

Prepared Testimony to the House Armed Services Committee

The Islamic State: A Persistent Threat

Brian Fishman

Counterterrorism Research Fellow
International Security Program at the New America Foundation

July 29, 2014

Chairman McKeon, Ranking Member Smith, Members of the Committee, thank you very much for giving me the opportunity to testify today.

Summary and Policy Recommendations

Though the challenges to American interests in the Middle East could hardly be more complex or interrelated, I will attempt to focus sharply on the danger posed by the so-called Islamic State, which today controls approximately 30 percent of Syria and significant portions of Iraq.

The Islamic State is a severe threat to American interests in the Middle East, and the safe haven it represents significantly increases the risk of terrorism directed against Western Europe and the U.S. homeland. But the United States has limited policy options for countering the new Islamic State because defeating the group depends on more stable and non-sectarian governance in both Iraq and Syria, neither of which are forthcoming.

We must be clear-eyed about the resilience of the Islamic State; it is unlikely to be destroyed any time soon and returning to the status quo ante is an increasingly improbable option. At the same time, ignoring the group is unacceptable because it threatens to expand instability outside of Iraq and Syria, including to key countries such as Jordan and Saudi Arabia. The Islamic State aims to upend and then replace all existing order in the Middle East—and has a disconcerting amount of power to invest in that grandiose mission. The Islamic State has essentially upended sovereignty and the post-Ottoman national borders in the Middle East. They have created a new reality on the ground and, despite the unsavoriness, our policy should reflect those practical facts rather than hew to the whims of mapmakers a century ago. Any coherent response to the Islamic State must approach the problem regionally, avoid being stove-piped into distinct nation-state based conversations, and reflect a willingness to support and significantly engage non-state actors like the Kurdish Regional Government.

As such, I will describe here a military and political strategy to contain the Islamic State by strengthening friendly regimes on its periphery, empowering a narrow

class of vetted militants willing to target it, and laying the political foundation to capitalize on the governance failures the Islamic State is almost certain to commit.

In conventional military terms, the Islamic State is the most powerful jihadi entity in the world—and it has no real competitors, including al-Qaeda. But unlike al-Qaeda, the Islamic State is focused *primarily* on regional power projection rather than global terrorism. Nonetheless, the Islamic State is so large and multifaceted (including several thousand foreign fighters) that it would be surprising if sub-groups did not intend such strikes—and U.S. policy toward the Islamic State should account for that risk.ⁱ

The Islamic State does have weaknesses, most notably that its political alliances are likely to deteriorate as the Islamic State continues to institute its strict version of Shariah. By the standards of an intransigent jihadi organization, the Islamic State is surprisingly effective at building alliances. But it is one thing to establish a coalition designed for war against a common enemy, and another to sustain that alliance over issues of governance in times of peace.

Considering these strengths and weaknesses, U.S. strategy should aim to contain the Islamic State while strengthening governance in the region to the point where local actors can engage it more decisively. In order to pursue those goals, the United States should:

- One, actively bolster U.S. allies in Jordan and Turkey (despite Turkey's mixed record of countering jihadi groups in Syria). Jordan is particularly important because it is the most likely target and instability in Jordan would have deeply destabilizing effects vis a vis both Israel and Saudi Arabia. Support to both countries means both military assistance and significant aid to support and stabilize Syrian refugee populations.
- Two, support vetted Syrian rebels with appropriate military equipment—and do so through both covert and overt means. For example, the Congress should support the President's request for \$500 million in military aid to Syrian rebels, with the following cautions:
 - First, recognize that \$500 million in military assistance may be enough to slow the Islamic State's operational momentum, but will not destroy either the Islamic State or the Assad regime. This level of assistance buys time and may shift the military balance operationally in key areas, but it will not change the basic strategic problem. Moreover, assistance based on the President's \$500 million request may not matriculate for a year or more. A comprehensive policy to annihilate the Islamic State is likely to require many years and tens, if not hundreds, of billions of dollars.

- Second, aid to rebels should be narrowly targeted to groups with the precision and fortitude to weaken the Islamic State materially, but there should not be a requirement that those groups are secular.
- Third, target assistance to a limited set of groups. Many of the Islamic State's current allies in Iraq were once considered vetted former rebels and tacit American allies.
- Fourth, and perhaps most importantly, aid to any rebel group should be structured so that it can be sustained. Better not to provide military assistance at all than drop significant weaponry into a shifting battlefield and then withdraw.
- Three, prepare to use limited military force against the Islamic State to slow its operational momentum or destroy key resources. Policymakers should be clear, however, that using force against the Islamic State has risks, most importantly that it increases the likelihood that the Islamic State will allocate more resources to targeting Western Europe and the United States.
 - If the President and Congress determine that a concerted military operation to undermine the Islamic State is warranted, they should pursue a new Authorization for the Use of Military Force rather than rely on either the 2001 AUMF for al-Qaeda or the 2002 AUMF for Iraq.
 - The 2001 AUMF should not be utilized because the Islamic State is not part of the al-Qaeda organization. Although there is precedent for using the AUMF to conduct strikes against organizations affiliated with al-Qaeda, the Islamic State is effectively al-Qaeda's sworn enemy, despite the groups' ideological similarities. If the 2001 AUMF can be used to justify strikes against one of al-Qaeda's enemies, it is not clear whether there are any limits on the groups that can be attacked using that authorization.
 - The 2002 AUMF authorizes the use of force to limit threats "from Iraq," which some suggest offers justification to target the Islamic State. Whether or not that legal interpretation is valid, countering the Islamic State was clearly not the original intent of the 2002 AUMF—al-Qaeda in Iraq was not even established until 2004—and we should not authorize sending Americans to kill, and potentially die, using legal loopholes.
- Four, provide military assistance to Iraq to bolster the defense of Baghdad and push back on the Islamic State. Blunting the Islamic State militarily is likely to encourage dissension among its coalition partners, many of whom do not share its vision of governance. We should not defer responsibility for

supporting the defense of Iraq to Iran, which will only entrench it in Iraqi politics further and harden Sunni antipathy toward the Iraqi government, which strengthens the Islamic State.

- Five, pursue a long-term strategy to improve governance in Iraq and Syria. We must not assume that Bashar al-Assad will one day fall or that the Iraqi government will drop its penchant for sectarianism. Rather, the United States should support entities, such as the Kurdish Regional Government, that can govern functionally. The policy paradigm should be to reduce the extent of ungoverned territory however possible rather than build policy within the framework of the two existing states.
- Six, refocus American policy and intelligence assets toward a broader range of jihadi threats rather than narrowly on actors focused on striking the U.S. homeland. Contrary to much public discourse, which has portrayed the Islamic State's rise as sudden, this organization (and its predecessors) has been one of the most active terrorist organizations in the world since 2004—and that trend includes the period from 2008-2011, immediately after the Surge but prior to the Syrian civil war. Although the strength of the Islamic State is somewhat surprising, it was clear as early as the fall of 2011 that the Islamic State of Iraq was well-positioned to capitalize on the Syrian civil war and would dramatically grow in strength. We did not pay enough attention.

I regret to say that this recommended course of action is unlikely to achieve the goal of destroying the Islamic State in the near term. But the United States does not have policy levers to defeat the Islamic State without massive and politically untenable intervention in both Iraq and Syria. Fortunately, Jihadi organizations have a long track record of self-destruction—and the Islamic State's extremism will create enemies. Still, the Islamic State will not be defeated without progress on the broader political challenges facing Iraq and Syria. As a result, the best approach for now is to bolster allies, strengthen our political leadership in the region, creatively undermine the Islamic State, and build for the future.

Background and Analysis

The remainder of this testimony provides a detailed background on the Islamic State and the threat it poses.

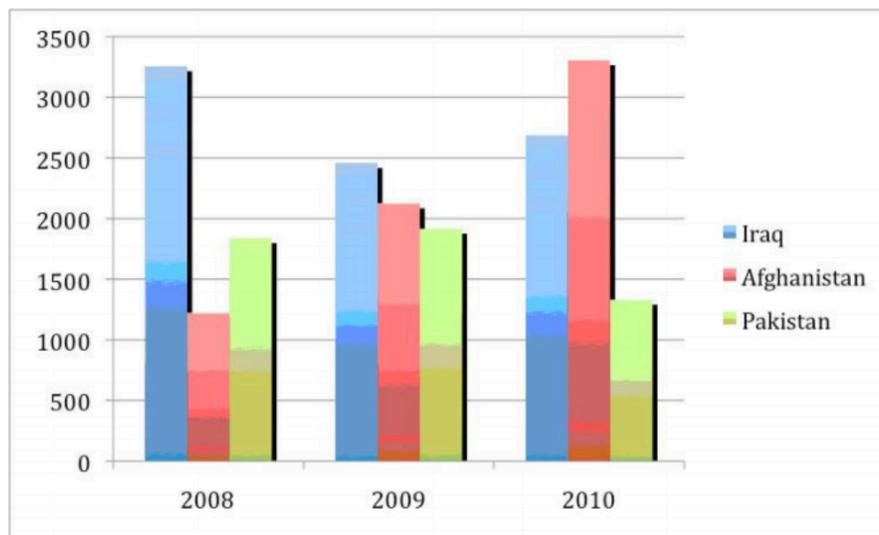
Where Did the Islamic State Come From?

The Islamic State is the most current incarnation of the organization originally led by Abu Mus'ab al-Zarqawi, the infamous leader of al-Qaeda in Iraq. The group's roots go back to Jordan in the mid-1990s when Zarqawi and a jihadi ideologue named Abu Muhammad al-Maqdisi plotted attacks against the Jordanian government. After being released from prison in 1999, Zarqawi moved to

Afghanistan, but did not swear allegiance to Osama bin Laden and al-Qaeda. After the U.S. invasion of Afghanistan, Zarqawi relocated to Northern Iraq, where he prepared for the U.S. invasion. In October 2004, more than 18 months after the invasion of Iraq, Zarqawi finally swore allegiance to bin Laden and created al-Qaeda in Iraq (AQI). AQI's rampant brutality was unpopular in Iraq and in January 2006, the group changed its name to the Mujahidin Shura Council in the hope of establishing better rapport locally. Following Zarqawi's death in a June 2006 U.S. airstrike, the Islamic State of Iraq was declared in October 2006. This was the first establishment of an Islamic State by this group and the first practical step toward ultimately declaring a Caliphate.

The ISI suffered major setbacks at the hands of U.S. military forces and tribal groups during the Anbar Awakening and the Surge in 2006 and 2007, but it was never defeated. As Chart 1 illustrates, terrorism remained rampant in Iraq even after the Surge, much of it attributable to the remnants of the ISI. Instead of being defeated the ISI retreated from Anbar Province to Northern Iraq near Mosul, where it was able to survive by capitalizing on simmering tension between Arabs and Kurds in the city and continued dissatisfaction among Sunnis in Iraq with perceived Iranian influence and sectarianism in the Maliki government.

Chart 1: Terrorist Attacks in Iraq, Afghanistan, and Pakistan 2008-2010ⁱⁱ



The ISI and its predecessor AQI were well-disposed to capitalize on the uprising in Syria. The group had extensive logistics networks for foreign fighters transiting Syria, some of which appear to have operated with the tacit acceptance of the Assad regime.ⁱⁱⁱ In short, the ISI was already in Syria when the uprising against Bashar al-Assad began in the summer of 2011.

In January 2012, the Islamic State formalized its efforts inside Syria by establishing a jihadi organization called Jabhat al-Nusra, which was tasked with operating there. But strategic and personality differences between the Nusra leader, Abu Muhammad al-Jawlani, and the Emir of ISI, Abu Bakr al-Baghdadi, compelled the ISI to expand its direct influence in Syria. Unlike al-Baghdadi, al-Jawlani still looked to al-Qaeda central for guidance and endeavored to build collaborative relationships with a broad range of Syrian rebels. In April 2013, the ISI officially changed its name to the Islamic State of Iraq and the Levant, which reflected its claim over a broader territory and de facto severing of ties with Nusra. After months of fighting between Jabhat al-Nusra and ISIL, al-Qaeda's Emir Ayman al-Zawahiri official renounced ISIL in February 2014. In June 2014, after a major offensive in Iraq, which began in its long-time safe-haven of Mosul, the group declared a Caliphate with supposed authority from North Africa to South Asia.

Is the Islamic State al-Qaeda?

Despite a shared history, common ideological principles, and continued operational contact, the Islamic State is not a component of the al-Qaeda organization and has considered itself distinct since October 2006. Al-Qaeda in Iraq was created in October 2004 when Abu Mus'ab al-Zarqawi swore allegiance to Osama bin Laden after several months of negotiations with al-Qaeda's core leadership. But Zarqawi's relationship with al-Qaeda was always rocky. He wanted to expand AQI's writ outside of Iraq—primarily to Jordan—whereas al-Qaeda's leadership urged him to focus on Iraq itself.

The framework for the current split was established in October 2006, several months after Zarqawi's death, when AQI declared the Islamic State of Iraq. Although Ayman al Zawahiri seems to have had a hand in the timing of the ISI's creation—he called on AQI's leaders to create a *al-Dawlah al-Islamiyah fi al-'Iraq* (the Islamic State of Iraq) in his June 2006 eulogy for Zarqawi—the establishment of a so-called “state” created tension with al-Qaeda's leadership. At the time, AQI was “dissolved” and subsumed within the ISI, which named an Emir that theoretically had authority for governance in jihadi-dominated parts of Iraq.^{iv} That leader was even referred to at the time as the Commander of the Faithful, and was positioned as a future Caliph, much as Abu Bakr al-Baghdadi has been today. ISI leaders even declared a cabinet with Ministers of Fisheries and Petroleum and occasionally did low-level public works projects. The Islamic State practice of governance that has gotten so much press recently is not new, though it is more effective now.

The squabbles over hierarchy between the Islamic State and al-Qaeda also reflect three major strategic and ideological differences between al-Qaeda and the Islamic State:

- Whereas al-Qaeda since 1998 has prioritized attacks against the U.S. homeland and targets in Western Europe, the Islamic State aims first to establish political authority in the Middle East. In this regard, al-Qaeda is

- actually the outlier within the jihadi tradition. Most current and historic jihadi organizations focus on local conflicts rather than global terrorism.
- Following in the footsteps of Abu Mus'ab al-Zarqawi, the Islamic State has utilized a much looser understanding of *takfir* than al-Qaeda has traditionally advocated. This means that the Islamic State declares Muslims subject to violence even more often than al-Qaeda does—a fact that is reflected in its contentious battles with other militants in both Iraq and Syria. The State also delegates authority for that weighty decision away from religious scholars and towards military leaders.
 - Lastly, the Islamic State believes that it has declared a Caliphate with Abu Bakr al-Baghdadi as Caliph and the supposed leader of all Muslims. This designation remains controversial even among jihadis, but it means that followers of the Islamic State feel no ideological compulsion to follow the dictates of Ayman al-Zawahiri and other leaders of al-Qaeda Central.

Despite these differences, the Islamic State and its predecessors did not openly break from al-Qaeda until 2012, when the conflict with Jabhat al-Nusra over authority and strategic direction in Syria became clear—and that process led to Ayman al-Zawahiri's pointed denunciation of ISIL in February 2014, in which he argued that ISIS, "is not a branch of al-Qaeda...and does not have an organizational relationship with it."

What Kind of Threat Does the Islamic State Pose to the United States?

Threat is a function of capability and intent. And in both respects, the Islamic State poses a larger threat to United States' interests in the Middle East than the homeland. The group not only prioritizes attacks in the Middle East, it also controls an Army that is most useful for projecting power regionally: the Humvees it captured from the Iraqi Army will not be used for strikes against the U.S. homeland.

The Islamic State also poses a significant threat to the U.S. homeland. Although less disposed to international strikes than al-Qaeda, that is hardly a reassuring standard. More importantly, the comparison is not the most useful for designing policy. The Islamic State's control of territory is reminiscent of the pre-9/11 Taliban more than al-Qaeda—and just as the Taliban did, the Islamic State may offer safe-haven to groups with internationalist agendas.

Moreover, the Islamic State is not a monolithic organization. Although the group's leadership prioritizes establishing governance in Iraq and Syria over striking the United States, that likely does not extend to all rank and file members, many of whom are foreign fighters. Open source research suggests that up to 11,000 foreign fighters have traveled to Syria since the Civil War began and that the vast majority of those have joined either the Islamic State or the al-Qaeda-affiliated group, Jabhat al-Nusra.^v Only 1 of 9 Muslim foreign fighters goes on to conduct terrorist attacks after they leave an open battlefield.^{vi} Nonetheless, even that number suggests a

significant number of fighters may strive to continue militancy outside of Iraq and Syria in the future—with or without direction from the Islamic State leadership.

Critically, these foreign fighters appear to be getting useful battlefield experience. Unlike the period from 2006-2008, when foreign fighters joining the ISI in Iraq were largely thrown pell-mell into suicide attacks, the bulk of foreign fighters in Syria and Iraq today are gaining relevant military experience, including bomb-making, marksmanship, and the ability to move effectively on the battlefield. This tactical experience increases the threat that they pose outside of Iraq and Syria.

Lastly, the Islamic State and its predecessor organizations have been linked to various plots outside of the Middle East. Officials in Britain, Italy, Kosovo, France, and the Netherlands have all disrupted plots linked to individuals that reportedly had fought in Syria (though not all with the Islamic State).^{vii} On May 24 of this year, a man named Mehdi Nemmouche, who is believed to have fought in Syria, allegedly entered the Jewish Museum in Brussels and opened fire with an assault rifle. Among his possessions was a piece of cloth with the Islamic State of Iraq and the Levant written on it.

Even before the Syrian civil war, the Islamic State's predecessors were linked to attacks in Europe. In 2010, a Swedish national that had traveled to Mosul to join what was then called the Islamic State of Iraq, killed himself in a suicide bombing in Stockholm. And in 2007, the perpetrators of the so-called "Doctor's Plot" in the United Kingdom had phone numbers for operatives of the Islamic State of Iraq listed in their cell phones. A U.S. intelligence official at the time characterized the plot as "AQI related, not AQI directed." Expect to see a future of jihadi plots in the West that are "Islamic State related, not Islamic State directed."

Whatever the threat to the West from the Islamic State, the threat to United States' interests in the Middle East is much more severe. In 2012, the Jordanian security services disrupted a plot by the Islamic State's predecessors to "launch near-simultaneous attacks on multiple civilian and government targets."^{viii}

The plot was consistent with earlier efforts by the Islamic State's predecessor organizations to strike outside of its main area of operation, which illustrates a consistent focus on Jordan that informs my particular concern about attacks in that country today. Those historical attacks and plots include:

- A foiled chemical attack in Amman, Jordan, in April 2004;
- An foiled suicide attack in December 2004 on the Karamah border crossing between Iraq and Jordan;
- A rocket attack against U.S. ships at the Jordanian port of Aqaba and the neighboring Israeli town of Eilat;
- The tactically successful and strategically disastrous (for al-Qaeda) strike in November 2005 on Western-owned hotels in Amman, Jordan.

- Lastly, al-Qaeda in Iraq claimed a single strike against Northern Israel from Southern Lebanon in December 2005.

What are the Islamic State's Weaknesses?

The Islamic State has three structural weaknesses:

- First, much of its power in Iraq depends on a political alliance with other Sunni factions—but the basis of that alliance is opposition to the current regime in Baghdad rather than a shared vision of governance in the future. Sunnis in Iraq turned on the Islamic State's predecessors in 2006 and 2007, and given appropriate guarantees they may again. This is increasingly likely as the Sunni military advance stalls, which it has. The Sunni coalition in Iraq that includes the Islamic State is unlikely to conquer Baghdad, though it is very capable of sustained terrorist campaign against both Baghdad and the Shiite heartland of Iraq. A stalled military campaign will refocus attention within the coalition on governance and intra-coalition power-sharing, and this is likely to contribute to splits in the relationship.
- Second, the Islamic State's declaration of a Caliphate is unpopular even within the jihadi community. Many senior jihadi ideologues have condemned the so-called Caliphate, much as they condemned the original declaration of an Islamic State in 2006. Unfortunately, the Islamic State has been able to mitigate this problem with its success on the ground. Power trumps ideology and the specter of the Islamic State's de facto authority in Iraq and Syria means that despite criticism from senior jihadi clerics, the group can still recruit successfully.
- Third, jihadis do not have a strong track record of governance. From Algeria to Afghanistan, jihadis have squandered military gains by failing to govern effectively—and the specter of these failures hangs over the Islamic State.

Conclusion

I wish I had better news to deliver today. But despite the Islamic State's weaknesses, it has the strength to remain a significant threat to U.S. interests for the foreseeable future. You have likely noticed that despite my effort to focus narrowly on the Islamic State, definitive answers inevitably require looking at the region more holistically. The Islamic State's strength is derived from the chaos caused by our inability to resolve a whole range of related challenges—including whether to oust Bashar al-Assad, how to balance our concern about Iranian influence with the threat from Sunni jihadi groups, and even the degree to which jihadis will attempt to capitalize on the current violence in Israel and Gaza. I have not attempted to answer all of those questions in my prepared testimony, but I hope to have a productive discussion that sheds some light on these issues as well.

Thank you again for the opportunity to testify today. I am happy to answer any questions.

ⁱ Kimiko de Freytas-Tamura “Foreign Jihadis Fighting in Syria Pose Risk to West” *The New York Times* May 29, 2014

ⁱⁱ Brian Fishman “Redefining the Islamic State: The Fall and Rise of the Islamic State of Iraq” *The New America Foundation* August 2011. Figures derived from the now-defunct National Counterterrorism Center WITS database.

ⁱⁱⁱ Joseph Felter and Brian Fishman “Al-Qa’ida’s Foreign Fighters in Iraq: A First Look at the Sinjar Records” *The Combating Terrorism Center at West Point* December 2007

^{iv} According to senior al-Qaeda leaders, the ISI’s political authority extended to Iraq and “its surroundings to the extent possible,” a framing that logically includes portions of Syria and Jordan. Atiyah Abd al-Rahman “Atiyatallah Congratulates the Islamic State” *Jihadist Websites* January 5, 2007

^v Aaron Zelin “ICSR Insight: Up to 11,000 foreign fighters in Syria; steep rise among Western Europeans” *International Centre for the Study of Radicalisation* December 17, 2013

^{vi} Thomas Hegghammer “Should I Stay or Should I Go” *American Political Science Review* (107:1 pp 1-15) February 2013

^{vii} Raffael Pantucci “Mehdi Nemmouche and Syria: Europe’s Foreign Fighter Problem” *War on the Rocks* June 11, 2014

^{viii} Joby Warwick and Taylor Luck “Jordan Disrupts Major al-Qaeda Terrorist Plot” *The Washington Post* October 21, 2012