**Next Level Questions on Iraq Operations**

By the International Security Program, CSIS
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Scholars in the CSIS International Security Program offer analysis beyond the headlines on the evolving U.S. military intervention in Iraq.

Q1: Is the United States doing enough in Iraq?

By Clark Murdock, Senior Adviser

A1: At least, President Obama is no longer doing nothing to address the rapidly growing terrorist threat posed by the Islamic State in Iraq and Syria (ISIS). While a faint-hearted response is (hopefully) better than none, much more is needed to address the eruption of instability in Syria-Iraq and the emergence of a new terrorist state eager to kill apostates who won’t convert and attack infidels who, in their demonology, are led by the United States.

In his August 11 statement, the president noted that his initial response of “targeted airstrikes”—who knew we conducted untargeted ones?—against ISIS forces approaching the Kurdish capital of Erbil and threatening Iraqi religious refugees huddling on Mount Sinjar “advances” the “limited military objectives” of the U.S. intervention. However, 17 strikes in four days (as of August 10) are hardly sufficient, and the Pentagon’s director of joint operations acknowledges readily that U.S. “limited in scope” operations will have only “a very temporary effect” in the “immediate areas” and will “in no way” contain or break the momentum of ISIS.

The United States reportedly has started providing light arms (AK-47s, mortars, and ammunition) directly to the Kurds, but they are defending a long border against a highly motivated enemy equipped with heavy arms captured from the disintegrating Iraqi army. What the Kurds need is what the United States provided the Northern Alliance in Afghanistan in the months after 9/11—a sustained air campaign and military assistance adequate to the task.

Why? First, the Kurds have earned our support. They have been an oasis of pro-American stability and decent governance since the first Gulf War more than two decades ago. We are obliged to help them defend themselves. Second, a strong Kurdistan is a necessary first step in containing the newly proclaimed Islamic State, which may end up as our default strategy for coping with it. Third, our strong support for Kurdish self-defense will put teeth in the Obama administration’s effort to pressure Baghdad to form a more unified, inclusive government that might, with U.S. and Iranian support (!), be capable of rolling back ISIS. The more likely outcome, of course, is an Iranian-backed Shiite state that tries to contain the Islamic State to its northwest.

Does this address the mess in Syria, which gave birth to ISIS? Obviously not, but when one’s policy in the region collapses, you need to rebuild it one step at a time.

Q2: What about Syria?

By Kathleen Hicks, Senior Vice President, Henry A. Kissinger Chair, and Director

A2: President Obama deserves credit for taking action to assist the Yazidis and Kurds in Iraq. Now is the time to spend equal effort on a plan to address the immediate catalyst of Iraq’s woes: the conflict in Syria.
As ISIS’s incursions in Iraq have made clear, the de facto U.S. policy of containing the Syrian crisis has failed. Moreover, spillover from Syria continues to threaten all of Syria’s neighbors. Iraq may be absorbing the most fallout, but Jordan, Turkey, and Lebanon are struggling under the burden of Syrian refugees. Each is also vulnerable to the threats posed by ISIS and other militant elements of the Syrian opposition, as well as Hezbollah-backed elements of the Bashar al-Assad regime.

The radicalization of fighters in Syria also poses a threat to Europe and the United States, both of which are likely future targets for these battle-hardened fighters. Finally, there are the ongoing risks to the Syrian people, who have been enduring an unspeakable humanitarian crisis, including barrel-bombings by the regime and summary executions by ISIS and other extremists.

The United States is right to have helped rescue the 40,000 Yazidis on Mount Sinjar. We can and should do more to help Syria and its neighbors by altering Assad’s political calculus, including through visible, effective military assistance to the moderate opposition. By bringing the parties in Syria to a cease-fire, we can help ease the suffering of the 10.8 million Syrians currently requiring humanitarian aid and limit the conflict’s cascading effects beyond Syria’s borders.

**Q3: What is the president’s independent authority for humanitarian intervention?**

By Thomas Karako, Visiting Fellow

**A3:** There are many good policy reasons for the United States to be taking action against ISIS, even if the strategy remains uncertain. This uncertainty, however, raises questions of domestic legal authority under the Constitution. Presidents have long been understood to have some constitutional authority to act militarily without Congress, but the debate has been how far that principle extends.

Writing to Congress, President Obama declared that military action in Iraq is being taken pursuant to his independent constitutional authority, rather than statutory authorization from Congress. The actions “will be limited in their scope and duration” to accomplish two goals: “to protect American personnel” and help Iraqi forces “break the siege of Mount Sinjar and protect the civilians trapped there.”

No one would dispute the president’s authority to respond to an actual or imminent attack on the United States or forces abroad, possibly even in defense of allies. The constitutional basis for self-defense has widened over time to include acting in defense of individual Americans and even property abroad (e.g., Grenada, or Libya in 1986). The claim to protect advisers in Iraq and the U.S. embassy is relatively easier.

However worthy a goal humanitarian intervention here is, unilateral authority for humanitarian interventions on behalf of non-Americans is harder to justify to the extent it is more attenuated from national security—an argument also made about Libya in 2011 and Syria in 2013. The same “limited in scope and duration” caveat attached to the Syria case, but there the president decided to defer to Congress and ask for authorization.

Depending on what happens, the current case could well turn out to exceed past precedents and legal claims. One possible precedent is NATO’s Kosovo bombing in 1999, without congressional authorization. For that, however, the Clinton administration never explained its domestic legal authority. Under international law the consensus seems to be that Kosovo was “illegal but legitimate.”

Tailored to those specifically responsible for 9/11, the 2001 Authorization for Use of Military Force (AUMF) is an unlikely statutory authority, although its preamble did recognize some area of presidential counterterrorism...
authority. A stronger source might be the 2002 AUMF for Iraq, which has no expiration date. Unfortunately, the administration is probably reluctant to cite it, since they had been lobbying (quite recently) for its repeal.

For a humanitarian mission that extends beyond the defense of clear U.S. interests, the administration will likely need to do one of four things: ask Congress to authorize it, especially if it lasts beyond the 90-day window of the War Powers Resolution; point to some past statutory authority, possibly from 2002; detail the national security interests that authorize unilateral presidential action, perhaps in terms of regional stability or ISIS’s intentions to attack the United States; or be content with uncertain legal authority, mindful that it will lay the ground for still broader future presidential action.

Q4: What will the use of force achieve?
By Sam Brannen, Senior Fellow

A4: President Obama has emphasized the limited nature of military operations in Iraq against ISIS that began on August 8, conditioning further U.S. support on the formation of a more inclusive Iraqi central government. Lieutenant General William Mayville, director of Joint Staff Operations (J3), explained on August 11 that limited operations have achieved short-term, tactical gains but, “I in no way want to suggest that we have effectively contained or that we are somehow breaking the momentum of the threat posed by ISIL [ISIS].”

And yet, these tactical gains undeniably have created positive momentum, changing facts on the ground in Iraq. U.S. airstrikes on ISIS positions and heavy equipment arrested their advance toward Erbil, the capital of the Kurdistan Regional Government and location of the U.S. consulate. For the first time since entering Iraq, ISIS was overmatched. Kurdish fighters have regained the initiative and retaken lost territory. U.S. strikes also stopped a possible genocide of around 40,000 internally displaced Iraqi Yazidis, whose situation remains dire but no longer hopeless. Simultaneously—and perhaps not coincidentally—the United States’ long-stalled diplomatic initiative in Baghdad to force the resignation of Nouri al-Maliki progressed, with prime minister designate Haider al-Abadi charged by President Fuad Masum to form a new government within 30 days.

And finally, the use of force in Iraq has reinvigorated U.S. leadership at a time when many at home and abroad had begun to question it. As President Obama said, “Earlier this week, one Iraqi in the area cried to the world, ‘There is no one coming to help.’ Well today, America is coming to help.” This is rebuilding U.S. credibility one action at a time in a world where it matters greatly.

Much now remains up to the Iraqis, from the hard fighting on the ground to political reconciliation. And the White House must craft its Iraq strategy on the fly, reacting to a highly fluid environment, balancing doing too little or too much and always risking mission creep or mission failure. But so far, the use of force by the United States has shown strength in a part of the world where, unfortunately, the tip of the spear is the coin of the realm.

Q5: How will we fund operations?
By Ryan Crotty, Fellow and Deputy Director for Defense Budget Analysis

A5: The president may be committed to a limited mission in Iraq, but one enduring lesson from a dozen years of war in the Middle East and South Asia, for both military analysts and the press, has been to ask the question, what will this operation cost and how will it be paid for?
The $1.1 billion bill for the 2011 war in Libya was left for the Department of Defense (DoD) to absorb, without supplemental funding. Luckily for DoD, that year was also the height of the U.S. defense budget. Today, the total defense budget has fallen dramatically and is under pressure and scrutiny it has not faced in a decade.

DoD has stated that current operations in Iraq, including strike and ISR (intelligence, surveillance, and reconnaissance) sorties, as well as humanitarian airdrops and the deployment of at least 400 military advisers and “assessors,” will be funded largely by Overseas Contingency Operations (OCO) funding. Until September 30, 2014, this will mean relying on already appropriated FY2014 funding, requested long before the rise of the ISIS threat in Iraq.

The Pentagon seems relatively confident that it can absorb these additional costs, despite the potentially open time frame for operations and growing mission requirements. Perhaps they are too sanguine. For comparison, it costs DoD $120 million per year to deploy 100 military advisers with ISR support in pursuit of Joseph Kony and the Lord’s Resistance Army in Uganda. An air campaign in Iraq that so far includes 90 sorties a day has costs including $6,000–$50,000 per flying-hour for ISR and refueling, depending on the platform, plus the cost of munitions (e.g., $35,000 per Joint Direct Attack Munition [JDAM]) and the cost of combat flying-hours for airstrikes.

For now, the biggest problem may not be how to pay for these operations, but understanding how they fit into the current and future funding environment. DoD and the administration have gotten into a habit of burying enduring activities like counterterrorism operations and security assistance into OCO accounts that have little oversight, limited justification, and act to circumvent the budget caps of the Budget Control Act. If overseers do not know how OCO is being spent, how can they know what planned spending is now being traded off against near-term operational needs? And if funding for new contingency operations is not being traded against anything, then why is there so much extra money floating around when crucial military forces and programs are being cut across DoD?

In FY2015, the Pentagon will likely have few problems funding needs in Iraq with new authorities as part of the requested Counterterrorism Partnerships Fund and other established funding, but the question remains whether it should be this easy.

**Q6: Is there an Obama doctrine?**

By **Zack Cooper**, Fellow

**A6:** Critics of President Obama often fault him for an inconsistent or incoherent foreign policy. Yet, an Obama doctrine appears to be emerging. Rather than devoting U.S. military forces to control contested territory, Obama’s strategy appears designed to deny that territory to U.S. adversaries. From Pakistan to Libya to Iraq, the president’s approach has been the same: to use limited airpower and special operations forces to prevent rogue leaders and terrorist groups from exploiting sanctuary in ungoverned or undergoverned areas.

At West Point in May 2014, President Obama spoke of the bloody and expensive ground wars in Iraq and Afghanistan and noted, “I am haunted by those deaths.” He went on to argue that “we have to develop a strategy that…expands our reach without sending forces that stretch our military too thin,” describing an approach that places the burden of territorial control on U.S. allies and partners. The costs of this strategy are lower for the United States, but so too are the potential benefits. After all, will such limited operations establish lasting security? Will they reassure anxious U.S. allies? Will they deter stronger and more determined adversaries?
These questions highlight the difficulty of applying Obama’s doctrine more broadly. U.S. allies and partners in Europe and Asia depend on U.S. forward-deployed forces because they signal U.S. commitment. These friends want and expect the United States to have “skin in the game.” Yet, President Obama’s Middle East approach appears designed to avoid exactly these types of prolonged and expensive obligations. The long-expected U.S. National Security Strategy will have to reconcile this tension, but with the 2016 campaign just around the corner, the outlines of the Obama doctrine appear to be coming into view.

**Q7: Is the international system falling apart?**

By John Schaus, Fellow

A7: Last week Thomas Freidman of the *New York Times* asked President Obama whether he felt “present at the disintegration” of the world order that Dean Acheson and others created following the World War II. The president prefaced his response with the parts of the world that are relatively good news stories—namely Asia and Latin America. But in the Middle East and North Africa, Obama observed “an end of an old order and a very rocky path to a new order being built.”

For the United States, the end of an old order creates the possibility for major upheavals in trade, security, and regional alignment. With groups like ISIS challenging the existing state structure in the Middle East, it seems a dangerous time.

President Obama instead suggested that this could be a moment of historic opportunity. He said that the goal of the United States should be “to help usher in a new order in places like the Middle East and North Africa, but also to recommit countries to the broader project of setting up a series of international rules and norms that can serve everyone.” In the latter half of this sentence, he is clearly addressing countries like China and Russia, which are working around the existing international legal framework to achieve parochial ends.

Next steps in realizing this meaningful focus for U.S. efforts around the world will be difficult. The United States’ civilian tools of statecraft have not benefitted from the same, necessary, level of resourcing, mission focus, training, or frankly sustained leadership or congressional support as its military.

Reinvigorating international laws and norms is not something the United States can do alone. Nor can we single-handedly hold together the existing system.

But the president is right: without U.S. leadership, the international system that is the basis for our prosperity will continue on a path of slow disintegration. This is a moment of crisis, but also possible renewal.

**Q8: What are our European allies already doing, and what more should we expect them to do?**

By T.J. Cipoletti, Associate Director

A8: Given recent history, Europeans are rightly approaching with caution the prospect of getting involved in any sort of military operation in Iraq at the behest of U.S. leadership. However, the ISIS threat and the potential for genocide of Iraqi Yazidis have prompted some European leaders to take the crisis seriously.

The United Kingdom and France, the two U.S. allies most capable and most willing to undertake expeditionary operations are particularly important to watch. The Royal Air Force has already completed a number of humanitarian aid drops to Mt. Sinjar, and Tornado jets are being deployed to assist with the aid mission, fueling speculation that Britain could be drawn in conducting air strikes. The United Kingdom is also deploying Chinook helicopters for the stated purpose of delivering humanitarian aid, but they could also be used for
rescuing refugees. Prime Minister David Cameron has so far refused to commit to anything beyond a humanitarian mission despite calls from some military commanders and conservative members of Parliament urging more lethal action. France is also committed to the humanitarian mission, having delivered 18 tons of aid with 20 more tons on the way to Kurdistan as of August 12. President Francois Hollande announced on August 13 that France would immediately begin sending military aid to Kurdish forces in coordination with Baghdad. Hollande previously announced that he supported the U.S. decision to strike and that France would take part in any plan called for by the UN Security Council. If the crisis deepens and political pressure both domestically and from the United States ratchets up, the British and French could find themselves conducting air strikes before too long.

Germany, Europe’s other major power, announced that it will provide nonlethal equipment such as armored vehicles, night vision equipment, and medical supplies to the Kurds, but Berlin’s traditional political reluctance and constitutional restrictions on involvement in most expeditionary operations of this sort make it unlikely that Germany would contribute much more. Italy’s foreign minister, Federica Mogherini, has openly discussed the possibility of Italy supporting militarily, but it would likely only play an ancillary role due to its relatively limited expeditionary forces.

Finally, the roles of NATO and the European Union are important to monitor. NATO secretary general Anders Fogh Rasmussen has stated that the alliance was not considering any military steps in Iraq but underlined that it would take all necessary steps to defend Turkey should ISIS fighters threaten it. Aside from potentially agreeing to reassurance measures for Turkey should it feel threatened, this stance is unlikely to change. As for the European Union, High Representative Catherine Ashton has announced that foreign ministers will meet in an emergency session on Friday to discuss the situation after strong calls by France and Italy to do so. While it’s possible that the European Union will agree on a coordinated effort on the humanitarian front, any agreement is unlikely to go much further than that in the near term.

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