

# CIA'S CAREFUL TERRORISM

Both WaPo and Newsweek have stories out on CIA's role in assassinating Imad Mugnyah in 2008. As described, Michael Hayden loved the idea, but then got a bit squeamish about ordering a hit. Luckily, President Bush was all too happy to approve it. Here's Newsweek:

"General Hayden, at first, was all for this," the former official said, "But slowly, or maybe not so slowly, the realization set in for him that he was ordering an assassination, that basically he was putting out a hit. And once he became pretty much cognizant of the fact that he was basically ordering the murder of someone, he got cold feet. He didn't fancy himself as a Corleone."

And he wasn't, really. That role would ultimately fall to the president.

"Obviously [Hayden] had to get authority for this, and authority could come from only one person, and that would be POTUS," said the participant. "So he went down to see President Bush. It took Bush apparently only about 30 seconds to say, 'Yes, and why haven't you done this already? You have my blessing. Go with God.'"

[snip]

But in late December, with the bomb ready and Mugnyah firmly in their sights, Hayden "started to get really cold feet again," the participant said. He decided to go see President Bush personally—on Christmas Eve 2007, at Camp David.

"On Christmas Eve morning, he and [Deputy CIA Director Steven] Kappes fly up to Camp David to see POTUS, to say,

'Okay, look, here's what we got, everything is in place, do we still have the go-ahead?' And POTUS basically threw both of them out, saying, 'Why are you up here wasting my time on Christmas Eve? Get the fuck out and go do this. Not quite in those terms. But it was, 'Yes, I've already given you my approval. Go do this; go with God.'"

"Go with our Christian God," I guess Bush meant.

Both pieces emphasize how careful the CIA and Mossad were with their terrorist tactics, to make sure only their target was killed. Again, Newsweek:

Finally, the car was in place. But then there were always other people around. Weeks more went by. Hayden's demands that only Mugnyah be killed, and no one else, with no collateral damage, had to be met.

"It was always either he wasn't alone, or he had his kids with him, or somebody else with him, or there were casuals in the area, or he was gone, he was in the Bekka [Valley] or someplace else, he wasn't in his apartment," the participant said. "The rules of engagement were so tight that he probably walked past the thing dozens of times but they just couldn't do anything because somebody was there or it just didn't fit into the rules of engagement."

"They were keeping watch on this just about all the time," he added. "They were taking shifts, a station officer and a Mossad officer. The Mossad officer was there just to make the confirmation that, 'yeah, that's him.'"

The kill was made all the harder by the way the bomb would be detonated. There was a two-second delay from the time the

CIA and Mossad agents in the lookout post pushed the button to when the bomb exploded. Under the plan, the Mossad agent would ID Mugniyah, and the CIA man would press the remote control.

“So you would have to count—one, one thousand; two, one thousand... “ the participant said. “They had about six seconds from the time he came out of the apartment door to the time he moved out of the danger zone. So they had to do it really fast.”

And WaPo notes how tedious it was to get approval to kill a guy whose attacks on the US were years earlier, under Reagan.

Former U.S. officials, all of whom spoke on the condition of anonymity to discuss the operation, asserted that Mughniyah, although based in Syria, was directly connected to the arming and training of Shiite militias in Iraq that were targeting U.S. forces. There was little debate inside the Bush administration over the use of a car bomb instead of other means.

“Remember, they were carrying out suicide bombings and IED attacks,” said one official, referring to Hezbollah operations in Iraq.

[snip]

The authority to kill Mughniyah required a presidential finding by President George W. Bush. The attorney general, the director of national intelligence, the national security adviser and the Office of Legal Counsel at the Justice Department all signed off on the operation, one former intelligence official said.

The former official said getting the authority to kill Mughniyah was a

“rigorous and tedious” process. “What we had to show was he was a continuing threat to Americans,” the official said, noting that Mughniyah had a long history of targeting Americans dating back to his role in planning the 1983 bombing of the U.S. Embassy in Beirut.

“The decision was we had to have absolute confirmation that it was self-defense,” the official said.

(Note, Newsweek says the Finding was signed under Reagan, which actually makes more sense since the Gloves Come Off Memorandum of Notification Bush and Obama have relied on was also a modification of a Finding signed by him.)

This is, presumably, meant to be a big success story for CIA. My hope, however, is that it adds some nuance to debates about our use of drones. If the US kills more collateral casualties using drones than using a classic terrorist technique – in both cases making really attenuated claims about current threats – which is the greatest terror technique?

Update: Kevin Jon Heller argues the US violated the Terrorist Bombing Convention.