

2-7-2022

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### Recommended Citation

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# Principal consumer: President Biden's approach to intelligence

JAMES LOCKHART AND CHRISTOPHER R. MORAN\*

On 20 January 2021, Joe Biden became president of the United States, assuming responsibility for the largest and most well-financed intelligence community ever created. This community encompasses an array of capabilities in collection, analysis, surveillance, special forces, covert operations and cyber warfare. What can it expect from its new commander-in-chief? This article represents the first assessment of Biden as 'principal consumer', highlighting his approach to intelligence.

Biden takes command of the 18 federal agencies and offices that comprise the sprawling intelligence community in tumultuous times, characterized by an interventionist Russia; an authoritarian China that is challenging the rules-based international order; nuclear sabre-rattling by Iran and North Korea; and the homecoming, after 20 years, of the Taliban in Afghanistan. Three decades after Francis Fukuyama's prediction about the triumph of liberal democracy, 'history' and great power rivalry have returned.<sup>1</sup> Once again, intelligence will be central to national security. Since the time of Fukuyama's writing, it has also taken on new tasks, monitoring and responding to globalized security challenges from climate change to pandemics.<sup>2</sup>

Biden has become principal consumer at a moment of transition not only in international affairs, but in the business of spying as well. To quote Alex Younger, former head of Britain's Secret Intelligence Service (SIS), 'the fourth industrial revolution' has introduced 'fourth-generation espionage'.<sup>3</sup> In essence, intelligence work is being transformed by bulk data and modern analytics, bringing both opportunities and challenges. While case officers still sound out potential agents at embassy cocktail parties, evade surveillance and execute brush passes, intelligence gatherers and analysts, aided by artificial intelligence, increasingly complement

\* We are grateful to reviewers, friends on both sides of the Atlantic and the journal's copy-editing team for their constructive suggestions on earlier drafts of this article.

<sup>1</sup> Jennifer Welsh, *The return of history: conflict, migration, and geopolitics in the twenty-first century* (Toronto: House of Anansi Press, 2016).

<sup>2</sup> Calder Walton, *US intelligence, the coronavirus and the age of globalized challenges*, Center for International Governance Innovation, 24 Aug. 2020, <https://www.cigionline.org/articles/us-intelligence-coronavirus-and-age-globalized-challenges/>. (Unless otherwise noted at point of citation, all URLs cited in this article were accessible on 25 Oct. 2021.)

<sup>3</sup> Alex Younger, 'MI6 "C" speech on fourth generation espionage', 3 Dec. 2018, <https://www.gov.uk/government/speeches/mi6-c-speech-on-fourth-generation-espionage>.

these activities with competence in handling massive datasets, facial recognition software and the Internet of Things.<sup>4</sup> Problematically, building an effective cover for clandestine officers has never been harder, since every potential recruit has a digital footprint, generated by years of engagement with social media and other contemporary technologies, which follows them into the profession.

Alongside this revolution in collection and analysis, there has been a steady militarization of intelligence. Since 9/11, as David Oakley and Mark Mazzetti have argued, intelligence has been intertwined with—even subordinated to—military operations.<sup>5</sup> Convinced of the importance of integration and interoperability, desiring to run secret detention and interrogation programmes, and driven by multiple exigencies in the ‘war on terror’, policy-makers have made tactical support to the military—especially the hunting down of terrorists—a community-wide priority. If the defining image of twentieth-century intelligence was that of a trenchcoated ‘cultural attaché’ servicing dead drops on the streets of Vienna, that of the early twenty-first would be a fatigue-clad operator leading an elite team of door-kickers to capture or kill suspected terrorists in Kandahar or Mogadishu.

On top of this, Biden has become principal consumer at a low point in relations between the White House and the intelligence community. Under his predecessor, Donald Trump, friction between the commander-in-chief and the community reached unprecedented levels. Against the background of sustained efforts to impeach him, Trump accused the community of being part of a ‘deep state’—a conglomeration of Obama-era leftovers within the bureaucracy, hostile media organizations and big tech, colluding to wreck his presidency. On the investigations into Russian intervention in his election, he sided with Vladimir Putin over his own spy chiefs, even calling intelligence officers ‘Nazis’.<sup>6</sup> On Twitter, he used quotation marks around the word ‘intelligence’ to signal his contempt for the Central Intelligence Agency (CIA). During his first visit to CIA headquarters, he stood in front of the memorial wall, hallowed ground commemorating the agency’s fallen, bragging about the size of his inauguration crowd. To the frustration of many, he showed, throughout his term, apathy towards intelligence product. He was believed to have rarely read the President’s Daily Brief (PDB), the most highly classified document in Washington, as shown by his ignorance of an alleged Russian operation to reward Islamist fighters in Afghanistan for killing American troops there—even though this had been highlighted in the brief.<sup>7</sup> At the CIA, his lack of interest in intelligence is well remembered. In one story,

<sup>4</sup> Amy Zegart, *Spies, lies and algorithms: the history and future of American intelligence* (Princeton: Princeton University Press, forthcoming 2022).

<sup>5</sup> David Oakley, *Subordinating intelligence: the DoD/CIA post-Cold War relationship* (Lexington, KY: University Press of Kentucky, 2019); Mark Mazzetti, *The way of the knife: the CIA, a secret army, and a war at the ends of the Earth* (New York: Penguin, 2013).

<sup>6</sup> Christopher R. Moran and Richard J. Aldrich, ‘Trump and the CIA: borrowing from Nixon’s playbook’, *Foreign Affairs*, publ. online April 2017, <https://www.foreignaffairs.com/articles/2017-04-24/trump-and-cia>.

<sup>7</sup> Carol Lee, Mike Memoli and Elyse Perlmutter-Gumbiner, ‘Biden puts the “Daily” back into the administration’s intelligence briefings’, NBC, 25 Jan. 2021, <https://www.nbcnews.com/politics/white-house/biden-puts-daily-back-administration-s-intelligence-briefings-n1255554>.

while hosting a high-level intelligence meeting at his golf club in Bedminster, New Jersey, in 2017, a visibly bored Trump interrupted the senior officials there, asking: 'Does anyone want a malt?' Summoning a waiter into the room, where code-word material was being discussed, he boasted: 'We have the best malts, you have to try them', stupefying everyone present.<sup>8</sup>

Appalled, spy chiefs—including director of the FBI James Comey and director of the CIA (DCIA) John Brennan—publicly attacked Trump, disregarding the tradition that intelligence officers, like their counterparts in the armed forces, should keep out of politics. When the president rejected the community's conclusion that Russia had meddled in the 2016 election, Brennan characterized his comments as 'nothing short of treasonous'.<sup>9</sup> Later, in his memoirs, he insinuated that Trump was a domestic security threat.<sup>10</sup> These are strong words, even for an Obama loyalist, and there is an argument that Brennan has only emboldened people who dismiss such voices as 'Never Trumpers' from the deep state, producing the unintended effect of further undermining the intelligence community's standing with them. Consequently, a key objective for Biden will be to restore normality to relations between the president and the intelligence community while rebuilding trust in the community's institutions, overturning what Daniel Drezner, in this journal, has called Trump's damaging legacy.<sup>11</sup>

It is within this context that this article evaluates Biden's approach to intelligence. Unlike most of his predecessors, who were sworn in with scant knowledge of the community, Biden has decades of experience in intelligence affairs, in both the Executive and Legislative branches. He has read four different iterations of the PDB. As vice-president-elect, he had access to George W. Bush's briefing. Then, for eight years, he consumed Barack Obama's version of this, which First Lady Michelle Obama called 'the Death, Destruction, and Horrible Things Book'.<sup>12</sup> Then, as president-elect, he received copies of Trump's—albeit after a three-week delay because the outgoing president refused to concede the election.<sup>13</sup> And now he has his own. As a member of Congress, he gained even more expertise. In 1976, he became a charter member of the Senate Select Committee on Intelligence (SSCI), heading its subcommittee on secrecy and disclosure. From the late 1990s to 2009 he either chaired, or served as the ranking member of, the Senate Foreign Relations Committee. What can we learn from this?

As advocates of 'applied history', we take the view that there is sufficient clarity in Biden's past to make sound inferences about his administration's likely approach to intelligence. To be sure, neither the record of his career nor, for that matter,

<sup>8</sup> Natasha Bertrand and Kyle Cheney, 'Biden would revamp fraying intelligence community', *Politico*, 19 Oct. 2020, <https://www.politico.com/news/2020/10/19/biden-revamp-fraying-intel-community-430090>.

<sup>9</sup> John Brennan, Twitter, 4: 52 p.m., 16 July 2018.

<sup>10</sup> John Brennan, *Undaunted: my fight against America's enemies, at home and abroad* (New York: Celadon Books, 2020).

<sup>11</sup> Daniel Drezner, 'Immature leadership: Donald Trump and the American presidency', *International Affairs* 96: 2, 2020, pp. 383–400.

<sup>12</sup> Barack Obama, *A promised land* (New York: Crown, 2020), p. 312.

<sup>13</sup> David Priess, 'The president's Daily Brief and presidents-elect: a primer', *Lawfare Blog*, 17 Nov. 2020, <https://www.lawfareblog.com/presidents-daily-brief-and-presidents-elect-primer>.

any historical record offers an infallible prediction of the future. His preferences are but one element of a multidimensional complexity, not only in international affairs but within American politics as well. As scholars of foreign policy analysis have shown, any implementation of strategy will have to confront the problem of other nations and non-state actors, who have their own plans, all operating within an often intractable external environment.<sup>14</sup> Within the United States, as Gregory Smith suggests—taking his cue from the scholarship of bureaucratic politics, which holds that the president remains just another actor in Washington—intelligence-led security policy-making is a process leading to negotiated outcomes and is propelled by more than the White House alone. Even presidents with well-conceived ideas about intelligence can see their intentions derailed by larger, unpredictable forces, with elite groups proving to be particularly effective in constraining the power of the president in this sphere of activity.<sup>15</sup> Nevertheless, Biden's record is the best empirical information we have. His career and administration remain works in progress, while his presidential papers will remain classified for many years. We are keen to explore what this record, marshalled with caution and care, reveals.

We make three arguments. The first is that Biden is a pro-intelligence president with a well-defined approach to the subject—covering what intelligence ought to be about, how it should operate and what it must produce. This has remained consistent throughout his career. In making this claim, our article speaks to an important debate about the purpose of intelligence in the United States, long contested by presidents, legislators, secretaries in the cabinet, intelligence leaders, journalists and academics.<sup>16</sup> In 1947, against the background of the rising threat of the Soviet Union and memories of the surprise attack at Pearl Harbor, President Harry Truman reified the intelligence community, placing it under the control of the National Security Council (NSC) and the director of central intelligence (DCI), enabling it to rise above bureaucratic disputes between the Departments of State and Defense, the army and the navy. As the first DCI, Rear Admiral Sidney Souers, phrased it, Truman regarded the agency as 'his personal intelligence service ... It was to keep him personally well informed of all that was going on in the outside world'—hence his frequent plea to it: 'Where's my newspaper?'<sup>17</sup> By contrast, successors such as Dwight Eisenhower, John Kennedy and Ronald Reagan preferred an approach that foregrounded covert action—

<sup>14</sup> See e.g. Christopher Hill, *Foreign policy in the twenty-first century* (London: Palgrave, 2015).

<sup>15</sup> Gregory Smith, 'Secret but constrained: the impact of elite opposition on covert operations', *International Organization* 73: 3, 2019, pp. 685–707.

<sup>16</sup> See Arthur Darling, *The Central Intelligence Agency: an instrument of government to 1950* (University Park: Pennsylvania State University Press, 1990; first publ. 1953); Harry Truman, 'Limit CIA role to intelligence', *Washington Post*, 22 Dec. 1963; Ludwell Montague, *General Walter Bedell Smith as Director of Central Intelligence* (University Park: Pennsylvania State Press, 1992; first publ. 1971); James Lockhart, 'The Dulles supremacy: Allen Dulles, the clandestine service, and PBFortune', in Christopher R. Moran, Mark Stout, Ioanna Jordanou and Paul Maddrell, eds, *Spy chiefs*, vol. 1: *Intelligence leaders in the United States and United Kingdom* (Washington DC: Georgetown University Press, 2018), pp. 91–112.

<sup>17</sup> Ludwell Montague, 'Interview with Sidney Souers', 4 Dec. 1969, RG 263, Box 2, Folder 61, National Archives, College Park, MD; Charles Lathrop, *The literary spy: the ultimate source for quotations on espionage and intelligence* (New Haven, CT: Yale University Press, 2004), p. 89.

intervening in the affairs of other countries in a way that was surreptitious and plausibly deniable. This, of course, has always been a question of preferences and priorities rather than an exclusive choice. Just as Truman authorized some covert operations—for example, in Italian elections—Eisenhower, JFK and Reagan read intelligence reports and estimates.

Biden's approach to intelligence aligns with Truman's. He values intelligence product, particularly the PDB, which he consumes avidly, because he wants to see, understand and counter threats before they blow up as crises. He reserves his highest praise for collectors and analysts while holding that it is the sacred duty of the intelligence community to speak truth to power while insisting that the entire system remain apolitical. He is adept at giving clear strategic direction to intelligence leaders and briefers, so that they know what to prioritize and how to present information to him. He has a track record of defending the agency, one of his primary interfaces with the community, in Congress and in bureaucratic Washington. He is passionate about safeguarding secrecy and stopping leaks, to ensure that the intelligence arriving on his desk is never compromised. After Trump, these are attributes many within the community will welcome as balm for the soul. Moreover, as readers familiar with the literature on the intelligence-policy linkage will recognize, these are qualities that writers have long argued should be desirable in a principal consumer.<sup>18</sup>

Biden's approach reflects uneasiness about covert action, a subject that has seen a proliferation of scholarship in recent years, assessing its use and effectiveness.<sup>19</sup> He is particularly sceptical and risk-averse when such operations work hand in glove with military or paramilitary forces, especially in the global South. Here, there is a distinction between his public and private positions. Publicly, he has indicated his support for covert action as a valuable 'third option' in certain complicated situations when diplomacy fails and landing marines is out of the question. In spring 2020, he wrote in *Foreign Affairs*:

There is a big difference between large-scale, open-ended deployments of tens of thousands of American combat troops, which must end, and using a few hundred Special Forces soldiers and intelligence assets to support local partners against a common enemy. Those smaller-scale missions are sustainable militarily, economically, and politically.<sup>20</sup>

Privately, however, he is assailed by doubts about exposure and failure, and has reservations about the fusion of intelligence and war-fighting. It is hard to

<sup>18</sup> Arthur Hulnick, 'The intelligence producer-policy consumer linkage: a theoretical approach', *Intelligence and National Security* 1: 2, 1986, pp. 212-33; Mark Lowenthal, 'Tribal tongues: intelligence consumer, intelligence producers', *Washington Quarterly* 15: 1, 1992, pp. 157-68; Jami Miscik, 'Intelligence and the presidency: how to get it right', *Foreign Affairs* 96: 3, 2017, pp. 57-64.

<sup>19</sup> Lindsay O'Rourke, *Covert regime change: America's secret Cold War* (Ithaca, NY: Cornell University Press, 2018); Rory Cormac and Richard J. Aldrich, 'Grey is the new black: covert action and implausible deniability', *International Affairs* 94: 3, 2018, pp. 477-94; Austin Carson, *Secret wars: covert conflict in international politics* (Princeton: Princeton University Press, 2018); James Lockhart, 'How effective are covert operations? Reevaluating the CIA's intervention in Chile, 1964-1973', *Marine Corps University Journal* 10: 1, 2019, pp. 21-49; Michael Poznansky, *In the shadow of international law: secrecy and regime change in the post-war world* (Oxford: Oxford University Press, 2020).

<sup>20</sup> Joseph Biden, 'Why America must lead again: rescuing US foreign policy after Trump', *Foreign Affairs* 99: 2, 2020, p. 72.

imagine him authorizing, say, the arming of coup plotters or rebels in the global South: paramilitary covert action and secret wars will be off the table. On the strict proviso that they are well coordinated, feature an exit strategy, are properly authorized and put before congressional overseers, he will probably entertain only what Loch Johnson has called ‘low-threshold’ covert operations—low-risk intrusions entailing no use of force that make little infringement upon other nations’ sovereignty.<sup>21</sup> Examples might be financial assistance to a friendly foreign leader or modest influence operations, like the use of propaganda to smear and splinter an adversary. In short, Biden will clash with advocates of covert action and special operations if they propose anything comparable to earlier interventions in Cuba, El Salvador or Afghanistan.

Our second argument is that Biden’s scepticism about paramilitary covert action, the militarization of intelligence, and more generally the use of force in the global South derives not from some Kantian moral stance—‘do no evil, though the world shall perish’—but from lessons he learned in Congress from Vietnam and from the Reagan administration’s interventions in central America. Calculations about risk and mission creep, bordering on an obsession, dominate his thinking. These calculations are underpinned by the genuine desire of a conscientious public servant, who understands loss, not to endanger American lives needlessly. This was manifest in his opposition, as vice-president, to the Obama administration’s counter-insurgency strategy in Afghanistan, and to the Bin Laden raid in Pakistan, both of which foreshadowed his controversial decision, as president, to withdraw from Afghanistan. These lessons are likely to guide his decision-making on paramilitary operations and, more generally, on intervention, throughout his tenure.

Our third argument is that Biden’s wariness and risk aversion towards the activist and paramilitary approach to intelligence also stems from his sensitivity to domestic political conditions. An ambitious man, albeit not a seeker of glory, Biden is finely attuned to the ever-changing direction of political winds. He lacks the rigid ideological positions of many in his party, and possesses a degree of flexibility that some do not. His paramount question will always be a practical one: ‘How will any given decision concerning covert action or use of force play in Congress, the press, the Democratic base and the public?’ To those who prefer that the commander-in-chief represent voters and taxpayers while properly seeking the advice and consent of Capitol Hill, this will be welcome news. But those who would suggest that there are times when the president should accept the assessments of professionals in the intelligence community and the military should prepare themselves to lose more arguments than they win, as Biden will defer to domestic political considerations whenever this counsel causes his political antennae to twitch.

<sup>21</sup> Loch Johnson, ‘On drawing a bright line for covert operations’, *American Journal of International Law* 86: 2, 1992, pp. 284–309.



## A pro-intelligence president

After becoming president, Biden waited several months before meeting with rank-and-file intelligence officers. Already, the press had reported that he was putting the 'daily' back into the PDB, even insisting that Vice-President Kamala Harris attend the briefing when they were both in Washington.<sup>22</sup> When, on 27 July 2021, he took the short journey across the Potomac to visit the Office of the Director of National Intelligence (ODNI), another of his primary interfaces with the community, there was none of the political grandstanding that there had been four years earlier when his predecessor had pressed the flesh at the CIA. Biden assured those present that he was an active consumer of intelligence, explaining that what he had missed most about being out of office was his daily intelligence digest:

You know what I miss most, for real, from those four years? The PDB (*laughter*). No, you think I'm joking. I am not. A sense of knowing where all the pieces were. Whether we had it all down ... And so now I have access again—and to the chagrin of many of you, I read it in detail. (*Laughter*) And I ask questions of my briefers and follow up with my team.<sup>23</sup>

Continuing, he said that he wanted 'straight-from-the-shoulder assessments'—'even if the news is hard, even if the news is bad'—and pledged to keep intelligence apolitical: 'I promise you: You will never see a time, while I'm President, when my administration in any way tries to affect or alter your judgements about what you think the situation we face is. I'll never politicize the work you do.'<sup>24</sup> Elsewhere, he named Russia and China as his highest priorities in national security—even referring to Moscow and Beijing as 'possible mortal competitors'.<sup>25</sup>

This speech was consistent with Biden's long history of backing the intelligence community. Perhaps the earliest example of this came in January 1977, when he blocked the nomination of Theodore Sorensen as DCI before it reached a Senate vote. A studious aide and brilliant speechwriter for President Kennedy, Sorensen had been chosen by President-elect Jimmy Carter on account of his willingness to reduce the agency's budget and power, which was one of the promises on which Carter had campaigned. Across the aisle, there were doubts about Sorensen. He had raised conscientious objections during the Korean War, had limited experience in foreign policy and knew nothing of the secret world. To others, in respect of his eligibility for what was an apolitical position, his closeness to the Kennedys raised red flags. Among the courtiers of Camelot, Sorensen had ranked second only to Jack's brother, Bobby, and he had remained a devoted *consigliere* to the family ever since, helping in 1969 to write the apology and initiate the damage control that would save the young Senator Ted Kennedy after the Chappaquiddick incident.

Many within the intelligence community were enraged by the nomination, one officer telling journalists that Sorensen would be 'about as well received at Langley

<sup>22</sup> Lee et al., 'Biden puts the "Daily" back'.

<sup>23</sup> 'Remarks by President Biden at the Office of the Director of National Intelligence', Washington DC, 27 July 2021, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/07/27/remarks-by-president-biden-at-the-office-of-the-director-of-national-intelligence/>.

<sup>24</sup> 'Remarks by President Biden'.

<sup>25</sup> 'Remarks by President Biden'.



as General [William] Sherman in Atlanta'.<sup>26</sup> The last outsider to head the CIA, James Schlesinger, had taken so seriously his presidential directive to curtail the agency's directorate of operations that he fired 7 per cent of its workforce, earning himself the nickname 'Nixon's axe man'.<sup>27</sup> Further, if Sorensen were confirmed, it was feared that his youthful decisions as a conscientious objector would put him in an impossible position when dealing with military personnel in the community, a problem which would be exacerbated by his apparent intention to expose the CIA to critics 'anxious to reduce it to a public library'.<sup>28</sup> Leading Republicans shared these concerns. Senator Barry Goldwater, SSCI vice-chairman and one of the agency's greatest advocates, declined to take the customary courtesy call from the nominee.<sup>29</sup>

Enter Biden. As a member of the SSCI, he was directly involved in the confirmation process. He initially considered the appointment sound. However, as the intelligence community's objections grew louder, he pulled his support and sought out a skeleton in Sorensen's closet to kill the candidacy. He unearthed an affidavit, which had never been admitted as evidence, that Sorensen had given to the defence in the trial of Daniel Ellsberg, leaker of 'the Pentagon Papers'. In this affidavit, Sorensen revealed that in 1964, when he had left the White House, he took seven boxes of classified material as sources for his biography of JFK. He added that officials routinely leaked far more sensitive documents than Ellsberg without facing prosecution, and so he condoned the latter's actions.<sup>30</sup> Biden gave the affidavit to SSCI chairman Senator Daniel Inouye. A Medal of Honor winner who had lost his right arm to a German hand grenade in 1945 and who said he would gladly give his left one to win the Cold War, Inouye was appalled that someone with such a nonchalant attitude to classification was being considered for a position in which secrecy was the most important part of the job description. At the hearings, Biden sprung the affidavit on the shocked nominee, announcing: 'I'm not sure whether Mr. Sorensen could be indicted or convicted under the espionage statutes.'<sup>31</sup> According to Sorensen, 'it was like being blind-sided by a truck'.<sup>32</sup> With this, he withdrew his nomination, firing a parting shot that Biden should be given 'a prize for political hypocrisy in a town noted for political hypocrisy'.<sup>33</sup>

Throughout the 1980s, Biden cultivated a reputation for pushing back against efforts to open up the community to greater public scrutiny. Early in Reagan's first term, the American Civil Liberties Union (ACLU) campaigned for the legal protection of whistleblowers and the journalists they talked to. The pressure group was particularly opposed to the Intelligence Identities Protection Act, which made it a federal crime for anyone intentionally to disclose the identities

<sup>26</sup> Unlisted author, 'Rejection of Sorensen: a drama of human failing', *New York Times*, 2 Feb. 1977.

<sup>27</sup> Christopher R. Moran, 'Nixon's axe man: CIA director James R. Schlesinger', *Journal of American Studies* 53: 1, 2019, pp. 95–121.

<sup>28</sup> Charles Bartlett, 'What did in Sorensen', *Washington Star*, 19 Jan. 1977.

<sup>29</sup> 'Rejection of Sorensen'.

<sup>30</sup> 'Rejection of Sorensen'.

<sup>31</sup> 'Rejection of Sorensen'.

<sup>32</sup> Lee Lescaze, 'Sorensen story: "like being blind-sided by a truck"', *Washington Post*, 19 Jan. 1977.

<sup>33</sup> 'Rejection of Sorensen'.

of US covert agents abroad. Biden repeatedly backed the CIA as it fought this. In one hearing, in April 1980, he had strong words for the ACLU: 'Let me tell you something, fellas. The folks don't care. The average American couldn't care less right now about any of this. You keep talking about public concern. There ain't none.'<sup>34</sup> Biden was especially offended by Philip Agee, the case officer who had blown the cover of many of his former colleagues and inspired Congress to draft the Act in the first place. After Goldwater called for the revocation of Agee's citizenship, Biden upped the ante, demanding: 'We should lock him up.'<sup>35</sup> In these battles, Biden aligned himself with intelligence professionals to protect classified information while staking out a position that the exposure of wrongdoing and oversight were best handled through formal channels, rather than the informal efforts of whistleblowers, reporters and citizen activists.

In doing so, Biden showed himself to be a street-smart politician who responded to electoral realities, not ideology. Following the intelligence scandals of the 1970s, when journalists and an assertive Congress had revealed that the agency had overstepped its charter and even operated against citizens within the United States, public approval of the CIA had plummeted. In 1975, Gallup reported that a mere 14 per cent of Americans viewed it favourably.<sup>36</sup> Senator Frank Church, for one, tried to ride this wave of anti-intelligence sentiment to the White House, albeit unsuccessfully.<sup>37</sup> But by the 1980s, the mood had turned around, a shift best represented by the appearance of an invigorated conservative movement led by Reagan—who delighted voters with his pledge to 'unleash the CIA'. Even President Carter, in his final year in office, authorized modest covert operations in Afghanistan, Nicaragua and Grenada. Sensing this shift, Biden, for his own political advancement, chose not to censure the agency and the rest of the community, as some in his party continued to do, but rather to lend it countenance, helping to usher in what one journalist characterized as 'a new age of permissiveness'.<sup>38</sup>

In the mid-1980s, Biden teamed up with DCI Bill Casey against leakers. He sponsored legislation designed to counter 'graymailing', a legal tactic used in whistleblower cases where the defence threatens to reveal state secrets at trial to strongarm the government into dropping its charges. Casey commended this 'helpful attitude', calling it 'gratifying'.<sup>39</sup> Particularly pleasing to him was 'the tongue lashing' that Biden gave the Department of Justice (DOJ) for its 'passive attitude and general ineffectiveness' in dealing with this problem.<sup>40</sup> Following

<sup>34</sup> George Lardner, 'Panel accused of rushing new intelligence charter', *Washington Post*, 26 March 1980; Lawrence Martin, 'Growing move to unleash the CIA', *Globe and Mail*, 30 April 1980.

<sup>35</sup> Intelligence Identities Protection Act of 1981, S. 391: Hearing before the Subcommittee on Security and Terrorism on the Judiciary, United States Senate, 97th Congress, 1st Session, 8 May 1981, vol. 4 (Washington DC: US Government Printing Office, 1981), pp. 54, 50.

<sup>36</sup> Kathryn Olmsted, *Challenging the secret government: the post-Watergate investigations of the CIA and FBI* (Chapel Hill, NC: University of North Carolina Press, 1996), p. 17.

<sup>37</sup> See Dafydd Townley, 'Too responsible to run for president: Frank Church and the 1976 presidential nomination', *Journal of Intelligence History*, publ. online 5 Nov. 2020, DOI: 10.1080/16161262.2020.1826813.

<sup>38</sup> Martin, 'Growing move to unleash the CIA'.

<sup>39</sup> William Casey to Director, IC Staff, 29 March 1984, CIA Records Search Tool (CREST).

<sup>40</sup> William Casey to Director, IC Staff, 23 March 1984, CREST.

this, Biden proposed a combination of ‘soft’ and ‘hard’ responses. At the soft end, in 1983 he co-sponsored a bill to support the establishment of a National Historical Intelligence Museum.<sup>41</sup> Although this never made it to a vote, the idea was that such a museum would have helped to educate the public—where, to quote Casey, there was a ‘groundswell of apathy’ about the danger that leaks posed.<sup>42</sup> On the hard side, Biden called for the wider enforcement of the Espionage Act of 1917, a tough stance that echoed an earlier speech he had given at Stanford University, where he had declared that leakers provoked in him the same anger as Julius and Ethel Rosenberg, enemy spies who were given the electric chair for passing nuclear secrets to Moscow.<sup>43</sup> Casey cheerfully endorsed all of this, insisting that ‘nothing can be done about the leak problem unless some of the offenders are identified and penalized’.<sup>44</sup>

Later, as vice-president, Biden continued to protect secrecy. In 2010, he likened Julian Assange, the founder of WikiLeaks, to ‘a high-tech terrorist’—a description that contrasted with calmer remarks from other administration officials—accusing the Australian activist of jeopardizing sources and methods.<sup>45</sup> At the time of writing, President Biden has shown no appetite to let Assange go free, instructing prosecutors to continue their efforts to extradite him from Britain.

Indeed, during Obama’s tenure, Biden supported policies that saw more whistle-blowers prosecuted than all previous administrations combined.<sup>46</sup> He personally directed efforts to thwart fugitive leaker Edward Snowden’s bid to claim asylum, telephoning the president of Ecuador to implore him not to grant sanctuary to the erstwhile National Security Agency contractor. Chillingly, Biden warned that there would be ‘consequences’ for any country that did.<sup>47</sup> Despite the customary platitudes on the 2020 campaign about promoting transparency, the reality remains that Biden has a history of reacting against and even vilifying leakers. As president, it is likely that he will continue to resist any reforms designed to protect them.

## Ally in bureaucratic Washington

Biden has long regarded the CIA as *primus inter pares* in the intelligence community. He has supported it not only against problematic nominees and in congressional and public disputes over secrecy, but also in the incessant bureaucratic turf wars inside the Beltway. While serving on the Hill, he lobbied for more power

<sup>41</sup> SS. Res. 267, 98th Congress: a concurrent resolution to support the establishment of a National Historical Intelligence Museum, introduced 11 Jan. 1983.

<sup>42</sup> William Casey to Director, IC Staff, 29 March 1984, CREST.

<sup>43</sup> Bill Richards, ‘Biden says US lost an entire spy network’, *Washington Post*, 13 Jan. 1978; Daniel Boguslaw, ‘Biden’s love affair with the CIA’, *American Prospect*, 10 Oct. 2019, <https://prospect.org/power/joe-bidens-love-affair-with-the-cia-william-casey/>.

<sup>44</sup> William Casey to Director, IC Staff, 29 March 1984, CREST.

<sup>45</sup> David Osborne, ‘Assange is a “hi-tech terrorist”’, says Biden’, *Independent*, 20 Dec. 2010.

<sup>46</sup> Richard J. Aldrich and Christopher R. Moran, ‘“Delayed disclosure”: national security, whistle-blowers and the nature of secrecy’, *Political Studies* 67: 2, 2019, p. 292.

<sup>47</sup> Connor Simpson, ‘Biden is on Edward Snowden’s case’, *Atlantic*, 29 June 2013, <https://www.theatlantic.com/national/archive/2013/06/joe-biden-edward-snowdens-case/313769/>; ‘Full interview: Edward Snowden’, MSNBC, 17 Sept. 2019, <https://www.youtube.com/watch?v=egyK1QndJSM>.

to be placed 'in the hands' of the DCIA to better coordinate the production of national intelligence.<sup>48</sup> As president, Obama repeatedly turned to Biden, his vice-president and a principal figure on the NSC, to mediate the community's internal quarrels, and in this role he typically sided with the agency.

A good example of this came in 2009, when Director of National Intelligence (DNI) Dennis Blair moved to expand the power of his office by demanding the right to appoint CIA station chiefs, who were the senior American intelligence officers in the countries in which they operated. For decades, the agency's leadership had enjoyed this right. In 2005, after Congress created the ODNI and abolished the position of the DCI, where this right lay had become confused. This disruptive reorganization, responding to lessons learned from intelligence failures contributing to 9/11, had failed to clarify the new lines of authority and responsibility between the DNI and the DCIA. Blair, an admiral who had earned his stars through an assertive approach to leadership, and who became DNI with a reputation for causing intramural controversy, reasoned that the CIA's choice of station chief might not be in the best interests of the ODNI or the community as a whole, and he worried that the system was being used as a cushy 'pre-retirement circuit' for ageing case officers.<sup>49</sup> Blindsiding DCIA Leon Panetta, he sent a directive to all agency stations, claiming the authority to designate or remove these officers. When Panetta reacted with a cable of his own instructing everyone to ignore Blair's missive, Biden stepped in, siding with Panetta, albeit with the caveat that all future appointments required ODNI consultation.<sup>50</sup> In thwarting Blair's ambition, Biden showed his allegiance to the DCIA (they were golf buddies), while revealing something of his political instincts, since what had begun as an intra-community bureaucratic struggle threatened to become a public source of embarrassment to the White House.

Biden revealed these instincts again in 2014, when he intervened in a feud between DCIA John Brennan and the chairwoman of the SSCI, Senator Diane Feinstein. That March, Feinstein accused the CIA of spying on the committee as it finalized its eagerly awaited report on Langley's Bush-era Rendition, Detention and Interrogation (RDI) programme. Such behaviour would have violated the constitutional principle of the separation of powers, the Fourth Amendment and the agency's charter, which prohibits domestic intelligence-gathering. Brennan denied the senator's allegations, but journalists had already picked them up, and there was soon talk of a DOJ investigation into them. For the White House, this looked terrible. As Brennan later recalled, a public spat between a senior Democrat in Congress and a Democratic-appointed DCIA 'did not make for good politics'.<sup>51</sup>

Biden supported the SSCI's inquiry into the RDI programme and had never accepted the CIA's claims that the harshness of its techniques had been exagger-

<sup>48</sup> Robert Bowie to DCI, 2 May 1977, Notes from conversations with senators, Feb. 1977, CREST.

<sup>49</sup> See Chris Wipple, *The spymasters: how the CIA directors shape history and the future* (London: Simon & Schuster, 2020), pp. 242–3; Marc Ambinger, 'Spy v. spy: Joe decides', *Atlantic*, 25 June 2009, <https://www.theatlantic.com/politics/archive/2009/06/spy-v-spy-joe-decides/20159/>; James Kirchick, 'Turf warrior', *New Republic*, 25 Jan. 2020, <https://newrepublic.com/article/72702/turf-warrior>.

<sup>50</sup> Wipple, *Spymasters*, p. 243.

<sup>51</sup> Brennan, *Undaunted*, p. 321.

ated. In December 2008, the incoming vice-president had dressed down outgoing DCIA Michael Hayden after he had suggested that rendition protocols and waterboarding did not really amount to torture. Biden interrupted Hayden mid-sentence, as if he were back on the SSCI and cross-examining him, exclaiming: 'Oh, come on, General. You shipped them to these places so that you could rough them up, so you could get information.'<sup>52</sup> This passion during the transition notwithstanding, in 2014 Biden saw no value in calling the agency out for further possible misdeeds, especially as the beating it would receive from the forthcoming publication of the SSCI's report would already be brutal.

So, that March, he received the two protagonists at his official residence, promptly addressing the issues in his convivial manner: 'We've got to fix this, folks, for the good of the country. We really do. And I don't want us to leave here today without agreeing to do so.'<sup>53</sup> That day, Feinstein agreed to end the public war of words on the understanding that, if her charges were proven true, pending an in-house investigation by the CIA's Inspector-General (IG), she would be owed an apology. Brennan accepted these terms. Months later, after the IG found that agency technicians had indeed accessed the computers of committee staffers, he apologized. Feinstein thanked him for it, and no further action was taken. In his memoirs, Brennan wrote that he 'deeply appreciated [Biden's] personal involvement' in resolving the dispute.<sup>54</sup> Later that year, Biden backed Brennan again, adding his political weight to the CIA's move to bury the SSCI's full torture report, releasing only a sanitized summary. To this day the full report, one of the most significant in the annals of accountability, continues to languish under lock and key.<sup>55</sup>

## Uncomfortable with paramilitary covert action

While Biden will be a pro-intelligence president, everything has its limits and this characterization is no exception. He has never been comfortable with paramilitary covert action, the temporary transfer of special operations forces to the CIA or the wider trend of militarizing intelligence priorities, resources and assets, practices leading to what one journalist has called the transformation of the CIA into 'a killing machine, an organization consumed with man hunting'.<sup>56</sup> Indeed, as early as 1974 he signed a bill that would have banned covert action—although this was partly a gesture, as the bill was submitted with little expectation of passing. With so many revelations about agency misdeeds appearing in the press, savvy members of Congress like him wanted to signal to their constituencies that they took these transgressions seriously.<sup>57</sup> This posturing notwithstanding, that same year

<sup>52</sup> Wipple, *Spymasters*, p. 238. See also James Mann, *The Obamians: the struggle inside the White House to redefine American power* (New York: Penguin, 2012), pp. 100–103; Bob Woodward, *Obama's wars* (New York: Simon & Schuster, 2010), pp. 50–56.

<sup>53</sup> Brennan, *Undaunted*, p. 322.

<sup>54</sup> Brennan, *Undaunted*, p. 304.

<sup>55</sup> Loch Johnson, *Spy watching: intelligence accountability in the United States* (Oxford: Oxford University Press, 2018), pp. 191–203.

<sup>56</sup> Mazzetti, *Way of the knife*, p. 4.

<sup>57</sup> Jeremy Kuzmarov, 'Biden: protector of the deep state', *Counterpunch*, 19 July 2019, <https://www.counter->

he signed the Hughes–Ryan amendment to the Foreign Assistance Act, which required presidents to sign ‘findings’—that is, to approve in writing and then report in a timely manner to Congress any expenditure of appropriated funds on covert operations. In 1977, in a revealing private conversation with high-ranking analyst Robert Bowie, he articulated his anxieties about covert action. According to Bowie’s notes, Biden expressed ‘concern about covert operations on US persons overseas’ and ‘concern about secrecy’. Heralding twenty-first-century developments, he highlighted his ‘concern about the status of the military man [at the CIA]’, warning that such figures were ‘inclined to “drop the bomb” as a solution to problems’.<sup>58</sup>

During the 1980s, Biden’s worries about paramilitary covert action led to several confrontations with the very person he was helping to stop leaks—none other than Casey. It is testament to his nervousness about these kinds of operations that he was prepared to clash with the DCI over them, someone with whom he otherwise enjoyed good relations. Under Casey, a former member of the Office of Strategic Services (OSS) who had idolized the risk-taking Major-General ‘Wild Bill’ Donovan and had developed a taste for dramatic undercover escapades and paramilitary adventures, the agency engaged in a dizzying number of them, leading one mentee to christen him ‘the godfather’ of covert action.<sup>59</sup> According to one historian, compared to 1979, Carter’s final year in office, covert operations increased fivefold during Reagan’s first term, with 50 taking place in 1984 alone.<sup>60</sup> Capturing the moment, on 10 October 1983 *Newsweek* announced: ‘The CIA is back in business’.<sup>61</sup>

In Afghanistan, collaborating with the Saudi government and Pakistan’s Inter-Services Intelligence (ISI), the agency sent billions of dollars in cash and weapons, including Stinger surface-to-air missiles, to the *mujahideen*, while carrying out Casey’s directive to ‘go out and kill me 10,000 Soviets until they give up’.<sup>62</sup> In Iran, it facilitated the Reagan administration’s arms-for-hostages deal, at odds with the declared policy that the United States does not negotiate with terrorists. In Nicaragua, it solicited Saudi funds, proceeds from its illicit weapon sales to Tehran, and other private donations to circumvent congressional restrictions concerning the financing and arming of the Contras, triggering the Iran–Contra Affair. Long before these activities came to light, Biden was sounding the alarm on what he saw as a dangerous phase in CIA history, where risky covert action was being sanctioned without proper scrutiny, by the simple scratch of the president’s fountain pen. In October 1981, he told journalists that when he learned of an imminent operation in the Middle East that was ‘so outrageous’ it beggared belief, he compelled Casey to rethink what he was doing. He did, and it was dropped.<sup>63</sup>

[punch.org/2019/07/10/joe-biden-protector-of-the-deep-state/](https://punch.org/2019/07/10/joe-biden-protector-of-the-deep-state/).

<sup>58</sup> Robert Bowie to Stansfield Turner, 2 May 1977, Notes from conversations with senators, Feb. 1977, CREST.

<sup>59</sup> William Welch, ‘North paints Casey as godfather of his covert operations’, Associated Press, 9 July 1987.

<sup>60</sup> John Prados, *President’s secret wars: CIA and Pentagon covert operations since World War II* (New York: William Morrow, 1986), p. 370.

<sup>61</sup> ‘Secret warriors: the CIA is back in business’, *Newsweek*, 10 Oct. 1983.

<sup>62</sup> Vernon Loeb, ‘Undercover to hardcover’, *Washington Post*, 12 Dec. 1998.

<sup>63</sup> Joe Trento, ‘Some senators calling probe of CIA’s Casey “whitewash”’, *Wilmington Sunday Journal*, 25 Oct. 1981.



In 1982, Biden's tolerance of Casey's freewheeling expired. By this point, the gruff DCI had shown a pattern of disdain for congressional oversight, epitomized by one observation that he 'treats us like mushrooms—he keeps us in the dark and feeds us manure'.<sup>64</sup> Under his directorship, the agency had narrowed the scope of its briefings on covert action to both the House and Senate intelligence committees. It also stretched to the limit its statutory requirement to notify Congress about *anticipated* operations, waiting months before bringing committees into the loop. Even though Casey retained the support of SSCI chairman Goldwater—who confessed to being a 'little old-fashioned', clarifying that 'When it comes to covert operations, it would be best if they didn't have to tell us anything'—Biden, still on the committee, was not such a pushover.

That February, Biden pressed Goldwater to subpoena Casey to testify to the committee about 'some of the intelligence questions raised by the difficult situation in El Salvador', where the CIA was operating from offices on the Ilopango airbase, the centre of its training and supply missions to the Contras in Nicaragua and Honduras.<sup>65</sup> By spring, Biden was calling Casey out in the press: 'You have to be an investigative reporter to find out anything now.'<sup>66</sup> In July, he point-blank demanded the buccaneering spymaster's resignation upon discovering that he had failed to disclose to the nomination committee details about his personal financial dealings, including investments, debt and board positions. 'Mr Casey has displayed a consistent pattern of omissions, misstatements, and contradictions,' Biden protested, in a stunning rebuke of a serving spy chief.<sup>67</sup>

Biden's exposure to Vietnam and the conflicts in central America mentioned above instilled in him a wariness about paramilitary covert action and indeed any use of force implemented by American boots on the ground in the global South. This was not an expression of idealism or anti-war activism. While at university in the 1960s, he had never been drawn into the campus protests that were sweeping the country, maintaining what journalists have described as 'conspicuous psychic distance from the antiwar fervor of the times'.<sup>68</sup> Nevertheless, he was still seared by the fighting in south-east Asia and its blowback in the United States. Speaking to the graduating class at Syracuse in 2009, he recollected that at the time of his own graduation he had been shocked by the degree to which Vietnam, a war in a faraway place, had taken America 'to the brink'.<sup>69</sup> Just as the end appeared in sight, he lamented, the Tet Offensive occurred, leaving him 'shot through with pain and grief'.<sup>70</sup> As he witnessed the country tear itself apart, cultivating a toxic environment in which tragedies like the assassinations of the Reverend Martin Luther King and Senator Bobby Kennedy occurred, he was gripped by a 'sense of

<sup>64</sup> James Bamford, 'Confidence man', *Washington Post*, 14 Oct. 1990.

<sup>65</sup> Barry Goldwater to Joe Biden, 12 Feb. 1982, CREST; Barry Goldwater to William Casey, 23 Feb. 1982, CREST.

<sup>66</sup> Philip Taudman, 'Serious problems seen in Senate intelligence unit', *New York Times*, 28 May 1982.

<sup>67</sup> David Wise, 'Casey at the helm', *Newsday*, 11 July 1982.

<sup>68</sup> Matt Flegenheimer and Katie Glueck, 'Biden's non-radical 1960s', *New York Times*, 18 Oct. 2020.

<sup>69</sup> Ali Linan, 'Text of Biden's 2009 SU commencement speech', *The Daily Orange*, 11 Nov. 2015.

<sup>70</sup> Linan, 'Text of Biden's 2009 SU commencement speech'.



hopelessness and helplessness'.<sup>71</sup> As he entered politics, he recalled thinking about how quickly the United States had been pulled into the quagmire. At first, involvement had been limited to low-level influence operations coupled with advice from the military to win 'hearts and minds' and its training of anti-communist forces in Saigon and the countryside.<sup>72</sup> However, these forays soon escalated, resulting in 'search and destroy' operations and the commitment of half a million troops, whose air and ground activities spilled across the region. He also remembered, as a freshman senator, being anxious about the war's impact on citizens' faith in government. In fact, in May 1975, he wrote to political philosopher Hannah Arendt to express his interest in a speech she had given, at Boston's Faneuil Hall, about how people's trust in government had been shattered by official lies and deception about the war.<sup>73</sup> It was partly through these memories that he approached debates about covert operations in the 1980s. Vietnam had taught him that covert meddling overseas was the thin end of the wedge, and he was determined that central America would not become another south-east Asia. These were lessons he has never forgotten.

## **Demilitarizing the community**

During the 1990s, Biden showed that he was not necessarily opposed to all instances of covert action and intervention, especially in places other than the global South and where considerations about human rights and the Responsibility to Protect doctrine came into play. As the conflict in Yugoslavia worsened, he pressed President Bill Clinton to get the United Nations to lift its arms embargo, which favoured the Serbians, who controlled the country's weapons industries, and which had placed Bosnia's Muslims at a disadvantage. He supported not only sending CIA officers to train and arm Bosnians so as to level the playing field, but also the deployment of American forces there, provided they were given a clear mission and exit strategy. As diplomat Richard Holbrooke recalled, this led to 'some of the most emotional and contentious struggles of the Clinton Administration', and Biden was an advocate of the measures, not an opponent of them.<sup>74</sup>

This notwithstanding, from the late 2000s, as the global 'war on terror' evolved into what commentators called 'the long war', centred on Afghanistan and Pakistan, Biden, now vice-president, reverted to type, becoming a strong critic of both covert and overt intervention.<sup>75</sup> In Afghanistan, with operations like 'Jawbreaker', he had seen the agency evolve from information-gatherers into man-hunters, spearheading efforts to track down and kill high-value terrorists such as Osama bin Laden.<sup>76</sup> Indeed, after 9/11, the first Americans there had not

<sup>71</sup> Linan, 'Text of Biden's 2009 SU commencement speech'.

<sup>72</sup> See Jonathan Nashel, *Edward Lansdale's cold war* (Amherst, MA: University of Massachusetts Press, 2005).

<sup>73</sup> Roger Berkowitz, 'When Biden wrote to Hannah Arendt', *Amor Mundi*, Aug. 2020, <https://hac.bard.edu/amor-mundi/when-joe-biden-wrote-hannah-arendt-2020-08-06>.

<sup>74</sup> Richard Holbrooke, *To end a war*, rev. edn (New York: Modern Library, 1999), pp. 30–31.

<sup>75</sup> Bradley Graham, 'Abazaid credited with popularizing the term "long war"', *Washington Post*, 3 Feb. 2006.

<sup>76</sup> Gary Berntsen, *Jawbreaker: the attack on Bin Laden and Al-Qaeda—a personal account by the CIA's chief field commander* (New York: Three Rivers Press, 2005).

been service personnel but CIA paramilitary teams.<sup>77</sup> This promptly became a powerful trend in Langley. As retired case officer Alex Finley has written, the prominence to which the paramilitary side of the agency had risen was easily perceptible, with more officers seen walking the corridors with buzz cuts, dressed in cargo pants and tight-fitting T-shirts, and using curt military punctilios like ‘Yes, Sir’ than ever before.<sup>78</sup> In his memoirs, Hayden recollected that, before the confirmation hearings of one of his successors as DCIA, General David Petraeus, a combat commander, he had warned the nominee: ‘Dave ... CIA has never looked more like the OSS than it does now’.<sup>79</sup> Remembering what the old OSS hand Casey had done to the agency, Biden was determined to halt this militarization, shifting the CIA’s focus away from simply counterterrorist operations and back to the overarching objective of the production of national intelligence.

Biden brought this determination into the open in mid-2009 as the Obama administration faced pressure to intensify military efforts in Afghanistan. Those pushing for escalation included General Stanley McChrystal, a special operations officer who headed the International Security Assistance Force; Admiral Mike Mullen, chairman of the Joint Chiefs of Staff; Robert Gates, Secretary of Defense; and Hillary Clinton, Secretary of State. The antithesis of Biden, Clinton supported the further transformation of the agency into a war-fighting machine. According to one of her aides, her position was: ‘All you need to deal with terrorism ... is CIA, drones and special ops.’<sup>80</sup> Several options were put before Obama. At the low-cost end was a mission narrowly focused on counterterrorism. This would rely upon paramilitary activities, special forces and unmanned aerial vehicles or drones—then jointly operated by the agency and the US Air Force—to hunt down and kill Al-Qaeda and Taliban leaders. At the high-cost end was a broader mission of counter-insurgency, designed to provide security to the Afghan population while winning its goodwill, village by village, creating an environment where terrorist networks could not survive, thus ending the war. This would involve an expansive intelligence presence throughout the country; a surge of tens of thousands of combat troops; and stability operations that shared some common features with earlier endeavours in nation-building, which had since become controversial.<sup>81</sup>

Biden’s opposition to the counter-insurgency option was spirited. He worried that it would intensify the muscular, no-holds-barred, conception of intelligence and further distract the community from its core mission of preventing strategic surprise. Moreover, all the options would extend a conflict that he believed was the previous administration’s fight and was ultimately unwinnable. Indeed, he feared that Republicans would exploit the moment to christen it ‘Obama’s War’.<sup>82</sup>

<sup>77</sup> Gary Schroen, *First in: an insider’s account of how the CIA spearheaded the war on terror in Afghanistan* (New York: Ballantine Books, 2005).

<sup>78</sup> Alex Finley, ‘How the CIA forgot the art of spying’, *Politico*, March–April 2017, <https://www.politico.com/magazine/story/2017/03/cia-art-spying-espionage-spies-military-terrorism-214875/>.

<sup>79</sup> Michael Hayden, *Playing to the edge: American intelligence in the age of terror* (New York: Penguin, 2016), p. 329.

<sup>80</sup> Mark Landler, ‘How Hillary Clinton became a hawk’, *New York Times*, 21 April 2016.

<sup>81</sup> Robert Gates, *Duty: memoirs of a secretary at war* (New York: Alfred A. Knopf, 2014), pp. 335–77.

<sup>82</sup> Gates, *Duty*, p. 362.

'We can't defeat the Taliban,' concurred his friend Leslie Gelb; so it was time to withdraw.<sup>83</sup>

DCIA Leon Panetta sat in on these discussions, recalling that Biden challenged McChrystal's requests 'again and again'. 'More than anyone else,' he remembered, 'Biden raised the specter of Vietnam, of incremental increases in commitment without a clear plan or exit strategy.'<sup>84</sup> The vice-president's analogy failed to resonate with Obama and his inner circle. The president himself rejected it as 'a false reading of history'.<sup>85</sup> Susan Rice, Ambassador to the UN, spoke even more bluntly, asserting that Vietnam was not 'the frame of reference for every decision—or any decision, for that matter. I'm sick and tired of reprising all of the traumas and the battles and the psychoses of the 1960s.'<sup>86</sup> After a summer-long drama of tense discussions, a test of will between an inexperienced president and seasoned military commanders, Obama steered something of a middle course, authorizing what might best be characterized as expedited counter-insurgency, with a surge of 30,000 troops and an 18-month expiration date. As vice-president, Biden had only a limited ability to act as a counterpoint when Gates and key Pentagon figures, buttressed by the hawkish Clinton, had the president's ear on this.

It was the same story in spring 2011, when Biden's objections to the Bin Laden raid were drowned out. By then, the CIA had surmised the location of the terrorist leader by tracking one of his couriers to a compound in Abbottabad, Pakistan. Obama asked his closest advisers for their view on whether they ought to send Seal Team Six, using stealth helicopters, across the border to kill him. As Gates recalls, 'Biden was against the operation'.<sup>87</sup> With an eye on the 2012 election, just 18 months away, 'the political consequences of failure' weighed on his mind.<sup>88</sup> He worried about the lives of some two dozen servicemen, especially when he felt the intelligence pointing to Bin Laden's whereabouts was weak. Moreover, Biden shared Gates's fear—referring to Operation Eagle Claw, President Carter's failed attempt to rescue 53 hostages from Tehran in 1980—that 'something almost always goes wrong in this kind of military operation'.<sup>89</sup> For these reasons, he advised against the raid. But he was outvoted. In a sign of how far these kinds of activities had blended into the intelligence community's responsibilities, while the assault was executed by the Joint Special Operations Command and Seals, it was run by the agency, who was given control over these forces to preserve plausible deniability.

Now sitting in the Oval Office, Biden finally has the authority to make the intelligence community less about covert operations, paramilitary affairs and military support in wars around the world, and more about cogitating quietly

<sup>83</sup> Leslie Gelb, 'How to leave Afghanistan', *New York Times*, 12 March 2009.

<sup>84</sup> Leon Panetta, *Worthy fights: a memoir of leadership in war and peace* (New York: Penguin, 2014), p. 254.

<sup>85</sup> Barack Obama, 'Remarks by the President in address to the nation on the way forward in Afghanistan and Pakistan', 1 Dec. 2009, <https://obamawhitehouse.archives.gov/the-press-office/remarks-president-address-nation-way-forward-afghanistan-and-pakistan>.

<sup>86</sup> Mann, *Obamians*, pp. 132–3.

<sup>87</sup> Gates, *Duty*, p. 543.

<sup>88</sup> Gates, *Duty*, p. 539.

<sup>89</sup> Michael Morell, *The great war of our time: the CIA's fight against terrorism from Al Qa'ida to ISIS* (New York: Twelve, 2015), p. 161.

about strategic threats. Now, more than twelve months into his presidency, he has started doing this. At the CIA, he replaced DCIA Gina Haspel—a career officer who climbed the company ladder on the operations side of the business and who earned notoriety for her role as chief of a secret prison in Thailand—with veteran diplomat William Burns. Biden’s eagerness to get the agency back on an intelligence track can also be detected in his selection of Burns’s deputy, David Cohen, who held the position for two years under Obama. A finance expert who spent five years at the Department of Treasury tracking terrorist money trails through the warrens of international banking, before crafting Obama’s economic strangulation of Iran, Cohen is a practitioner of analysis, not covert action. Further reflecting this demilitarization and refocusing on strategic intelligence, as this article underwent peer review the CIA announced the creation of a China Mission Center.<sup>90</sup>

The same conclusions can be drawn from Biden’s choice of DNI, international legal expert Avril Haynes. Indeed, all these appointments speak to the president’s long-held desire to have the community led by thinkers, not ‘military men’ like Hayden and Petraeus. Importantly, as much as Biden’s decision to withdraw from Afghanistan ended America’s longest war, it should also be read as his drawing a line under a period when a military-style mentality had swept through the community. Even as American troops and Afghan civilians were attacked by the Islamic State’s affiliate ISIS-K in the final days of the evacuation at Kabul airport, Biden resisted calls to rebase special forces in the country. Instead, he pointed to the United States’ growing strength in ‘over-the-horizon capabilities’, a nod to the use of airpower and cyber warfare.<sup>91</sup> Whatever the future holds in Afghanistan, and whatever events might conspire against him, Biden will prefer computers and drones to commandos and divisions there and elsewhere in the global South.

## Conclusion

This article has attempted to throw some light on what intelligence professionals can expect from their new principal consumer. To reiterate: we are not claiming to possess a crystal ball through which we can predict exactly what will happen. How presidents use intelligence at any given moment can be conditioned not only by the interplay of competing voices within the domestic policy-making context, but by the rough and tumble of international affairs as well. All things being equal, however, we believe that Biden has an extensive track record of engagement with the intelligence community on the basis of which one can evaluate the likely direction of travel with confidence. Indeed, we hope that once his presidency has concluded and documents are declassified, scholars in the future will compare what we have written with his administration’s actual record and find our conclusions valid.

<sup>90</sup> Mark Hosenball, ‘Biden’s CIA director creates unit focused on China’, *Reuters*, 7 Oct. 2021, <https://www.reuters.com/world/us/bidens-cia-director-creates-high-level-unit-focusing-china-2021-10-07/>.

<sup>91</sup> ‘Transcript of Biden’s speech on the US withdrawal from Afghanistan’, *New York Times*, 31 Aug. 2021.

For at least the next three years, the collectors of information and the everyman intelligence analyst who works in the organizational trenches can rest easier than they have over the past four. Biden has the consumption habits of Truman, not Trump. He sees the community much like a university, whose job it is to study the world, look over the horizon and foresee brewing trouble. He values his 'newspaper', which he trusts will come to him in an apolitical, matter-of-fact presentation, directly responsive to the national security priorities his administration has laid down. There will be no *cordon sanitaire* around the Oval Office, blocking spy chiefs from meeting the president and potentially telling him things he may not want to hear.

Biden respects the importance of secrecy as a first principle and will not allow the quality of intelligence product, upon which vital national security decision-making rests, to be compromised by leakers, whom he will almost certainly prosecute, should they appear. Oversight will come from congressional intelligence committees. Biden knows these committees as one who has proudly served on them, and he sees cooperation with them as part of healthy democratic governance. With these qualities, he will help to restore the morale of the community, which was wounded by his predecessor. As a pro-intelligence president, institutional recovery and strengthening will take place.

The planners of paramilitary covert action and military-style intelligence operations will likely be greeted icily. Biden will entertain only low-threshold, meticulously planned covert operations that have clear exit strategies and are signed off on by all appropriate authorities, including Congress. Even allowing for the unexpected pressures of high office and the volatility of international affairs, he will never stake everything on an enormous roll of the paramilitary covert action dice, as JFK did with the Bay of Pigs, Reagan with Iran–Contra, or Obama with the Bin Laden raid. Covert operations and the use of force in the global South go against the lessons he learned from Vietnam and central America, but also against his own instincts as a wily politician who realizes that failed or exposed covert action hurts as much at the ballot box as it does in American embassies around the world. The idea that intelligence agencies should resemble paramilitary organizations, entering war zones and concentrating on man-hunts and killing, is anathema to him. In his view, it is the job of the military—not the intelligence community—to jump out of planes, kick down doors and occasionally pull the trigger. As the screw of history turns, with the era of counterterrorism and asymmetric warfare against dispersed enemies like Al-Qaeda and the Islamic State potentially winding down amid a return to great power rivalry between the United States, Russia and China, Biden's traditional emphasis on stealing secrets and the production of national intelligence seems appropriate and timely. We might even say that, as principal consumer, he looks set to restore a twentieth-century approach to intelligence while responding to the re-emergence of twentieth-century threats.