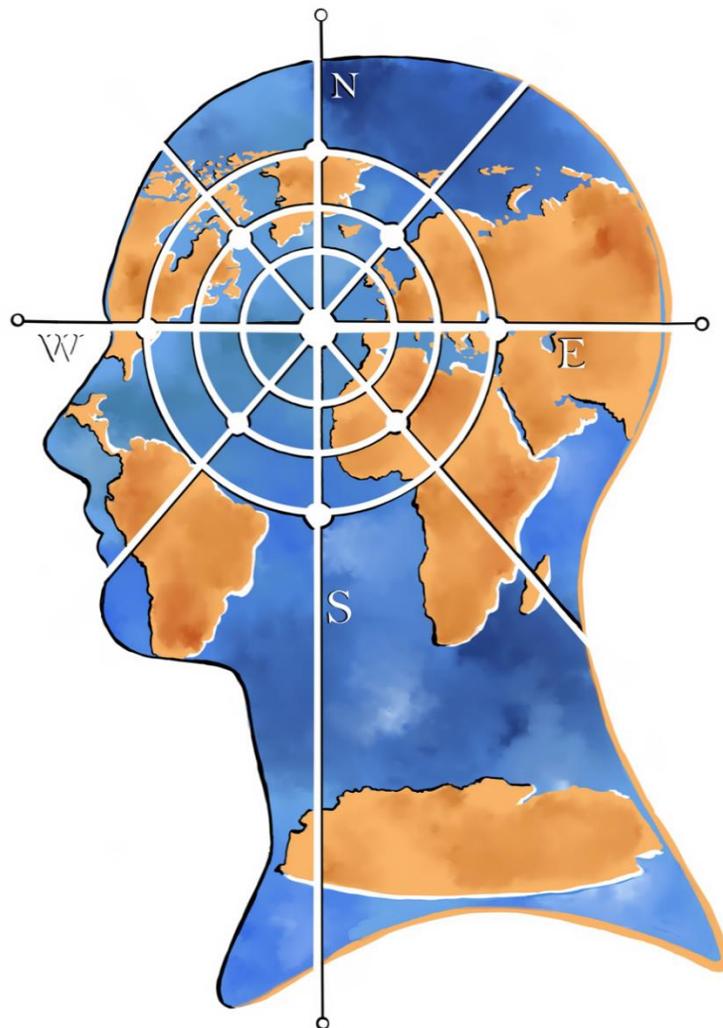


JOURNAL *of* EUROPEAN *and* AMERICAN INTELLIGENCE STUDIES

AN INTERNATIONAL PEER-REVIEWED JOURNAL



Research Institute for European and American Studies - RIEAS
Department of Security and Intelligence Studies - Coastal Carolina University

JOURNAL of EUROPEAN and AMERICAN INTELLIGENCE STUDIES

An international peer-reviewed journal

Sponsored by the **Research Institute for European and American Studies – RIEAS**

under the editorial supervision of the

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Mission and Scope

The *Journal of European and American Intelligence Studies (JEAIS, formerly the Journal of Mediterranean and Balkan Intelligence – JMBI)* is published by the Research Institute for European and American Studies (RIEAS) under the editorial direction of the Department of Security and Intelligence Studies at Coastal Carolina University. It is an international academic-led scholarly publication that focuses on the field of intelligence and related areas of study and practice, such as terrorism and counterterrorism, domestic and international security, geopolitics, and international relations. The journal's rationale is driven by the global nature of security challenges, where we are called more than ever to communicate and work collaboratively to solve our common problems. Thus, the *JEAIS* aspires to promote an international dialogue between diverse perspectives and experiences, based on original research on the broader European and American practice and study of intelligence. The *JEAIS* is an all-inclusive academic platform that allows accomplished and emerging scholars and practitioners from both the public and private sectors to share their knowledge, ideas and approach to intelligence studies. By crafting each journal issue through a rigorous and highly selective screening process of potential contributors, and an exhaustive review process, the *JEAIS* adheres to its mission, which is three-fold: (a) to provide an equal opportunity for academics and practitioners of intelligence to discuss and challenge established and emerging ideas; (b) to address existent knowledge gaps by advancing new knowledge; and (c) to shape the evolution of intelligence scholarship beyond traditional communities of research.

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Editor's Note

Joseph Fitsanakis

Professor, Department of Intelligence and Security Studies, Coastal Carolina University

In 2011, Coastal Carolina University (CCU), a public, liberal-arts higher-education institution in South Carolina, launched its Bachelor of Arts in Intelligence and National Security Studies. The program's aim was—and remains—to equip undergraduate students with an understanding of the use of intelligence processes in security-related professions. The establishment of the program, which was spearheaded by Jonathan Smith, a political scientist with a 23-year intelligence career in the United States Navy Reserve, reflected a nationwide growth in American intelligence studies, following the tragic events of September 11, 2001. Indeed, the terrorist attacks had laid bare the necessity for large numbers of agile, well-trained intelligence professionals in the government sector. This need accounts for much of the growth of intelligence studies in our century.

Since that time, intelligence systems and processes have been utilized to address a host of growing challenges, including black-hat computer hackers, international criminal networks, as well as threats associated with bio-security. By incorporating these new challenges into its curricular scope, the field of intelligence studies has become more diverse and wide-ranging than most of its early pioneers could have imagined. Amidst such change, however, one core parameter persists—namely the importance of developing an understanding of intelligence both as an academic discipline and as an applied method of observation and assessment of the world around us. This combination of scholarship and practice forms the foundation of many a program in the field, including CCU's decade-long effort.

Now in its 11th year, CCU's intelligence studies program is housed in the newly formed Department of Intelligence and Security Studies, which is chaired by its founder, Jonathan Smith. The program's traditional emphasis on professional training has been further-enhanced by the establishment of its Intelligence Operations Command Center, a state-of-the-art facility that provides its students with hands-on experience in real-time intelligence collection, analysis and dissemination.

Alongside its professional mission, the Department has actively sought to advance its scholarly objectives, notably through the addition of several PhD-holding members to its already accomplished faculty roster. Another step in the direction of enhancing the Department's scholarly prowess involved a memorandum of agreement between CCU and the Research Institute for European and American Studies (RIEAS). Signed in July of 2021, the memorandum recognizes the common interest of CCU and RIEAS in "creating a framework for creative thinking, honest discussion and nonpartisan dissemination of multidisciplinary reflections and innovative ideas". Furthermore, the memorandum gives the Department of Intelligence and Security Studies at CCU editorial supervision over the *Journal of European and American Intelligence Studies* (JEAIS), which is among RIEAS' flagship intellectual products.

The link between CCU's Department of Intelligence and Security Studies and RIEAS emerged from the professional relationship between the RIEAS Director, John M. Nomikos, and the present author, which spans over 15 years. As the founding editor of *JEAIS*, and having witnessed the growth of the intelligence program at CCU, Dr. Nomikos extended a generous invitation to our Department to work together with RIEAS to achieve the mission of this growing international journal. As a result of this partnership, the Department of Intelligence and Security Studies will be managing variety of editorial aspects of this publication, under the supervision of its managing editors, Dr. Christian Kaunert and the present author. These aspects include managing paper submissions, identifying appropriate reviewers for manuscripts, and communicating with authors and reviewers.

The transnational mission of JEAIS is aptly reflected in its name and the intentionally international composition of its editorial team. This mission corresponds well with the interests and scope of the Department of Intelligence and Security Studies at CCU. Our program has an established tradition of turning the attention of many of its students to applications of intelligence in the international domain. Moreover, several members of our faculty have backgrounds in international studies, and/or practical experience in external intelligence agencies of the United States government, such as the Central Intelligence Agency and the Defense Intelligence Agency.

The present issue is indeed a fitting reflection of the international mission of this journal. It brings together authors from three continents and half a dozen countries, who examine in detail a host of timely aspects of intelligence and security. Steven Stottlemyre, a visiting fellow at the University of South Wales, provides a detailed conceptual account of the so-called ‘Steele Dossier’, which has captured the attention of the world’s media since late 2016, when news of its existence emerged in the public domain. The author masterfully utilizes the Steele Dossier to illustrate the principle of secrecy in intelligence processes. He ultimately reframes this controversial case study in the context of the politicization of intelligence.

Another intensely timely topic, namely the sweeping victory of the Taliban in Afghanistan, is discussed by Irfan Yar, founder and managing director of the Afghanistan Security Institute. Yar provides a comprehensive and multifaceted analysis of the Taliban’s popular-support strategy, which rests on a wealth of primary sources from this ongoing conflict. He argues that, contrary to the view of many observers, the Taliban were able to survive the 20-year American military offensive due to ample domestic support. The latter was mobilized by the Taliban through a prolonged hearts-and-minds campaign that was as sophisticated as it was effective.

Similarly to Yar, Marco Fais, an analyst with the International Criminal Police Organization (INTERPOL) keeps his observations close to the ground in one of the world’s most troubled hotspots. He focuses on a highly under-researched subject, namely kidnappings by various armed groups in Africa’s Sahel region, where he has direct and extensive personal experience. By methodically merging quantitative and qualitative data, Fais highlights ongoing trends in this critical topic, and demonstrates how the modus operandi of various armed groups throughout the Sahel has evolved in the past decade.

The paper by Kamila Zarychta-Romanowska, a lecturer at the University of Wroclaw in Poland, is a testament to the benefits that hands-on familiarity brings to scholarship. An experienced practitioner in international security affairs, the author provides a truly exhaustive account of the European Union’s border-security strategies in the challenging context of the COVID-19 pandemic. She concludes that border surveillance should be enhanced by advanced scientific principles, and that the ability of European governments to police their borders cannot be enhanced in the absence of pan-European coordinated training and institutional structures.

Clarissa Lopez adds another important and timely voice in this issue of *JEAIS*. Lopez, a financial crime analyst in the private sector, proposes a critical examination of data on police violence in the United States, informed by the perspective of critical race theory.

She argues that critical race theory and social disorganization theory are essential in understanding trends on police violence against people of color in the United States. Alongside this conceptual prism, Lopez offers a historical account of police institutionalization, which, she argues, enhances our understanding of the causes of police violence in the contemporary setting.

The concluding pages of this issue are devoted to a meticulous examination of the bombing of Sudan's Al-Shifa factory by the United States in the summer of 1998. Its author, Rohin Sharma, an adjunct faculty member at Georgetown University, revisits this decades-old controversy and argues that a direct line can be drawn between it and the 2003 Iraq weapons-of-mass-destruction fiasco. The two incidents, he suggests, display some of the same intelligence pathologies in terms of collection and analysis that result in poor intelligence tradecraft.

On behalf of the *JEAIS* editorial team, I wish to express my thanks to all our contributors for lending their voices to what I think is one of the most insightful, timely and inventive issues we have ever had the pleasure of producing. I also invite our readers to reach out to us with comments, suggestions and criticism about our content.

Targeting Al-Shifa: Explaining an Intelligence Failure

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Abstract

This paper examines the intelligence failure surrounding the bombing of the Al-Shifa factory on August 20, 1998. The factory was bombed in retaliation for the August 1998 attacks on the US Embassies in Kenya and Tanzania by al-Qaeda. At the time, it was thought that the Al-Shifa factory was producing VX gas for the al-Qaeda network. However, subsequent analysis has shown that it is extremely unlikely that Al Shifa was involved in VX production, nor is it probable that Al Shifa was linked to al-Qaeda. In a prelude to the Iraq WMD fiasco, some of the same intelligence pathologies—to include politicization, an inability to examine negative evidence, and poor collection and analytical tradecraft—were prevalent in the Al Shifa example. This paper examines those intelligence failures in depth.

Introduction

On August 20, 1998, United States (US) warships launched 13 Tomahawk missiles at the Al-Shifa factory in Sudan, completely destroying the plant. The attack was a response to the bombing by al-Qaeda of United States embassies in Kenya and Tanzania two weeks prior. The US intelligence community assessed that the plant was connected both to al-Qaeda and the production of highly lethal VX gas. If true, the Al-Shifa plant would have posed a significant threat to US interests.

However, all evidence indicates that Al-Shifa was not connected to al-Qaeda, nor was it involved in the production of chemical weapons. Before the advent of drone targeting,

bombing another country was considered an act of war and implemented only as a response to confirmed intelligence and a large threat to national security. In this case, the intelligence and its use by policymakers was flawed, creating the condition that warranted the use of Tomahawk missiles.

How did this failure happen? In a prelude to the Iraq weapons of mass destruction (WMD) intelligence failure, a combination of inadequate collection, analytical traps, politicization, and an inability to communicate nuance to policymakers, led to the erroneous targeting of Al-Shifa. Ironically, if the Al-Shifa failure had been analyzed more thoroughly, it is possible that the Iraq WMD failure might have been entirely avoided.

This paper will begin with an overview of the decision making process that led to the strike on Al-Shifa. It will then analyze the intelligence used to nominate Al-Shifa as a potential target. Focus will then turn to how politicization played a role in the Al-Shifa attack. Next, the paper will examine specific and analytical failures perpetrated by the intelligence community outside the policy/political interface. The paper will conclude with rebuttal arguments put forth by officials in the administration of US President Bill Clinton, who were involved in the decision to strike Al-Shifa.

Initial Collection

The original connection between Al-Shifa and Osama Bin Laden came in 1995, when reporting indicated that Osama Bin Laden, a resident of Sudan at the time, had contacted the Sudanese government for assistance with chemical weapons. In 1997, an informant “reported that two sites in Khartoum might be involved in chemical weapons production.”¹ The same informant, whose reliability was unknown, mentioned that Al-Shifa might also be producing chemical weapons due to “high fences and stringent security.”

Based on this initial reporting, the Central Intelligence Agency (CIA) sent an officer in December 1997 to collect a soil sample from the plant. While the sample was initially reported as coming from the grounds of the facility, the soil was actually taken 20 meters outside the plant. When the soil was examined by various US labs, EMPTA was found at “2.5 times that which would be regarded as a mere trace; presumably, exculpatory evidence to explain its presence was not discovered.”² EMPTA, O-Ethyl Methylphosphonothioic Acid, is a known precursor for VX nerve agent, one of the

¹ Eric Croddy. Deal with Al Shifa: Intelligence and Counterproliferation. *International Journal of Intelligence and Counterintelligence*. Issue 15, 2002. Copyright Taylor and Francis.

²ibid

deadliest chemical weapons at the time. The presence of EMPTA, which had some—but not widespread—commercial use (discussed in more detail below), elevated Al-Shifa as a threat and potential target.

Further reporting indicated a possible linkage between Bin Laden and Al-Shifa, “including indirect financial connections through the Military Industrial Corporation, a government controlled company.”³ In addition, Bin Laden’s previous relationship with the Sudanese government may have led analysts to draw erroneous connections between al-Qaeda and the Al-Shifa plant. A July 24, 1998, CIA report highlighted these conclusions but also recommended “more soil samples and additional satellite photography.” It also noted that there were no longer signs of heavy security around the facility.⁴

Retaliating for the Embassy Attacks

On August 8, 1998, al-Qaeda simultaneously struck the US embassy compounds in Nairobi, Kenya, and Dar-es Salaam, Tanzania. US intelligence and law enforcement agencies quickly determined that Bin Laden was behind the strike (in a poorly articulated phrase that he would repeat in the days leading to the Iraq War, CIA Director George Tenet pronounced it a “slam dunk case”). The National Security Council immediately developed a “small group” consisting of Secretary of Defense William Cohen, National Security Advisor Sandy Berger, Secretary of State Madeline Albright, Director Tenet, and National Security Council (NSC) Counterterrorism Director Richard Clarke, to evaluate intelligence and determine retaliatory measures. The group was purposefully kept small in order to prevent leaks to the media.

The small group tasked the Department of Defense and the CIA Counterterrorism Center with developing a list of targets for retaliatory strikes, with Al-Shifa making the list. This list was first briefed to President Clinton on August 12. However, the CIA “received new intelligence show[ing] that Bin Laden and his key lieutenants would be meeting on August 20th in Khost, Afghanistan”.⁵ This meeting provided a lucrative target and could easily be justified, given the al-Qaeda attacks in Kenya and Tanzania.

However, for reasons that remain unclear, the dubious strike on Al-Shifa would be linked to justified retaliation in Khost. Richard Clarke explained that “Bin Laden had shown global reach by attacking American embassies simultaneously in two countries”⁶ and, therefore, the US had to strike in two countries. According to chemical weapons

³James Risen. “To Bomb Sudan Plant, or Not: A Year Later, Debates Rankle” NY Times, October 27, 1999

⁴ Ibid

⁵ Michael Zenko. “Red Team. How to Succeed by Thinking Like the Enemy” Basic Books, 2015. Pp 85

⁶ James Risen. “To Bomb Sudan Plant, or Not: A Year Later, Debates Rankle” NY Times, October 27, 1999.

expert Johnathan Tucker, it was President Clinton who made the decision to strike two targets simultaneously. The decision to strike two targets appeared to have been an attempt to show “strength” regardless of the actual national security threat.

Regardless, the operation to strike Al-Shifa continued. On August 19th, final recommendations were made for targeting the Khost site, the Al-Shifa plant, and another site in Khartoum, Sudan. Notes taken at the meeting indicate that Tenet mentioned that there were “gaps linking Al-Shifa to Bin Laden”, however, the CIA was “working to close the intelligence gaps on this target”.⁷ It is not clear if Tenet meant that the gaps were to be closed before the attack or as part of a post-attack justification.

Aftermath

Following the attack, US officials explained their rationale for targeting the plant. President Clinton said “the plant was destroyed because it was a chemical weapons related facility,”⁸ implying that the production of chemical weapons occurred there. Hugh Shelton, Chairman of the Joint Chiefs of Staff, took the rationale a step further, stating that “the intelligence community is confident that this facility is involved in the production of chemical weapons agents including precursor chemicals for the deadly V series of nerve agents like, for example, VX.”⁹ Secretary of Defense Cohen appeared to backpedal slightly when he stated that the facility “produced precursor [not complete product] chemicals that would allow the production of VX nerve agents.”¹⁰

However, further scrutiny and media reports would undermine the rationale for the targeting of Al-Shifa. The designer of the plant, an American pharmaceutical consultant, insisted that that it did not have equipment to construct a nerve agent. A British engineer, Thomas Carnaffin, who worked as a technical manager during the plant’s construction between 1992 and 1996, stated that the plant “was neither heavily guarded nor secret, and that he never observed evidence of the production of an ingredient needed for nerve gas.”¹¹ Dino Romanatti, the plant’s Italian supplier, said that “he had full access to the facility during visits in February and May 1998, and saw neither equipment nor space necessary for CW production.” Romanatti described plant resources as very limited: “the availability of tools in the factory was close to zero. You couldn’t get a piece of steel, a screw, a saw. To imagine a plant that makes chemical weapons is absolutely incredible.”¹²

⁷ Ibid

⁸ Statement by President Bill Clinton, August 21, 1998.

⁹ Brian Bates, Chris MCHorney. “Developing a Theoretical Model of Counter proliferation for the 21st Century.” Edwin Mellen Press, October 2000. Pp 175

¹⁰ DOD News Briefing, Office of the Secretary of Defense, August 20, 1998 (<http://www.defenselink.mil/>).

¹¹ Michael Barletta. “Chemical Weapons in the Sudan: Allegations and Evidence” Non Proliferation Review, Fall 1998.

¹² Ibid

The Sudanese government vehemently denied that chemical weapons were being produced or that there was a connection to al-Qaeda. Sudanese officials “arrived at Al-Shifa while the plant was still burning, which presumably would have been personally hazardous if the plant had been involved in CW production.”¹³ The Sudanese went even further, calling for an international inspection of the Al-Shifa site—something that was denied by the Clinton administration and has not been conducted to date.

Finally, despite what was announced by the Clinton administration, the plant was not heavily guarded, contradicting a key piece of intelligence that claimed there was clandestine activity occurring at Al-Shifa. Corroborating the comments of Carnaffin, journalists who visited the ruins of the plant reported that “it had not been under heavy security prior to the attack.”¹⁴ Further, the “German Ambassador to the Sudan, Werner Daum, reported to Bonn [...] that the plant was neither secret nor disguised. The report said Shifa could ‘in no way be described as a chemical plant,’¹⁵ but was instead ‘Sudan’s largest pharmaceutical plant.’ Bishop HH Brookings from the African Methodist Episcopal Church in Nashville, Tennessee, was able to freely tour the facility days before the attack, and noticed no signs of increased security.¹⁶

Dubious Intelligence

The case for targeting Al-Shifa was based primarily on two sources of intelligence: a soil sample that had high traces of EMPTA—a precursor for VX gas, and assessed financial connections between the Al-Shifa plant and Osama Bin Laden.

Soil Samples

The “smoking gun” for targeting Al-Shifa was the soil sample collection which contained a high concentration of EMPTA. The soil sample was taken 20 meters from the plant (and not on the facility as originally reported), and had a concentration level 2.5x than what was found naturally.¹⁷ Further damning was the fact that EMPTA was used specifically in the Iraq VX program, indicating a connection between Iraq and the plant (although no connection to al-Qaeda). Finally, while EMPTA does have some commercial use, it does not have any applications in the pharmaceutical industry, a key piece of intelligence given that this was the reported purpose of the Al-Shifa facility.

¹³ Ibid

¹⁴ Johnathan Tucker. *War of Nerves: Chemical Warfare from World War I to al-Qaeda*. Pantheon Books, 2006.

¹⁵ Michael Barletta. “Chemical Weapons in the Sudan: Allegations and Evidence” *Non Proliferation Review*, Fall 1998.

¹⁶ Ibid

¹⁷ Eric Croddy. “Dealing with Al Shifa: Intelligence and Counterproliferation” *International Journal of Intelligence and Counterintelligence*.

However, there are problems with automatically assuming a connection to VX gas based on the EMPTA soil sample. First, the sample was not taken from the grounds of the Al-Shifa facility. Even if VX was being produced, it is not clear how the precursor material could have landed so far away. Secondly, it is important to note that the EMPTA is a precursor material, and not the final product of VX. Clinton administration officials were clear that that plant produced VX, yet only remnants of the precursor material were found—a far cry from actual production.

Moreover, EMPTA has other commercial applications aside from the production of VX. EMPTA is listed as a schedule 2 chemical, making it a dual use chemical. A spokesman for the Organization for the Prohibition of Chemical Weapons (OPCW) stated that EMPTA could have “legitimate commercial purposes such as fungicide production.” In addition, “Chemical Weapons experts have since suggest that Fonophos, an organophosphate insecticide, had been used quite often throughout Africa and could have been misinterpreted for EMPTA.”¹⁸

Finally, the use of soil samples to detect clandestine chemical weapons programs is not a reliable technique. Its true value usually occurs after an incident, such as the 1988 Iraqi attack against the Kurds in Halabja, or the August 2013 gassing in Damascus by the Syrian regime. Sampling rarely works as a standalone collection method with chemical weapons, and its value is further diminished when collecting precursor material like EMPTA vice the final chemical weapons product.

None of these issues were shared with senior policymakers prior to the Al-Shifa strike. It is also likely that all further intelligence was analyzed with the intention of confirming the soil sample as opposed to disputing it.

Linking Bin Laden to Al-Shifa

Perhaps the most dubious intelligence was the attempt to establish a connection between Bin Laden and the Al-Shifa plant. Following the strike, an unnamed intelligence official stated that “we know that Bin Ladin has made financial contributions to the Sudanese military complex. That’s a distinct entity of which we believe the Shifa pharmaceutical facility is a part.”¹⁹ Intelligence analysts were also aware that Bin Laden had spent time in Sudan at the host of its government, although he had been expelled before the 1998 attack. US intelligence agencies were also aware that al-Qaeda was attempting to acquire

¹⁸ “Weapons of Mass Destruction: An Encyclopedia of Worldwide Policy, Technology, and History, Volume 2” Eric Croddy, James Wirtz. ABC-CLIO 2005

¹⁹ Background Briefing, US Department of Defense August 20, 1998.

chemical weapon capability, although the extent of their acquisition was unknown at the time. Finally, US intelligence was aware that there were connections between officials at Al-Shifa and Iraqi chemical weapons experts, with the EMPTA precursor, used extensively in the Iraqi program, furthering the link between Iraq and Al-Shifa.

However, this evidence does not withstand scrutiny. Even if there had been connections between Al-Shifa and Iraq, it would not necessarily translate into a connection to al-Qaeda—a point that was litigated extensively prior to the Iraq War. Furthermore, unbeknownst to the CIA, ownership of the plant had changed hands six months prior to the Al-Shifa attack, further diluting the Iraqi connection.²⁰ Finally, the connections between Bin Laden and Sudan at that time were tenuous, largely due to his expulsion by the Sudanese government. While there could have conceivably been some links, it is difficult to conceive that the Sudanese government and Bin Laden would have had such a cooperative relationship given his recent expulsion.

Connecting Bin Laden to Al-Shifa required certain mental gymnastics. It appears that analysts and policymakers suffered from an “Iraq is bad, Iraq is involved in VX production—or so the US thought at the time—and Bin Laden is bad, therefore Bin Laden is involved in VX” mentality. The connections tying al-Qaeda to Al-Shifa were almost non-existent from an objective point. However, in the backdrop of the embassy bombings, like the World Trade Center attacks three years later, tenuous connections were magnified with little alternative evaluations.

Intelligence Politicization

How did this failure occur? While there are several factors including substandard intelligence collection and analytical tradecraft, the overwhelming reason was that the intelligence was framed in such a way as to fit policymakers’ desires. Congruently, intelligence analysts failed to communicate nuances and alternative analyses to policymakers, thus providing policymakers with a lot more surety than was warranted.

Before discussing what politicization is, it is important to explain what it is not. First, several people accused Clinton of using the Al-Shifa strike to distract from the ongoing inquiry regarding the Monica Lewinsky affair, referred to as a “Wag the Dog” scenario. There is no evidence that Clinton launched the strike to distract from the affair, nor is there any indication that intelligence was “cooked” in order to cover his domestic troubles.

²⁰ James Risen, “New Evidence Ties Sudanese to Bin Laden, U.S. Asserts,” *The New York Times*, October 4, 1998;

Secondly, there is a false assertion that politicization only occurs when policymakers either alter intelligence reports or bully intelligence analysts into accepting predetermined conclusions. The 2004 Senate report on pre-war Iraqi intelligence found no evidence of this type of politicization ahead of the Iraq WMD failure. In fact, this type of overt action is exceedingly rare, and there is no evidence that this occurred in the Al-Shifa case.

Politicization occurs, however, in more subtle ways, even being so subtle that a policymaker may not even realize he or she is engaging in it. “Subtle politicization” happens when there is an inordinate requirement on an intelligence organization, originating from a policymaker that forces the intelligence organization to act in ways counter to best practices.²¹ This is different than more egregious levels of politicization, where the intelligence community is forced to “cook the books” for a policymaker, or fears negative career retribution for not toeing the policymakers line.

In the Al-Shifa case, it is clear that the request for striking two targets was the subtle politicization that caused the Al-Shifa intelligence failure. Reports indicated the desire to strike two targets occurred because al-Qaeda had struck two separate countries with the embassy bombings.²² This logic was not the result of any analysis on the al-Qaeda network, nor did it come from an evaluation of threats facing national security. It appeared to emerge from a need to publicly “demonstrate” US resolve—a dubious rationale for striking a separate country in the pre-9/11 era.

Regardless, the political decision to strike two targets had several impacts that negatively affected the intelligence assessment on Al-Shifa. First, it robbed the intelligence community of time to collect more information on the Al-Shifa plant. According to a July 24, 1998, CIA report—issued two weeks before the embassy bombings—there was a requirement for “more soil samples and additional satellite photographs,”²³ to confirm the presence of VX at Al-Shifa. Obviously, the compressed timeline of striking two targets by August 20th prevented any attempt for additional collection activity against the facility.

Secondly, it proved to be a forcing function for bad intelligence to bubble to the top. Policymakers were actively looking for a target under time pressure, forcing the intelligence community to provide targets based on dubious intelligence. Without the requirement for immediate action, it is likely that there would have been more questions on both the EMPTA evidence and the connections between Al-Shifa and the al-Qaeda

²¹ This definition was developed by the author

²² James Risen. “QUESTION OF EVIDENCE: A special report.; To Bomb Sudan Plant, or Not: A Year Later, Debates Rankle” NY Times, October 27, 1999.

²³ Ibid

network. Indeed, after the strike, analysis from the broader State Department Bureau of Intelligence and Research determined that the intelligence used to target Al-Shifa was shoddy.

Furthermore, the requirement from the Clinton Administration for two targets, combined with the artificial time constraint, prevented an analysis of the evidence from the larger intelligence community, a typical practice for controversial assessments. Ironically, the intelligence for Al-Shifa came from the CIA Counterterrorist Center and not the WMD experts at the Weapons Intelligence, Nonproliferation, and Arms Control (WINPAC) at CIA, who were notified of the Al-Shifa strike on the day before it was carried out.²⁴ Nor was the State Department Intelligence and Research Bureau (INR) consulted prior to the attack. Both WINPAC and INR had serious concerns about the intelligence on Al-Shifa; however, the compressed timeline prevented incorporation of these agencies into the process.²⁵

Finally, Sandy Berger's assertions during the debate likely skewed the intelligence. Berger is quoted as saying "what if we do not hit [Al-Shifa] and then after an attack, nerve gas is released in the New York City subway? What will we say then?"²⁶ Obviously, a quote like this is not based on intelligence or an objective view of national security threats, but political perception. This likely colored the views of the policymakers and made the attack more likely.

Communicating with Policymakers

In his book *Red Team*, Michael Zenko argued that an alternative analysis should have been completed on the intelligence related to the Al-Shifa plant. A simple Team A/Team B approach, even conducted under a tight time constraint, would have shown the hollowness of the intelligence related to Al-Shifa and may have prevented the attack.

However, alternative analyses would still have to be filtered through the person or agency actually communicating it to the policymakers. Due to the closed nature of the decision-making surrounding the Al-Shifa plant, all intelligence was filtered through Tenet, the CIA director. If there had been alternative analyses, it was his job to communicate nuances of the Al-Shifa intelligence to policymakers.

Tenet may have briefed some nuances to the policymakers, warning that the "link between Bin Laden and the factory could be drawn only indirectly and by inference."²⁷

²⁴ Michael Zenko. "Red Team. How to Succeed by Thinking Like the Enemy" Basic Books, 2015.

²⁵ Ibid Pp 90

²⁶ Johnathan Tucker. War of Nerves: Chemical Warfare from World War I to al-Qaeda. Pantheon Books, 2006

²⁷ James Risen, "New Evidence Ties Sudanese to Bin Laden, U.S. Asserts," *The New York Times*, October 4, 1998.

Nevertheless, it was apparent the policymakers did not hear any of the nuances and disclaimers. Sandy Berger, the National Security Advisor reported that “the director was very clear in the plants association with Chemical Weapons.”²⁸ Richard Clark, the senior NSC director, went a step further stating that “the US government is sure that the Iraqi nerve gas experts actually produced a powdered VX like substance at the plant that when mixed with bleach and water would become fully active VX.”²⁹ Secretary of Defense Cohen argued:

That the plant itself had been constructed under extraordinary security measures, that the plant had been funded, in part, by the so-called military industrial corporation, that bin Laden had been living there, that he had in fact money that he had put into this military industrial corporation, that the owner of the plant had traveled to Baghdad to meet with the father of the VX program, and that the CIA had found traces of EMPTA nearby the facility itself. According to all the intelligence, there was no other known use for EMPTA at that time other than as a precursor to VX.³⁰

Based on what the policymakers understood of the intelligence, it is clear that nuances and caveats of intelligence were not clearly articulated. While no exact transcripts of meetings are available in the unclassified public domain, the intelligence community, represented solely by Director Tenet, should have communicated the following much more clearly:

- EMPTA residue at the Al-Shifa plant was not a definitive indicator of the presence of chemical weapons. As stated earlier, the EMPTA may have had other commercial purposes and its connection to VX was far from definitive.
- There is a vast difference between precursor material and finished product. From the above statements, it is clear that the policymakers believed that production of VX from EMPTA was an easier process than it could be.
- Bin Laden’s financial connections to Sudan were limited at best. Tenet may have communicated the tenuous financial connections between Sudan and Bin Laden, but it is apparent that policymakers were not receptive to this nuance.
- There was no direct connection between Bin Laden and Iraq. Secretary of Defense Cohen was clear that the connections between Iraq and Al-Shifa were critical factors in the decision to attack. However, there was little intelligence connecting Bin Laden to Iraq and none connecting Iraq to the August 7th embassy attacks.
- Al-Shifa did not have extraordinary security measures: according to a July 24, 1998, intelligence report by the CIA, it was noted that there no longer signs of heavy security

²⁸ Michael Boh. *Presidents in Crisis: Tough Decisions Inside the White House from Truman to Obama*. Arcade Publishing, 2015. Pp 209

²⁹ Vernon Loeb. *Embassy Attacks Thwarted US Says*. Washington Post, January 23, 1999.

³⁰ William Cohen, *Testimony Before the 9/11 Commission*. March 23, 2004

around Al-Shifa.³¹ It is unclear if Tenet had been briefed on this or if he communicated it to policymakers. Secretary Cohen, however, believed the extraordinary security measures around Al-Shifa was evidence of a clandestine weapons program.

Intelligence and Policy

Early in their career, intelligence officers are warned that they do not “do policy”—that they inform decision makers but do not advocate a particular course of action. Sherman Kent believed there should be a “red line” dividing policymakers and policy, which ensured that intelligence officers maintained credibility because they could not be accused of slanting evidence to pursue a certain course of action. In theory, this dividing line allows intelligence to be insulated from politics and media, allowing for a more fact-based assessment.

In practice, however, this “red line” can absolve intelligence analysts from the responsibilities of intelligence failure. An intelligence official can simply claim, “I warned the policy maker” and could wash his hands of the issue. Furthermore, the “staying out of the policy realm” can prevent an intelligence official from imparting his or her true subject matter expertise for fear of crossing the line into advocacy.

Tenet was often accused of crossing the line into advocacy; however, in the Al-Shifa case, it appears that he was too hesitant to bring in counter-factual claims, or at least providing a more detailed, broader intelligence picture. As the senior subject matter expert in the room, he should have provided the following objections:

1. **Need for Simultaneous Strikes:** As the CIA director, Tenet was obligated to recommend a strike against the Bin Laden camp in Khost. However, he was also under the obligation to ask questions about the need to strike two targets simultaneously, given that there was no linkage between Al-Shifa and Khost. As stated earlier, the connection between the two facilities was the primary driver for targeting Al-Shifa. From the policymakers’ comments (Berger, Cohen, Clarke), it is apparent that he never brought forth this issue.
2. **Requirement for More Collection:** According to a July 24th report, the CIA recommended future collection against the Al-Shifa target, including satellite images and additional soil samples. As the senior intelligence professional in the room, Tenet had an obligation to convey these issues to senior decision-makers. In addition, he owed policymakers an assessment on the assets and time necessary to confirm the presence of VX.

³¹James Risen, “New Evidence Ties Sudanese to Bin Laden, U.S. Asserts,” *The New York Times*, October 4, 1998.

3. EMPTA as Merely a Precursor: The process from going from precursor to actual weaponization is quite intensive and maybe beyond the capability of non-state organization to achieve. While the presence of EMPTA was worthy of further collection, its connection to actual VX production and that it turn being a threat to the US was not clear at the time.

4. Overall Justification: If in fact, VX or other illicit chemical weapons were being produced, it is not completely clear whether they would have posed an imminent threat to the US or its allies. The chemical would still need to be stored, transported and disseminated to be used as an effective weapon. Furthermore, even if VX was being produced, it would be hard to conceive that it could have been more of a threat on August 20th vice several weeks afterward, when more collection assets could have been dedicated to the facility.

Additionally, if Tenet had given a solid recommendation, it would have allowed policymakers to “bracket” the problem, providing them a better understanding of the threat. For example, if Tenet had proposed that the intelligence was so dire that missile strike was required immediately, then this would have communicated to the policymakers how ominous the threat was. However, if he recommended further collection and a “wait and see” approach, this would have signaled to policymakers that the EMPTA link to VX and the connections to Bin Laden were not as dire.

Intelligence Community Failures

While the majority of the blame for the Al-Shifa failure lies with the policy-intelligence community interactions, the intelligence community in of itself should not be absolved from blame.

Collection Failures

From target identification to time of attack, the CIA had more than a year to collect on Al-Shifa. During this time, they did not answer requirements that, if it was believed that VX was being produced, should have been a higher priority. Critical requirements that should have been answered, regardless of time constraints are the following:

1. Security around the facility: As stated earlier, intelligence gathered from very simple collection methods (either on the ground surveillance or overhead imagery) could have confirmed that there was no advanced security around Al-Shifa. According to several of the policymakers, including Secretary of Defense Cohen, the presence of security around a “clandestine facility” was important in the decision to attack the facility. On the ground monitoring of the plant, or use of overhead imagery, could have confirmed that the plant was not under heavy security.

2. Presence of chemical weapons specific equipment: If in fact precursor material was being refined into VX gas, then advanced equipment (gas masks, specialized containers, personal protective gear) would have been visible to outsiders. While collecting Human Intelligence (HUMINT) from the plant would have been difficult due to the CIA's evacuation of Sudan several year earlier, there were numerous guests given access to facility. One week prior to the attack, Bishop HH. Brookings of the African Methodist Episcopal Church in Nashville was given a complete tour of the Al-Shifa facility, where he had ready access to the entire factory. The British Ambassador to Sudan had also been given access, as did the nonprofit group Sudanese Children.³² If their members had been given access to the facility, it should have been possible for a CIA asset to gain access as well.

3. Ownership of Al-Shifa: Another key collection omission was the intelligence community lack of awareness of the ownership of the Al-Shifa. Much of the analysis was predicated on the belief that Al-Shifa was owned by the Sudanese Military Complex who could, however circuitously, be linked to Bin Laden. However, the Al-Shifa plant had been sold to Salah Idris, a local Sudanese, six months prior to the strike. The CIA would later claim that Idris was tied to Egyptian Islamic Jihad, however, this link occurred after the attack, and appeared to be an attempt to make a nebulous connection after the fact. The fact that the US intelligence community was not aware of a simple ownership transfer while the facility was being monitored for producing VX is a significant collection failure and a question that has never fully been answered.

As mentioned earlier, the political demands to identify a second target affected the ability of the intelligence community to collect on Al-Shifa. However, even without that requirement, the intelligence community had been monitoring Al-Shifa from December 1997 to August 1998, giving them plenty of time to close these collection gaps.

Failures in Analysis

In addition to the collection failures, there were basic analytical failures by the intelligence and policy communities that contributed to the intelligence failure surrounding Al-Shifa:

1. Confirmation Bias: Confirmation bias is defined as the tendency of people to see evidence consistent with their preexisting beliefs. It often occurs in analysts who may see certain evidence first, anchor their minds around the evidence, and then incorporate new information around all new data. In the Al-Shifa case, it is likely that the principal analysts or intelligence experts involved—and possibly the intelligence community as

³² Michael Barletta. "Chemical Weapons in the Sudan: Allegations and Evidence" Non Proliferation Review, Fall 1998.

whole—anchored their minds around the positive soil sample hit, which was likely interpreted as incontrovertible evidence of the presence of VX. From there, new incoming data was fastened around this belief. If you believe there is already VX, it is likely that you would amplify the supposed links between Bin Laden and the owners of Al-Shifa. Subsequently, one can draw the tenuous conclusion that Bin Laden lived in Sudan and, therefore, must have a connection to the Sudanese military’s industrial complex. Someone impacted by confirmation bias would downplay the alternative evidence that EMPTA could have commercial applications, or that there were no established connections between al-Qaeda and the owners of Al-Shifa, They might also downplay the fact that Sudan had expelled Bin Laden several years earlier, which would dilute the connection between them.

2. Unquestioned belief in scientific evidence: Studies have shown that juries tend to believe scientific evidence with little scrutiny on the merits of the underlying data. It is likely that juries, like the vast majority of the public, have little understanding of scientific data, and are more likely to believe it on face value. Further, it is likely that analysts and policymakers fell into this trap with Al-Shifa. The EMPTA was first reported as conclusive proof for the presence of VX, and nobody questioned the handling of the evidence, potential other uses for EMPTA, how widely prevalent EMPTA was in the environment, or its role as a precursor and not a final product. Like scientific evidence surrounding the Iraq WMD fiasco, scientific evidence rarely gets the scrutiny that other evidence tends to.

3. Negative Evidence: Closely related to confirmation bias, the intelligence and policy communities failed to account for negative evidence regarding the relationship between Al-Shifa and chemical weapons production. As mentioned, the intelligence and policy experts were looking for targets and potential links between Al-Shifa and Bin Laden. However, the question they should have asked was “if Al-Shifa is connected to chemical weapons capability and Osama Bin Laden, what should we be seeing as well?” If these questions had been asked, then analysts would have looked for chemical protective gear, shipping receipts of VX precursor material, importation of high end chemical weapons development, and other indicators that would have been part of a chemical weapons program. In normal intelligence process, negative evidence is used in a “red team” to challenge key assumptions. However, there is no proof that negative evidence was ever visited by the small group.

It is important to note that while these analytical failures are usually attributed to intelligence community analysts, most of these attributes were exhibited by the “small group” policymakers who only had input from Tenet.

Rebuttal Arguments

The primary arguments made for striking the Al-Shifa facility were made by Daniel Benjamin and Steven Simon. Benjamin and Simon were National Security Council (NSC) staffers, who were directly involved in the decision-making process around the attack. Their arguments are outlined in their book *The Age of Sacred Terror* and subsequent article “A Failure in Intelligence.”

1. Al-Shifa was involved in the production of VX: Benjamin and Simon assert a strong connection between Al-Shifa and VX gas. They believe that the EMPTA sample provided incontrovertible evidence of an active VX program, and that there was reason for EMPTA to be present. However, the onsite reporting tells a different story. As mentioned earlier, the plant technical managers and numerous individuals who had visited the plant did not see any evidence of VX production. While they are not chemical weapons experts, it is unlikely that the process of VX production could have been hidden from outside visitors. Most importantly, if there was a belief that Al-Shifa was intimately involved in VX production, why not call for an onsite inspection of the facility after the fact? If the NSC believed that the plant was somehow part of a VX production line, they would want to send out a team of investigators to determine its nefarious connections. The government of Sudan was willing to let outside inspectors in, the only barrier was the US government, which made no determined effort after the fact to confirm VX presence at Al-Shifa.³³

2. VX precursor material was being developed at Al-Shifa but not the final product: Benjamin and Simon’s argument appears to have evolved to state that VX precursor materials was stored at Al-Shifa, and the final product may have been produced elsewhere.³⁴ While this is certainly possible, much of the precursor material for VX (sulfur, hydrochloric acid) is widely available and has numerous industrial uses. Furthermore, Benjamin and Simon do not say what precursor material it was or what precursor material might have triggered the positive EMPTA hit. From the reading, it appears both men are using the arbitrary “precursor” material, as a way to deflect from the fact that their original rationale—that a full scale VX production facility—was not accurate.

3. The Al-Shifa attack was a failure in policy and was not the result of intelligence flaws: In his book *Terrorism and Foreign Policy*, former CIA counterterrorism analyst Paul Pillar argues that the intelligence was not flawed—that the intelligence was adequate, but the policymakers decided the evidentiary standards necessary to warrant an attack on the facility. According to Pillar:

³³ Marc Lacey “Look at the Place! Sudan Says, Say Sorry but US Won’t,” *NY Times*, October 20, 2005.

³⁴ Daniel Benjamin and Steven Simon. “A Failure of Intelligence”, *Striking Terror: America’s New War*. New York Review of Books, 2002. Pp 286

US Intelligence did not say that al-Shifa should be destroyed; it did not say that an active VX production program was there; and it did not say that destroying the plant would make a difference in bin Laden attacking; or not attacking the United States in the future with chemical weapons....The intelligence did not show what role, if any, al-Shifa may have ever played in any VX program (production, storage, occasional transshipment, or whatever), nor did it point to any specific plans by Bin Laden to use chemicals in a future attack. The intelligence did not deny that the plant was engaged in legitimate production of pharmaceuticals.³⁵

However, there are issues with Pillar's assertions. While he expresses many caveats, it is apparent that the policymakers received a much different message. As stated above, Chairmen Shelton, Secretary Cohen and NSC Director Clarke all believed the intelligence showed a stronger connection between VX and the Al-Shifa plant. Clearly these caveats were either not introduced or introduced so tenuously that the experts were not aware.

Finally, Pillar argued that the intelligence had been presented; that it was up to the policymakers to decide if evidentiary standard had been met and warranted an attack. In the above sections, however, I argue that Director Tenet should have leaned forward in his analysis, not just presenting the holes in the intelligence, but outlining the drawbacks of the attacks as well as the actual nature of the threat from the Al-Shifa plant.

Conclusions and Iraq WMD Comparisons

The Al-Shifa incident is a microcosm of the Iraq WMD Intelligence failure. Several of the incidents parallel each other:

1. **Politicization:** Like the Iraq WMD issue, politicization was an important part of the intelligence debacle. Clinton's requirement for two separate targets, regardless of the security threat, had a cascading effect on the intelligence analysis. In the wake of the embassy bombings, policymakers were now "looking" for a second target, forcing the intelligence community to find connections that were not there. Furthermore, the requirement for a second target forced incomplete intelligence to "bubble up to the top" entering the policymaking community when it was not close to being analyzed or acted on.

2. **Unquestioned Belief in Scientific Evidence.** Policymakers were enamored with the EMPTA hit, believing that it presented irrefutable evidence of the presence of chemical weapons. As far as information available in the public domain, none of the senior principles asked if EMPTA may have had legitimate commercial uses or whether there were errors in the handling and collection of the soil sample. Like the Iraq WMD assessments on the aluminum tubes or the purported evidence of mobile labs, it seems scientific evidence is rarely scrutinized after it enters the policymaking community.

³⁵ Paul Pillar "Terrorism and American Foreign Policy," Brookings Institution Press, 2001. Pp 108

3. Inability to Analyze Negative Evidence. Policymakers in the Al-Shifa attack were on the lookout for evidence tying Al-Shifa to chemical weapons facilities. However, they were not asking the reverse question--i.e., if there was an active VX program centered in the Al-Shifa plant, what else should we be finding? If that question had been asked, then the intelligence community would have looked for importing of precursor material, presence of protective gear, other indicators that chemical weapons were being produced or stored at Al-Shifa. These same issues were visible in the Iraq WMD case where analysts found evidence of Iraq WMD presence, but did not ask the larger question of “why are we not seeing more indicators if Iraq is pursuing an active WMD program.”

4. Backdrop of a National Trauma: The Al-Shifa evidence was analyzed under the backdrop of the embassy bombings in Tanzania and Kenya. This provided an artificial time constraint and an impetus to find evidence that might not be there. Again, this parallels the Iraq WMD case where the 9/11 attacks certainly pervaded the analysis of policymakers and the intelligence community.

The consequences of the attack were enormous. Not only was a civilian killed and ten others wounded, the destruction of the Al-Shifa plant robbed Sudan of a vital supply of pharmaceuticals that he already impoverished nation desperately needed. More importantly, it advanced the al-Qaeda narrative of being “picked on” by a larger, more powerful country. This issue would ultimately be exploited by al-Qaeda, especially in the run up to 9/11.

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