similarly, after the Justice and

⁴²⁰ Interview, 10-Aug-2012.

Development Party (AK Party or AKP) came to power in 2002, the bureaucratic order that was concerned about the activities of the AK Party tried to close the party through legislative means. Since they did not succeed in closing the AK Party and putting political restrictions on its political figures legally, military elites that were working secretly to overthrow the elected government planned military coups against the AK Party. However, their attempts were prevented with the exposure of the “Ergenekon” structure, whose top leaders include, but are not limited to, high-ranking generals and ex-military staff.⁴²¹ Therefore, demilitarizing the threat assessment and keeping the roles of military and bureaucracy in policy-making are gaining importance.

Legislative and Executive Failures

In Turkey, the Parliament, media, and academia have long debated the issue of individual rights and security requirements. Since Turkey has gone through four military coups in fifty years, recent laws and regulations promoting individual rights always have an advantage over security requirements. Especially when the AKP came to power in 2002, it put relations with the European Union at the top of its foreign policy agenda. To fulfill the requirements in the security sector that the EU demanded, the AK Party made some legislations restricting law enforcement capability in countering terrorism.

The Turkish counter terrorism laws allow the police to detain a terror suspect in order to get the necessary evidence or preserve existing evidence for two days with a warrant. On the other hand, the UK police have the authority to arrest and detain a suspect without warrant and without charge for up to 28 days. You cannot do this in Turkey. When you

⁴²¹ Ergenekon is a big and controversial issue in Turkey that can be handled in another study in more detail. But it is certain from court testimonies and official documents leaked to Turkish media that it is a clandestine organization inside the military bases as well as media and academia that gathered for toppling the AK Party government since it came to power in 2002.

look at the situation in Turkey and the UK, there is no difference. Besides, Turkey faces a greater terror threat than the UK. It is also in a more dangerous position in terms of its location in the Middle East, in terms of having hostile neighbors like Greece, Iran, and Syria, and in terms of its border with Northern Iraq, where state control does not exist. If this situation happened to be in the UK, they would raise detention times to more than 28 days. In Turkey there is no appropriate balance between law enforcement requirements and human rights.⁴²²

On the other hand, the monitoring of telephone and Internet conversations by the police intelligence units are essential in counter terrorism. Article 22 of the Turkish Constitution (as amended on October 17, 2001), which regulates the right to freedom of communication and secrecy, states that:

“Everyone has the right to freedom of communication. Secrecy of communication is fundamental. Unless there exists a decision duly passed by a judge on one or several of the grounds of national security, public order, prevention of crime commitment, protection of public health and public morals, or protection of the rights and freedoms of others, or unless there exists a written order of an agency authorized by law in cases where delay is prejudicial, again on the above-mentioned grounds, communication shall not be impeded nor its secrecy be violated. The decision of the authorized agency shall be submitted for the approval of the judge having jurisdiction within 24 hours. The judge shall announce his decision within 48 hours from the time of seizure; otherwise, seizure shall automatically be lifted. Public establishments or institutions where exceptions to the above may be applied are defined by law.”⁴²³

According to this Article of the Turkish Constitution, authorized institutions can intercept communication with a judge’s decision. In fact, there was no legislation specifically regulating interception of communication until 1999 in Turkey. In 1999, the Parliament passed the Law on the Prevention of Benefit-Oriented Criminal No: 4422 (hereinafter the PBOC Act of 1999), which regulated judicial interception of

⁴²² *Interview, 19-May-2012.*

⁴²³ http://www.anayasa.gov.tr/images/loaded/pdf_dosyalari/THE_CONSTITUTION_OF_THE_REPUBLIC_OF_TURKEY.pdf

communication between members of organized crime groups as well as terrorist groups. In 2004, the PBOC Act of 1999 was replaced by the Criminal Procedures Act No: 5271 (hereinafter the CP Act of 2004). However, neither the PBOC Act of 1999 nor the CP Act of 2004 mentioned “communication interception for intelligence and preventive purposes.” The law also put communication interception as a last resort (which is called *ultima ratio* in the literature of criminal procedures law) stating that if there is another way to acquire evidence and identify perpetrators, then the judge cannot authorize interception of communication. This sentence made most of the judges hesitant to approve police requests for intercepting communication of terror suspects. Since these laws did not allow intelligence or preventive interceptions, police intelligence was not able to track individuals they thought to be terror suspects. Thus they had difficulty in countering terrorism. Therefore, the Parliament passed another law, Law No: 5397 in 2005 (hereinafter the 5397 Act of 2005), which facilitated intelligence gathering with telecommunication interception by intelligence agencies. According to the 5397 Act of 2005, there are no limitations such as the requirement that there is no other way to acquire evidence and identify perpetrators. This law requires a judge’s decision as well, but in emergency circumstances, the Director of the TNP, the Director of the IDB, the General of the Gendarmerie, the Director of Gendarmerie Intelligence, the Under Secretary of the MIT, or his/her deputy are able to authorize beginning interception until a judge can make a decision within 24 hours.⁴²⁴

Before this Act was passed, the court approval for wiretapping was very difficult to get. As explained above, the judges needed to be persuaded that there was no less

⁴²⁴ Aytekin Galeri, *Türkiye’de İletişimin Denetlenmesi* (Ankara: Institute of Strategic Thinking, July 2010).

intrusive way than wiretapping to get information about a terrorist activity. This is reinforced by a participant as follows:

Before the Istanbul attacks, the judges were hesitant to approve police requests to wiretap certain individuals due to privacy concerns. For instances, Azat Ekinici, about whom there was a controversy between the MIT and the IDB as to which department would follow him, had been followed by Bingol and Mardin police intelligence units in 1997. Police intelligence had a lot of information in his dossier. He was followed and wiretapped because of his suspicious presence in the Afghanistan camps. Just a year ago, before the Istanbul bombings, the Istanbul police intelligence unit wanted to follow him, as well. The Istanbul police intelligence unit suspected him of being a key member in radical groups and demanded that the state security court, a court with secret proceedings, allow them to wiretap him again to discover any terrorist activity around him. However, the court denied this request of the Istanbul police intelligence unit to follow and wiretap him, saying there was not enough concrete evidence that he was planning to carry out a terrorist attack.⁴²⁵

It appears that such legal restraints on domestic surveillance may play a significant factor in intelligence failure, because if the court had allowed police to follow and wiretap Azat Ekinici, the group may have been caught by police intelligence before the attacks took place. An intelligence executive explained how they overcame this problem:

Before the attacks, all of the wiretap requests had to be authorized by the judge before any wiretapping activity. After the bombings, as a result of massive talks with legislative and executive branches, the IDB succeeded in getting the approval right for wiretapping in emergency situations. Now according to the new law, the director of the IDB has the right to approve the wiretapping for a 24-hour period. After the 24 hours, the request goes to the judge who decides whether to continue or lengthen the approval.⁴²⁶

On the other hand, governments and the parliament failed to oversee intelligence activities. More importantly, they failed to make regular assessments about threats

⁴²⁵ Interview, 7-June-2011.

⁴²⁶ Interview, 10-Aug-2012.

Turkey faced. Normally, in democratic countries, policy makers would assess the threat, and the security units would act in accordance with that threat assessment. At that time, the threat was determined by military elites, of whom neither the government nor the parliament had oversight. Neither the legislature, the executive, nor the judiciary have for decades overseen the police intelligence units or other intelligence units like the MIT and Gendarmerie Intelligence. The parliament in particular did not concern itself deeply enough with intelligence activities. Therefore, they both failed to determine threat policies and ensure that bureaucracy implemented policies effectively.⁴²⁷

Allocation of Financial Resources

The government also failed to provide adequate funding for intelligence activities. The government in the early years of the 21-century did not allocate sufficient resources to intelligence units. For instance, while the share of the intelligence budget as a portion of the state budget was %1,75 in 2001, %1,76 in 2002, %1,78 in 2003 and %2 in 2004, the police intelligence budget was 2.1 million USD⁴²⁸ in 2001, 3.1 million USD⁴²⁹ in 2002, 4 million USD⁴³⁰ in 2003, 3 million USD⁴³¹ in 2004, and 5 million USD⁴³² in 2005.⁴³³

Addressing this inadequacy of the budget, a participant stated:

Just one month after the budget talks in 2003, the attacks took place. After the attacks, one of our requests to the government was to raise the budget share in the 2005 fiscal year. The government did raise our budget share considerably after the Istanbul bombings.⁴³⁴

⁴²⁷ Ibid.

⁴²⁸ 3 million TRY

⁴²⁹ 5 million TRY

⁴³⁰ 6.5 million TRY

⁴³¹ 4.2 million TRY

⁴³² 7 million TRY

⁴³³ *Interview, 12-Jul-2011.*

⁴³⁴ *Interview, 10-Aug-2012.*

As understood from the numbers and the accounts of the participant above, the police intelligence budget of 2004, which was determined in September 2003, was a decrease from the previous year and inadequate. This shows that the government did not attach much importance to intelligence budgets, and waited to act on allocating more resources until something went wrong. If it did, the budget would have been raised. Thus, this could be described as another policy failure, to allocate more financial resources to intelligence activities in a timely manner.

The participants' responses indicate that the government failed to provide adequate resources for police intelligence units, to understand the AQ threat and direct intelligence units to combat that threat, and to remove the judiciary restrictions faced by intelligence units when gathering intelligence.

ORGANIZATIONAL OBSTACLES

Organizational Structure and Culture

In Turkey, there are three main intelligence agencies that are tasked with intelligence gathering. One is the *Milli İstihbarat Teşkilatı* (MIT), the external intelligence agency, that reports directly to the Prime Minister with the responsibility of providing foreign as well as domestic intelligence to senior Turkish policymakers. The Under Secretary of the MIT is the principal intelligence adviser to the Prime Minister. The intelligence activities of the MIT are carried out by its civilian intelligence agents, who are not tasked with operational and tactical duties. The agents are assigned to foreign posts as well as posts inside Turkey to gather intelligence on domestic security as well as to conduct espionage. The second agency is the Gendarmerie Intelligence, which is responsible for gathering

intelligence in rural areas of Turkey. While the Gendarmerie Intelligence is under the authority of the interior minister, it is also a part of the General Staff in terms of logistics and personnel. The third is the *İstihbarat Dairesi Başkanlığı* (IDB), internal intelligence agency, which unlike the Gendarmerie Intelligence, is responsible for gathering domestic intelligence all over Turkey. Thus it is the most prominent intelligence agency in Turkey in terms of gathering information on domestic threats to the nation. The IDB is not an operational unit. The operations are conducted by the Department of Counter Terrorism and/or the Department of Special Forces based on the information the IDB provides them.

In the organizational chart of the Turkish National Police, the IDB is one of the 35 departments under the authority of the Director of the TNP, who is also under the interior minister's purview.

For the last decade, the IDB directors have faced domestic resistance from the government and bureaucracy to change its representative capability. While the IDB is producing 85% of domestic intelligence, it is still being represented by a Directorate under a General Directorate. For many intelligence executives and managers, as well as its own staff, this is not acceptable, given conditions in Turkey. Unlike the FBI in the US, the IDB is not directly subordinate to a Ministry. It is subordinate to the TNP. A participant said that:

In fact, the TNP can become a Ministry itself with a name such as Ministry of Security Affairs. Because, in terms of representation, representation by the Directorate is not adequate in the Turkish bureaucratic system. Everybody attributes importance to you based on your representation. For instance, in the protocol list, the General Director of the TNP has no place, let alone the Director of the IDB. The General Director of the TNP is in the last row (the 79th row) of the protocol list,

after the General Director of Land Registry and Cadastre.⁴³⁵ Similarly, the IDB should be represented by an Under Secretary under the direct authority of the Interior Minister or the Prime Minister, just like the MIT. The MIT is represented by an Under Secretary who is under the direct authority of the Prime Minister. The MIT is doing the foreign intelligence and the IDB is doing the domestic intelligence. Therefore there is a need to create a new department with a name like Under Secretariat of Domestic Intelligence. I think the biggest thing to do in organizational terms is to create this department and link the IDB to this department.⁴³⁶

However, instead of linking the IDB to a higher departmental level, the government set up a new separate department, similar to the Department of Homeland Security (DHS) in the US, under the name Under Secretariat of Public Order and Security. Like the DHS, some considered it as another layer of bureaucracy that slows down the intelligence effectiveness. The Under Secretariat of Public Order and Security was founded in 2010 in order to develop strategic intelligence, to coordinate national counter terrorism efforts as well as intelligence gathering and analysis, and to increase public support and confidence for the government's efforts in combating terrorism. A participant explained that:

The Under Secretariat of Public Order and Security was supposed to get all the intelligence produced by all of the Turkish intelligence units including the MIT, the IDB and the Gendarmerie Intelligence, and develop a national counterterrorism policy based upon this intelligence. Its founding stage actually goes back to the years after the Istanbul bombings. When the Istanbul bombings occurred, many bureaucrats proposed creating such a department. The department was supposed to be an intelligence pool, with all the intelligence coming from the national intelligence units, but it has never been such a department. The aim has never been achieved as it was supposed to be, because the intelligence units have been, and I think will always be, hesitant to share intelligence

⁴³⁵ The General Directorate of Land Registry and Cadastre whose personnel number all over Turkey is just 17.522 (http://web.tkgm.gov.tr/files/2011IdareFaaliyetRaporu_10052012.pdf, page 13.) is one of the directorates under the authority of the Ministry of Environment and Urban Planning. On the other hand, the number of employees in TNP is 240.447 as of 2011. (<http://www.egm.gov.tr/indirilendosyalar/PERFORMANS2012.pdf>) page 13.

⁴³⁶ *Interview, 10-Aug-2012.*

they produce. I believe they will never share enough intelligence with this newly-founded department.⁴³⁷

Moreover, the IDB and the MIT are the sole units responsible for gathering intelligence on domestic terrorist activities all over the country. While the IDB can pursue intelligence activities all over Turkey, the Gendarmerie Intelligence is only allowed to gather intelligence in rural areas. Therefore, there should be more relations and regular meetings between the IDB's directors and the executive powers.⁴³⁸

On the ground that intelligence may become more effective if human skills, resources and technical capabilities are united, not dispersed, some suggested to bring all relevant intelligence institutions under one umbrella. However, this is not a viable option. In democracies, assigning the intelligence business to one agency is not appropriate, because intelligence is about power, and only one agency holding that power is not suitable for check-and-balance issues. Undoubtedly, different agencies in democracies check and balance each other against any intentional or unintentional failure. In addition, they compete for the best intelligence. Therefore, law enforcement intelligence must be a separate and strong entity with the authority to collect intelligence around the country while other agencies continue to collect relevant intelligence regarding their fields such as military intelligence, gendarmerie intelligence, foreign intelligence, and the like. For instance, in the French system, the French law enforcement unit, DCRI is responsible for domestic intelligence. The French domestic intelligence unit is considered as one of the most successful intelligence units in Europe. This is because it holds all power of law enforcement while doing domestic intelligence at the same time. Therefore, it may not be a good idea to deprive domestic intelligence of law enforcement or vice versa.

⁴³⁷ Interview, 6-Feb-2012.

⁴³⁸ Interview, 10-Aug-2012.

Similarly, the FBI as a law enforcement unit is responsible for domestic intelligence. Even after 9/11, the US did not take intelligence business from the FBI because as a law enforcement unit, the FBI has had great experiences in counter-terrorism efforts. Therefore, domestic intelligence in countries like Turkey should be done by law enforcement units that are authorized not only to gather intelligence but also act on it. Separating domestic intelligence from law enforcement, the country loses a big partner of 250,000 personnel all over the country. Moreover, this may result in further politicization of intelligence, let alone shortcomings with information sharing.

Another organizational flaw is having no unit dedicated to producing strategic intelligence in the IDB. The IDB was founded in 1951 to investigate violations of national law inside Turkey. It also worked on foreign spies and terrorists operating inside Turkey. But later the MIT took over the counter espionage mission from the IDB, and the IDB started to focus on domestic terror threats only. As a law enforcement unit, the IDB always considered intelligence its core business, and became an intelligence-driven agency. It has no prosecutorial or operational powers. The agents gather intelligence through physical surveillance, technical surveillance, use of confidential informants, and court-authorized electronic means, such as interception of communication when no other methods would succeed. What it has lacked so far, though, is strategic intelligence. While the IDB is structured to focus on criminal intelligence cases, it lacked the ability to make strategic intelligence analysis. Therefore, it did not make strategic analysis on the AQ threat in Turkey, which contributed to the failure to preempt the Istanbul attacks.⁴³⁹

⁴³⁹ *Interview, 3-Jan-2012.*

On the other hand, one of the organizational flaws relates to the incentive system. In the TNP and IDB, extra effort is only rewarded by the tactical operations personnel conduct.

In order to conduct operations and get more rewards you must work in the branches where there are a lot of operations in short term intervals, such as in organized crime or separatist terror branches. Since Turkey is transit and sometimes target country for narcotic, weapons, and cigarette smuggling, personnel working in organized crime bureaus are very active, making at least a couple of operations each week. Likewise, in branches/bureaus that are dealing with the PKK and other separatist organizations, personnel are doing a lot of operations against these separatist groups. Sometimes they make daily operations against the groups and receive extra reward financially. In a country like Turkey, reward is very important, and therefore most of the personnel want to work in branches where they can carry out a lot of operations with anti-terror units in short term intervals. This affects personnel motivation. Therefore, few people were working in and willing to work in branches that were dealing with religiously radical groups before the 2003 Istanbul attacks, because there had been few groups against whom operations could be conducted.⁴⁴⁰

On the positive side, in terms of a sense of belonging towards the intelligence family, there seems to be no problem in Turkish police intelligence units. Working in police intelligence units has advantages over working for other departments of the TNP in terms of reward and prestige. Police intelligence has a separate career track in the TNP. Everybody knows that one can work in intelligence units until retirement, receiving all of the promotions the TNP offers, if one avoids getting involved in misconduct or corruption while working. Therefore, the personnel are highly motivated thanks to police intelligence culture. It should be noted that the state of belonging to a group, in this case

⁴⁴⁰ Interview, 7-June-2011.

to the intelligence family, is as important as financial motivation in terms of intelligence culture.⁴⁴¹

On the other hand, public support for intelligence activities was weak in Turkey. While regular police officers need to develop good relations with the public, intelligence units need this even more. Voluntary help from the public is the most precious asset for police and intelligence success. There is a need to increase awareness among the public, who can tell police about suspicious behavior. For this reason, the relations between police and the public must be very strong. The police have to set up strong partnerships with ordinary citizens as well as tradesmen to ensure they remain vigilant to any suspicious activity and report it to the authorities. Commenting on the necessity of public support, a participant stated:

For instances, the chemical firm, Gokkusagi, was a suspicious firm. Unlike other firms in the area, its curtains were always closed. A private security guard working for a security company in the area once went to Gokkusagi to ask for a little detergent. They shut the door after saying they were not doing retail sales. He monitored the firm and saw that they were not talking anybody in the area, not doing business at all with anybody. After all, the firm was closed during the daytime while it was active in the nighttime. Eventually, he became suspicious but never informed police out of concern of getting into trouble. Think about it, even a private security guard does not inform police about a suspicious activity, why would an ordinary citizen inform about such an activity? This shows that we need to develop public relations so that an ordinary citizen can voluntarily pick up the phone and make a call to police, saying there is something wrong/suspicious going on here. After the Istanbul bombings, one of the most important innovations you can see in the police structure is community policing, which we have been late to discover.⁴⁴²

Seemingly, the law enforcement underestimated the value of public support, which must be considered as a useful force multiplier effect in counterterrorism efforts in democracies.

⁴⁴¹ *Interview, 30-May-2011.*

⁴⁴² *Interview, 5-Jun-2012.*

Interagency & intra-agency information sharing

Intelligence is by its nature about secrecy. Therefore, all institutions that are responsible for gathering intelligence tend to keep information to themselves in most cases. We saw this as a turf war between the CIA and the FBI before 9/11. Turkish intelligence is no exception.

Since the beginning of its founding, the IDB has acted differently than the MIT in terms of countering terrorism and bringing terrorists into justice. Due to the fact that both the MIT and the IDB are responsible for gathering intelligence all around Turkey, each have separate field offices all over the country. Since both depend on the very same human sources in most of their activities, there has always been a kind of competition between them to have the best sources and keep them for themselves. Therefore, both have shared limited information with each other. While police intelligence focuses on finishing cases, the MIT is more interested in “what is next” issues. As explained in the 9/11 chapter, the CIA and FBI have different perspectives while following threads. While the CIA can string someone along for a long time, the FBI is more focused on stringing suspects up as soon as possible. This situation applies to the MIT and IDB in the case of Azat Ekinici:

Azat Ekinici was wiretapped and followed by the MIT while he was a college student at Istanbul University’s Department of Religious Affairs. Police intelligence has a lot of information in his dossier, too, because he was also followed by local police intelligence units before. He was followed and wiretapped because of his suspicious presence in Afghanistan camps. In 2002, the police carried out an operation against those who went to Af/Pak and returned the country with some deadly plans in Bursa Province. One of the detainees interrogated at that time mentioned three names with their code names. These code names made no sense at that time, but if the police had followed up on the investigation, the three names could have been discovered earlier. If the two agencies

worked together to make sense of these names, they could have discovered the group before the attacks took place.⁴⁴³

The fact that the information sharing was not effective between the agencies is one of the biggest intelligence failures in the Istanbul bombings.

There is a lack of integration among agencies, causing poor information sharing. National intelligence gathering efforts on counterterrorism were split mainly among the MIT, Gendarmerie and the IDB. There is also a lack of coordination among them. The three agencies battle over the same information sources. The MIT and the IDB are both responsible for domestic intelligence gathering all around the country, while the Gendarmerie Intelligence is responsible for rural areas. The dual structure is causing problems in almost every area. Since the IDB is responsible for domestic intelligence and not for foreign intelligence, it depends on the MIT for foreign intelligence. However, the MIT is responsible for both domestic and foreign intelligence. Therefore, they have more resources and more accurate information about local groups inspired by global networks, such as AQT, affecting Turkey.⁴⁴⁴

Considering the fact that domestic intelligence efforts that are split among three agencies can cause unnecessary duplication within the Turkish intelligence community, the government initiated a new counterterrorism program in December 2012, creating a new department called Joint Intelligence Coordination Center under the MIT in which highly experienced members of the MIT, the IDB, the General Staff and the Gendarmerie Intelligence will work under the same roof to increase timely information sharing between each other.⁴⁴⁵ This center will be staffed by intelligence executives, frontline officials, and intelligence analysts from those agencies. This center will also have offices in more than thirty cities around Turkey. This initiative may be a good start for better information sharing; however it is not enough. These staff will probably left to the

⁴⁴³ *Interview, 15-Apr-2011.*

⁴⁴⁴ *Interview, 10-Mar-2012.*

⁴⁴⁵ “Terörle Mücadelede İstihbarat Havuzu,” [Intelligence Pool for Counterterrorism] *Bugun.com.tr*, accessed December 22, 2012, <http://www.bugun.com.tr/terorle-mucadelede-yeni-donem-haberi/216364/>.

mercies of their home agencies for any kind of information. Therefore, the leadership of these agencies must also think about rotational and joint assignments.

Whereas there was a failure of information sharing between agencies, there seems not to have been any failure in intra-agency information sharing. As explained in the 9/11 case, the nature of intelligence requires departments to divide work into subunits and agents to specialize in one area. This sometimes makes agents unaware of what is going on in other parts of their departments. They become disconnected and isolated from the big picture analysis. This problem is doubled in decentralized structures as in the FBI case. This is not true for the IDB structure, where regular coordination meetings take place, not just annually but also at various times within a year.

The IDB is a centralized structure, unlike the FBI. It has one headquarters in Ankara, coordinating all of the intelligence activities of its 81 field offices as well as appointing personnel to all local units. Even though the IDB went through compartmentalization in the 1990s, it has not created a wall within the agency. All of the information produced in the 81 local units is routinely and instantly pouring into IDB Headquarters, making it easier for agents in the IDB to make better and timelier analyses before something goes wrong. That is how the IDB solved the Istanbul case within 24 hours and identified perpetrators within a short time. The IDB also holds general and regional coordination meetings with the participation of all the police intelligence directors from 81 provinces in order to avoid creating any disconnection between them, as well as to encourage friendly relations among them.⁴⁴⁶

Use of Technology

The fact is that everything is going faster in our globalized world, and trends in technology are no exception. Globalization only accelerated this change. Global terrorist organizations like AQ seem to adapt to those changes rapidly by changing their modus operandi. As was explained in the section on the capability of perpetrators above, AQT

⁴⁴⁶ *Interview, 3-Jan-2012.*

members, too, used the latest technology while planning their plots, such as money transferring, mobile phones, internet networks, and so on. Since that is the case, police organizations need to develop themselves in terms of adopting innovative technology to prevent crime.

Like the FBI, the IDB also went through a modernization process beginning in early 2000 in terms using technology more efficiently.

In the 1990s, everything was on paper. With the high volume of information pouring into the headquarters, our agents had difficulty finding connections between different cases. Therefore, we first computerized our paper files. Then we hired computer engineers to develop our own secure computer programs. We did not settle for developing programs. We also bought computer programs. In January 2012, we implemented a “rent-a-car” program by which we can see on our computer, which vehicles are at the moment being rented or sold, who is the seller, who is the buyer, and if there is a suspicious business or vehicle bought or sold. Such programs with an alarm system installed made us faster and better able to crosscheck the information and individuals stored in our databases. However, this process took a little while before complete implementation. At the times of the Istanbul attacks, we were crawling in terms of using the technological systems I mentioned. For instance, when the first bombings occurred on November 15, 2003, we started to look for connections that could lead us to the perpetrators. We found the chassis numbers from the exploded vehicles and started to crosscheck the names registered on those vehicles. For instances, we identified Feridun Ugurlu, the suicide bomber of the British Consulate, from the registered name for the truck used at the Neve Salom Synagogue. By crosschecking the names from the chassis numbers, we found that the truck used at the Neve Salom Synagogue was registered to Ahmet Ugurlu, the father of Feridun Ugurlu. However, Feridun Ugurlu was gone by the time we identified him and got into his house for operations. If we had had the above-mentioned technological resources at that time, we could have prevented the second bombings on November 20, 2003.⁴⁴⁷

Technological innovation is divided into two broad categories: hard technology and soft technology. While hard technology innovations include new devices, equipment, and tools, soft technology innovations involve software

⁴⁴⁷ Interview, 8-Feb-2012.

programs, crime analysis techniques, and so on.⁴⁴⁸ Commenting on usage of such technological innovations, an intelligence executive stated:

As intelligence units, your activities should be in line with technological innovations. Since terrorists find out how we solve cases, they rapidly change their modus operandi. Therefore you need to use the latest technology to track them before they uncover your technological abilities. Before the Istanbul attacks, it was certain that we lagged behind in adjusting to new technologies. We did not have adequate spying devices to gather intelligence, nor did we have intelligent software programs that could facilitate our job to analyze the data we already had. We recently started to develop or buy such technological systems to better fight against terrorism.⁴⁴⁹

Personnel Management and Allocation of Domestic Resources

The members of Turkish police intelligence have been dealing with terrorist organizations exploiting religion since the 1990s, when some radical fundamentalists abusing Islamic religion appeared in the country with the aim of changing the secular regime of Turkey and replacing it with Islamic *sharia* rule. Many members of these kinds of groups, such as Turkish Hezbollah, IBDA-C, and Selam-Tevhid were captured and put into jail.

Therefore, Turkish law enforcement intelligence agencies are quite experienced with this kind of terrorism. But the al-Qaeda group in Turkey was not similar to the above-mentioned organizations. AQT was first and foremost not a local group that emerged in Turkey. Members of the group received training and operated outside Turkey before the Istanbul attacks. So, the police have little information about the group and its members. The police started to investigate these groups and their possible members after

⁴⁴⁸ Evelien De Pauw et al., eds., “Technological Innovations in Crime Prevention and Policing: A Review of the Research on Implementation and Impact,” *Journal of Police Studies* 2011–3 (2011): 17–38.

⁴⁴⁹ *Interview, 10-Aug-2012.*

9/11. This is because Turkey focused intensely on PKK terrorism for three decades, and most domestic resources were mobilized against the PKK. A small number of personnel was allocated to dealing with this kind of radical threat at that time. But after the attacks took place, all of the local offices as well as IDB headquarters deployed more personnel and more domestic resources to solve the case. Before this, there were no separate AQ desks. The AQ-like groups were being followed on the radicalism desk, which dealt with all of the radical groups with religious motives. There were only two people in the Istanbul police intelligence unit, dealing with AQ-minded radical groups at the time of the attacks. After the attacks, a separate unit inside the Istanbul police intelligence unit, as well as in the IDB, was set up to follow AQ-related groups, and adequate staff was allocated. A participant stated:

Before the attacks, there were two agents at the radicalism desk in Istanbul. After the attacks, the number increased to 27 with a separate desk. This is one of our organizational deficiencies in dealing with AQ in Turkey. We should have allocated more personnel and resources to this desk before the attacks.⁴⁵⁰

The number of operations against like-minded groups increased after the Istanbul bombings. After the Istanbul bombings, intelligence agencies that did not want to experience the same kind of tragedy put more domestic resources towards dealing with jihadi groups. As a result of these investigations, police carried out operations against the Seyit Ertul, Yilmaz Kalkan, and Seckin Mandaci⁴⁵¹ groups who were related to AQC, like the Habib Aktas group that carried out the Istanbul bombings.

On the other hand, police officers, including police intelligence officials, are required by law to serve in every part of Turkey, including the east and southeastern

⁴⁵⁰ *Interview, 7-May-2011.*

⁴⁵¹ Seckin Mandaci had taken an explosive training from Burhan Kus.

region of the country where the PKK and radical groups flourish. These officials rotate around the country each year, changing their working and living locations. With this rotation, experience is lost. When an official goes to a place where the level of terror is high, he/she goes to that place for a short period of time, varying from two to three years. The officer spends his/her first year getting to know the people, culture, and organizations, and then spends the rest hoping to rotate again to the western part of the country where the level of terror is low. In addition, personnel are only given the basics of intelligence gathering when sending them to the field. A participant explained that:

After the Istanbul bombings, in order to avoid losing the experience gained in these areas, we urged officials working in the east and southeastern areas of the country for a period of two or three years to stay one to two more years in the area, so that their experience would not be lost and could serve for a better fight against terror. We also launched in-service trainings for our personnel in order to keep them updated about the terrorist threats Turkey faces.⁴⁵²

As understood from participants' accounts, the police intelligence structure was weak due to its inappropriate place in the organizational structure within the Turkish security bureaucracy. Moreover, continued underrepresentation of the IDB in the bureaucracy seemed to affect the proper working mechanisms inside the intelligence community. On the other hand, the persistent wall among agencies only aggravated intelligence sharing. Equally important, the use of technology was very weak at the time of the attacks, which seemed to impede intelligence gathering.

⁴⁵² *Interview, 30-May-2011.*

DEFECTS IN INTELLIGENCE CYCLE

Need Assessment and Direction

Intelligence activity is a study of long and continuous efforts. It is thus likened by intelligence agencies to a cycle. The beginning of the cycle is needs assessment (threat assessment and planning) and direction based on the assessment. In terms of assessing the threat from religiously motivated groups in Turkey, we need to take a closer look at the short history of radical Islamists in Turkey.

There were always radical Islamists in Turkey who promoted a rigid Islamic life in every stage of life. Their resort to violence, however, started after the 1979 Iranian revolt. Police started to follow their activities after the Iranian revolt, since the Islamic revolution in Iran inspired some radical and fanatical Muslims in Turkey, too. Radical Muslims thought that the same revolution could be brought about in Turkey by resorting to the same techniques. Therefore, they started to organize their hierarchal groups to wage war against the secular forces of Turkey.

One of the most famous organizations that promoted Iranian-style revolution in Turkey by violently overthrowing the secular regime and replacing it with an Islamic regime was Hizbullah (meaning “God’s Party”).⁴⁵³ The members of this organization led by Huseyin Velioğlu have long been an issue for law enforcement intelligence and anti-terrorism units. Hizbullah members gathered around a bookstore which translated foreign books about the Iranian revolution into Turkish. Members also went to Iran to get political and military training. Intellectually, they read Sayyid Qutb, Hasan el-Benna, and Mawdudi, etc. At the outset, they believed that changing the Turkish secular regime and

⁴⁵³ To avoid confusion, Turkish Hizbullah which is originally Kurdish and Sunni is totally different from and unrelated to Lebanese Shia Hezbollah.

replacing it with Islamic *sharia* rule could be achieved through democratic processes. However, Hizbullah abandoned all hope for Islamic revolution through the ballot box due to the 1980 military coup, after which they took up arms against the secular state.⁴⁵⁴ Hizbullah members killed thousands of people who they thought of as secular or infidel, including secular journalists, between 1980 and 2000. They tortured those who resisted and buried them under their safe houses. Having understood this threat, the police intelligence set up a unit whose job was to follow the activities of those Hizbullah members.

Turkish law enforcement intelligence had long followed Hizbullah members and the group's leader. Finally, on January 17, 2000, in a successful operation against the safe house where the Hizbullah leader lived, police killed Huseyin Velioglu, and captured all of the archives of the group, including computer disks.⁴⁵⁵

When we obtained the Hizbullah archive, it had almost been destroyed with bullets in some CDs. We were able to recover and back up the most of the CDs and hard disks captured in the safe house by working day and night in our department. We also got technological help from our foreign counterparts while trying to recover the disks. After this operation was conducted and the archives were investigated, we led operational police units to carry out numerous operations against the remaining members of the group in other provinces using information captured and recovered from the archives. Finally, by the end of the year 2000 we were able to stop the activities of Hizbullah.⁴⁵⁶

The reason why this organization survived between 1979-2000 is that the TNP and IDB had to deal with a more important threat, the separatist threat. The Kurdistan Workers' Party (better known by its patronymic, PKK) is an ethnic/separatist terrorist organization founded in 1978 in Fis Village of Diyarbakir province under the leadership

⁴⁵⁴ Uslu, "From Local Hizbollah to Global Terror."

⁴⁵⁵ Mango, *Turkey and the War on Terror*, 58–63.

⁴⁵⁶ *Interview*, 8-Feb-2012.

of Abdullah Ocalan, also known by his diminutive “Apo”. The group adopted a Marxist-Leninist ideology. Between 1984 and 1999, PKK activities in Turkey escalated, claiming tens of thousands of lives. People in the south and southeastern parts of Turkey were not able to go outside for fear of the PKK. Therefore, martial law was imposed during this era. Also, all of the security apparatus in Turkey focused on dealing with the PKK. In such an environment, the TNP and IDB had to destroy the PKK first. Therefore, they implicitly ignored the activities of Hizbullah, which became the enemy of the PKK because PKK was a Marxist-Leninist organization that did not want any organization to survive in the region. As a result, the PKK became the common enemy for both the police and Hizbullah. In this era, Hizbullah was able to fight the PKK without interference from the police or gendarmerie. This does not mean that security units supported Hizbullah, but they literally ignored its violent activities against Kurdish separatists until Hizbullah targeted the state and state officials and reached a ceasefire with the PKK.

We had to deal with the PKK first, ignoring the activities of Hizbullah. We should have given the utmost importance to Hizbullah and like-minded radical Islamists even at that time. Hizbullah members thus survived until 2000 and made great progress in organizational terms. Many members of the AQT were former members of Hizbullah or had contacts with the organization. In particular, they learned a lot from Hizbullah techniques and tactics. The fact that many AQT members are from Bingol Province⁴⁵⁷, which was the strongest castle for Hizbullah organization, also proves this.⁴⁵⁸

Given the above-mentioned shortcomings, it can be argued that the intelligence units failed to assess the threat properly, plan well and direct its staff correctly while countering radical Islamists in Turkey. They also failed to fight Hizbullah since they were

⁴⁵⁷ Mesut Cabuk, Gokhan Elaltuntas, and Azat Ekinci

⁴⁵⁸ *Interview, 15-Mar-2011.*

preoccupied with the PKK, allowing it to strengthen in terms of recruiting, organizing, and training as well as capacity building to confront the Turkish security forces.

Collection

Collection is second after the first stage of needs assessment and direction in the intelligence cycle. Collection efforts are affected by numerous challenges, including judiciary restrictions, lack of human resources, and ineffective use of open source information.

Legislative restrictions affecting collection efforts have already been mentioned. As explained above, judges were to be persuaded that there is no less intrusive way than wiretapping to get information about a terrorist activity. Before the Parliament passed the 5397 Act of 2005, which facilitated intelligence gathering via telecommunication interception by intelligence agencies, it was very difficult to acquire court approval for wiretapping. In addition to this, keeping a suspect for short time periods in detention was also counterproductive in a country like Turkey, which has many terror threats. So, legislation restricting law enforcement capability in countering terrorism is a significant factor in the failure of intelligence collection.

Another collection failure relates to collecting intelligence overtly. Open source intelligence was not given importance before the attacks. There was no unit in the IDB for collecting open source information. The unit for open source information was founded in the IDB in 2008.

For instance, Hasan Cemal, a columnist in the daily newspaper Milliyet, one of the largest newspapers in Turkey, wrote an article in March 2002. In the article he

mentioned Adnan Ersoz. Hasan Cemal had gone to Pakistan after 9/11 to collect information for his article on sleeper cells of jihadist organizations in the region. He met Ersoz there. He wrote in his article that Adnan was there because he wanted to live his religion, which he could not do in Turkey. Adnan told the journalist he wanted sharia rule in Turkey and that he and his family were ready to fight for it. Hasan Cemal told him that this was the end of democracy and the state would protect itself from these kinds of attempts by radical-minded people. Adnan told him in response, “then this fight never ends”.⁴⁵⁹ This article by Hasan Cemal, which mentioned Adnan Ersoz in 2002, went unnoticed among the Turkish intelligence community due to the absence of open source analytical units.

There was another news article in the New York Post on September 4, 2003. Yussuf al-Ayyeri, one of Osama bin Laden's closest associates, criticized Turkey fiercely, saying: “Muslims must fight with the Turkish democratic system because this system is making Muslims love this world, forget the next world and abandon jihad.”⁴⁶⁰ Also, AQ and OBL had explained many times that Islam was surrounded by atrocities from American, British, and Jewish forces, and that American, British or Jewish interests in any country could be targets of AQ. For example, in 1998, OBL issued a fatwa encouraging all Muslims to attack Americans and America’s allies anywhere in the world. Turkey has long been allied with the West and has many American, British, and Jewish interests ranging from military bases and diplomatic buildings to religious places and private houses; if a unit dedicated to open source information gathering with adequate personnel and foreign language capabilities had been in place before, authorities

⁴⁵⁹ Hasan Cemal, “Kastamonu’lu Adnan’dan Afgan Derslerine,” [From Adnan, Kastamonuli to Afghan Courses] *Milliyet*, March 15, 2002.

⁴⁶⁰ Taheri, “Al Qaeda’s Agenda For Iraq.”

could have been warned to review the threat assessments and take appropriate precautions.⁴⁶¹

Even American officials in Turkey acted in time on their own without waiting for any warning from Turkish intelligence. They moved their Istanbul Consulate building to a location at the top of a hill in Istanbul, where it is difficult for any terrorist attack to succeed. In fact, as explained above, AQT members first planned to attack the American Consulate building in Istanbul. They abandoned this plan because of the difficulty in attacking this building that was protected well.⁴⁶²

On the other hand, in terms of collecting information covertly, there are flaws in using human intelligence (HUMINT) as well as collecting signal intelligence (SIGINT). SIGINT problems have already been mentioned in explaining legislative restrictions on wiretapping. In terms of HUMINT, the IDB had no separate unit dedicated to dealing with human sources, called informants or confidential informants.

Managing and recruiting informants is done on a basis of mutual trust between the intelligence agents and informants. Also, they are paid poorly because of financial restrictions and the IDB budget. In 2012, the IDB requested the creation of such a department inside the agency. The request is still pending for legal approval in the Prime Ministry. In addition to this, there is no national law on protecting human sources. Proper use of human sources has to be legalized. In addition we have recently launched a separate in-service training program on recruiting and managing informants for our personnel, a program which was not available before.⁴⁶³

As seen, possible candidates for human intelligence are lost because of financial and legal incapacabilities as well as lack of trained personnel on human

⁴⁶¹ *Interview, 21-Apr-2011.*

⁴⁶² Some other radical jihadists attempted to attack the American Consulate General on July 9th, 2008. No body inside the Consulate building was hurt in the attack. However, 3 Turkish police officers who were tasked to protect the outer parameter of the building died in the attack
[http://usatoday30.usatoday.com/news/world/2008-07-10-turkey-consulate_N.htm].

⁴⁶³ *Interview, 30-May-2011.*

intelligence. In addition, police intelligence was not properly structured to collect open source information, which further hindered the analytical capability that will be discussed below.

Processing and Analysis

General Analytical Failures

When it comes to the analysis stage, first of all, strategic analysis on al-Qaeda and like-minded groups was not sufficient. The IDB was not structured to make strategic analysis. There were no analysts assigned to the radicalism desks who could look for alternative activities of radical groups. An executive stated that:

Generally, what we are asked by government officials, including the Prime Minister and the Interior Minister, is to solve the case once an attack takes place. The questions of what happened, who did it, and how they did it are the questions we are often asked. In terms of what can happen in the short, medium, and long terms, we have not focused on producing strategic analysis by studying the patterns of terrorists and their activities scientifically. Recently, after we founded the Division of Analytics in the IDB and employed adequate experienced and academic personnel there, we started to contribute to shaping the national counterterrorism strategy by scientifically studying the patterns of terrorists and terrorist activities.⁴⁶⁴

Another analytical shortcoming that is worth mentioning is that nobody in the IDB has ever made a red team analysis on how terrorists could make use of bomb-laden trucks as suicide missions to carry out mass casualty attacks against foreign targets in the country. An intelligence executive explained this failure as follows:

The main concern at that time was bomb attacks with remote controllers. We did not consider other alternatives like suicide attacks with trucks as an imminent threat. We did not attempt to analyze how terrorists could buy trucks, prepare explosives in chemical firms, put the explosives into

⁴⁶⁴ Interview, 10-Mar-2012.

trucks and carry out suicide attacks driving bomb-laden trucks into foreign targets.⁴⁶⁵

Another failure point is that nobody paid much attention to terrorists' long-term plans. Since Turkey has been dealing with solving urgent daily terrorist cases, long-term analysis has been neglected at all levels of intelligence analysis. The Istanbul attacks are the product of two years of planning. Everybody was shocked to see such an unprecedented and long-term planned attack carried out by a Turkish jihadist group. Conventional wisdom led police intelligence officials think that Turkish Islamists would never strike the Turkish homeland in a mass casualty attack.

As explained above, police have been dealing with jihadi-minded people in addition to Hizbullah activities since the beginning of 1980. From the beginning of the Afghan-Russian war in the 1980s, many Turkish jihadists went to fight for jihad in places like Afghanistan, Chechnya, and Bosnia Herzegovina. Before going to these places, they went to Afghanistan first to get military training. In the 2000s, however, those people were indoctrinated by AQ in the camps that not only Afghanistan, Chechnya, and Bosnia, but also every country with western alliances was a target in terms of jihadi fight, since American, British, and/or Jewish people or places were also present in those countries. Having been indoctrinated by AQ, the Turkish fighters thought that American, British, and/or Jewish people or places in Turkey could be targets for jihadi aims, too. However, Turkish law enforcement intelligence did not think that they could target Turkey. Despite some minor and individual attacks against those places in the past, these people never made Turkey a target for a mass casualty attack. This is one of the biggest failures of intelligence agencies in terms of analytical capability. While police had been dealing with

⁴⁶⁵ *Interview, 10-Aug-2012.*

Hizbullah, they literally forgot those who went to Af-Pak for ideological and military training. In the words of an intelligence executive:

We thought that these people were going to jihadi areas to fight over there. We did not analyze that one day they could carry jihad to the Turkish homeland. We failed to assess what might occur next and how that affects Turkey after those people went to Af/Pak. The Istanbul attacks were carried out by about 20 people, but we found that there were 3000 Turkish citizens who went to jihadi areas and who got the same indoctrination and training. We later asked some 800 Turkish jihadists who went to jihadi areas to get military and ideological training whether they approved of the Istanbul bombings or not. Ninety per cent of them said they did not approve of the attacks, but 10% said they did. People in this category were a potential threat. We found that this was a new kind of phenomenon in Turkey and we were just starting to understand this organization for the first time.⁴⁶⁶

Other foreign jihadi-minded people also used Turkey as a transit country from the Turkish-Iranian border. Turkish security units captured many foreign nationals who used Turkey as a transit country and extradited them thanks to international intelligence sharing. Once, in a joint operation with the FBI, intelligence units captured a cash courier, a foreign national. However, those were not wake-up calls for Turkish intelligence agencies.⁴⁶⁷

Considering the analytical failures in general, it can also be argued that the MIT was looking for foreign cells and foreign targets, law enforcement intelligence was looking for domestic cells and domestic targets, but nobody was looking for domestic cells associated with AQC, planning to attack foreign targets located in Turkey.

⁴⁶⁶ *Interview, 15-Mar-2011.*

⁴⁶⁷ *Interview, 7-Jan-2012.*

Problems with Analyzing Threat and Warning Information

In this study, I found some warning signals that could have mobilized the Turkish intelligence community if they had been considered important. For example, Turkish jihadists had attempted to harm foreign targets in Turkey before. The Turkish intelligence community had known of this threat for a long time, as in the cases of the first synagogue attacks. As stated above, the police were caught by surprise with these bombings, but they were not shocked because similar attacks had occurred before and the police had solved the cases. What is interesting is that one of the synagogues bombed on November 15, 2003 had also been attacked before, twice, by radical terrorists. On September 6, 1986, Neve Salom was attacked during Saturday services by two Palestinian-origin suicide bombers. In addition to the 2 bombers, 21 Jewish people died in the attacks and 7 were wounded. Similarly, on March 1, 1992, Turkish Hizbullah members with bomb materials attacked the same synagogue and one person was wounded. Members of Turkish Hizbollah who were apprehended after this attack testified that they carried out the attack because Israelis killed the leader of the Lebanese Hezbollah, Abbas al-Musawi, in Lebanon in 1992. AQT members also told the police that they carried out the attacks because Israeli and American soldiers kill Muslims every day in the region.⁴⁶⁸ These past events must have been clear warnings for the intelligence community. Since nobody studied the past events of Islamic radicalism in Turkey, the possibility of an AQ-related attack in Turkey had not been given the consideration it deserved before the 2003 attacks. Such warnings thus went unnoticed.

Another sign is that the IDB made an analysis on AQ in 2002, in which they explained the structure and modus operandi of AQ in the world. According to this

⁴⁶⁸ Interview, 7-Jan-2012.

analysis, AQ consisted of 3 parts, including multinational cells, jihadi groups, and local/regional cells. It was suggested that people who went to jihadi areas with jihadi objectives, radical people with Salafi/Wahhabi minds and foreign members linked to multinational cells of AQ, could target Turkey. It was also suggested that AQ had not attacked Turkey, but this did not mean that they could not. AQ could attack Turkey because of Turkey's alliances and relations with America and Israel. In addition, AQ became a model for radical young people with jihadi minds, and those uncontrolled people and groups admiring AQ could possibly become a threat to national security.⁴⁶⁹ In this regard, we can say that law enforcement intelligence had had signs, but what they failed to do was to mobilize their personnel to probe these people and groups in more detail. It seems that this analysis went practically unnoticed. Analyzing this information with the 1986 and 1992 synagogue attacks, the Turkish intelligence community must have considered this a wake-up call.

In terms of the latest warnings, there are a couple of points worth mentioning in this study. As known, AQ sometimes made statements about their targets before acting. Top leaders like OBL and Ayman al-Zawahiri in some cases made a tape recording and disseminated it to the media before they conducted attacks. Similarly, just a few months before the Istanbul bombings, a man named Abu Nasir Mahmud made a statement to the media. In his statement dated August 22, 2003, he said they would target Jewish and Christian people in Turkey, Yemen, and Saudi Arabia. As soon as Turkish intelligence agencies heard this statement, they warned their local offices that AQ could target Turkey. One of the warnings came from the IDB. On September 22, 2003, the IDB officially warned all of the local intelligence units in the 81 provinces that American,

⁴⁶⁹ *Interview, 7-Jan-2012.*

British, and Israeli buildings in Turkey could face a threat from AQ-related groups and persons. In the official document, all of the local offices were urged to focus on those people and groups by increasing intelligence and operational activities on them.⁴⁷⁰ However, this was too late to mobilize local units like the Istanbul branch to find clues about the coming attack on November 15 and 20, 2003. Local offices had limited time to mobilize their personnel to work more deeply on this threat before the attacks took place.

On the other hand, as a last warning, the 2002 Bursa operation against those who went to and from the Af/Pak region should also have mobilized police intelligence units to investigate such people more deeply. In that operation, one of the detainees interrogated mentioned some names, including the code names of those who had planned and executed the Istanbul attacks. If the police had followed up on this, they could have discovered the other names and uncovered the plot before the attacks happened.

So, it can be argued that the intelligence units had had signs and warnings but failed to act on them accordingly.

Dissemination

The final step of the intelligence cycle, where final written analysis is shared and disseminated to the authorities, is directly connected to the above-mentioned stages, especially the stage of analysis. If the analysis is no good or inadequate, then the information gathered and processed cannot reach the authorities.

Since inadequate information was collected on possible AQT members, good quality, adequate analytical reports were not produced for dissemination. This was a result of poor information gathering, due to the above-mentioned obstacles and failures,

⁴⁷⁰ *Interview, 7-Jan-2012.*

including lack of information sharing, poor understanding of threat and the lack of financial and human resources. In other words, since there was little information gathered on possible AQT members, no finished intelligence was prepared and sent to the authorities.

To sum up, in terms of defects related to intelligence cycle, it seems that it is a vicious cycle for Turkish intelligence agencies. Wrong threat assessment leads intelligence agencies in the wrong direction, or even leaves them without any direction. On top of this, intelligence collection efforts are affected negatively by the lack of direction and political will as well as other obstacles, such as poor open and covert information gathering. Since inadequate information is collected, no high quality analytical report is produced and consequently, nothing is disseminated to policymakers. On the other hand, it can also be argued that inability to see signs and understand wake-up calls aggravated the defects in the intelligence cycle.

LACK OF INTERNATIONAL INTELLIGENCE SHARING

As mentioned before, it is very important to create international networks of intelligence sharing in order to better fight against common global problems like terrorism. Therefore, there is an urgent need for law enforcement institutions to cooperate with each other to solve common problems.

As a domestic intelligence unit under the authority of TNP, the structure of the IDB does not allow it to create foreign liaison offices like the FBI. This job is done by the TNP. The TNP has long been sending some of its personnel abroad to work as police liaisons in other countries with a Turkish presence, such as Germany, Austria,

Azerbaijan, Belgium, Denmark, the Netherlands, Italy, and the United Kingdom. Thus, the TNP attempted to create an international network of information sharing through these liaison officers. However, the TNP did not succeed in this attempt because it tended to send unrelated personnel to those countries. This is explained in the words of a participant as follows:

In most cases, the TNP did not send the right person to the right country. The TNP even did not have any liaisons in the US until 2011. In addition, liaisons either did not have language capability or international experience. Even if they had these capabilities, in some cases, they lacked intelligence culture. Therefore, the TNP did not get adequate information from foreign countries through its liaisons. Since this was the case, the Turkish police had to rely on the MIT or Ministry of Foreign Affairs for information sharing. However, both institutions were not appropriate for police-to-police information sharing.⁴⁷¹

The TNP has been cooperating with over eighty countries in countering terrorism and organized crime via Acts of Security Cooperation. Based on these agreements, many countries have sent police liaison officers to Turkey. There are sixty liaison officers⁴⁷² in Ankara, cooperating with Turkish police on terrorism, organized crime, narcotics and smuggling issues. As to relations with foreign liaison officers operating in Turkey, this system was not working properly, either. The TNP had given this job of handling the foreign liaison officers in Turkey to the IDB. The IDB thus has a separate unit dealing with these liaisons. Commenting on the relation with these liaisons, the same source stated:

Since the issues in most cases are related to foreign names and activities, we had to forward information received from the liaisons to the MIT. In accordance with the reciprocity principle, liaisons became hesitant to share

⁴⁷¹ *Interview, 19-May-2012.*

⁴⁷² The countries they come from are USA, Germany, Austria, Belgium, Bulgaria, China, Denmark, France, the Netherlands, the United Kingdom, Israel, Italy, Japan, Canada, Hungary, Pakistan, Saudi Arabia, Ukraine, Albania, Greece, South Korea, Sweden, Australia, Norway, Sudan, Spain, Romania, Iran.

information with us as well, since they got little information from us in return. On our side, we actually did not think about AQ as our main problem, leaving it to the MIT, since AQ was a foreign organization. We often did not care so much about the requests from the foreign agencies. Either we told them we had no information or we forwarded the request to the MIT. After the attacks, AQ became our main problem, too.⁴⁷³

In addition to these general problems, the Turkish intelligence also relied on the US agencies for information on people who went to Af/Pak for jihadi goals. In fact, the most reliable and actionable information was coming from the US intelligence services because they have been there since the 1980s. Turkey has been getting valuable help not just on AQ, but with PKK terrorism from the US for nearly 20 years. Another participant explained this as follows:

For Americans, reciprocity is very important. If you do not help them, they do not help you. We saw this in the “1 March 2003 Proposal crisis”.⁴⁷⁴ When the proposal was rejected, the ties between the US and Turkey were cut at all levels, affecting police cooperation as well. When the proposal was rejected, Americans thought, “If you are not going to help me, I won’t either.” That’s why they did not give information that they would have otherwise. I do not believe in conspiracy theories that are of no value, but Turkey started to cooperate with the US on AQ-related matter only after the Istanbul bombings.⁴⁷⁵

For specific information that could be shared by foreign intelligence agencies, two respondents respectively stated:

We later learned that the Americans knew Sakka, the key member who provided money from AQC to Habib Aktas. He was one of the deputies of Abu Musab al-Zarqawi, leader of AQ in Iraq, formerly known as al-Tawhid wal-Jihad. After he was captured in 2005, the US military officials

⁴⁷³ *Interview, 19-May-2012.*

⁴⁷⁴ On March 1st, 2003, the Turkish Parliament refused to allow more than 60,000 U.S. troops to transit through Turkey in the event of a war with Iraq. American ships were waiting offshore. They were confident that the proposal would be accepted. They were stunned and frustrated by the rejection because that killed US plans for opening a northern front for Iraqi invasion.

⁴⁷⁵ *Interview, 3-Jan-2012.*

operating in Iraq at that time wanted to interrogate him in Turkey based on his association with al-Zarqawi.⁴⁷⁶

Sakka's dossier was on our table. However, the pieces of the puzzle were not complete on him until he was captured. Nobody in the Turkish intelligence community realized what kind of person he was. He was a professional terrorist, not an amateur. If he had been understood, the plot could have been uncovered.⁴⁷⁷

In addition, the CIA also informed Turkish officials about Suleyman Ugurlu. He was the brother of Feridun Ugurlu, the suicide bomber. Suleyman Ugurlu's passport had been used by Ahmet Cemal Bugdayci, a member of AQT, to travel abroad from Turkey. The American officials got his identity information in one of the operations in Afghanistan and handed it over to the Turkish officials. The Turkish intelligence community had to follow up on this clue about Suleyman Ugurlu, received from the American officials, that could have led to identifying Feridun Ugurlu, the suicide bomber. However, Turkish intelligence failed to investigate this case in more detail because of the lack of adequate information on Suleyman Ugurlu.⁴⁷⁸

Similarly, the American officials also gave valuable information on a person named Hidir Elibol. The US officials informed Turkish intelligence in 2001 that Hidir Elibol owned a textile company called "Berfin" which could be linked to AQ.⁴⁷⁹ However, intelligence units did not investigate Berfin, nor its owner, Hidir Elibol, in detail. After the attacks, Hidir Elibol was interrogated by the police. He said he knew Habib Aktas, and Habib Aktas had worked for Berfin for a period of three and a half months. He knew Habib by his code name, Huseyin Tac. During this period, he was also

⁴⁷⁶ Interview, 13-Apr-2012.

⁴⁷⁷ Interview, 10-Aug-2012.

⁴⁷⁸ Interview, 15-Mar-2011.

⁴⁷⁹ Ibid.

introduced by Habib Aktas to Gurcan Bac, Feridun Ugurlu, Sadettin Aktas, Ilyas Kuncak, and Abdulkadir Karakus, all members of AQT.⁴⁸⁰

When probed about whether police intelligence was getting any warning from international intelligence agencies, a participant stated:

As the AQ-related members were followed by the MIT, the IDB was only getting general warnings from international intelligence agencies. The last warnings came from Israelis and Americans. Israeli intelligence officers came to IDB Headquarters on September 23, 2003 and said that their embassy or consulate building could be a target for AQ members in October 2003, when they would celebrate Jewish holidays. But they did not give specific actionable intelligence. Similarly, the US officials came to the Istanbul police department on November 14, 2003, just one day before the Istanbul attacks. They told the authorities that AQ was planning to make attacks on foreign targets with bomb-laden vehicles. Again this information was not detailed and actionable, it contained just general warnings. Above all, it was too late. If this information had been shared a reasonable amount of time ago and had some specific names and targets, the police would have acted on such intelligence.⁴⁸¹

On the other hand, a Turkish delegation went to Guantanamo on May 29, 2002 to interrogate Turkish fighters held there. The delegation consisted of three terrorism experts from the MIT, the IDB and the Turkish General Staff. The American officials allowed the Turkish delegation to interrogate only three detainees although there were in fact 11 Turkish detainees in Guantanamo. The Turks insisted on interrogating all of them but the US officials did not allow them to do this. It remained a mystery why the US officials did not let the Turkish officials interrogate the other Turkish detainees.⁴⁸²

⁴⁸⁰ *Testimony, 21-Nov-2003.*

⁴⁸¹ *Interview, 3-Jan-2012.*

⁴⁸² *Ibid.*

As Walsh put it, intelligence sharing is not simply an additional source of useful information, but can often serve as a requirement for successful action.⁴⁸³ This is illustrated by the following example:

American officials were sincerely very helpful in the aftermath of the attacks. They did not hesitate to work with law enforcement intelligence and help them find perpetrators who traveled abroad after the attacks. For instance, Burhan Kus was the driver of the group. The American forces captured him and Sadettin Aktas while the two were fighting in Iraq and put in Abu Ghraib prison. Two inspectors from the Istanbul Police were allowed to interrogate them between July 27 and August 7, 2005 in Iraq. Police made some important operations against small cells of AQT based on information the two had acquired from the interrogation of Burhan Kus and Sadettin Aktas.⁴⁸⁴

The Turkish intelligence units witnessed more international intelligence sharing after the Istanbul attacks. The US and British authorities were more helpful than ever. In particular, the British came to Istanbul with a special squad to investigate the attacks since their Consul General, too, had died in the attacks. They offered police intelligence agents any kind of help technologically and financially to solve the case, which was unprecedented in Turkish-British intelligence sharing before.⁴⁸⁵

Similarly, the IDB started to develop effective relations with the FBI and CIA after the November 2003 bombings. On December 6, 2006, a high level American official from the Justice Department gave a two-day course on surveillance to IDB officials at the IDB training center, ISAK (Intelligence Academy) in Ankara. An FBI executive gave a conference to IDB officials working at the AQ desk about Uzbekistan's IJU (Islamic Jihad Union, formerly known as Islamic Jihad Group) on June 16, 2009 at ISAK. Between August 17 - 21, 2009, two CIA analysts held a course entitled

⁴⁸³ Walsh, *The International Politics of Intelligence Sharing*.

⁴⁸⁴ Interview, 13-Apr-2012.

⁴⁸⁵ Interview, 15-Apr-2011.

“Intelligence Gathering and Investigation” at ISAK. Furthermore, having visited the IDB on November 18, 2009, Director of the FBI Robert S. Muller, told IDB authorities that a new kind of partnership between the IDB and the FBI was needed, since both had been fighting against a common enemy, raising the issue of rapid change in the nature of the global threat that both the IDB and FBI confronted. He offered five proposals at this visit: biometric information sharing, creating ad hoc working groups, assigning personnel to one another, and swift exchange of SIGINT. And lastly, stating that 28 Turkish police officials took part in 10-week training programs at the FBI National Academy in Quantico, he offered to increase cooperation on international intelligence training programs between the two agencies.⁴⁸⁶

After the November 2003 bombings, there was a convergence and recognition of threat among domestic and foreign intelligence agencies in the fight against a common enemy, AQ. As the same source stated:

We understood that we must not only operate within our own borders, but beyond that in order to protect ourselves. Since this required working with other foreign agencies, we started to build strong partnerships among ourselves. For example, before 2003, we hardly had relations with intelligence agencies of Middle Eastern and African countries such as Saudi Arabia, Jordan, Syria, Egypt, Sudan, and the like. Having seen that we needed to rely on other countries to get actionable intelligence that could be related to groups in Turkey, we launched international intelligence training programs in ISAK to facilitate this cooperation. We are now cooperating with 31 countries on training issues that helps us meet our counterparts, get to know each other, and facilitate intelligence sharing.⁴⁸⁷

From the excerpts above, it is understood that foreign intelligence agencies helped their Turkish counterparts a lot after the attacks in terms of international intelligence sharing. On the other hand, international intelligence agencies encounter more barriers to

⁴⁸⁶ *Interview, 3-Feb-2011.*

⁴⁸⁷ *Ibid.*

intelligence sharing before something goes wrong. The sensitivity of intelligence sharing hinders international cooperation unless some are affected by an attack. This holds true for many cases, including 9/11 and the Istanbul bombings. The US after 9/11 and Turkey after the Istanbul bombings had more help from their international counterparts. Therefore, one of the biggest reasons for intelligence failure to prevent terrorist attacks is lack of international cooperation on intelligence sharing. One of the facilitators of effective intelligence cooperation is to start intelligence training programs between agencies, which is what Robert S. Muller, Director of the FBI, offered his counterparts during his visit to the IDB in 2009.

CONCLUSION OF THE CHAPTER

These attacks were similar in many aspects to other Al-Qaeda attacks, including 9/11. First, the November 2003 bombers targeted American, British, and Jewish interests. In his testimony, one of the organizers, Harun Ilhan, said that the attacks were not against the Turkish Republic but against American, British and Jewish interests in Turkey.⁴⁸⁸ Second, just as the World Trade Center was chosen in the 9/11 attacks, an economic target was chosen in Turkey as well. The HSBC Bank Headquarters in Istanbul was bombed and the building was destroyed. Third, embassies and consulates in Turkey, as in the cases of the Kenya and Tanzania embassies of the US, were targeted. The group first conducted reconnaissance of the American Consulate in Istanbul. Since they found it difficult to penetrate the building, they chose to attack the British Consulate. Fourth, they did not differentiate innocent people from their immediate targets. Fifty-seven innocent people died in the attacks. Fifth, they planned and acted very carefully and patiently, by

⁴⁸⁸ *Testimony, 25-Aug-2005.*

observing secrecy, conducting reconnaissance, getting necessary training, using watchmen, and masking their activities in Turkey, just as in the case of 9/11. Sixth, the attacks came simultaneously as in the case of 9/11. Lastly, the attacks produced mass casualty as in other al-Qaeda attacks all over the world.

The case of the Istanbul bombings examined in detail in this study set out to explain how government/bureaucratic failures, organizational obstacles, defects in the intelligence cycle, lack of international intelligence sharing, and the capability of perpetrators contributed to intelligence failures leading to the mass casualty attacks carried out by members of Al Qaeda in Turkey (AQT) on November 15 and 20, 2003 in Istanbul. In general, this study suggests that there are a lot of shortcomings at governmental, organizational, and international levels that contributed to intelligence failure in the Istanbul case. Among the failure points examined above, six points stand out as the most significant factors that contributed to the intelligence failure in the Istanbul bombings.

First, neither the government nor the intelligence units understood the threat appropriately. This lack of threat assessment at bureaucratic, governmental, and organizational levels led to poor direction as well as inadequate allocation of financial and human resources, causing insufficient information collection and strategic analysis on AQ-related groups in Turkey. This is partly due to fact that intelligence units were caught up with other priorities, such as PKK terrorism, as well as the perceived (not real) threat posed by what some called “reactionaries” or “reactionary movements”. In such an environment, the real threat posed by violently radical Islamists who had trained in Afghanistan and returned to Turkey had gone underestimated, if not overlooked.

Second, judicial restrictions on intelligence gathering, including intercepting communication and short periods of detention time, affected the operational capability of intelligence units, causing poor information collection.

Third, turf wars among agencies caused competition and clashes on certain matters, including following AQ-related people inside Turkey, leading to lack of information sharing. These institutional problems inside and among the intelligence agencies were compounded by the lack of parliamentary oversight of intelligence activities as a whole. No body in the executive and legislative bodies cared about overseeing activities and the authorities of the intelligence community.

Fourth, lack of international intelligence sharing was decisive and influential in the possibility of reaching key persons before the attacks took place. Feeling of mistrust, revenge, and bias among agencies negatively affected appropriate international intelligence sharing between Turkish agencies and their foreign counterparts.

Fifth, there were similar attacks that should have been considered clear warnings for the intelligence community. One of the synagogues, Neve Salom, had been attacked twice before by radical terrorists. In addition to this, the IDB made an analysis on AQ just one year before the Istanbul attacks. Law enforcement intelligence thus had the signs, but what they failed to do was to mobilize their personnel to probe these people and groups more carefully. The Turkish intelligence community should have considered those warnings as wake-up calls.

Last, the capability of AQT members also compounded those failures. The Istanbul bombings were carried out by a sophisticated network comprised of about 20 people, but supported by more than that. As former MOSSAD Director, Meir Dagan, said

in the Israeli Parliament just after the first attacks on November 15, 2003, “Those who made the synagogue attacks simultaneously in Istanbul can not be ordinary terrorists. They must be well-trained and well-funded as well as well-prepared for those attacks.”⁴⁸⁹ They were so, indeed. The AQT members had gotten military and ideological training in Afghanistan. They had gained support from AQC both in the planning stage and later in getting financial support from it. They also acted in secrecy to avoid police radar, in which they succeeded.

To sum up, intelligence units did not foresee the coming attacks; however, the unforeseen attacks in Istanbul were not unavoidable if some flaws had not existed. If some judicial restrictions on communication interception had been overcome, or if foreign intelligence agencies had shared more detailed information about the coming threat, including some key names such as Sakka, some AQT members could have fallen under the radar of police intelligence, which may have helped police to preempt the attacks.

⁴⁸⁹ <http://www.aksiyon.com.tr/aksiyon/haber-10121-26-mit-ile-polisin-el-kaideyi-takip-anlasmazligi.html>

6. FINDINGS AND DISCUSSION

FINDINGS

This study was designed to address how (1) state/government policies and bureaucratic barriers, (2) organizational obstacles, (3) defects in intelligence cycle, (4) lack of international intelligence sharing, and (5) the capability of perpetrators contributed to intelligence failures leading to consequent mass casualty attacks of 9/11 and November 15-20 carried out by members of Al Qaeda and affiliated groups. Except for minor differences that do not affect the findings, the chosen cases have many in common. In general, the primary conclusion to be drawn from this study is that while all five primary categories explained above have important share in intelligence failures, in particular, organizational problems, analytical shortcomings, and lack of domestic and international intelligence sharing stand out the most important factors in intelligence failures.

Findings for Category 1: State/Government Policies and Bureaucratic Barriers

To explore this issue, the researcher relied much on open sources and governmental reports. In addition participants were also asked how they see the importance of state policies and bureaucratic barriers in intelligence failures. Six important themes emerged from the findings.

First, understanding and adaptation to emerging threats is important. In the case of 9/11, the US policymakers understood but failed to adapt to new kind of terrorism. In the case of November 15-20, Turkish policymakers failed to understand the real threat, which was violent radicalism, focusing on the perceived threat, which were the so-called reactionary individuals and groups.

Second, wrong policies and wrong implementation of policies can be a fertile ground for recruitment of terrorists. Former non-violent devoted Muslims were recruited by AQT members on the ground that Turkish state did not allow them to live their faith. Similarly, American policies regarding Israel-Palestinian issue and misdeeds of American soldiers overseas helped AQ to recruit people against America all around the world. Moreover and more importantly, governments should have fought radical and violent interpretations of Islam via engaging with networks and individuals of moderate and alternate voices.

Third, bureaucratic barriers caused poor flow of information. Presence of bureaucratic regulations each department has itself hinders information sharing for counterterrorism efforts in a timely basis. In the Turkish case, responsible units created their own bureaucracy, thinking itself as the sole authority. Therefore, a new department like the Department of Homeland Security and fusion centers was established after the attacks.

Fourth, political concerns including greed for winning the next election leads policymakers to pursue status quo, neglecting necessary reforms in intelligence community as well as not making bold decisions for preemptive strikes. Moreover, and more interestingly, policy makers do not like high quality intelligence since it may force them to make decisions on what should be done rather than what they want to achieve. Since this is the case, intelligence community must be structured in a way that they are not to be politicized, serving instead beyond politics and political concerns.

Fifth, legislative restrictions on intelligence gathering are considered important factors causing intelligence failure. Judiciary must find an appropriate balance between

intelligence requirements and civil rights. Allowing intelligence services to obtain from telecommunication companies information on mobile phone users, to place wiretaps without court authorization in emergency circumstances, to directly access any governmental or non-governmental databases such as banks, airlines, social security, health are important elements that needs to be regulated for intelligence activities.

Sixth, underfunding intelligence agencies is an important factor in intelligence failure since intelligence activities require using human sources as well as technical and electronic equipment, both of which are money consuming.

Finally, the two cases show that Congressional/Parliamentary oversight is the most powerful and legitimate tool for correcting the above-mentioned shortcomings.

Findings for Category 2: Organizational Obstacles

The findings from this research suggest that organizational problems are among the most significant factors in intelligence failures. This finding is in the parallel view to other studies arguing the organizational problem as the major failure point. According to many, intelligence failures mostly come from organizational problems.⁴⁹⁰ Four major subthemes emerged regarding organizational obstacles.

First, separation of domestic and foreign intelligence seems to have negative effects on countering transnational terrorism, creating unnecessary walls between agencies.

Second, before 9/11, FBI's reactive law enforcement structure proved not suitable for intelligence business. For law enforcement to be an effective intelligence actor there

⁴⁹⁰ *The 9/11 Commission Report*; Farmer, *The Ground Truth*; Posner, *Why America Slept*; Copeland, *Fool Me Twice*; Zegart, "9/11 and the FBI"; Amy B. Zegart, "September 11 and the Adaptation Failure of U.S. Intelligence Agencies," *International Security* 29, no. 4 (Spring 2005): 78–111; Zegart, *Spying Blind*.

needs to be a cultural change from reactive investigative to proactive intelligence. If law enforcement units are supposed to continue to do intelligence—which this study highly recommends—they need to change their structure from reactive to proactive one, focusing more on preventive intelligence. National law enforcement units must have separate and dedicated domestic intelligence units tasked with preemptive intelligence gathering, rather than the case-oriented investigations. Without concerning with the immediate requirement of criminal investigations, they must be given authority for long-term surveillance of terrorist suspects to penetrate the inner circle of the terrorist groups. Police is one of the most powerful institutions in a country. If intelligence business is taken out of police, it is deprived of this powerful tool in its efforts. Instead of separating intelligence from law enforcement, law enforcement must be strengthened in terms of intelligence capacity. To overcome the problem of giving too much power to law enforcement there can be some regulations like taking the operational power out of law enforcement intelligence as in the case of IDB, which is not authorized to do operations based on intelligence it itself produces. In the Turkish experience, operations are done based on the intelligence IDB produces by a different department, the Department of Counter-Terrorism and/or the Department of Special Forces, under the oversight of a prosecutor so IDB remains out of the judicial procedures, thus protecting its agents, sources and tactics of intelligence gathering from being made public through investigation and prosecution. The FBI also must continue to have law enforcement features while it should continue to have Directorate of Intelligence and Counterterrorism Division separate from but not fully out of the scope of its investigative arms. Another way of preventing to have Gestapo-like organizations is to keep the current intelligence

units apart so they strike a balance to one another, also competing with each other to produce better intelligence for policymakers. Policymakers also need to give stronger representation to law enforcement intelligence in the security bureaucracy. In the Turkish case, IDB has sought to increase its representative status; however it always faced resistance from bureaucracy and administrations.

Third, this study suggests that most important factor in intelligence failure is absence, shortage, lack or dysfunction of intra and inter agency information sharing. Both 9/11 and November 15-20 showed that the timely use and sharing of intelligence could have stopped the mass casualty acts of transnational terrorists. Terrorists are not above or ahead of us as long as intelligence sharing is in place between, among and inside agencies in a timely basis. This sharing includes not only national or federal level but also state, local, tribal and rural levels. The old principle of need-to-know based on compartmentalization must be placed by the principle of need-to-share—even good-to-share. Bearing in mind that all terrorists are criminals even if all criminals are not terrorists, intelligence agencies can make use of every bit of information that federal, state, local and tribal law enforcement units would provide to a nation-wide, user-friendly, computerized automated system that analysts and agents cross and double check information that could be relevant to an ongoing investigation or intelligence gathering effort. For this, there must be a sincere and effective coordination mechanism in the intelligence community.

Fourth, managing domestic resources including human capacity, technology and money are very important. Terrorists make use of every tool of global advancement in technology, communication and transportation. As Chertoff argued, advances in

communication and travel thanks to globalization provided terrorists with transnational aims with capability to grow, recruit, set up networks, and carry out mass casualty attacks.⁴⁹¹ In a similar vein, intelligence units must use the latest technology to identify, locate and target terrorists since they learn techniques that intelligence units use and change their modus operandi accordingly. Advanced use of technology is thus imperative for effective counter-terrorism. Equally important, human resources and allocation of funds must be managed wisely.

The findings from this research suggest that organization matters. We have to shape an effective intelligence structure to deal with global terrorism. Therefore organizations need to change. However, more importantly, change itself is not enough. Change must be in accordance with adaptation to emerging needs. As pointed out in Zegart's study "Organizations always change according to new needs and developments. However change itself is not enough for success. It is the adaptation that matter most. It is not whether you changed but how fast and effective you changed compared to your external environment. The key issue is whether the rate of change in an organization keeps pace or lags behind the rate of change in the outer world"⁴⁹². In both case, we see a failure of organizational adaptation to the new developments around its external environment. Since the Intelligence Communities in both the US and Turkey only understood by words not by deeds the gravity of the threat posed by global jihadists, they failed to make necessary organizational change.

In terms of reshaping the intelligence organizations, this study concludes that pre-emptive intelligence is a necessity to fight against terrorism. The best option for law

⁴⁹¹ Chertoff, *Homeland Security*.

⁴⁹² Quoted in Zegart, *Spying Blind*, 20.

enforcement intelligence agencies is to take a pre-emptive approach in countering both domestic and transnational terrorism.

Findings for Category 3: Defects in Intelligence Cycle

The findings from this research indicate that there appears a vicious cycle if any malfunction happens to occur in any part of the intelligence cycle. It may be useful to begin with problems with threat assessment and direction. Wrong threat assessment causes wrong direction, even no direction. Problem with threat assessment and direction affects collection efforts in a negative way.

Inadequate information collection due to wrong direction, lack of human sources inside the terrorist organizations and some legislative restrictions causes poor analysis in quantity and quality. It is useful to reiterate the role, importance and need of HUMINT in intelligence activities since the two cases show that nothing can compensate for HUMINT. Even if you have technological capability or big budgets for intelligence gathering, you will need HUMINT to penetrate the terrorist organizations. For instances, having learned the technological superiority of intelligence units, today's terrorists operating transnationally limit their use of technology in order not to be identified and located. In addition, since today's terrorists learn to live in the shadows, high-tech methods may not be more effective than human penetration.

Poor analysis due to both lack of information and incapability of analysts further prevent to single out last minute signals from noise. As Jervis noted analysts with lack of critical thinking skills are biased toward their inherent plausibility. They tend to look for what they expect to see. This is in part due to routine practice and culture inside the

intelligence community. Therefore alternative possibilities, let alone thinking the unthinkable, are in most cases ignored.⁴⁹³ In both cases, analysts failed to imagine suicidal mass casualty terrorist attacks by global jihadists at the homeland. As a result, since no analytical report of high quality is produced and consequently, nothing is disseminated to policymakers. What is disseminated in most situations are reports of latest events with little interpretation or explanation for further possible repercussions.

Findings for Category 4: Lack of International Intelligence Sharing

Evidence from this research and participants' responses indicate the value of international intelligence sharing. Several themes emerged from the research regarding this issue.

First, transnational terrorists operate more freely thanks to globalization. For instance, the 9/11 conspirators conceived hijacking planes in the Philippines, made plans and secret meetings in Kuala Lumpur, Malaysia and in Hamburg, Germany, trained in Afghanistan and Pakistan, recruited from the UAE, Saudi Arabia, and Germany, and carried their plot out in the US. As a result, no nation can rely exclusively on its own security agencies to protect its public from this new kind of terrorism. Therefore, there emerged a need for intelligence institutions to cooperate with each other for solving common problems on international level. Therefore, it is very important to set up an international network of intelligence sharing based on need-to-share principle rather than need-to-know principle, in order to fight against any global threat.

Further, mutual trust is essential for intelligence sharing. In order to create an effective intelligence sharing, intelligence units particularly law enforcement intelligence units should detail liaison officers in other countries so that mutual trust is developed

⁴⁹³ Jervis, *Why Intelligence Fails*.

through both official and unofficial peer relations. Another way of building unshakeable relations between agencies is through training programs that serve to enhance capacity of agencies as well as increase mutual trust and confidence. For instance, while intelligence agents can be taught traditional and latest intelligence techniques and tactics, police officers guarding on the field a high-risk site or facility like embassies, consulates, religious places, and the like can also be taught behavioral observation techniques that is useful to single out individuals from among the crowds whose behavior shows suspicious situation. This technique that is widely used by Israeli police is often more effective than unconstitutional racial or ethnic profiling which relies on appearances.⁴⁹⁴

Next, this study showed that international intelligence sharing is increasing once one party is victimized after a mass casualty attack. If so many people had not died in both of the attacks, everything would have been the same just like after the 1993 WTC attack where casualty was not high or former synagogue bombings in Turkey when a handful people died.

Finally, the responses of participants, particularly the ones who know the whole story or work overseas and dealing with foreign agencies, collectively indicated that there is an urgent need for intelligence sharing.

Findings for Category 5: The Capability of Perpetrators

Based on the narratives of both cases the following conclusion can be made regarding the capability of perpetrators. The capability of AQ members compounded above-mentioned failure points because in both cases, we see that they were not ordinary criminals; on the contrary they were well-motivated, well-trained, well-prepared and well-funded. For

⁴⁹⁴ Chertoff, *Homeland Security*.

instances, they acted on secrecy to avoid police and intelligence radar, in which they succeeded. And, they studied the state structure, learning the weaknesses of the system. Therefore, while intelligence units must continue to develop their techniques to better fight against terrorists, they also must find ways to cut sources that increase the capability of terrorists.

DISCUSSIONS

Strengths and Limitations of the Study

The study has several limitations. First, the primary limitation comes from the nature of intelligence itself and the availability of relevant data. Intelligence has secrecy in itself and studies on intelligence and intelligence failures are mostly relied on secondary sources since many official documents pertaining to such events are highly classified. In Zegart's words, national security agencies including intelligence and law enforcement live in an academic no-man's land.⁴⁹⁵ However, as the researcher purposely selected the cases some of whose official documents were made public, the problem of classified information is reduced. In addition, particularly in the Istanbul case, researcher's professional experience allowed him to gain access to even classified information and key law enforcement personnel that played very important roles in investigating the attacks. In the case of Istanbul bombings the researcher used the official court-collected testimonies of those who planned, perpetrated, supported, facilitated the bombings as well as harbored the responsible members of the organization.

The second concern is the credibility of data. Data on intelligence are sensitive, and often the prerogative of the security and intelligence agencies. Hence it might be

⁴⁹⁵Zegart, *Spying Blind*, 43.

difficult to collect comparable data for cases studied. In addition, the reports published officially might be designed to serve specific political and organizational purposes. Therefore, such data were cross-checked with multiple sources, such as expert interviews.

Third, the cases selected may be thought of as unique cases. However, as details revealed, they exemplified at least some of the organizational routines and ways of thinking that characterized much of the political and organizational context in which failures are rooted.

Fourth, failures constitute “searching on the dependent variable”, a methodological shortcoming that is not aimed at testing causal arguments because it lacks the comparisons to cases of success that are necessary to determine whether factors that seem important are unique to cases of failures. Even if we found that certain factors were present in all the cases of failure, we would not be sure of providing explanations and prescriptions unless we could also establish that those factors were absent in cases of intelligence success.⁴⁹⁶ For instances, after the 9/11 and November 15-20 attacks, the two countries have not witnessed similar big scale terrorist attacks. So, this can be thought of a success on the part of intelligence agencies. In this regard, this study encourages future researchers to look to the success stories of intelligence.

Fifth, as Copeland points out any analysis of historical events is bound to face the problems of hindsight bias and retrospective incoherence that should be recognized and minimized by acknowledging the complexity of the environment in which the events took place and being cautious when concluding.⁴⁹⁷ Agreeing on the problems of hindsight, McCann also argues that retrospective analysis is prone to errors. While acts of violence

⁴⁹⁶Jervis, *Why Intelligence Fails*, 187.

⁴⁹⁷Copeland, *Fool Me Twice*.

can be preventable because they follow a pattern of observable and understandable thinking and behavior, looking at past events to identify a pattern contains hindsight bias.⁴⁹⁸ Similarly Gladwell pointed out that what is clear in hindsight is rarely clear before the fact. Because there may be several tips came in promising at the time but led nowhere. Intentions may not produce recurring pattern.⁴⁹⁹ My study took into consideration these shortcomings while analyzing the events and tried to find a balanced position between giving in to hindsight bias and allowing reverse hindsight bias.

Sixth, people's accounts about a specific intelligence failure are always questionable. It is very difficult in intelligence studies to objectively verify or determine whether one's accounts are telling the true story. This is one of the main limitations of this study. For example, they can give inaccurate explanations about the details or provide a rosy image of their efforts. At this stage, the researcher did not attempt to reach the very facts about what actually happened on the ground but to provide actors' perspectives, beliefs, and impressions about the events. This is also true while examining international intelligence sharing. For example, one can talk about inadequate efforts or assistance of a foreign agency, which in this case is impossible for the researcher to turn to that agency to verify the accounts. Therefore, it is the aim of this study in this stage to give the argument and impression of the people, if not the actual facts due to this limitation.

Seventh, the occupational background of the researcher raises questions about potential biases in that he might have brought his own cultural and occupational background to the research setting. There might be inevitable inclusions of some features

⁴⁹⁸ McCann, *Terrorism on American Soil*, 277.

⁴⁹⁹ Gladwell, "Connecting the Dots."

while excluding others. In this sense, as an insider, the occupational background of the researchers, in the Istanbul case in particular, might have led to choices of relevant and irrelevant points or what he considered important and unimportant in the research. Likewise, the participants might have reflected their biased understanding and interpretation that could be totally subjective. The reader must be aware of these limitations.

Finally, the scope of the study is fairly limited for the sake of simplicity. It excludes several aspects of intelligence, such as strategic intelligence, counter intelligence, intelligence role in shaping public opinion, and staff selection for intelligence agencies. It excludes intelligence failures in small-scale attacks due to the lack of data. It also largely excludes the perspectives from military and foreign intelligence units such as CIA, NSA, and MIT (Turkish National Intelligence) as well as national NGOs, civil society organizations, media, and the private sectors, which have important and growing role in dealing with terrorism.

Policy and Theoretical Implications for Future Studies

This study has significant policy and theoretical implications. In the theoretical realm, it contributes to literature theorizing intelligence failure in mass casualty terrorist attacks. In doing so, it complements the existing researches on intelligence and intelligence failure in general and intelligence role in mass casualty terror attacks by al-Qaeda and like-minded groups in particular. Due to the fact that there is no tested theory in intelligence failure, the researcher took an inductive approach to examining the phenomenon of intelligence failures in mass casualty attacks, by having benefited from the grounded

theory approach.⁵⁰⁰ This approach was particularly helpful in producing in-depth understanding of the phenomenon, facilitating the generation of theories based on current literature on intelligence failures. In so doing, the findings contributed to some extent to theory of intelligence failure by at least offering two important factors, the capability of perpetrators and lack of international intelligence sharing among others in intelligence failures.⁵⁰¹

On the other hand, in social sciences theories are often imperfect. Mass casualty terrorism is a rare phenomenon when compared to every-day/small-scale terrorist attacks against civilians and combatants. Since they are rare and come as a surprise, they are atypical, deviations from an otherwise powerful theory. They are specific cases and must be more concerned with exceptions to a powerful theory, and with worst-case possibilities as well as best estimates of probability. Most of the mass casualty attacks that come as a surprise are deviant cases. For example, even though hijacking of planes was known as a method of terrorism where the terrorists aimed to use it as a bargain tool against a powerful state, it had never been used before the way it was used in 9/11, crashing commercial airplanes into populated areas in a suicide mission. In Turkish cases, the security apparatus never thought Turkish jihadists would attempt to do suicide attacks that would kill innocent fellow Muslims. In Betts' words: "Whereas normal theory derives its power from categorical simplifications and parsimony, crisis predictions must dwell more on complexity, contingent propositions, and the residual risks within a usually accurate normal theory. In social science terms, the second approach is almost

⁵⁰⁰ Glaser and Strauss, *The Discovery of Grounded Theory: Strategies for Qualitative Research*.

⁵⁰¹ Earlier studies focus on organizational problems, leadership failures, policy and bureaucratic obstacles, defects in intelligence cycle while neglecting the two variables, the capability of perpetrators and lack of international intelligence sharing (see Copeland, *Fool Me Twice*; Zegart, "9/11 and the FBI"; Betts, "Analysis, War, and Decision.")

atheoretical; I will call it exceptional thinking.”⁵⁰² It is important to note, though, that normal theory is indispensable and the most important way to deal with intelligence on a daily basis. However, whenever some indicators of danger contradict the predictions of the normal theory’s assumptions, it is time to give exceptional thinkers a chance to bat.⁵⁰³ In this regard, this study attempted to look for alternative, contingent explanations for the selected cases, thereby contributing humbly to the efforts of explaining atheoretical elements in intelligence failure.

As to the policy implications, it sought to explore the determinants of intelligence failures in mass casualty terrorist attacks, and proposed what measures can be taken to best deal with the evolving complexities of global jihadist threat around the world. Thus, my research findings would directly inform security and intelligence officials and policy makers. This study agrees with Bal who argued that none of the terrorist organizations can achieve success only with their capabilities. The success of terrorists depends in greater part on the wrongdoings of political knowledge, intelligence vision and security bureaucracy that deal with them.⁵⁰⁴

In addition, by giving an overall portrait of all of the cases, the study provides synthesis and conclusions that may have implications beyond the specific case studied.

The study has also implications for creating an information sharing network, making intelligence reform, Parliamentary/Congressional oversight, scientific inquiries, and investment in intelligence training.

⁵⁰²Betts, *Enemies of Intelligence*, 56.

⁵⁰³*Ibid.*, 64.

⁵⁰⁴İhsan Bal, “Şehitlerin Acısı Yürekləri Dağlarken,” retrieved on 8/6/2012 from the website of Turkish newspaper, Haberturk, <http://www.haberturk.com/yazarlar/ihsan-bal/765464-sehitlerin-acisi-yurekleri-daglarken>.

In terms of information sharing, it is of vital importance to improve this in the intelligence community. As revealed after the investigations of the 9/11 attacks, one of the reasons why public and policymakers were taken surprise is the absence of effective information sharing and lack of communication both within agencies and between agencies.⁵⁰⁵ Therefore, we have to change our culture from the mindset of “need to know” to “need to share” or even “good to share.”

As to intelligence reform, we often see a need for restructuring the intelligence community after an intelligence failure is exposed in mass casualty or surprise attacks. “Disasters always stimulate organizational changes designed to avert the same failures in the future. In some cases these changes work. In many instances, however, they persist formally but erode substantively.”⁵⁰⁶ Structural changes in state level especially creating new departments may not work better than the previous structure, probably putting additional bureaucratic layer, which is very hard to avoid. As Posner suggests, any attempt for reorganization is more likely to be successful if it is proposed by the agency that is to be reorganized. Since insiders think they know more, they tend to resist reorganization proposed by outsiders.⁵⁰⁷ Clarke also warns that any attempt to change the system or create new ones will be met by the existing agency with passive-aggressive behavior rather than assistance to or cooperation with the new security service.⁵⁰⁸

In order to minimize the recurrence of errors we also need to approach the work of intelligence from a scientific method. The analyses must be based on not just specific facts being reported by agents or captured by surveillance techniques but also broad

⁵⁰⁵Diamond, *The CIA and the Culture of Failure*.

⁵⁰⁶Betts, *Enemies of Intelligence*, 32.

⁵⁰⁷Posner, *Preventing Surprise Attacks*, 159.

⁵⁰⁸Richard A. Clarke, *Against All Enemies: Inside America's War on Terror* (Free Press, 2004).

background factors and the plausibility of the claims. For this endeavor, alternative interpretations, devil's advocates, and red teams to provide critiques could be also useful. What Betts suggests as exceptional thinking must be in place together with other experts who deal with events in daily basis from a normal theory perspective.⁵⁰⁹

All these suggestions may seem feasible but expensive. Putting resources, time and energy into the reforms require concerted and sustained programs. Most importantly, they all depend on better-trained intelligence officers and analysts. Therefore, first and foremost, training and education of law enforcement intelligence personnel lie at the heart of all these efforts.

On the other hand, it is quite difficult to decide whether mass casualty terrorist attacks can be prevented. It is certain that those attacks are inevitable because the fundamental problem is the asymmetry of attacker and victim, the former having the advantage of picking the time, place, and means of attack. Hence it seems that attacker has the initiative of striking first, possessing a built-in advantage that assures local success of attack where there is little the victim can do to prevent it.⁵¹⁰ While some of them can be prevented or deterred, the best way to deal with mass casualty and surprise attacks might be to mitigate the effects by stockpiling necessary equipment and developing a better emergency response, allowing us to go back to normal life in a shorter time. It is often counterproductive to resort to disturbing extrajudicial actions based on extraordinary circumstances. Furthermore, as O'Hara argues "law enforcement organizations fail, and fail way more often than we think or even know, because all

⁵⁰⁹Betts, *Enemies of Intelligence*, 53–65.

⁵¹⁰Posner, *Preventing Surprise Attacks*.

organizations are inherently fragile and error-prone.”⁵¹¹ Arguing that no system is failure-proof, Betts concludes “the awful truth is that even the best intelligence systems will have big failures”⁵¹²

Finally, based on the facts above, this study suggests that intelligence success can be studied as a future work in order to determine what is done differently in success cases than failure cases. In addition, it would be a good idea to make a research on how to develop a global intelligence cooperation network.

⁵¹¹Patrick O’Hara, *Why Law Enforcement Organizations Fail: Mapping the Organizational Fault Lines in Policing* (Durham, NC: Carolina Academic Press, 2005), 7.

⁵¹²Richard K. Betts, “Fixing Intelligence,” *Foreign Affairs* 81, no. 1 (February 2002): 43–59.

7. CONCLUSION

There is much that can be learned by studying past events of mass casualty attacks. It is impossible to say we can prevent all future attacks merely by correcting what was wrong before the attacks; however, by studying the intelligence failure of 9/11 and November 2003 bombings in depth, the researcher aims to find ways to ensure that such failures will not occur again.

No country is immune from terror threat and can remain invulnerable to terrorist attacks. The threats from non-state actors such as Al Qaeda are by their nature asymmetrical. These non-state actors are more powerful and have more resources than some nation-states. Intelligence failures are thus inevitable whatever precautions might be taken to avoid them.⁵¹³ The Hart and Rudman report concluded even excellent intelligence will not prevent all surprises⁵¹⁴. In similar vein, Gladwell pointed out “there is no such thing as a perfect intelligence, every improvement involves a tradeoff. In the real world intelligence is ambiguous; information about enemy intentions tend to be short on detail and information that is rich in detail tend to be short on intentions. Rarely do intelligence agencies have the luxury of both kinds of information nor are the analysts mind readers.”⁵¹⁵ Understanding the inevitability of intelligence failures, the US President publicly stated: “I fully understand that even when every person charged with our security does what they're supposed to do, even when every system works exactly as intended, there's still no 100 percent guarantee of success”⁵¹⁶

⁵¹³ Jervis, *Why Intelligence Fails*.

⁵¹⁴ Gary Hart & Warren B. Rudman, *New World Coming: American Security in the 21st Century*, 6.

⁵¹⁵ Gladwell, “Connecting the Dots.”

⁵¹⁶ http://www.cbsnews.com/2100-250_162-6035433.html

At least, by developing some preventive tools we can repair governmental, bureaucratic and institutional dysfunctions that contribute to such failures, and minimize the threat. After all, as Horgan argued, studying the historical cases of terrorism should not be anything less than a requirement for understanding future behavior of terrorists in a prospective review.⁵¹⁷

Furthermore, as discussed before, policy makers should use all of the tools in their toolbox including diplomacy, military, law enforcement (federal, state, local and tribal), and intelligence. The possibility of putting Mohamed Atta out of action before the attacks was exemplified while explaining the valuable contribution of local law enforcement even through low-level information sharing. Above all terrorism's global activity necessitates merging domestic and foreign intelligence. As Chertoff further argued there is thus no need to divide into camps supporting only one approach. In particular, military must be used in concert with other national strategies. Military can be used to deter terrorists from entering the country, to kill them in their safe havens whenever possible with cooperation with other countries. Given the nature of suicide bombings for which military deterrence and hard power provide nothing of value, we need to develop preemptive and preventive tools including increasing our capacity for an effective intelligence gathering to prevent events before they occur. Law enforcement intelligence can thus be used to identify and bringing them into justice before they activate their violent plots. Law enforcement units can also play a crucial role in working backward to find the perpetrators responsible of terrorist attacks. Nearly 800,000 officials across 18,000 state, local and tribal law enforcement agencies in the US and nearly 250,000 police officials across the 81 provinces in Turkey are key elements if engaged in counter-

⁵¹⁷ John Horgan, *The Psychology of Terrorism* (New York: Routledge, 2005), 30.

terrorism properly. On the other hand, through diplomacy and international regulations terrorists can be denied funds and safe havens. Through the institutions for domestic preparedness, the impact of their acts can be minimized, denying them the full measure of victory.⁵¹⁸ Finally, economic, social, cultural and educational policies must be integrated to above-mentioned efforts. Therefore, we don't need to limit our options to just one tool. As Kris intelligently put it: "We must choose the tool that is best suited for the problem we face. For instances, when the problem looks like a nail, you can use a hammer; when it looks like a bolt you need to use a wrench. Hitting a bolt with a hammer is not smart, and effective you just make a loud noise."⁵¹⁹ Sometimes law enforcement is the right tool, sometimes diplomacy, and sometimes military action. What is always the right tool, though, is the use of all available options in a coordinated fashion.

Moreover and more importantly, governments should fight radical and violent interpretations of Islam by engaging with networks and individuals of moderate and alternate voices. The Muslim intellectuals must be given more voice to disseminate the true version of Islam, which is far from violence, hatred, and revenge that is represented and promoted by AQ ideology. The government agencies need to build stronger relationships with their respective communities. The U.S. as the world's superpower, and its allies all around the world including Turkey as its strategic partner in the region and in the world should work together to use public diplomacy to promote this strategy since by and large, radicals (as well as authoritarian governments) have succeeded in intimidating, marginalizing, or silencing moderate Muslims who believe in democratic culture.⁵²⁰

⁵¹⁸ Chertoff, *Homeland Security*.

⁵¹⁹ Kris, "Law Enforcement as a Counterterrorism Tool," 12.

⁵²⁰ Cheryl Benard et al., *Building Moderate Muslim Networks* (RAND Corporation, 2007).

Distinguishing true practicing Muslims from opportunists and extremists is thus important. People must know that Islam is not all about jihad, which is interpreted differently by Al Qaeda. As explained before, jihad is for the most part an internal spiritual struggle for avoiding sins and personal striving for self-improvement. True, it also means fighting the enemy; however, this is only for defensive reasons. The most important aspect of jihad is to fight the negative aspects of one's ego such as jealousy, antagonism, indecency, mischievousness, and the like. According to mainstream Muslims, struggling hard for personal self-improvement while also struggling to help others to accomplish their journey for internal spiritual self-improvement are considered the most important aspects of jihad. The mainstream Muslims and Muslim scholars believe that there is no place for terror in the religion of Islam. According to Islam, killing a human being is equal to attributing a partner to God. Also the Quran promotes preserving life of others as saying: "whoever kills an individual...shall be regarded as if he had slain mankind entirely. And whoever saves one shall be regarded as if he had saved mankind entirely."⁵²¹ Moreover, the Quran prohibits any kind of suicidal act in this verse: "do not throw yourselves with your own hands into destruction."⁵²² The father of one of the Istanbul bombers often fought with his son on his radical thoughts regarding the way of life he was indoctrinated. Therefore, Muslims should raise their voices against those carry out violent acts towards innocent people as well as themselves in suicide missions.

More importantly, "war on terrorism" approach is not an effective way to appeal to people all around the world. This is a war of ideas and should be fought to win the

⁵²¹ Türkiye Diyanet Vakfı, *Quran* (TDV, 2006). 5:32

⁵²² Ibid. 2:195

hearts and minds of the people, not to kill them or destroy their lands. All of the tools that are used to counter transnational terrorism including military engagements must go hand in hand with this policy. In addition, countering terrorism should not be considered as a government monopoly. Public support is very important in this regard. In the past, public support meant to pay taxes. This is not the case in today's world. Efforts to counter terrorism have a price for public such as increased security measures in all walks of life including long lines in airports, x-ray screening in critical places, biometric information, and the like. In addition to public support, the engagement of the private sector gains importance. Given the fact that private companies own 85% of the critical infrastructures in the US, the government must engage the private sector in its efforts to provide security.

More broadly, the threat of terrorism seems to continue at least for the near future. We cannot fight it to the finish. However, we should understand that terrorist attacks including mass casualty attacks cannot destroy us as long as we hold our values of democracy and rule of law. Quoting from Treverton and Jenkins: "what might destroy us is our own reaction."⁵²³ And "the defense of democracy requires the defense of democracy's ideals."⁵²⁴ As Mango stated all democratic countries must co-operate against terrorists and realize that a terrorist threat against any one democracy is a threat to all democracies.⁵²⁵

Fundamentally, speaking from his own limited experience, the researcher believes that the most important conclusion to be drawn from this study is that terrorism's global

⁵²³Treverton, *Intelligence for an Age of Terror*, 261.

⁵²⁴Brian Michael Jenkins, *Unconquerable Nation: Knowing Our Enemy, Strengthening Ourselves* (Santa Monica, CA: RAND Corporation, 2006), 176.

⁵²⁵Mango, *Turkey and the War on Terror*, 72.

reach requires a global counter-terrorist response. As already explained above, participants' responses collectively indicated that there is an urgent need for intelligence sharing in dealing with global jihadists networks and individuals. As Herman concluded, "no country can provide intelligence to protect itself entirely from its own resources. A global understanding is needed to see the threat as a common one. In countering terrorism collective action depends on shared intelligence and common assessments."⁵²⁶ Therefore, in the modern era of globalized terror, we need to break down barriers to smooth flow of information and build strong networks among agencies. In this respect, the current study urges global actors and local enforcers to dedicate more effort to understand the transnational aspect of jihadist movements and to respond to this threat in a more coordinated and cooperative way. Even if we may continue to have individual problems, at least we can eliminate institutional barriers that block information sharing. Finally, without giving in to arguments on concerns about human rights and civil liberties in the face of security requirements, the researcher urges governments to remove barriers for law enforcement intelligence agencies to make pre-emptive intelligence in fighting against domestic and global terrorism.

⁵²⁶ Herman, *Intelligence Services in the Information Age*, 231.

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APPENDICES

Appendix-1: Consent Statement

You are invited to participate in a research study that is being conducted by me, Ozcan Ozkan. I am a doctoral student at Rutgers, The State University of New Jersey in the USA. The purpose of this research is to explore: How do public policy/bureaucratic failures, organizational obstacles, problems with threat and warning information, defects in intelligence cycle, lack of international intelligence sharing, and the capability of perpetrators contribute to intelligence failures leading to consequent mass casualty attacks? Around 30 subjects between the ages of 25-50 years old are expected participate in this study. And each individual's participation will last approximately 1-2 hours.

The study procedures include the following: the language of the interview will be in Turkish/English. You will not be audio-taped or videotaped during the interview process. You will be asked open-ended questions which are related to the objectives of this research; understanding the factors of intelligence failures in mass casualty terrorist attacks. This research is confidential. The research records will include some information about you and this information will be stored in such a manner that some linkage between your identity and the response in the research exists. Some of the information collected about you includes the department you worked and job title you had. Please note that we will keep this information confidential by limiting individual's access to the research data and keeping it in a secure location using the advanced programs for data storage such as TrueCrypt.

The research team and the Institutional Review Board at Rutgers University are the only parties that will be allowed to see the data, except as may be required by law. If a report of this study is published, or the results are presented at a professional conference, only group results will be stated. All study data will be kept for at least three years.

There are no foreseeable risks to participation in this study. You may not have any direct or indirect benefits from this study. Your participation in this study is completely voluntary. You may choose not to participate, and you may withdraw at any time during the study procedures without any penalty to you. In addition, you may choose not to answer any questions with which you don't feel comfortable. Choosing to participate or not will not have any effect on the relations between you and the Turkish/American government.

Any questions about this study should be directed to the co-principal investigator at (+1 973 353 3287) *or to the researcher at (+1 8625919845)*. You may also contact me by e-mail at oozkan@pegasus.rutgers.edu or you can contact the co-principal investigator, Dr. Norman Samuels, by e-mail at samuelsn@andromeda.rutgers.edu.

If you have any questions about your rights as a research subject, you may contact the IRB Administrator at Rutgers University at:

Institutional Review Board for the Protection of Human Subjects
Office of Research and Sponsored Programs
3 Rutgers Plaza, New Brunswick, NJ 08901-8559
E-mail: humansubjects@orsp.rutgers.edu

You will be given a copy of this consent form for your records.

Sign below if you agree to participate in this research study:

Subject (Print) _____

Subject Signature _____ Date _____

Principal Investigator Signature _____ Date _____

Appendix-2: Interview Questions

In addition to the central research question which is “How do policy/bureaucratic failures, organizational obstacles, defects in intelligence cycle, lack of international intelligence sharing, and the capability of perpetrators contribute to intelligence failures leading to consequent mass casualty attacks?”, the following presents probe questions during the interviews.

Policy/Bureaucratic Failures

- What was the perception of terrorism threat in governmental level?
- Who defined the threats and how?
- Was there any disagreement in state level on terror threat?
- Was counterterrorism a high enough priority in administrations and intelligence community?
- Did governments allocate sufficient resources to intelligence units?
- Was there any bureaucratic obstacle to create and implement policies against terror threat?
- Was legal restraint on domestic surveillance a significant factor?
- Have there been changes in legislation regarding intelligence gathering?
- How were the governments/policymakers up-to-date with global emerging threats?

Organizational Problems

- How did intelligence agencies deal with terrorism?
- How was the interagency and intra-agency coordination and information sharing?
- Were there defects on the vertical sharing of information?
- Was there any institutional self-preservation that could affect the process?
- Were the structures and duties of intelligence agencies shaped according to new emerging threats?
- Was the community of analysts and field officers inside the organization adequate (better screening of applicants for intelligence jobs, higher salaries to attract better people)?
- Was there enough consideration of the views of journalists, academics, and other outsiders that can be of any use in analyzing trends in terrorism?
- Are there other organizational problems unique to this case?
- What was done about reorganization of intelligence community after the events?

Defects in Intelligence Cycle

- Were there breakdowns within the intelligence cycle that contributed to the failure including taking appropriate actions?
- Was analysis handicapped by collection failures such as the lack of human intelligence and signals intelligence?
- Was there any analytical bias (such as problem with analyzing events, not just reporting them, groupthink, or overlearning/overconfidence)?
- Were there opportunities to get inside the planning cycle of the terrorists?
- Was there any sign that analysts and managers in any way underestimated the threat or were influenced by the desire to please policymakers telling what they wanted to hear?
- What were the general threat indicators? To what extent were these indicators understood and shared?
- Were there specific warning indicators available that could reveal some portion of the terrorist plot? Were they lost in signals-to-noise?
- Were they shared with relevant agencies before the attacks?
- To what extent were policy makers in government and intelligence agencies able to learn from the similar experiences in the past?

Lack of International Intelligence Sharing

- Was there any lack of international intelligence sharing that could possibly affect the success of the plot?
- How good and effective were the relations between state intelligence units and relevant foreign intelligence agencies?
- How could an effective international intelligence sharing be achieved?

The Capability of Perpetrators

- How willing and dedicated were the members of terrorist organizations to carry out the attack?
- Was the organization capable to carry out such an attack?
- How did they manage to escape from the intelligence radar?
- To what extent did they get domestic and foreign assistance?
- Were there former attacks of similar kind by the same group in the same country or against its interests in another country?

Appendix-3: Codes and Categories

Categories	Corresponding Codes
1. Policy/Bureaucratic Failures	1. State Policy and Bureaucratic Barriers
	2. Legislative and Executive Failures
	3. Allocation of Financial Resources
2. Organizational Obstacles	4. Organizational Structure and Culture
	5. Interagency & intra-agency information sharing
	6. Use of Technology
	7. Personnel Management and Allocation of Domestic Resources
3. Defects in Intelligence Cycle	8. Needs Assessment and Direction
	9. Collection
	10. Processing and Analysis
	11. <i>General Analytical Failures</i>
	12. <i>Problems with Analyzing Threat and Warning Information</i>
4. Lack of International Intelligence Sharing	13. Dissemination
	14. Lack of International Intelligence Sharing
5. The Capability of Perpetrators	15. Characters and the Plot Summary
	16. Mindset and Background Characteristics of the Group Members
	17. Recruiting and Training
	18. Finance
	19. Masking Techniques and Tactics of the Group

Appendix-4: Curriculum Vita

1981	born in Istanbul, Turkey to a Turkish parents immigrated from Bulgaria in 1977.
1995-1999	studied high school, <i>the Police College</i> , in Ankara, Turkey
1999-2003	received B.A. in linguistic by studying in the school of the Middle Eastern Language and Literature at Ankara University in Ankara, Turkey where he mastered Arabic, Persian, and Hebrew languages.
2003	graduated from Turkish National Police Academy in Ankara, Turkey.
2003-2008	worked at the ranks of sergeant and lieutenant at various units of the Intelligence Department (IDB) of the Turkish National Police (TNP), and as senior administrative assistant to several Directors of the IDB.
2008-2010	received M.S. in Global Affairs from the Division of Global Affairs at Rutgers, the State University of New Jersey in the United States of America.
2010-2011	worked at the rank of police captain as the program coordinator for the international intelligence trainings at the Intelligence Academy (ISAK) of the IDB.
2011-2012	worked for the Turkish Prime Minister's Protection Department.
2012-	still working in the Bitlis Police Department.