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"Debates on the Use of Military Force"

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GUESTS

Melissa Dalton

Senior Fellow and Deputy Director, International Security Program, and Director, Cooperative Defense Project

Richard Fontaine

CEO, Center for a New American Security

Luke Hartig

Fellow, International Security Program, New America

HOST

Kathleen Hicks

Senior Vice President, Henry A. Kissinger Chair, and Director, International Security Program, CSIS

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Kathleen Hicks: Hi, I'm Kathleen Hicks, senior vice president and director of the International Security Program at the Center for Strategic and International Studies and this is Defense 2020, a CSIS podcast examining critical defense issues in the United States' 2020 election cycle. We bring in defense experts from across the political spectrum to survey the debates over the US military strategy, missions and funding. This podcast is made possible by contributions from BAE systems, Lockheed Martin, Northrop Grumman, and the Thales Group.

Kathleen Hicks: In this episode of Defense 2020, I'll be speaking with three experts about the use of force and authorization for the use of military force. I'm joined by my colleague, Melissa Dalton, senior fellow and deputy director of the International Security Program at CSIS, Richard Fontaine, CEO of the Center for a New American Security and Luke Hartig, a fellow in the International Security Program at New America.

Kathleen Hicks: Thanks everyone for joining me today. And I think what we want to get into right off the bat, and if I can start with Richard, you wrote this wonderful piece in *Foreign Affairs* that gave a great history of US interventions both pos-Cold War, but drawing attention to the degree to which the United States has a history even during the Cold War, of military intervention. And let's just start there. How should we think about the American experience post World War II and intervention?

Richard Fontaine: Well, I think there's a narrative in some minds that intervention is something that we have been involved in recently, of course, in Afghanistan and Iraq and other places. But this is a deviation from the norm that certainly during the Cold War and, to a large degree during the 1990s, we really didn't do much in the way of intervention. And now, we've done way too much of it. And in fact, if you look, the United States has a long pattern of military intervention, certainly in the post-Cold War era, but in the Cold War era as well.

Richard Fontaine: And so, in a lot of ways military intervention has been more the norm than not. And the question has been where and how and to what ends has this been rather than something that we can just get out of the business of and get back to what would be considered normal American foreign policy.

Kathleen Hicks: And Luke, you sir, you have also have a fantastic piece in Just Security, actually series of three pieces with your coauthor, Stephen Tankel in *Just Security*. But you also worked inside the Defense Department and the NSC [National Security Council] on counter-terrorism issues. And so, I think what's that post 9/11 version of this history of US intervention and the way in which Americans have experienced the military.

Luke Hartig: Yeah, I think that my main area of expertise on this is around targeted killing and the use of force through drones and other means. And I think there's a story there that is some version of we have this great technology, we had a serious threat. We were convinced both through the end of the Bush

Administration, well into the Obama Administration that targeted use of force was the right thing to do, and very quickly became clear that we didn't really have the right framework for fully governing this.

Luke Hartig: And so, we ended up creating this framework in the first term of the Obama Administration, released in 2013, that basically sets some really high standards around when force can be used and created a really rigorous process for the actual use of that force. What was always interesting throughout this process is, and I think it gets to your question about the political overlay, is that there is still overwhelming support from the American people for the use of drones to target terrorists.

Luke Hartig: And what we ended up having was this very vocal and outspoken crowd of activists who raised some very good points about the drone program in the midst of an otherwise very strong level of support from the American people. So the focus that we had was really how do we make the program as sustainable as possible? How do we make sure that this really critical tool for addressing terrorist threats was available for future administrations and future presidents?

Luke Hartig: And so, we can get into it whenever. But there's a whole number of different standards we put in place to try to make sure that that would actually work. Now, I think it's actually a pretty interesting blueprint that could be utilized, or at least the principles of it could be utilized, for governing a whole range of these conflicts that are in the irregular, what we used to call, low intensity conflict range of operations. Because as Richard pointed out, we've been in this low level military interventionism for several decades and that's probably not going to let up in the near future.

Kathleen Hicks: So Melissa, you've been looking at this cross section of issues around the types of military missions that are out there and the way in which Americans at large are thinking about use of force. What's your perspective on this idea of the American experience, if you will, around military intervention?

Melissa Dalton: Thanks, Kath, for the opportunity to join this terrific group today to talk about this issue. I think it's a growing complex fraught issue for Americans because on one hand there's a strong impulse both upon of those that affiliate Democratic, those that are more on the Republican camp in terms of ending the “Forever Wars”, a desire to refocus at home, but when you look at some of the recent polling, whether it's from the Chicago Council [Chicago Council on Global Affairs] or other authoritative sources, there is still strong support for US engagement in the world, in support of our alliances, in support of counter-terrorism objectives, in terms of deterring Iran.

Melissa Dalton: So how to strike that balance going forward where there is this impulse to pull back and refocus at home but also stay engaged in the world and what does that national conversation look like, and then also taking stock of what are clear threats to the United States going forward. There does seem to be consensus amongst the national security community that we see growing

challenges from actors like China and Russia, perhaps to a lesser extent from Iran and North Korea. There is an enduring counter terrorism challenge set, although evolving and perhaps more fragmented.

Melissa Dalton: And then, there are these new domains like cyber and space and emerging technologies where the rules are fairly unwritten in terms of how to exercise kinetic force, but also other types of forces and what sort of frameworks and tool sets do we need to be able to leverage in this environment while being cognizant of these contravening domestic pressures and impulses at home?

Kathleen Hicks: Richard, this sounds messy to say the least. Congress also has a significant role to play and we saw that, obviously go well back in time, but pulling forward to the post-9/11 era, we have the 2001 and 2002 what we call Authorization for the Use of Military Force [AUMF]. Frequent listeners of this podcast will know it's called around town, the AUMF, but more generally both, whether it's the AUMF debate or it's about how we come out of campaigns or it's about how we execute campaigns. How would you describe the way in which members have been thinking about the debates over use of force?

Richard Fontaine: There's a lot of focus and hand ringing and shaking one's fist in the air about the anachronistic AUMFs of 2001 in 2002. The war against ISIS is being fought pursuant to the 2001 AUMF, which when it was passed by the Congress, ISIS didn't exist. So it's pretty hard to say that the Congress authorized those activities. But of course, if you're in the executive branch, then you can make the arguments that it does or you can make the arguments as some have that by continuing to appropriate funds for these wars, this is some sort of an implicit authorization.

Richard Fontaine: But nevertheless, from a good government and from a legal standpoint, it's pretty shaky to claim that under this legal umbrella, the executive branch can essentially do what it wants under some very broad notion of counter terrorism. That said, it's also worth looking at why it is that we would want an AUMF in the first place. And so much of the focus goes to this, well, we need a new AUMF. And part of the assumption seems to be that a new AUMF would constrain the president, any president, from doing things in the future that he has been authorized to do in the past with respect to counter terrorism, or more significantly, it will catalyze a national level debate or at least a debate among our elected representatives about the nature of these wars and whether we should be on them.

Richard Fontaine: I think both of those are probably completely wrong. The only kind of AUMF that would pass the Congress would be one that permitted the president to do tomorrow what he was permitted to do yesterday. Otherwise, it wouldn't pass. And that's why there has been none that has constrained the president since 16, 17 years.

Richard Fontaine: Two, if you look at the pattern of AUMF debates, whether it was '91 when we went to war against Iraq and the Gulf War, the 2001 and right after 9/11, or

2002 and the run up to Iraq, there was no searching debate over the most relevant issues. The debates were mostly over issues that turned out not to be relevant, and it should have been the beginning of a debate rather than just a moment in time, but it turned out to be anything but that. So the Congress to the extent that people are focused on are really focused on how do we get a new AUMF, but I think that Congress' role in overseeing the use of force can and should be much broader than that.

Kathleen Hicks: Yeah, I think you're right, Richard, there's been a lot of focus on this idea of could you repeal the existing AUMFs, those 2001 which is the Al Qaeda focused one, and the 2002 which as I recall is the Iraq focused AUMF, and then replace them with something that's more accurate too, as you point out the counter ISIS threat or other challenges we face. In the absence of that happening, Melissa, there's been, for example, a quite active focus from Congress on issues like support to the Saudis with regard to Yemen. Is that an example of Congress exercising some kind of power in this area?

Melissa Dalton: I think so, and I think it's also signaling a shift of emphasis from the executive branch in terms of relying more on allies and particularly partners to achieve its security objectives and a shift in the US military's role in enabling those partners. But then some of the potential traps we can get into in the absence of both policy and adequate legal frameworks for governing these types of relationships because we don't always have complete control over the choices our partners in particular make.

Melissa Dalton: And I think you have seen through the evolution of the Yemen operation, what was intended first in the Obama Administration to be a way to get after an Iranian backed insurgent movement in Yemen, the Houthis, combined with ongoing operations targeting Al Qaeda that the US had been conducting for many years to try to address some of these drivers of instability by wisdom through a partner that the United States had been supporting for decades. But with the unintended effects of high degrees of civilian casualties, a lack of degree of proportionality for the use of force, and in particularly in this very fraught region, how this plays into the overall strategy for Iran.

Melissa Dalton: So I think Congress seeing these trend lines has been attempting to exercise its rightful oversight role, but without the context of a broader policy conversation about what it is that we are doing with partnerships and in what framework can we have an executive legislative branch conversation and process to better govern them.

Richard Fontaine: And of course, the President [Trump] vetoed the Yemen legislation and the Congress did not override that veto. So legally speaking, it was left where it stood before.

Luke Hartig: I'll jump in on this one. One of the challenges that we've found when we were working on updates to the AUMF, and particularly the 2014 proposed AUMF for the ISIS campaign, which was ultimately never adopted and

passed into law, is it's really hard from a legal and constitutional perspective to write a really sound AUMF. There's just so much once Congress has made the decision to authorize the use of military force that is ultimately delegated to the executive branch.

Luke Hartig: And any executive branch, regardless of your feelings on unitary executive or overall executive power, is going to be hesitant to relinquish too much of that. So some of the things that people talk about like maybe there should be a list of forces that are covered under the AUMF, and if you add new forces, you have to notify Congress and Congress can come back to you and say, well, this one doesn't count or whatnot.

Kathleen Hicks: And just to be clear, you mean enemy forces?

Luke Hartig: Enemy forces, yeah, excuse me. That is a sort of thing that gives the lawyers a tremendous amount of heartburn because under long established international law, you can cover an associated force so long as a new enemy force emerges and is collaborating with the current enemy force engaged in a degree of co-belligerency against the United States. Can you do that or not? Can you put limits on the number of troops that can go on the ground or the activities that those troops are authorized to engage in? Is that an inappropriate imposition on the president's commander-in-chief authority?

Luke Hartig: A lot of these questions are really hard to grapple with. I think there are a couple things though that we know absolutely we can do, which is, one, Congress definitely controls the purse strings and can choose to appropriate in a way consistent with their overall intent, and two, I think the sunset clauses are a really appropriate mechanism for making sure that at least every couple of years, I think the ISIS AUMF had a three year proposal. We pull up and say, are we doing the right thing? Are we focused on the right thing? Are we achieving our objectives and should we continue this for another period of time?

Kathleen Hicks: Yeah, and I do want to just add back on the Yemen example. Richard's completely right about the President vetoing that resolution. But back in the National Defense Authorization Act the President signed for 2020, there is in the conference report, again nonbinding in the conference report, but this statement that prohibits aerial refueling by the US of Saudi-led coalition aircraft participating in the civil war in Yemen, which is current DOD [Department of Defense] policy. But it's, again, a way for Congress to try to get in this.

Kathleen Hicks: So what we see here is this dance, if you will, between the legislative branch under Article One and its responsibilities using the purse string or using whatever means it can, and Article Two, the president, where he has these commander-in-chief responsibilities, article two section two, in particular. So Melissa, is this just a matter of where you sit is where you stand, and as with many things in American democracy, the public is bound to represent

its views through its public representatives in these two places. How do you see this playing out?

Melissa Dalton: I think there are two significant gaps that whether it's a second in Trump Administration or subsequent Democratic administration are going to have to tackle. One is a national conversation about how we want to use our military abroad and that overall political narrative that can have bipartisan background because I agree in terms of some of the concrete next steps that Luke has made out sound very pragmatic, but I don't see them achieving bipartisan consensus in the current environment, in the absence of national level agreement. Either, God forbid, an attack from abroad or some sort of building consensus on what matters and how we're going to use our military.

Melissa Dalton: I think the second key element is consensus around how vital this clarity of roles is for exercising civilian control of the military because there's something ironic about the president continuing to rely upon Article Two to have more flexibility, more freedom for using the military, but really it creates space for the national security community, for the intelligence community, for the military to come back and continue justifying at a very, I think, unsatisfactory level, what is justifiable within a certain framework that is now 20 years old and not reflective of current realities.

Melissa Dalton: It's that linkage to Article One congressional oversight that really extends what I think is the true intent of civilian control of the military and that critical connection to the American public. And there's a broken link there right now that I think needs to be reestablished.

Richard Fontaine: Can I just add that I think Congress' role in most of these questions is far more profound and easily used in the informal sector than with formal rules. Yes, if Congress wants to change the nature of a war, prohibit some war, pass a law by veto proof majority. How many laws do you see passed on any topic anywhere by veto proof majority on anything? It's a pretty hard thing, or cut off the funds. Yes, that has happened in US history, but it's a rare thing to have happened. That doesn't mean that the absence of such formal measures is an unalloyed endorsement of the course of events.

Richard Fontaine: And so, if you look at how wars that the United States has been engaged in before have been productively affected by the Congress, it's often been through the informal stuff. It's been some members take an interest in a particular thing and they go to the war zone over and over and over again, and they talk to the commanders, and they talk to their troops, and they come back, and they meet with executive branch folks, and they give speeches and write op-eds about strategy, and they test hypotheses and all these other things, and they call hearings, and all these things that are not in your civics book about how a bill becomes law, but actually are available to 535 members today if they take an interest and can actually move. That is oversight. It's not just about authorization of use of force is about overseeing the continued use of force or its absence, if members think that it's unwise.

Kathleen Hicks: Well, let's draw that then forward to the debates that are very... Americans aren't walking around and talking about the AUMF, but they might be talking about US-Syria policy. This is hopeful of me, I guess. They might have talked about US-Syria policy. They might be talking about US-Afghanistan policy. Certainly the President is talking about those things. So Richard, if I just pull that thread a little, what should those conversations be? What are the right conversations to be having then to get to this point Melissa's making about bridging the divide that Americans may feel between what's happening around use of force and where their interests are?

Richard Fontaine: Yeah, I think there's a more honest set of conversations that I guess, as someone not subject to any electoral necessity is, I would like to see take place, particularly among our elected leaders and those who would like to be elected to something in November of next year. Because the narrative seems to be certainly with respect to Afghanistan, to some degree with Syria and also to Iraq, we've been in the so called "Forever Wars: for 18 years. We don't have a whole lot to show for it. The costs have been high, the progress low. We may be moving backwards in a number of ways. You can play out the scene and therefore we should get out of this line of work. We learn our lessons, focus on whatever you prefer, the big great power game, China, domestic priorities, whatever you think is more important.

Richard Fontaine: But the real question is not have the cost been high or have we been there too long or anything, it's would we be better off leaving or staying? And if we would be better off leaving, under what conditions? Any conditions or some particular conditions like in Afghanistan, a peace agreement? And that's where you don't actually see the conversation about, what would in a place like Afghanistan in the absence of a peace agreement, a sustainable American presence that would prevent the worst from happening in terms of terror sanctuary, but also an ability to drive down the costs, both in terms of dollars and casualties associated with that kind of presence, what would that actually look like?

Richard Fontaine: And when you hear presidential candidates, they slip it in. In the debate last night, well, I'm committed to end the "Forever Wars". We are going to stop combat in Afghanistan, but we're going to leave counter terrorism troops on the ground. Well, what are those counter terrorism troops supposed to do if not combat? And you start to play a bit of a rhetorical game. And I think an honest conversation that takes into account, yes, we may be focused on great power competition and all these other things, but terrorism is not going away, and the need for military intervention, CT [counter-terrorism] and other things as well is unlikely to just simply disappear. And so, how do we make this a sustainable enterprise?

Luke Hartig: I couldn't agree more. I think the desire to end the "Forever War", to end endless wars makes a lot of sense. I worry that it's been reduced to a hashtag simplicity and I think you saw a lot of, well, one of the first interesting questioning of whether this fully makes sense in the hashtag simplicity I think came with the President's precipitous withdrawal of troops from Syria.

And suddenly, there was a whole lot of voices on the left saying, whoa, whoa, whoa, this wasn't exactly what we meant. This is a reckless and irresponsible policy and that wasn't what we meant. We meant probably doing something closer to what President Obama had to described as taking ourselves off of a perpetual wartime footing.

Luke Hartig: I think that's something that people could get more behind because the reality is we're going to continue to have terrorist threats. We're going to have things like mass atrocities, transnational organized crime, plenty of opportunities where the president is going to at least wants a military option, even if he chooses not to select that option. And we're going to have to have some ways for being able to assure both the president as well as the American public that these interventions can be constrained in a useful way. And I worry that we're in a situation where we're lurching toward isolationism on both the left as well as on the right. Certainly President Trump fits that camp in a lot of ways. And we're missing the way that you can pragmatically constrain use of force.

Luke Hartig: And this isn't rocket science. I think a lot of this is stuff that's guided us in our counter terrorism mission but could apply elsewhere, like what is the basic threshold that allows us to say we're going to use force or not? How do we make sure we're using the minimum amount of force necessary? What's the role of Congress and how do we make sure Congress is on board? How do we make sure our international allies are on board? Is there a window for pulling up and saying, are we achieving our objectives? Are we in an open ended conflict? These are the sorts of principles I think you can bake into a particular situation and it turn into policy guidelines. And then, you just have to have a process to actually enforce that you're following through on these things.

Kathleen Hicks: Transparency, it would seem to me, is a big piece of that conversation then, and I think you mentioned that, you certainly mentioned it in your piece that it's hard to know what the rules are in some areas today. Cyber and space are two where we obviously don't know a lot because it's either classified or the rules aren't written yet either on our side or anyone else's. So how do we incent the kind of transparency that allows the public to be a party to the conversation, but at the same time, of course, operators rightfully have concerns about that transparency. Is there a way to work through that in the civ-mil dynamic effectively?

Melissa Dalton: 23:36 I'll jump on that. I think there's a great case example to unpack that relates to this, and this is the use of the Section 127 Echo authority, which is the support to special operations for countering terrorism. There's actually a parallel authority that's been created for irregular warfare as well, but essentially it's the ability to enable local security partners that may be non-state actors to achieve counter terrorism objectives.

Melissa Dalton: The oversight of this authority on the Hill typically happens through classified channels. And so, amongst Hill committees, amongst Hill member

staff, there is often a debate in terms of the level of transparency even amongst Hill stakeholders on how this authority is being used in certain countries and particularly between armed services, intel and the foreign affairs oversight committees.

Melissa Dalton: And then, there's the broader issues, Kath, to your point in terms of public transparency. So there's actually been quite a lot of activity amongst civil society actors over the last few years to try to unmask or make more transparent that particular authority. I think one way to get at a bridge to protect what may be operationally sensitive and, at the same time, achieve some of those transparency objectives is tying this authority better into the overall approach for working with security partners, which is actually on a pretty good trajectory in terms of trying to strengthen monitoring evaluation mechanisms.

Melissa Dalton: So even if it's happening in classified channels, that there's a broader look at what the political effects of supporting certain actors around the globe is going to have in meeting our objectives and achieving common outcomes. So even if it's an internal USG [US Government] process that you're bringing in that siloed activity into that broader street that may not satisfy everybody on the outsides, but can provide that more holistic look.

Richard Fontaine: I guess I've grown more pessimistic about the ability of the system to be transparent without really extensive pushing from the highest levels. There's just nobody in the bureaucracy who is empowered to really push transparency in a way that's actually going to achieve meaningful results. And as you point out Kath, there's a lot of really tricky details of how you actually do this because there are real details that operators shouldn't have disclosed. And I think even just the president's recent statement around the Baghdadi operation, there was a whole bunch of stuff there that I'm pretty sure would've never made it through an interagency process if we were deciding what to disclose about that debate or not.

Richard Fontaine: But it does suggest that you need a lot of high level pressure. It needs to be a priority of the Administration, needs to be a priority of players in Congress, and they need to be developing proposals and then running it by the operators, intelligence professionals, whomever has the relevant equities to say, could we say this? What would be the risks that we're taking? Is this a risk we're willing to accept? But at the most basic level, I think there's relatively little downside to discussing, at least when it comes to counter terrorism and other irregular warfare situations, that the basic standards that we have in place and the most basic level of results that's come from those operations.

Richard Fontaine: So it was disturbing to see earlier this year the Trump Administration rollback the requirements for reporting on total numbers of strikes, total number of combatants and civilian casualties from those strikes. Their argument was that the Hill had put in place, and the armed services committees in particular, a similar requirement. And so, this was redundant.

I think anybody who tracks this knows that there was definitely something lost, and part of the loss was the letter of the President's new policy, but part of it was also a pretty strong signal from the Administration that transparency is just not important in any way on this particular issue.

Kathleen Hicks: Two last questions. The first is, Melissa mentioned this Chicago Council poll, which is the 2019 Chicago Council survey, and there's a question in there on use of US troops and the circumstances under which the respondents, being the public responding, would see circumstances that might justify using US troops in other parts of the world. Lots of interesting data in there, but just to contrast the data there with where the Trump Administration's stated strategy is, which is to focus on China and Russia, China related circumstances.

Kathleen Hicks: One example is if China invaded Taiwan, and another is if China initiates a military conflict with Japan, actually come out on the bottom of that survey. So looking ahead, if you will, to where we are today in terms of a public that has at least been characterized as wanting to get out of forever wars and a security establishment that has been characterized as wanting to get into great power competition, how do we make that connection, if you will, between the appreciation, if you will, on the security community side of the challenges that they think exists with China and where the American public is?

Richard Fontaine: I call it the great power disconnect. I don't know if that's copyrighted, probably it's been used before. But if you look in other parts of the Chicago poll, and other polls as well, that ask Americans are ranked the threats or to list the top threats to the United States and for all of the laser like focus in Washington on great power competition, China and Russia never come out at the top. It's usually terrorism at the top, cybersecurity, meaning theft of IP [intellectual property] and crime and things like that, global warming, Iran, North Korea, immigrants and refugees ranks pretty high as a threat to the United States, and things like that. And then, only then, do you get to China and Russia.

Richard Fontaine: And so, the favored way of dealing with this in Washington is that we need to educate the American people about the nature of the threat, which means scare them into action by displaying the real face of our great power rivals, and the more, I guess, benign or less significant ability of these other problems to actually inflict harm on the United States. And of course, that has appeal for those of us who think that we can just tell everybody what really matters to them. But I actually think that it's worth taking seriously the American people's abstracts back to as a focus on the physical protection and the particular economic prosperity of the American people who are living at home, which makes total sense.

Richard Fontaine: And so, this gets back to the same thing that I think is true of our interventions in places like the Middle East. The answer to great power competition is not just to get out of the Middle East so we can go focus on

Russia or go focus on China or just focus on China. Because if we do that and there's, God forbid, another mass casualty attack in the United States traced right back to the place in Afghanistan we just left, we're going to go right back to a CT focusing and you can kiss your China policy goodbye. We are not a regional power. We got to do multiple things at the same time. So let's do what the American people express their priorities as. Let's deal with that in the lowest cost, most sustainable way possible while we also focus on the great power challenges. And that's eminently a doable thing for a country like the United States.

Melissa Dalton: Yeah, I think the other piece of this too is as you unpack the data, I think it's 70% of express support for US military alliances. So people like the idea and see value in alliances as a conceptual thing. But when it comes to exercising the use of force to protect those alliances, that's where you really see the numbers go down. But seeing the value in the alliances themselves I think is important. Building from that and considering the spectrum of what we can forecast their challenges will be when it comes to the United States and the American people, it may be that the US military isn't the single tool that we're going to need to use.

Melissa Dalton: And so, it's other instruments of national power that we need to be thinking about buttressing and that might actually have some domestic support for such as our diplomatic core, such as economic investments, such as security cooperation that buttress these alliances. So I think thinking more broadly about the toolkit will actually resonate where American people are expressing their preferences.

Luke Hartig: I agree with both points and I think that's totally spot on. I think there's a couple of things. I think when it comes to support for terrorism, irregular warfare type engagement, I think people want to know, and the American public wants to know, that there's not just an endless drift. And Melissa was talking earlier about the 127 E authority, which basically gives our special operations forces the authority to provide a range of support to a range of proxies and other partners around the world. And what we've seen is when we do that, we tend to put more of our people in harm's way and they tend to receive harm.

Luke Hartig: So certainly the deaths of the four special operators in the Sahel was a big moment in terms of tragedy, in the first instance, but also I think it shook a lot of confidence in how and why we had people deployed to that part of the world. But I think overall, if you look at the terrorist threat and our efforts in counter terrorism, there's probably also support for it because it's pretty clear what happens if we don't do it. We've seen the consequences, and we also know that it's fighting small-scale insurgencies. I think there's also an element when you talk about some of these things that the Chicago poll tested on, you're talking about potentially massive amounts of US casualties and I wouldn't be surprised if that's actually a motivating force for why there's so much skepticism about being willing to, for example, defend Taiwan from attack from China.

Kathleen Hicks: Melissa, I'm going to let you begin the closeout round here. It's a new year, 2020, and let's have good wishes for this year. And what's your one top hope or wish for what changes you want to see on the debate around US use of force approaches?

Melissa Dalton: I think if I can throw in two complimentary items.

Kathleen Hicks: That's cheating, but we'll allow it.

Melissa Dalton: One for the executive, one for the legislative. On the legislative side, I think building from what Richard was saying earlier, I think there's a lot Congress can do without aspiring to a full on revamp of the AUMF to improve its oversight, more hearings, more briefings. These are not hard things to ask for I think. On the executive branch side, perhaps a taller order, but I think we need a new policy framework that compliments this new national strategy on strategic competition. What is it actually mean to deter and prevent conflict with the likes of China and Russia? How do we use our military in the face of those challenges and what are the parameters for the use of cyber and space and in emerging technologies, in particularly when you layer in allies and partners?

Luke Hartig: My single biggest wish for 2020 would be getting the Yemen conflict in order, and really both from in terms of the amount of support the United States is providing as well as just a reduction in the overall scale of the conflict and the human suffering. Look, I was covering the Yemen counter terrorism portfolio when we made the decision to both evacuate our embassy as well as support this Saudis and the Emeratis in their campaign there. There were a lot of good reasons why we did that at the time, whatever our estimates and best assessments of what that conflict would look like at that time, it is just gone horribly, horribly wrong in every way and it's a real shame and a real black mark on a US government's foreign policy.

Luke Hartig: So I think some combination of additional congressional restrictions on the Administration's ability to support that conflict, some willingness of the Administration to actually listen to those, some additional pressure on both the Saudis, mostly the Saudis, but to a lesser extent the Emeratis, and some commitment to a multinational process to bring around a resolution. That conflict has to be at the top of anybody's list who's working on constraining use of force.

Richard Fontaine: I would wish some more honesty in the nature of the debate over when and if we should use force in the future. The one thing in national security that seems to unify President Trump with every single Democratic candidate for president is that they all pledged to end the “Forever Wars”. This is at the top of their list, and yet of course, there are reasons why some of these wars continue and ending them is not just a simple and straight forward thing. And when you ask them to explain their positions, that nuance comes out

but only under protest. And you can hardly hope for greater honesty heading into a fevered presidential election.

Richard Fontaine: But at least at a policy level, for all the time that we spend thinking about what does an exit strategy look like for this, we should also be thinking about what staying strategies look like when those are necessary, and what a long-term commitment to some of these places are. Because I think if you look back at our pattern, whether it's been Iraq or Afghanistan or Libya or some of these other interventions, whatever you think are the merits of going in in the first place, some of the reasons why we are still there can be related to our desire to get out earlier than we should have in the first place, which is an admirable, understandable desire that sometimes leads you astray and only a more honest assessment of when we should stay, when we should go, when we should get in the first place is going to rectify that. And that would be my wish for CSIS and for everyone else.

Kathleen Hicks: Well, Melissa Dalton, Luke Hartig, and Richard Fontaine, thank you all very much. Much more I'm sure to come on this topic in the next year.

Richard Fontaine: Thank you.

Kathleen Hicks: On behalf of CSIS, I'd like to thank our sponsors, BAE systems, Lockheed Martin, Northrop Grumman, and the Thales Group for contributing to Defense 2020. If you enjoyed this podcast, check out some of our other CSIS podcasts, including Smart Women Smart Power, The Truth of the Matter, the Asia Chessboard, and more. You can listen to them all on major streaming platforms like iTunes and Spotify. Visit csis.org/podcasts to see our full catalog. And for all of CSIS's defense related content, visit defense360.csis.org.