# Historical Lessons for the Wars in Iraq and Syria

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Historical Lessons for the Wars in Iraq and Syria<sup>2</sup>

Before the Committee on Foreign Affairs Subcommittee on the Middle East and North Africa United States House of Representatives

April 30, 2015

Chairman Ros-Lehtinen, Ranking Member Deutch, and distinguished members of the Subcommittee on the Middle East and North Africa, thank you for inviting me to testify at this hearing, "Regional Impact of U.S. Policy Towards Iraq and Syria." I have divided my comments into three sections. The first provides an overview of the intertwined nature of the wars in Iraq and Syria, the second briefly examines how past insurgencies have ended (with implications for Iraq and Syria), and the third offers preliminary recommendations for Congress.

#### I. Intertwined Wars

A dozen years after the U.S. invasion of Iraq, the United States remains involved in a handful of insurgencies and counterinsurgencies around the globe, including in Iraq and Syria.<sup>3</sup> But it is a mistake to treat Iraq and Syria as separate wars and to largely set aside the broader crisis in Syria to focus on (a) defeating Da'ish and (b) concluding a nuclear deal with Iran. The wars in Iraq and Syria are too intertwined to deal with them sequentially.

In Iraq, the United States is engaged in a counterinsurgency campaign against Da'ish —also referred to as the Islamic State of Iraq and the Levant, Islamic State of Iraq and Syria, Islamic State of Iraq

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<sup>&</sup>lt;sup>1</sup> The opinions and conclusions expressed in this testimony are the author's alone and should not be interpreted as representing those of RAND or any of the sponsors of its research. This product is part of the RAND Corporation testimony series. RAND testimonies record testimony presented by RAND associates to federal, state, or local legislative committees; government-appointed commissions and panels; and private review and oversight bodies. The RAND Corporation is a nonprofit research organization providing objective analysis and effective solutions that address the challenges facing the public and private sectors around the world. RAND's publications do not necessarily reflect the opinions of its research clients and sponsors.

<sup>&</sup>lt;sup>2</sup> This testimony is available for free download at http://www.rand.org/pubs/testimonies/CT431.html.
<sup>3</sup> An insurgency is a political-military campaign by a non-state group (or groups) to overthrow a regime or secede from a country. A counterinsurgency is a political-military campaign to prevent insurgent groups from seceding from a country or overthrowing a government. On definitions, see, for example, Central Intelligence Agency, *Guide to the Analysis of Insurgency* (Washington, D.C.: Central Intelligence Agency, 2012).

and al-Sham, or simply Islamic State—and its allies. The United States has conducted strikes against Da'ish using the 2001 Authorization of the Use of Military Force (AUMF), which provided the executive branch with authority to conduct military operations against the perpetrators of 9/11 and their associates, as well as the 2002 AUMF for the Iraq war. After nine months of bombing and U.S. military, intelligence, and diplomatic support to the Iraqi government and local actors, Da'ish has lost some ground—including most recently in Tikrit. But Da'ish still retains substantial territory in the predominantly Sunni provinces of Anbar, Salaheddine, and Nineveh. In addition, Da'ish remains well-funded, allowing it to continue operations. Its funding comes from such activities as smuggling oil, selling stolen goods, kidnapping and extortion, seizing bank accounts, and smuggling antiquities.

In Syria, the United States is involved in an insurgency campaign, providing limited support to some Syrian rebels against Da'ish under the congressionally-approved train and equip program. But U.S.-led airstrikes have been insufficient to seriously degrade Da'ish in Syria. Over the rest of 2015, Da'ish is likely to remain highly capable because of its substantial resources and its ability to replace killed and captured leaders. In addition, a recent surge of rebel gains in Syria, including by the al Qa'ida—affiliated Jabhat al-Nusrah, is likely to benefit extremists. Jabhat al-Nusrah may be more capable now—with more fighters, funds, and territory—than at any time since its creation in 2011, and it retains a stronghold in northwestern Syrian areas such as Idlib. The recent capture of the town of Jisr al-Shughour in northern Idlib province was just the latest in a string of battlefield victories by rebel forces, which have made advances in both the north and the south of the country. Still, Assad appears to be the only figure acceptable to both Iran and Russia because of his ability to unite the diverse groups fighting the insurgents. These groups include the National Defense Forces, run mainly by Christian and Alawite minorities; the regular army, run by Alawi and Sunni officers; the intelligence services, which oversee the operations of the first two groups; and Iraqi and Lebanese Shi'a fighters, who are primarily backed by Iran.

While there are numerous political, economic, cultural, and other differences between Iraq and Syria, the wars are deeply intertwined. Consequently, it is a mistake for the United States to deal with them sequentially: first Iraq and then, eventually, Syria. Examples of cross-cutting issues include the following:

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<sup>&</sup>lt;sup>4</sup> Da'ish is an acronym from the Arabic name of the group, al-Dawlah al-Islamiyah fil 'Iraq wal-Sham.

<sup>&</sup>lt;sup>5</sup> See, for example, Patrick B. Johnston, *Countering ISIL's Financing: Testimony Presented Before the House Financial Services Committee on November 13, 2014*, Santa Monica, Calif.: RAND Corporation, CT-419, 2014. On antiquities, see Financial Action Task Force, *Financing of the Terrorist Organization Islamic State in Iraq and the Levant (ISIL)*, Paris: Financial Action Task Force, February 2015.

<sup>&</sup>lt;sup>6</sup> See, for example, Liz Sly, "Assad's Hold on Power Looks Shakier Than Ever as Rebels Advance in Syria," *Washington Post*, April 26, 2015.

- Da'ish and Other Extremist Groups: Despite sustained counterinsurgency campaigns by the Assad and Abadi security forces, Da'ish and other groups retain substantial control of territory on both sides of the border. Da'ish has frequently moved fighters, money, and equipment back and forth across the Iraqi-Syrian border.
- Turkish Pipeline: Foreign fighters continue to use Turkish territory as their primary pipeline
  into—and out of—Iraq and Syria. Despite recent efforts by Turkey to crack down on crossborder flows, Turkey remains the most important country for foreign fighters.
- Iranian Involvement: Iran plays a critical role in supporting Shi'a political actors and militias in Iraq, as well as aiding the Assad government and Hezbollah in Syria. In Iraq, Iran's policy of maintaining influence in Iraq is Manichean. Iranian influence is fairly strong within the central government and among non-governmental actors that challenge central authority. In Syria, Iran's support of the Assad regime and Hezbollah puts it at odds with the United States.

Successful efforts to address the Iraq and Syria wars will also require more effectively dealing with the regional nature of the conflict, including tribal, sectarian, refugee, and other factors influencing Syria and Iraq from Egypt, Israel, Jordan, Lebanon, and the Persian Gulf—along with Turkey and Iran.

### II. Ending Insurgencies

In addition to *simultaneously* dealing with both Iraq and Syria, it is important to understand what factors have caused insurgencies to end in the past. Since World War II, there have been 178 insurgencies.<sup>7</sup> They have averaged more than 12 years in duration, with a median of 7 years.<sup>8</sup> As Figure 1 shows, the number of insurgencies per year peaked at 60 in 1992 at the end of the Cold War. By 2014, however, the number of insurgencies had increased—in part because of instability caused by the Arab uprisings.

<sup>&</sup>lt;sup>7</sup> Seth G. Jones, Waging Insurgent Warfare, draft document, April 2015.

<sup>&</sup>lt;sup>8</sup> The mean average includes ongoing insurgencies, not just those that have terminated.

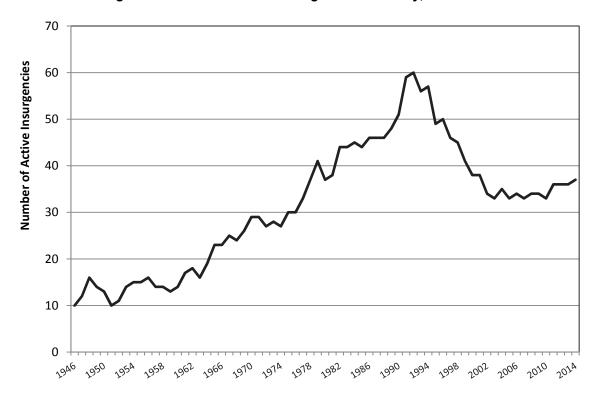


Figure 1: Number of Active Insurgencies Annually, 1946-2014

SOURCE: Jones, 2015.

Of those insurgencies that have ended since World War II, nearly three quarters terminated because of a military victory by one side or the other—with 35 percent ending in a victory by insurgents and 37 percent in a government victory. By comparison, only 27 percent ended in a draw, which included such outcomes as a negotiated settlement. But draws have become more common in recent years. Figure 2 highlights how insurgencies have ended by outcome. Part of this increase in draws was likely caused by the termination of U.S. and Soviet support to insurgencies at the end of the Cold

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<sup>&</sup>lt;sup>9</sup> The data indicate that 50 insurgencies ended with an insurgent victory and 52 ended with a government victory, out of a total of 141 insurgencies that terminated between 1946 and 2014. In addition, 39 insurgencies ended in a "draw."

<sup>&</sup>lt;sup>10</sup> Cases were coded as a draw if they ended because of a negotiated settlement or a sustained cease fire, or if the violence level dropped to 25 deaths per year for a sustained period (but there was no settlement).

War, including in such countries as El Salvador. There may be other reasons, such as greater involvement by major powers and the United Nations in brokering peace negotiations.<sup>11</sup>

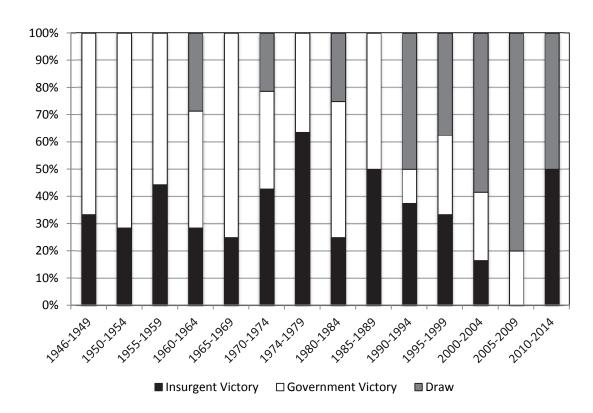


Figure 2: Insurgency Ending by Outcome, 1946–2014<sup>12</sup>

SOURCE: Jones, 2015.

The next two subsections examine implications for Iraq and Syria.

**A. Lessons for Iraq:** The modern history of insurgent outcomes has important lessons for Iraqi and allied efforts to defeat Da'ish. Several factors increase the probability of a government victory. I will highlight two.

First, insurgents that utilize brutal tactics often lose insurgencies because their actions undermine local support, especially if governments are able to take advantage of insurgent mistakes. After all,

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<sup>&</sup>lt;sup>11</sup> See, for example, Michael W. Doyle and Nicholas Sambanis, *Making War and Building Peace: United Nations Peace Operations*, Princeton, N.J.: Princeton University Press, 2006.
<sup>12</sup> Jones. 2015.

popular support is a *sin qua non* in insurgent warfare. "Without question," wrote Mao Tse-Tung, "the fountainhead of guerrilla warfare is in the masses of the people." These brutal tactics can involve deliberately targeting non-combatants to raise the societal costs of continued resistance or to coerce the government to concede to insurgent demands. The suffering these insurgent campaigns inflict on civilians has often been a source of recruitment for counterinsurgent forces. Da'ish's anti-Shi'a attacks and brutal executions, including beheadings and burnings, have been too extreme even for al Qa'ida. Some tactics, such as suicide attacks, have often been counterproductive, in part because suicide bombing campaigns virtually always kill civilians. No insurgent group that has utilized suicide terrorism has won an insurgency. In addition, Da'ish appears to be focusing more on punishing locals than it does on governing effectively, with residents of such cities as Mosul unhappy about the quality of electricity, water, sanitation, and other services that Da'ish has provided. Across the border in Syria, there have also been local protests against Da'ish in Ar Raqqah, Al Bab, and other areas.

There are numerous examples in which insurgent brutality undermined local support. During the insurgency in Kenya, which lasted from 1952 to 1956, Mau Mau rebels slaughtered members of the Kikuyu ethnic group that supported the government. One of the most egregious examples was in the town of Lari, Kenya, in March 1953. Mau Mau operatives slaughtered men, women, and children because they had friends or family members that were outspoken opponents of Mau Mau, undermining their support base. 14 In Algeria, the government took advantage of atrocities by the Armed Islamic Group (GIA) in the 1990s. For example, in the town of Hai Bounab, a significant component of the population supported the GIA, including the targeting of police and home guards. 15 But the situation evolved in August 1997. "The people in Hai Bounab changed sides the day the five girls were beheaded. That's when they realized that the same thing could happen to them." 16 By 2001, the GIA was decimated thanks, in part, to successful Algerian government efforts to undermine their support base among the population. In Northern Ireland, the British government took advantage of several Irish Republican Army (IRA) bombings to undermine support for the republican cause. One of the most significant opportunities occurred on August 15, 1998, when the Real IRA detonated a car bomb in Omagh, County Tyrone. It killed 29 people and injured more than 200 others, the highest death toll from a single incident during the conflict. And in Chechnya, the Russian government developed an effective information campaign that painted Chechen insurgents as terrorists,

<sup>&</sup>lt;sup>13</sup> Mao Tse-Tung, *On Guerrilla Warfare*, Urbana and Chicago: University of Illinois Press, 2000, p. 73.

<sup>&</sup>lt;sup>14</sup> On Mau Mau activity, see Huw Bennett, *Fighting the Mau Mau: The British Army and Counter-Insurgency in the Kenya Emergency*, New York: Cambridge University Press, 2013; David Anderson, *Histories of the Hanged: The Dirty War in Kenya and the End of Empire*, New York: W.W. Norton, 2005.

<sup>&</sup>lt;sup>15</sup> Edmund Burke III and David N. Yaghoubian, eds., *Struggle and Survival in the Modern Middle East*, Berkeley and Los Angeles, Calif.: University of California Press, 2006, p. 384.

<sup>&</sup>lt;sup>16</sup> Baya Gacemi, *I, Nadia, Wife of a Terrorist*, Lincoln, Neb.: University of Nebraska Press, 2006, p. 141.

particularly after the attacks at the Dubrovka Theater in October 2002, the August 2004 suicide attacks on two Russian passenger aircraft, and the elementary school attack in Beslan in September 2004.

Second, outside support can be extremely beneficial to insurgents, making it important to severely degrade foreign aid. Outside actors can provide a range of services (such as combat support, sanctuary, training, and intelligence) and goods (such as money, lethal material, and non-lethal material). Da'ish does not receive substantial aid from donors in the Persian Gulf, as some have claimed, but—as already mentioned—by such activities as selling stolen goods and other licit and illicit activity. However, Da'ish has been able to replenish key personnel by recruiting individuals from overseas that move through Turkey and other neighboring countries.

Historically, there are numerous cases in which governments have effectively undermined outside support. In Sri Lanka, the Liberation Tigers of Tamil Eelam (LTTE) used the southern state of Tamil Nadu in India as a sanctuary for its war against the Sri Lankan government, which lasted from 1983 to 2009. But the Sri Lankan Navy conducted an effective maritime interdiction campaign against the LTTE, particularly by the mid-2000s. As one study concluded, a "pivotal element of the government victory was the evolution of a successful maritime interdiction strategy by the [Sri Lankan Navy], one that degraded the insurgency's robust maritime logistical network and forced their guerrillas to confront the government's final land offensives with diminished resources." Sri Lankan Navy operations reduced the LTTE's smuggling of arms and other material across Palk Strait, undermined the LTTE's sea lines of communication, and prevented escape of the top LTTE leadership.

In addition to their successes in island nations like Sri Lanka, counterinsurgents have conducted numerous effective border interdiction campaigns in countries with land borders. The goal is to make infiltration difficult and raise the costs of external sanctuary by forcing insurgents to navigate perilous minefields and electric fences, elude ground and aerial surveillance, and avoid killing zones. As one assessment concluded: "Historically, barriers and pursuit forces have been used with great success to counter transnational insurgents." 18

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<sup>&</sup>lt;sup>17</sup> Justin O. Smith, "Maritime Interdiction in Sri Lanka's Counterinsurgency," *Small Wars & Insurgencies*, Vol. 22, No. 3, July 2011, p. 449.

<sup>&</sup>lt;sup>18</sup> Paul Staniland, "Defeating Transnational Insurgencies: The Best Offense Is a Good Fence," *Washington Quarterly*, Vol. 29, No. 1, p. 32.

In Algeria, the French significantly decreased cross-border traffic along the Algerian-Tunisian border after constructing the Morice Line during the war that lasted from 1954–1962. The Morice Line also created a "hunting preserve" where French security forces could identify and target National Liberation Front (FLN) and National Liberation Army (ALN) personnel. The historian Alistair Horne concluded that the Morice Line was "a remarkable and sinister triumph of military technology." In Western Sahara, Morocco constructed a series of berms made of earth and dotted with trenches, bunkers, fences, and landmines to monitor, deter, and interdict cross-border movement. The berm, which was built in six main stages between 1980 and 1987, totaled nearly 1,700 miles and substantially reduced Polisario insurgent activity. And in Greece, Tito closed Yugoslavia's border with Greece during the war that lasted from 1946 to 1949, denying Greek insurgents critical refuge and resupplies.

**B.** Lessons for Syria: The recent history of insurgency has important lessons for aid to Syrian rebels. Several factors increase the probability of an insurgent victory or a negotiated settlement.

One is that, to be successful, insurgent groups need to establish a centralized organizational structure, which is more likely to achieve victory than a decentralized, networked structure. In Syria, the absence of a cohesive umbrella structure among rebel groups has been a major problem. Centralized structures are more effective in identifying and punishing those engaged in shirking or defecting. Centralized structures are also more effective in helping insurgent leaders govern territory.

The vast majority of insurgent groups since 1946 (91 percent) have set up centralized structures.<sup>21</sup> But there is wide variation in the *degree* of centralization. Groups can have a high level of central control (the leadership directly controls virtually all operations and resources), a moderate level of central control (the leadership directly controls some, but not all, operations and resources), and a low level of centralized control (the leadership directly controls few operations and resources).<sup>22</sup> Figure 3 shows a simple cross-tabulation of the degree of intragroup centralization and the outcome

<sup>&</sup>lt;sup>19</sup> Russell Crandall, *America's Dirty Wars: Irregular Warfare from 1776 to the War on Terror*, New York: Cambridge University Press, 2014, pp. 181–182.

<sup>&</sup>lt;sup>20</sup> Alistair Horne, *A Savage War of Peace: Algeria 1954*–1962, New York: Viking Press,1978, p. 263.

<sup>21</sup> Data adapted from Kristian Skrede Gleditsch, David Cunningham, and Idean Salehyan, *Non-State Actor Data: Version 3.4*, November 23, 2013, available at: http://privatewww.essex.ac.uk/~ksg/eacd.html. In insurgencies with multiple groups, coding is based on the structure of the dominant group. Nine cases in our dataset are coded as "not available (n/a)" either because the insurgency does not appear in the Uniform Collateral Data Portal (UCDP) database (e.g., Ukraine, 2014–present) or because UCDP codes the degree of centralization as "n/a."

<sup>&</sup>lt;sup>22</sup> The high, moderate, and low codings come from the Non-State Actor Data Set. See David E. Cunningham, Kristian Skrede Gleditsch, and Idean Salehyan, Codebook for the Non-State Actor Data, University of North Texas, Version 3.3, January 2012.

of terminated insurgencies. It suggests that groups with high levels of centralization are more likely to achieve victory (46 percent) than ones with moderate (34 percent) or low (15 percent) levels of centralization.

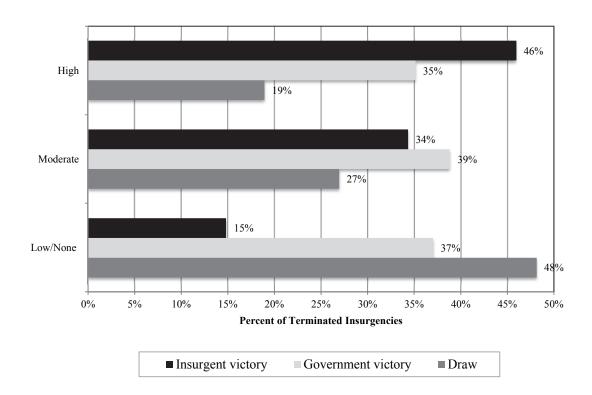


Figure 3: Degree of Centralization and Outcome of Insurgencies, 1946–2014

SOURCE: Jones, 2015.

The challenge in Syria, of course, is that U.S.- and allied-backed rebels would need to fight both the government and groups that threaten the United States (such as Da'ish and Jabhat al-Nusrah). History shows that effectively fighting on two fronts is possible. Competition among groups is fairly common in insurgencies, occurring in nearly one-third of insurgencies that have more than one group. In Algeria, the FLN carried out one battle against the French and another to suppress rival nationalist elements, ethnic separatists, and even dissent within the FLN. The most important rival was the Algerian Nationalist Movement, formed by dissident elements of Messali Hadj's Movement for the Triumph of Democratic Liberties just before the outbreak of the rebellion. The conflict between the FLN and the Algerian Nationalist Movement extended to metropolitan France, where the two groups vied for the support of the Algerian population and carried out a war of terrorism against each other. Between October 1956 and October 1957 alone, some 550 Algerian Muslims were killed, and more than 2,200 were wounded in terrorist incidents in France. The FLN eventually triumphed over the

Algerian Nationalist Movement.<sup>23</sup> In Peru, Sendero Luminoso conducted a ruthless campaign against another insurgent group, the Tupac Amaru Revolutionary Movement, at the same time it fought the government. Until 1984, Sendero had retained a virtual monopoly of the insurgency.<sup>24</sup> And in Sri Lanka, the LTTE systematically eliminated competition from other groups beginning in the mid-1980s, while it was still fighting the Sri Lankan government.<sup>25</sup>

## III. Steps to Consider

U.S. efforts in Iraq and Syria must be done as part of a broader effort to undermine the ideology of extremists, target key leaders with an appropriate authorization of the use of military force, build the capacity of local allies, help address local grievances, and engage in political dialogue. These steps must also involve coordination among multiple U.S. agencies and allies—such as foreign governments, international institutions, and non-governmental organizations—overseas. While there are numerous policy steps the U.S. government could make, following are several steps that Congress should consider.

**A.** Improve Interdiction in Turkey and Other Neighboring States: Turkey has taken some steps to crack down on foreign fighter flows through the country. For instance, it has added thousands of names to its "banned from entry" list. But these steps are not sufficient. Turkey is still the most important pipeline for foreign jihadists, including those that support Da'ish and al Qa'ida—affiliated groups in Iraq and Syria. The goal in Turkey should be to identify key routes that insurgents use to transit people and material; improve aerial, ground, and maritime surveillance; strengthen the capacity and resources of border security personnel; construct barriers where feasible, such as walls and berms; and conduct raids against infiltrators.

This strategy should also include targeting revenue sources for groups like Da'ish in Iraq, Syria, and neighboring countries such as Turkey. For example, Da'ish raises most of its money through licit and illicit trafficking routes that move through Turkey and other neighbors. Undermining these sources of

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<sup>&</sup>lt;sup>23</sup> Norman C. Walpole et al., *U.S. Army Handbook for Algeria*, Department of the Army Pamphlet No. 550-44, Washington, D.C.: Headquarters, Department of the Army, January 1965, pp. 38–39; Edgar O'Ballance, *The Algerian Insurrection*, *1954*–62, Hamden, Conn.: Archon Books, 1967, pp. 89–90; Charles R. Schrader, *The First Helicopter War: Logistics and Mobility in Algeria*, *1954-1962*, Westport, Conn.: Praeger, 1999, p. 143.

<sup>&</sup>lt;sup>24</sup> Raul Gonzalez, "Sendero vs. MRTA," QueHacer, No. 46, April-May 1987, pp. 47–53.

<sup>&</sup>lt;sup>25</sup> Mia Bloom, *Dying to Kill: The Allure of Suicide Terror* (New York: Columbia University Press, 2005), p. 51.

revenue requires providing support for local ground, air, and maritime operations that disrupt these networks. Against Da'ish, for instance, effective ground and air strikes by local forces—with U.S. assistance—can disrupt Da'ish's oil operations, reduce its profits, and buy time to build more-robust diplomatic, intelligence, and military capabilities for a coordinated effort to weaken Da'ish financially. One challenge is to avoid destroying those assets that legitimate successor governments will need to maintain.<sup>26</sup> Indeed, such targets as Da'ish-controlled banks, an important coffer for funds, should be a U.S. priority.

**B. Rethink the Syrian Train and Equip Program**: The United States should seriously rethink the Syrian train and equip program for several reasons. First, it makes little sense to expend U.S. financial, diplomatic, and military resources without a long-term strategy and stated objectives in Syria. The United States needs to first agree on its approach and the desired end state in Syria—and *then* design a Syrian train and equip program (along with diplomatic and other tools) to help achieve that end state. An example of key questions include: Should the goal in Syria be to remove Assad and his regime from power? Should it be to encourage Assad to leave, perhaps through a negotiated settlement, but to keep most of the state institutions intact? Or should it be to keep the Assad regime in power and focus only on degrading Da'ish and other jihadist groups that pose a threat to the United States?

Second, it is problematic to train Syrian insurgents to counter Dai'sh and not, what virtually all Syrian rebels want, to fight against an Assad regime that has used chemical weapons on its own population. The primary struggle among most Syrians is about Assad, not Da'ish. Asking U.S.-supported rebels to focus on Da'ish—and not the Syrian regime—is bound to undermine the morale and effectiveness of U.S.-trained rebels.

Third, successful U.S. efforts to train, advise, and assist local security forces—such as in the Philippines, Colombia, Iraq during the Anbar Awakening, and even Afghanistan in 2001 with the Northern Alliance—have generally required U.S. special operations forces and other units to work with locals on the ground. With the Syrian train and equip program, the primary U.S. relationship is outside of Syria. This approach severely limits the amount of hands-on training the United States can provide to rebels, and it makes it difficult to assess the quality of U.S.-trained rebels in combat.

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<sup>&</sup>lt;sup>26</sup> See, for example, Johnston, 2014.

Based on these reasons, Congress should consider a pause on resourcing Syrian rebels—or even an end to the program—without a clear explanation of U.S. strategy and long-term goals.

**C. Revise the 2001 and 2002 AUMFs:** Congress should pass a new AUMF against Da'ish and other extremist groups that threaten the United States, including al Qa'ida.<sup>27</sup> This is less about whether the U.S. president can use force against Da'ish and other groups, including al Qa'ida, but rather about Congress's support for that action. The President has asked Congress for the authority to do something he is already doing and for which he believes he already has sufficient authorization.

Most U.S. military operations against terrorist groups are conducted under authorities Congress granted the executive branch after 9/11 in the 2001 AUMF. Relying on the 2001 authorization today, however, is far from ideal, and it would be better if Congress updated the legislation to reflect the current counterterrorist challenge. The 2001 authorization is clearly linked to the perpetrators of the 9/11 attacks, many of whom have been eliminated. The need for counterterrorist operations continues, but key groups the United States faces are no longer those that most threatened the United States in 2001. Operations can continue under the 2001 authority, but not without legal gymnastics in some cases.

It would therefore be better to pass broad new authorities that accurately describe and authorize operations against today's threat. Clearly aligning Congress and the executive branch on this issue would telegraph continued U.S. resolve and help clarify for the American public and the world the severity and character of the current counterterrorist challenge. Legislation should reflect the constitutional prerogatives of both the legislative and executive branches—to authorize and to implement the inherent right of defense of the nation—in order to bring the full force of the law to bear on the daunting terrorism challenges. A new AUMF should likely include: (1) no geographical limitations, (2) a fairly broad definition of targeted terrorist groups and their associates, (3) specified purposes for which military force may be used, (4) a requirement to report to Congress on groups that have been targeted under the authority, and (5) a renewal clause.

There are several options. The first and most desirable is simply for Congress to pass one omnibus authority that contains all the above considerations. This is the best option because it will send the

<sup>&</sup>lt;sup>27</sup> This recommendation draws heavily from ongoing RAND research and analysis by Christopher Chivvis and Andrew Liepman, who organized workshops on AUMF in November 2014 and February 2015 that included executive branch, legislative branch, and outside subject-matter experts.

clearest message about U.S. commitment to future counterterrorism operations and offer a more rational overall framework for counterterrorism needs. There are several other options that Congress could take: pass a new AUMF specifically for operations against Da'ish and take no action to reform the 2001 authorization; pass the counter-Da'ish authorization and update the 2001 legislation at a later date; or pass counter-Da'ish legislation and repeal the 2001 authorization. A final option—no action at all—now seems the most likely.

The purpose of AUMF reform now should be on providing a strong statement of congressional and broader public support for U.S. military operations against the terrorist threat as it exists today and is likely to develop in the near future.