

# RAY DAVIS AS A STAND-IN FOR THE WAR BETWEEN CIA, ISI, AND STATE

In another installment of his book, Mark Mazzetti describes the Ray Davis episode as the signature (pun intended) event that turned Pakistan against the US. Certainly the Davis episode provides a nice hook for a description of the way the US-Pakistani relationship has declined, but it seems Mazzetti presents Davis as being an almost penultimate event of that decline (in this excerpt, he doesn't get around to describing the 20-some Pakistani soldiers killed by NATO helicopters at the end of 2011).

In his first book excerpt, recall, Mazzetti described how the US killed Nek Muhammad in June 2004 as a quid pro quo with Pakistan for the authority to target al Qaeda figures within Pakistan.

But as Mazzetti explains in this excerpt, our drone strikes in Pakistan didn't do much good: we didn't get many high value targets, in part because some of them were seemingly tipped off.

Since the first C.I.A. drone strike in Pakistan in 2004, only a small number of militants on the C.I.A.'s list of "high-value targets" had been killed by drone strikes, and other potential strikes were scuttled at the last minute because of delays in getting Pakistani approval, or because the targets seemed to have been tipped off and had fled.

Then, in 2007, the CIA determined that al Qaeda had reconstituted in the tribal lands of Pakistan. So the CIA's counterterrorism folks lobbied for escalating the drone war.

[A] highly classified C.I.A. internal

memo, dated May 1, 2007, concluded that Al Qaeda was at its most dangerous since 2001 because of the base of operations that militants had established in the tribal areas. That assessment became the cornerstone of a yearlong discussion about the Pakistan problem. Some experts in the State Department warned that expanding the C.I.A. war in Pakistan would further stoke anti-American anger on the streets and could push the country into chaos. But officials inside the C.I.A.'s Counterterrorism Center argued for escalating the drone campaign without the I.S.I.'s blessing.

So after a year of debate, the CIA told General Kayani that they were going to operate unilaterally in Pakistan.

[I]n July 2008, when C.I.A. officers in Islamabad paid a visit to Gen. Ashfaq Parvez Kayani, the Pakistani Army chief, to tell him that President Bush had signed off on a set of secret orders authorizing a new strategy in the drone wars. No longer would the C.I.A. give Pakistan advance warning before launching missiles from Predator or Reaper drones in the tribal areas. From that point on, the C.I.A. officers told Kayani, the C.I.A.'s killing campaign in Pakistan would be a unilateral war.

Side note: Mazzetti's original story described the initial drone strikes as an agreement between ISI and CIA. Here, Kayani plays a central role, though the rest of this installment affirms the later central role of Lt. Gen. Ahmad Shuja Pasha, the head of the ISI. I'm interested in whether we played Pakistan's military off of ISI.

At this point of his story, Mazzetti only describes this as an escalation, followed by a declining relationship with CIA.

So, in July 2008, when the C.I.A.'s director, Michael Hayden, and his deputy, Stephen Kappes, came to the White House to present the agency's plan to wage a unilateral war in the mountains of Pakistan, it wasn't a hard sell to a frustrated president. That began the relentless, years-long drone assault on the tribal areas that President Obama continued when he took office. And as the C.I.A.'s relationship with the I.S.I. soured, Langley sent station chiefs out to Islamabad who spent far less time and energy building up good will with Pakistani spies than their predecessors had. From 2008 on, the agency cycled a succession of seasoned case officers through Islamabad, and each left Pakistan more embittered than the last. One of them had to leave the country in haste when his identity was revealed in the Pakistani press. The C.I.A. suspected the leak came from the I.S.I.

Many paragraphs in his story later, he describes signature strikes and the associated "military aged male" standard. Mazzetti doesn't describe how the two developments both exacerbated the problem. In fact, according to Mazzetti's NYT colleagues' reporting from 2008, the decision to use signature strikes actually precedes this change by six months. And as Greg Miller laid out last year, the impetus for the change in **both** strategies came from "Roger," the abrasive guy who took over the counterterrorism center in 2006. And Roger's campaign to make these changes preceded the 2007 report that said al Qaeda was reconstituting itself in the tribal lands.

When Michael V. Hayden became CIA director in May 2006, Roger began laying the groundwork for an escalation of the drone campaign. Over a period of months, the CTC chief used regular meetings with the director to make the case that

intermittent strikes were allowing al-Qaeda to recover and would never destroy the threat.

“He was relentless,” said a participant in the meetings. Roger argued that the CIA needed to mount an air campaign against al-Qaeda “at a pace they could not absorb” and warned that “after the next attack, there would be no explaining our inaction.”

Under Hayden, the agency abandoned the practice of notifying the Pakistanis before launching strikes, and the trajectory began to change: from three strikes in 2006 to 35 in 2008.

A second proposal from the CTC chief, a year or so later, had even greater impact.

“He came in with a big idea on a cold, rainy Friday afternoon,” said a former high-ranking CIA official involved in drone operations. “It was a new flavor of activity, and had to do with taking senior terrorists off the battlefield.”

The former official declined to describe the activity. But others said the CTC chief proposed launching what came to be known as “signature strikes,” meaning attacks on militants based solely on their patterns of behavior.

Previously, the agency had needed confirmation of the presence of an approved al-Qaeda target before it could shoot. With permission from the White House, it would begin hitting militant gatherings even when it wasn’t clear that a specific operative was in the drone’s crosshairs.

Meanwhile, as Mazzetti describes, Ambassador Anne Patterson, who served in Pakistan from July 2007 to October 2010, largely supported the

CIA's escalation.

Anne W. Patterson, an aggressive diplomat who, in the three years before Munter arrived, cultivated close ties to officials in the Bush and Obama administrations and won praise from the C.I.A. for her unflinching support for drone strikes in the tribal areas.

As the drone war escalated, the ISI seemed to thwart our other efforts, such as by detaining the guy we were hoping would broker a peace deal with the Taliban.

Rumors had circulated inside Pakistan that Baradar wanted to cut a deal with the Americans and bring the Taliban to the negotiating table in Afghanistan. Had the I.S.I. somehow engineered the entire arrest, feeding intelligence to the C.I.A. so that Baradar could be taken off the street and the nascent peace talks spoiled? Had the I.S.I. played the C.I.A.? Months later, senior C.I.A. officials at Langley still couldn't answer those questions. Today, more than three years later, Mullah Baradar remains in Pakistani custody.

In other words, in the 3 years **before** Ray Davis shot two Pakistanis and Leon Panetta denied that he was CIA to Pakistan (which, from Mazzetti's reporting seems to be the real reason the Administration didn't want the American press to confirm the fact), ties between the US and Pakistan had already declined. Either because "Roger" is just a badass, or because the al Qaeda presence in tribal lands justified it, we decided operate unilaterally in Pakistan, and the ISI seemingly continued to thwart us.

What the Ray Davis episode did do, however, is escalate the tensions between CIA and State. Mazzetti's piece elaborates on previous reporting about how Cameron Munter, who took

over for Patterson, was much more skeptical about the efficacy of the drone strikes. His story adds many details about how Munter tried to do the smart thing to save Davis at first, by admitting he was a CIA contractor, only to have Panetta fuck that up.

Finally, Mazzetti provides support for an argument that Jim has long been making: even within the Administration, some people believe the Datta Khal strike the day after Davis was freed was CIA's effort to retaliate over the Davis fiasco.

The perils of this approach were laid bare on March 17, 2011, the day after Davis was released from prison and spirited out of the country. C.I.A. drones attacked a tribal council meeting in the village of Datta Khel, in North Waziristan, killing dozens of men. Ambassador Munter and some at the Pentagon thought the timing of the strike was disastrous, and **some American officials suspected that the massive strike was the C.I.A. venting its anger about the Davis episode.** More important, however, many American officials believed that the strike was botched, and that dozens of people died who shouldn't have. [my emphasis]

Here's what Jim has said about this in the past:

Drone strikes in Pakistan by the US have occasionally been interrupted by various diplomatic issues. For example, there was a lull of over a month at the height of negotiations over the release of Raymond Davis. One of the most notorious US drone strikes was on March 17, 2011, the day after Raymond Davis was released. This signature strike killed over 40, and despite US claims (was that you, John Brennan?), that those killed "weren't gathering for a bake sale" it was later determined that

the majority of those killed were indeed civilians at a jirga to discuss local mineral rights. Because it was so poorly targeted, this strike always stood out in my mind as the product of an attitude where high-level US personnel demanded a target, no matter how poorly developed, simply to have something to hit since drone strikes had been on hold over the Davis negotiations and there was a need to teach Pakistan a lesson.

And Mazzetti hints at what Jim says more directly: this is the strike that John Brennan blatantly lied about, seemingly inventing the term “military aged male” to pretend that we weren’t just shooting randomly and illegally.

It’s a very long piece (and I’ll probably have more to say about how the Munter/Hillary spat with Panetta seems to explain the questions John Brennan got about chains-of-command in other countries, as well as questions about what Davis was really doing in Pakistan).

All that said, Mazzetti’s piece seems to fall short of stating what seems to be the implication of the piece: We were played by Pakistan. They got us to use our drones for their own counterinsurgency, and then spent 4 years thwarting the efficacy of the drone strikes we won in response. And in response to that, we have embraced signature strikes, which have killed far more military aged males (and women and children), but seem only to have undermined Pakistan further.

Mazzetti leaves out one more set of critical details. He names Panetta and Hillary in their spat. He does not name Brennan as the guy who was lying about casualties in Datta Khel, and he does not name John Kerry as the guy who absconded with (at least) Ray Davis on his plane. That is, at least as described, this debate is something that took place in the past with no direct involvement from the folks

currently implementing Obama's national security plans (and giving CIA an exception from the rule book John Brennan developed).

We got played with drone strikes. Then we escalated them, which made things worse. And the people who were part of that are still in charge. Sure, maybe Kerry and Brennan won't have the spats that Hillary and Panetta did over who's in charge in various countries around the world. But that is scant comfort.