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The Dynamics of the Conflicts in Syria and Iraq and the Threat Posed by Homegrown Terrorists and Returning Western Fighters

Brian Michael Jenkins

RAND Office of External Affairs

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Testimony submitted before the House Foreign Affairs Committee and House Homeland Security Committee on November 18, 2015

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The RAND Corporation

The Dynamics of the Conflicts in Syria and Iraq and the Threat Posed by Homegrown Terrorists and Returning Western Fighters²

**Before the Committee on Foreign Affairs and Committee on Homeland Security
House of Representatives**

November 18, 2015

Chairman Royce, Chairman McCaul, Ranking Member Engel, Ranking Member Thompson, and distinguished members of the Foreign Affairs and Homeland Security Committees, I would like to thank you for the opportunity to address this important subject.

This statement describes the underlying dynamics of the conflicts in Syria and Iraq and how these are likely to shape the future of the region and events beyond. It also assesses the threat posed by homegrown terrorists and by the return of Americans and other Western foreign fighters who have joined the Islamic State of Iraq and the Levant (ISIL) or other jihadist groups in Syria. These are complex and intertwined issues.³

Recognizing that Russia's intervention in the Syrian conflict has further complicated the situation, the statement offers a range of U.S. options. These options raise a fundamental question: To what extent do we see security of the homeland dependent on continued and continuous U.S. engagement against terrorist foes in the Middle East and Southwest Asia?

My statement today builds on my own previous testimonies and those of my RAND colleagues.⁴

¹ 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.

² This testimony is available for free download at <http://www.rand.org/pubs/testimonies/CT443.html>.

³ I would like to thank Laura Baldwin, David Cohen, Richard Daddario, Karen Greenberg, and Andrew Liepman for their helpful reviews and comments.

⁴ The opinions and conclusions expressed in this statement are the author's alone and should not be interpreted as representing those of RAND or any of the sponsors of its research.

The Current Situation

ISIL suffered heavy casualties and lost some territory in the past year, particularly to the Kurds in northern Syria and Iraq, but it has survived and been able to advance in other areas, capturing more cities in Iraq and Syria.

Al Qaeda's affiliate in Syria, Jabhat al-Nusra, and its growing list of Salafist allies remain one of the strongest forces in Syria and, prior to Russia's intervention, were pushing into the Syrian government's sectarian stronghold in western Syria. Russian bombing has begun to stanch the regime's losses, bolstering regime morale. The more secular rebel formations favored by the West have not yet emerged as a significant determining factor in the contest.

The continued fighting has seriously weakened Syrian government forces. The regime now depends on direct external assistance from Iran, Russia, and Hezbollah to survive. Russia's intervention changes the situation, but it does not change the underlying dynamics of the conflict. Russian bombing can relieve immediate pressure on Syrian forces, but Russian assistance will not enable them to recover vast tracts of lost territory. The insurgency will continue. Russian intervention, however, has prompted a needed reassessment of U.S. strategy.

The Dynamics of the Conflicts in Syria and Iraq

The military situation is at a stalemate. By stalemate, I mean that the insurgents arrayed against the Syrian government and ISIL in Iraq cannot overthrow governments in Damascus or Baghdad, but for the foreseeable future neither government will be able to restore its authority throughout national territory. This is particularly true in Syria.

National armies have failed and power has shifted to militias, which are good at defending their own sectarian and ethnic enclaves but have less success conducting operations beyond their home ground. Iran is testing that proposition by moving Iranian-backed Iraqi Shiite militias into Syria. U.S.-supported Kurdish forces have moved toward ISIL's bastion in Raqqa, but their continued advance southward will put them deeper into Arab territory and beyond their comfort zone.

The fighting in both countries is likely to continue—sectarian and ethnic divisions now drive the conflicts, which have become an existential contest for all of the local parties—it is a fight to the death or, at least, exhaustion.

The failure of Syria's and Iraq's national armies and increased dependence on militias beholden to other domestic and foreign powers also point to a permanent loss of the monopoly of force. Central authority will be weaker.

Syria and Iraq are now effectively partitioned—Iraq into relatively homogenous Shia, Sunni, and Kurdish zones and Syria into a messier mosaic. This partition is likely to persist.

The mainly Shia part of Iraq under government control, the Kurdish enclaves in the north of Syria and Iraq, and Assad's sectarian stronghold in western Syria, with much help from its friends, are viable entities with government institutions and sources of revenue.

The future of Sunnis in Syria and Iraq is more uncertain. Will ISIL become their primary political expression, or will we see emergence of a "Sunni badlands" where warfare between armed rivals continues indefinitely?

Foreign powers have significant stakes in the conflicts, but competing interests. Absent major military investments, outsiders cannot guarantee the victory of local allies.

Despite the coalition's bombing campaign, which has continued for more than a year, foreign fighters continue to join ISIL and other jihadist groups. The volume of persons believed to be planning to go and of individuals returning are overwhelming European authorities. The number of Americans going or wanting to go to Syria also has increased, but it remains a fraction of those departing from Europe.

The conflicts have produced millions of refugees—12 million have fled the country or are internally displaced in Syria, plus nearly 4 million have fled the country or are internally displaced in Iraq. Those who have fled abroad cannot return while the fighting continues and cannot be absorbed by their neighbors. They will continue to be a source of regional instability while adding to immigration pressures on Europe. The difficulties of dealing with the deluge of refugees pouring out of the region are shaking the European Union to its core.

Many fear that the Syrian refugees now streaming into Europe will increase the terrorist threat to their host nations. As of this writing, there is no concrete evidence that ISIL or al Nusra operatives (including those that attacked Paris) have infiltrated the refugee flow- but they could. However, the refugee population includes large numbers of young males from violent environments who have little or no education. They will not easily find jobs. Idle and frustrated, some may turn to crime or be receptive to extremist recruiting.

This is hardly a controversial assessment, but it is antithetical to the premises of U.S. policy. There is always some space between announced objectives and reality on the ground. Here, that distance seems very great.⁵

Options for the United States

Critics of current U.S. policy view Russia's intervention as evidence of American failure—something must be done. Without getting too distracted by speculation about Putin's psychology or long-range strategy, it is clear that Russia wants to ensure the survival of the Assad regime, a long-time ally and its only partner in the Middle East, or, at the very least, a pro-Russian successor that will guarantee Russia's continued possession of its only naval base on the Mediterranean at Tartus. Russia also views the Assad regime as the best option to target groups that threaten Russia, particularly in the Caucasus.

That means defending Damascus and protecting the Syrian government's remaining enclave in the western part of the country, which, in turn, means going after the adjacent rebel forces. These include al Nusra and what remains of the more-secular forces backed by the West. This goal explains the immediate focus of Russia's air strikes. ISIL is concentrated in eastern Syria and thus represents a more distant threat, although the presence of a reported contingent of 2,500 Russian Sunni Muslims from Chechnya and the Caucasus in the ranks of ISIL worries Moscow.⁶ In October, Russian President Vladimir Putin warned that "7,000 jihadi fighters from Russia and the former Soviet east are fighting for the Islamic State."⁷

Some Russians may welcome new military engagements abroad as validation of Russian power, but putting Russian soldiers—even as volunteers—on the ground in Syria runs risks. Although Russia's involvement in Syria is being portrayed domestically as an expression of *Deus vult* ("God wills it," which was the battle cry of the First Crusade in the 11th century), Russia probably would want to avoid the consequences of what could be portrayed as a Russian religious war against the Sunni population. The Russian military campaign may galvanize jihadist sympathizers in Russia's restive Caucasus republics, while the possible sabotage of a Russian airliner by ISIL operatives or affiliates in Egypt underscores the possibility of terrorist retaliation. (The ability of

⁵ These observations are drawn from a more detailed report: Brian Michael Jenkins, *How the Current Conflicts Are Shaping the Future of Syria and Iraq*, Santa Monica, Calif.: RAND Corporation, PE-163-RC, 2015. See also, Brian Michael Jenkins, *The Dynamics of Syria's Civil War*, Santa Monica, Calif.: RAND Corporation, PE-115-RC, 2014.

⁶ Olga Khrustaleva, "Russia's burgeoning ISIL problem," *Al Jazeera*, December 10, 2014.

⁷ Tom Batchelor, "Vladimir Putin Warns Thousands of Russian Jihadis Now Fighting for Islamic State in Syria," *Sunday Express*, October 17, 2015.

ISIL affiliates to carry out this kind of terrorist attack is also worrisome to the United States and European countries.) It is not clear whether the event will increase domestic support for Putin or erode enthusiasm for what Russians may fear will become another Afghanistan.

The United States has two increasingly contradictory objectives: To destroy ISIL and to remove the Assad regime. Most U.S. allies share these broad objectives, but all of them have varying priorities and different objectives of their own. The Iraqi government wants to crush ISIL and regain lost territory, but, for Baghdad, removing the regime in Damascus is not an objective. For the Saudis and the Gulf monarchies, getting rid of Assad is paramount, although they also certainly want—eventually—to deal with ISIL. Turkey wants to rid Syria of the Assad regime and to degrade ISIL, but, for the Turks, Kurdish issues may hold the most strategic urgency. Russia and Iran simply want to bolster the Syrian government, although Iran certainly has different reasons for doing so. Both see the threat of ISIL, but not as the burning issue the United States does. The downing of a Russian airliner may alter Moscow's priorities.

There has been no shortage of competing suggestions about how the United States must respond to Russia's intervention in Syria's civil war. These suggestions range from reducing the United States' involvement in the ongoing conflict to escalating U.S. military efforts in response to Russia's provocation.

Many of these proposals sound muscular but remain vague. It is not clear, for example, what the pronouncement that the United States "must re-establish its presence" means operationally. Adding details often dilutes the tough-sounding talk. Countering Putin in the Middle East comes down to trying to prevent Russian overflights or sanctioning Russian defense companies—which the United States has been doing anyway since Russia's intervention in Ukraine. Some of the suggested actions—such as establishing and maintaining no-fly zones where Syrian rebels and refugees may find sanctuary—are complicated missions.

There is no suitable replacement for Assad. Indeed, the strongest parties in Syria seem increasingly to be Islamist extremists—al Nusra and its allies and ISIL. Their rise has blunted, but not entirely removed, Western hostility toward the Assad regime. The United States and some of its allies want to prevent the Syrian regime from completely destroying all resistance arrayed against it, which is why they support Syria's rebels. Even though these forces include undesirable extremist elements, they keep pressure on the Assad regime.

Assad's departure now risks ushering in the kind of chaos that has continued long after Moammar Gadhafi's removal from power in Libya. Nor would we want to see jihadists slaughter Assad's

Alawite, Christian, Druze, and Sunni supporters. These conflicting concerns—defeating the jihadists, replacing Assad, but avoiding the massacres that might follow his departure—demand an exquisitely modulated application of violence, an inherently blunt instrument.

All coalitions come with constraints. There is little international support for expanding the U.S.-led campaign beyond attacking ISIL. Some coalition participants will not carry out operations in Syria. Broadening the mission or escalating the conflict by introducing combat forces on the ground might reassure some in the region of U.S. resolve, but it could make some coalition partners drop out. Some have already dropped back. The United States could still go it alone or with a handful of allies, but doing so jeopardizes legitimacy and could erode already tenuous domestic support.

Today's politicians and tomorrow's historians will debate whether, as some allege, the United States' timidity and inaction allowed the current mess and created the vacuum that Russia has now entered. However, that does not tell us what the United States should do now.

So what is to be done? Here are six options. They are not mutually exclusive.

Confrontation

In the eyes of many, a forceful U.S. response is required to destroy ISIL, ensure Assad's departure, and prevent Russia from expanding its influence in the region. To many, this will require "boots on the ground." Combining some of the more ambitious proposals would see the deployment of up to 25,000 U.S. troops to Iraq (assuming Iraq allows this) and sending another U.S. ground contingent to Syria to lead a larger allied regional army aimed at destroying ISIL. U.S. military commanders warn that American combat troops, while effective in battle, would still face a long-term pacification problem, as they did a decade earlier in Afghanistan and Iraq.

Other U.S. actions could include declaring no-fly zones that are off-limits to the Syrian government or Russian air strikes—an idea considered before Russia's direct intervention—and manning them with U.S. forces to discourage Russia from testing American resolve. Others have proposed the deployment of more Special Operations forces to assist Iraq's army as well as secular rebels in Syria, instead of U.S. combat units, as the U.S. administration has recently decided to do in supporting the Kurds. But despite some progress, it is still not certain that independent, viable, and effective secular rebel formations can be built up.

Thus far, U.S. efforts to create and arm an independent and secular Syrian rebel force have failed. The units of the Free Syrian Army favored by the West did not prove to be an effective fighting

force. Efforts by the United States to create and train its own rebel force have been hampered by understandable concerns that U.S.-trained fighters might join al Nusra or ISIL, taking their equipment with them. Careful vetting was seen as necessary to ensure that this would not occur.

My own view is that the risk of betrayals was real, given the fluid loyalties among Syria's rebels, but that consequences of these betrayals were not that great, given that the United States would be supplying its Syrian force with ordinary light infantry weapons and pickup trucks, none of which are in short supply in the region. Risks in such enterprises are inevitable. The United States' approach was extraordinarily risk-averse, probably as much a result of wanting to avoid political embarrassment at home as of concern about whether ISIL might end up with more weapons.

The second problem was the fact that the United States sought to create and train a rebel force and put it directly into combat on its own. That is very hard to do. It would have been more realistic to create defensive formations and back them up on their own turf with additional support. Backing the Kurds is different. They have an existing organization and have demonstrated themselves to be tough fighters. For now, they operate primarily on their own turf. This is something the United States can build on.

At the same time that it expands its role on the ground in Syria and Iraq, the United States could exploit Europe's unhappiness with Russian intervention to further increase targeted economic sanctions already imposed in response to Russia's moves in Ukraine. Thus far, these have not altered Russian behavior, although they may weaken Russia in the long run by further undermining its economy, which is already hemorrhaging due to the collapse of global oil prices.

An International Peace Conference

Despite the required optimism of diplomats reflected in the announced areas of agreement coming out of the recent meeting in Vienna, this was not a new Vienna Congress or Paris Peace Conference where delegates sorted out the world after years of conflict. This is not the end of a war—this is an ongoing war. Even if all of the external actors were to back off and suspend their support for both regimes and all rebels—an unlikely event—they cannot prevent Syrians and Iraqis from continuing their armed struggle. At issue is not just the survival of the Assad regime, but a deeper sectarian struggle that reflects a historical divide across the region.

Although the United States wants Assad out immediately, it might be persuaded to accept an overall settlement resulting in his eventual departure and replacement by a new government that is able to reconcile with the rebels and restore its authority throughout Syrian national territory. In

July at the Aspen Security Conference, a citadel of the U.S. security establishment, organizers tabled the questions of “whether . . . the pre-revolutionary Assad regime in Syria . . . [was] more in line with American interests and whether, as a consequence, the best outcome now is as close to the *status quo ante* as possible.”

However, Aspen is not Aleppo. For Syrians, the conflict has gone beyond regime change. Even if Assad departs, the regime’s Alawite and Christian stalwarts are unlikely to lay down their arms. It is equally difficult to imagine al Nusra and other Islamist rebels abandoning their struggle against those they see as infidels. No agreement will accept ISIL’s control of an Islamic State.

An Incremental Ceasefire Through Local Accommodation

Instead of a grand war-ending agreement, the United States could push for a series of local ceasefires on humanitarian grounds. Putting pre-2011 Syria back together is next to impossible for now. Instead, this option would mean accepting the *de facto* partition of Syria into a series of armed cantons. Assad would get to stay and rule a miniature state in the western part of the country and Damascus—his *Republika Syrianska*. The rebels, including al Nusra, would hold the territory they currently command, with the choice of keeping their little emirates or remaining the target of Russian and coalition bombing. Local withdrawals and exchanges of territory would be negotiated individually.

As agreements are reached, international forces, which might include both Russian and U.S. observers, would help to keep peace on the perimeters. Participating zones would receive generous aid. Military action against ISIL by both coalition and Russian aircraft would continue. There should be no illusions. The fighting will continue in many areas, and there will be continued terrorist attacks. But local accommodations that allow reconstruction and commerce and that slow the flow of refugees might emerge in other localities.

Afghanistan Redux

ISIL has survived coalition bombing for more than a year—more than 12,000 air strikes. It may be weakened, but it has not been defeated. Anti-Assad rebels now facing Russian bombing will suffer some setbacks but also may be able to adapt and remain effective. Even were Russia able to scatter the rebels pressing on the remaining Syrian government-controlled territory, it will face a continuing insurgency, always the more difficult challenge. Like Syria, Russia is willing to use its military power indiscriminately, but that comes with a cost and does not always work. After nearly four years of ruthless bombing by the Syrian regime and assistance on the ground from

Hezbollah, Iranian-backed militias, and Iranian advisors, Assad was not able to defeat the insurgents.

While it cannot halt Russia's bombing, the United States could increase its support for rebel forces other than ISIL by lowering its strict vetting standards, which thus far have limited U.S. support. The Gulf monarchies that now support the rebels are likely to do even more. This option differs from the confrontation option in that it avoids the creation of no-fly zones and the commitment of U.S. ground forces. The aim would be simply to put more weapons and more ammunition into rebel hands, accepting that some of these supplies may end up in the hands of jihadist extremists—hopefully not ISIL, which, in this option, would remain the exclusive target of the coalition's bombing campaign.

Containment

This option starts with the premise that the United States has limited objectives in Syria and Iraq and limited ability to shape events in these two countries without making a substantial military commitment—one that could turn out to be far greater than proponents of more-ambitious efforts admit. For now, there is no disagreement—U.S. investment increases or U.S. objectives are scaled back. The question is whether the American public, which now supports the bombing campaign as long as there are no U.S. casualties, will support (and continue to support) going to war and all that entails. That does not appear to be the case, a fact that critics of Washington's current caution ignore.

Under this option, the United States would continue its bombing campaign, since ISIL and al Nusra are viewed as a direct threat to U.S. interests, and it would continue to support Kurdish fighters defending their territory against ISIL. However, the United States would not deploy ground forces, set up safe havens or no-fly zones, significantly increase its support for the other Syrian rebels, or make major investments in other military efforts to bring down Assad.

Instead, the United States would pursue what can be described as a prudent course of action, limiting its involvement in another country's civil war that it cannot resolve but may only make worse. The United States' primary mission would be to assist neighboring allies—especially Jordan and Saudi Arabia—in containing the conflict and defending themselves. ISIL's black flag flying over Mecca would guarantee a long-lasting clash of civilizations. Helping the neighbors would also mean devoting more resources to refugees. The United States can help buttress border security and provide other kinds of aid. This option appears close to current U.S. policy.

Disengagement

An earlier essay of mine outlining these courses of action, published in *The Hill*, prompted the criticism that I had left out an important option—withdrawal.⁸ Proponents of U.S. disengagement argue that the United States has few vital interests in Syria or Iraq and that it faces more serious challenges to its national security in other parts of the world and even more-pressing priorities at home. ISIL and al Nusra pose a terrorist threat, but not one that warrants imperial missions and perpetual war overseas. If continued U.S. bombing of terrorist targets in Syria and Iraq is deemed essential, according to this option, further involvement with Syria's fractious rebels is not.

Thus far, the U.S. government has portrayed its involvement as taking prudent and limited steps, which are sensible under the circumstances, but they run the risk of incrementally drawing the United States into another costly Middle East war. At the very least, the United States should delay increasing its military investment and instead adopt a wait-and-see attitude.

These are all options on the continuum between disengaging and forceful military action. There are an unlimited number of options along this continuum, gradually ratcheting up the pressure as U.S. interests dictate. Delineating options helps to clarify thinking—it forces proponents of specific courses of action to articulate their assumptions.

The dominant factor in picking an option has to be how it contributes to achieving U.S. objectives. That, of course, requires us to specify reasonable and reachable objectives, not the seemingly contradictory ones we have now. One of the principal problems with the United States' current posture is that it is reflexive: We react to ISIL military advances with a bombing campaign, and we react to Russian military intervention by deploying 50 Special Operations personnel to increase the effectiveness of Kurdish fighters and intensify the bombing campaign. But we don't really say how these moves make U.S. objectives more achievable.

Again, the options are not mutually exclusive—the United States can simultaneously increase its support for Syria's rebels and pursue diplomatic solutions, as it is doing now. In all of the options, the bombing campaign against ISIL continues. The purpose of laying the options out is to encourage rational thinking based on realistic presumptions, not media- or campaign-driven hype.

It is fair to ask about my own view of what a realistic and wise pursuit of U.S. interests might include. *For now*, the United States should continue to exert pressure on ISIL with airpower and

⁸ Brian Michael Jenkins, "Five Options for the U.S. in Syria," *The Hill*, October 21, 2015.

special operations; continue to support for Kurdish fighters; provide added security assistance to the surrounding countries; and seek opportunities to bring about incremental ceasefires. That means, *for now*, accepting Russia's presence, which means, *for now*, tolerating Assad. I would avoid the commitment of U.S. combat forces and attempts to create no-fly zones. The emphasis on *for now* is deliberate.

Right now, the situation in Syria presents a grim picture. Syria must be seen as a long-term problem that will resist any short-term solution, but circumstances will change.. The United States can then exploit opportunities that allow more promising interventions.

The Current Terrorist Threat to Homeland Security

Current U.S. actions in Syria and Iraq are a continuation of the military campaign to destroy the terrorist enterprise responsible for 9/11 and other terrorist attacks on the U.S. targets. The paramount objective remains the protection of the homeland from further large-scale terrorist attacks.

So far, the United States has been fortunate, at least in terms of terrorist attacks in the homeland. The years since 9/11 have been the most tranquil, in terms of domestic terrorist violence, since the 1960s. Many people do not recall that in the 1970s the United States saw 50 to 60 terrorist bombings a year. Since 9/11, there have been only five or six successful attacks by jihadist terrorists, including the recent shootings in Tennessee and Texas, which together left 23 dead.

U.S. military action alone does not account for the reduction in the number of terrorist attacks here, although military operations have shattered al Qaeda's core. Al Qaeda affiliates are, for now, preoccupied with local conflicts in Yemen and North Africa. International cooperation has made the terrorists' operating environment a lot more hostile. Domestic intelligence, though still not optimal, has significantly improved as has law enforcement.

Of equal importance is the fact that al Qaeda's exhortations to homegrown terrorists to take up arms have gained little traction in the United States. America's Muslims overwhelmingly reject terrorism. ISIL's declaration of an Islamic State and its more-effective use of social media have created excitement and attracted more followers, but the number of those who have responded remains small.

Fear of what terrorists may do—rather than what terrorists have done since 9/11—drives our assessment of the threat. The United States has become a security-obsessed society that views

every vulnerability as an imminent threat. Ample catastrophic scenarios are on offer, from “dirty bombs” to electromagnetic pulses caused by powerful high-altitude nuclear explosions to cyber-Armageddons.

Future Terrorist Scenarios of Concern

Most of these doomsday plots would require capabilities that are far beyond what terrorists, including the 9/11 hijackers, have demonstrated. There are, however, lesser but still significant scenarios within reach of their current range of capabilities.

- The most serious threat would be a major terrorist operation in which foreign volunteers are recruited, trained, equipped, and infiltrated into the United States to carry out a major terrorist strike (not necessarily an attack of the style or scale of 9/11). This appears less likely now, but ISIL, al Qaeda in the Arabian Peninsula (AQAP), and al Nusra are theoretically capable of mounting a major terrorist attack.
- Authorities also worry about a smaller-scale Mumbai or Nairobi scenario, in which two or more heavily armed shooters enter a public building to kill at random and seize hostages. Such an attack could be carried out entirely by homegrown terrorists. Since 9/11, U.S. authorities have interrupted several plots involving two or more shooters.
- Another scenario is an airliner sabotage scenario in which a foreign volunteer is recruited and equipped for a suicide mission or in which an explosive device is smuggled onto a commercial airliner. AQAP has made previous attempts, and there has been concern about possible plots by al Nusra’s “Khorasan cell.” The possible sabotage of a Russian airliner in Egypt underscores this threat.
- A scenario like the July 7, 2005, London subway attack in which foreign fighters return with a terrorist mission and specialized skills to carry it out must be included. This was the plan in the 2009 plot by Najibullah Zazi to carry out suicide bombings on New York’s subways. There have been several similar plots.
- Most likely are individual attacks involving single shooters, individual assaults on uniformed personnel or military families, stabbings, or ramming vehicles into crowds. These have occurred already, and we have to accept that such attacks will continue.
- *A concern for 2016:* Although some jihadist assassination plots have been uncovered, terrorists in the United States have not yet adopted assassination of political officials as their primary tactic, but—given events abroad and the extraordinarily charged political environment at home—the likelihood of assassination attempts could increase during next year’s elections.

The Threat Posed by Returning Foreign Fighters

Syria's civil war reportedly has attracted between 20,000 and 30,000 foreign fighters. Most of them have joined ISIL, which offers the attractions of living in what is portrayed as an authentic Islamic state, opportunities to engage in unlimited violence, and being present at the end-of-time battle between believers and infidels. Most of the foreign fighters come from surrounding Arab countries, but as many as 5,000 come from Western countries, primarily Western Europe. It is not clear that the coalition's bombing campaign of ISIL has slowed the flow of volunteers.

More than 250 Americans reportedly have traveled to Syria and Iraq. This number includes those who went earlier and are not necessarily jihadists, those who have tried to go and were arrested on the way, those who went and were killed while abroad, those who are believed to be currently serving in ISIL's ranks, and those who have returned, as well as others under investigation.

Authorities in Europe and the United States fear that returning foreign fighters will significantly increase the likelihood of homegrown terrorist attacks and the skill level of the terrorists involved. Returning fighters have already carried out several attacks in Europe. The numbers of those traveling to Syria, those suspected of preparing to go, and those returning are overwhelming European authorities.

Many of these foreign fighters will die on the battlefield. ISIL may execute some of them itself. Some will move on to the next jihadist front, wherever that may be. Some will lose their jihadist fervor and will return disillusioned by what they have witnessed, suffering from shock, and unlikely to engage in terrorist attacks. But some, inevitably, will seek to return and continue their violent campaign in the name of ISIL's or al Qaeda's ideology as hardened combat veterans with skills in handling weapons and building explosive devices.

The threat from these returning fighters is real but needs to be put into perspective. ISIL assigns many of its foreign volunteers to purely support functions that will confer no combat skills. Some returning fighters will learn how to handle weapons, but this does not represent a significant increase in danger, as violent criminals, mass shooters, and homegrown terrorists without any combat experience also have carried out deadly attacks. Experience in making improvised explosive devices will count more, but it is not clear how many ISIL fighters are gaining this type of experience. Other kinds of combat experience, such as small unit tactics, will have little relevance to domestic terrorist attacks. In sum, returning fighters may not significantly increase terrorist capabilities.

The biggest difference may lie in their propensity toward violence. Those who made it to Syria represent the most determined. Their time with ISIL will have further radicalized them, while the extreme violence they have witnessed will have changed them psychologically. Accustomed to gore, unconstrained in their willingness to kill, and ready to die, they may return bent on revenge. Fortunately, they are likely to be relatively few in number.

I base this statement on what we know thus far about Americans who have left or have attempted to leave the country to seek terrorist training or join jihadist fronts abroad. The totals are small. Since 9/11, U.S. authorities have identified 105 Americans who have traveled or tried to travel to connect with jihadist groups in Afghanistan, Pakistan, Somalia, Yemen, or countries other than Syria.

The identities of only 60 of the 250 individuals who have gone, attempted to go, or may be preparing to go to Syria have been made public. The report prepared by the Congressional Task Force on Foreign Fighters assumes that the other 190 made it to Syria.⁹ It could be that authorities suspect they are there but are unable to confirm their identity or do not want them to know that they are on an intelligence watchlist. It could be that some are currently under surveillance. However, the 60 names we do know offer some insights about the larger cohort.

Of the 60 who sought to go to Syria, 30 (50 percent) were arrested before departure and four never made it to Syria but returned to the United States where they were arrested; one more was arrested in Jordan. Three teenage girls were intercepted in Europe and were brought back to the United States without arrest. Of the 22 who made it to Syria, 11 (50 percent) were killed, six remain at large, and five (8 percent) were arrested after their return to the United States. None of those returning from Syria were involved in terrorist plots after their return. These figures are not far off from those of the previous cohort, except that more were killed abroad (50 percent versus 28 percent) and, thus far, fewer have returned.¹⁰

Of the 105 who sought to go to countries other than Syria, 38 (36 percent) were intercepted. Of the 67 not intercepted, seven were arrested by authorities in other countries, one was captured by Americans in Afghanistan, 19 (28 percent) were killed while abroad, and ten remain at large. Not all of these joined jihadist groups or received any kind of military training. Thirty (28 percent of the total) returned to the United States. Of these, 28 were ultimately arrested, and two were killed

⁹ U.S. House of Representatives, Homeland Security Committee, *Final Report of the Task Force on Combating Terrorist and Foreign Fighters Travel*, September 2015.

¹⁰ Jenkins, *When Jihadis Come Marching Home*. See also Center on National Security at Fordham Law, *By the Numbers: ISIS Cases in the United States, March 1, 2014–June 22, 2015*, New York, June 25, 2015.

after their return. About one-third of those who returned were involved in terrorist attacks or plots after their return.¹¹

I suspect that a smaller percentage of those going to Syria will return. The previous cohorts going to other countries included some who were going for the express purpose of obtaining training before returning. Those now going to Syria, especially those joining ISIL, are inclined to see it as a permanent move.

Some of these returnees may engage in terrorist plotting. Fortunately, the numbers of Americans are not great, although even one determined terrorist can be dangerous. Intercepting returning Americans and other foreign fighters will be a priority.

Countering Violent Extremism

Dissuading young men and women from going down destructive paths is an appealing idea that the White House and both parties in Congress can agree on for different reasons. It can augment the United States' current law enforcement efforts and military operations in the Middle East. It can challenge what some see as a broader threat posed by self-isolating communities where extremist ideologies can more easily take root. Those uncomfortable with domestic intelligence activities and counterterrorist operations see countering violent extremism as an attractive alternative to spying on and incarcerating people at home or bombing them abroad. The current legislative push is therefore understandable. Creating a high-level federal office dedicated to countering violent extremism and recruitment by violent extremist groups would provide leadership, energy, and order to what is currently seen as a messy and incoherent effort. However, there are also reasons for caution.

I have both philosophical and practical concerns. The United States has adopted a preventive approach to dealing with terrorist threats—we want authorities to intervene before bombs go off, and have changed the law to permit earlier intervention. The intention to commit a terrorist crime suffices for criminal prosecution. Countering violent extremism represents a further push toward intervention, even before an individual thinks about committing a terrorist crime. It penetrates the realm of ideas, ideologies, and manners of thinking of a particular group or individual.

¹¹ These figures represent an update from an earlier report. See Brian Michael Jenkins, *When Jihadis Come Marching Home: The Terrorist Threat Posed by Westerners Returning from Syria and Iraq*, Santa Monica, Calif.: RAND Corporation, PE-130-1-RC, 2014.

The definition of terrorist crime in the U.S. criminal code includes a motive component—what terrorists hope to achieve by their actions makes it terrorism—but it does not touch ideology. I know that the authors of this effort are sensitive to civil liberties concerns, but we would want to be careful about creating government offices whose job it is to patrol ideologies, even those deemed extreme or violent.

On a more practical level, whether efforts to counter violent extremism can protect individuals from exposure to violent ideologies, effectively identify those believed to be prone to radicalize, predict their proclivity for violence, or prevent them from acting remains to be seen. I am skeptical.

We have not yet sorted out exactly what we mean by countering violent extremism. Some see it as combatting terrorist ideologies with narratives focusing on American values, but the current impetus seeks more active intervention. Some notions of countering violent extremism aim at altering beliefs; others aim more narrowly at preventing criminal behavior. Some aim at communities judged to be vulnerable, others address individual vulnerabilities. Some rely on counter-messaging or propagandizing, others on personal counseling and coaching.

Several countries are pursuing ambitious programs, from which much can be learned, but it is not clear that their experience is applicable to the United States. The United States gained some experience of its own in responding to the flow of American recruits to the conflict in Somalia and has recently embarked on some pilot projects. But we do not yet have agreement on a coherent national strategy.

We are learning more about why and how individuals embrace violent ideologies and act on them, which is a separate decision. However, I am not sure that we know enough now to prescribe an effective strategy to interrupt this process. Standing up a new federal entity seems premature. Before we build an automobile plant, we need to know how to build an automobile.

Countering violent extremism is a response to a specific problem—the recruitment of Americans by jihadist extremists. It merits more study to formulate focused solutions, a task force to ensure a coordinated campaign, and perhaps some different experimental models to see what works, not a permanent federal office.

In some of the other countries that have implemented prevention programs, terrorist recruiting reflects conditions in isolated and marginalized immigrant diasporas—it is a community issue. In the United States, radicalization and self-recruitment to violence appear to reflect individual

circumstances—personal discontents, identity issues, adopted grievances, dissatisfaction, life crises—requiring a retail bespoke approach. That kind of intense personal counseling requires more resources than community “immunizations.”

Our theoretical model for countering violent extremism may be wrong. The innocent are not being exposed to Internet poison that turns them into terrorists. Large numbers of curious kids may visit terrorist websites between looking at pornography and playing violent video games. They do not become terrorists. Those who do are often troubled individuals seeking ideologies that resonate with and reinforce their feelings of anger and aggression. They are unlikely to be receptive to external persuasion and are not easily knocked off course.

Again, it is important to keep in mind the very small numbers of Americans who are responding to exhortations from ISIL or al Qaeda. The total number of persons providing material support to terrorists, attempting to join terrorist fronts abroad, or plot terrorist attacks at home runs to several hundred. Does that warrant another federal entity?

The fact that so few individuals are responding to terrorist appeals is good news for the country, but it also means that the yields of efforts to counter violent extremism will be very low. Even if largely successful, major expenditures of resources will make no more than tiny contributions to overall security.

It is difficult to know whether or how well the programs abroad are working. The metrics are murky. And it is impossible to count things that do not occur. We run the danger that the requirement for metrics will lead to measuring our own inputs—if we are doing twice as much, we must be doing twice as well.

Creating new federal entities invariably sets off turf wars. Should the Department of Justice take the lead in countering violent extremism? Or does it belong in the Department of Homeland Security? What is the appropriate federal role in a process that will be largely local? What role will civil society advocates and community representatives play? Who does what? A collaborative group involving the Department of Homeland Security, the Department of Justice, and the National Counterterrorism Center is already functioning, though critics would say it is too intelligence and law enforcement oriented. Do we need more?

Radicalization and recruitment to violence is a complex process, and it does not follow a linear path. Responsibilities cannot be divided sequentially. While countering violent extremist programs should not be seen merely as a forum for recruiting confidential informants, which will taint the

effort, countering extremism, intelligence collection, and criminal investigations, while separate functions, will occur concurrently in the same space.

Countering violent extremism, like domestic intelligence efforts, will inevitably be seen to stigmatize certain “susceptible” communities. This can be ameliorated but not eliminated. We should avoid creating a new federal entity to deal with one portion of the population. Proposals have been made already to avoid appearances of discrimination by broadening the mandate of the proposed entity to include white supremacists, anti-federal-government extremists, and other potential sources of political violence. Broadening the mandate will dilute the effort. Avoiding allegations of profiling can easily lead to self-imposed quotas to assure that the communities and subjects of attention represent a broad spectrum of American violence.

A federal entity for the prevention of extremist violence will generate a population that justifies federal attention. The number of kids at risk will grow.

We can easily create a situation wherein the country is addressing (and alienating) large audiences in order to identify and dissuade very small numbers of individuals from embracing ideologically motivated violence. This will bring marginal gains when acts of mass violence by individuals without ideological pretensions are responsible for far more bloodshed.

A better investment would be to shift efforts from the front end of the trajectory of radical violence to the back end. Those who have gone to Syria have identified themselves as violence-prone or at least tolerant of extreme violence. They are the most determined individuals. They may acquire additional skills while abroad. Their fanaticism may be reinforced, and any self-imposed constraints may be flattened by their experience. Intercepting them is a priority. This requires intelligence efforts and more-effective screening at ports of entry.

A number of individuals now in prison for terrorist-related crimes are coming to the ends of their sentences.¹³ In the American justice system, plea-bargaining, based on cooperation, occurs prior to sentencing. In some cases, authorities appear to have moved away from pushing for maximum sentences in terrorist crimes and are supporting comparatively more lenient pretrial arrangements and lower sentences in return for cooperation. More efforts need to be made after sentencing to de-radicalize inmates. They represent a potential danger upon release, but they also are a potential resource that can be exploited to assist in efforts to discourage others from following their path.

¹³ Michael A. Brown has raised this issue in a recent article in *The Hill*. Michael A. Brown, “What’s Next on the Convicted Terrorist’s Timeline,” *The Hill*, November 4, 2015.

Both interception and de-radicalization efforts have the advantage of smaller populations (and, in the case of inmates, a captive population) compared with the many thousands that will comprise the audience of efforts to counter violent extremism. The targets of interception and de-radicalization also pose greater immediate dangers.

Without abandoning the idea of countering violent extremism, interception and de-radicalization for now appear to be better investments.