

# WEST POINT JOURNAL OF POLITICS AND SECURITY

Volume 3, Issue 1: Spring 2025

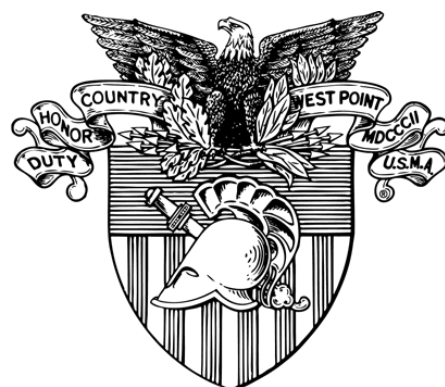


WEST POINT  
PRESS



---

# West Point Journal of Politics and Security



WEST POINT  
PRESS

Volume 3, Issue 1: Spring 2025

## ***WPJPS* Leadership**

MAJ Sara Downing (Editor); MAJ David Hilden (Deputy Editor)

### **Cadet Editors**

CDT Renee Beaubien  
 CDT Emmett Carey  
 CDT Shepherd Dzina  
 CDT Lauren Guth  
 CDT J. Mason Harris  
 CDT Valentin Shatilenko  
 CDT Madeline Spragins  
 CDT Brandon Tran

### **Faculty Reviewers**

MAJ Jacob Barnes  
 Dr. Charlotte Hulme  
 Dr. Scott Limbocker

### **Copy Editor**

Ms. Krissy Hummel

### **Contact**

Department of Social Sciences  
 United States Military Academy  
 752 Thayer Road, Mahan Hall  
 West Point, NY 10996  
 wpjps.editors@gmail.com

Visit us online: [https:](https://athena.westpoint.edu/communities/39a20621-2d04-4651-992a-7d9046af7757)

[//athena.westpoint.edu/communities/39a20621-2d04-4651-992a-7d9046af7757](https://athena.westpoint.edu/communities/39a20621-2d04-4651-992a-7d9046af7757)

*The views expressed in this journal are those of the authors and not of the U.S. Military Academy, the Department of the Army, or any other agency of the U.S. Government. The West Point Journal of Politics and Security (ISSN 2993-5940) is published by the West Point Press. © U.S. copyright protection is not available for works of the U.S. Government. However, the authors of specific content published in the West Point Journal of Politics and Security retain copyright of their individual works, so long as those works were not written by U.S. Government personnel (military or civilian) as part of their official duties.*

## Submissions

WPJPS accepts submissions from current or recent undergraduate students. WPJPS also considers the publication of work by recent graduates, provided that the work was produced while the author was an undergraduate.

All submissions should include:

- A brief cover letter summarizing the article background, overarching research question, and main contribution to existing knowledge. The cover letter should also confirm that the submitted manuscript is original work, and has not been published or submitted elsewhere for publication.
- The proposed manuscript in Word (not PDF) format, which should be between 3,500 and 5,000 words, including a 150-word abstract. For citations, please use footnotes in Chicago Manual of Style, 18th Edition. (<http://www.chicagomanualofstyle.org/>).
- A copy of the author's CV.

Submissions should be sent to the editors at [wpjps@westpoint.edu](mailto:wpjps@westpoint.edu).

# West Point Journal of Politics and Security

Volume 3, Issue 1

Spring 2025

## TABLE OF CONTENTS

<b>COWBOYS OF THE WILD EAST: THE WAGNER GROUP AND ITS IMPACTS ON THE PRIVATE MILITARY CONTRACTOR INDUSTRY</b>	<b>1</b>
<i>NOAH SANDFORT (SWARTHMORE COLLEGE)</i>	
<b>POLARIZED DEFENSE: THE NDAA IN AN ERA OF PARTISAN POLARIZATION</b>	<b>12</b>
<i>KIJANA E. KNIGHTS (US MILITARY ACADEMY)</i>	
<b>IN ONE EAR AND OUT THE OTHER? ELECTORAL ISSUE SALIENCE AND ELITE WITHDRAWAL FROM THE IRAQ WAR COALITION</b>	<b>27</b>
<i>ZACH FOTIADIS (GEORGETOWN UNIVERSITY)</i>	
<b>THE INCOMPATIBILITY OF THE TRIPLE-E SENATE REFORMS IN CANADA</b>	<b>45</b>
<i>STEPHANIE L. HASTICK (YORK UNIVERSITY)</i>	
<b>HORRORS AT HOME: ASSESSING THE ISLAMIC STATE'S STRATEGY TO ATTACK FRANCE AND BELGIUM FROM WITHIN</b>	<b>55</b>
<i>GIACOMA G. KOKOTAKIS (GEORGETOWN UNIVERSITY)</i>	
<b>ON TARGET: PREDICTING WHETHER DEFENSE-RELATED LEGISLATION WILL FOLLOW ITS INTENDED PURPOSE</b>	<b>72</b>
<i>DANIEL VRABLIC (US MILITARY ACADEMY)</i>	

# Cowboys of the Wild East: The Wagner Group and its Impacts on the Private Military Contractor Industry

June 30, 2025

Noah Sandfort, Swarthmore College <sup>1</sup>

## Abstract

Since its emergence on the world stage, the Wagner Group<sup>2</sup> has complicated the operations of actors across the security, humanitarian, and human rights spaces the world over, while leaving a trail of destruction wherever it has deployed. The purpose of this paper is to examine the Wagner Group itself and the issues that it has highlighted in both the fields of Western foreign policy and existing approaches to governance over the growing private military contractor (PMC) industry on the part of the wider international community, before offering a selection of potential policy items for addressing the above outlined weaknesses. I find that the Wagner Group's unclear relationship with the Russian state, combined with its poor human rights record, make it an object of significant concern to those involved with security, humanitarian, and human rights issues alike. Further, its prominence within the contemporary security landscape shows both the lack of adequate enforcement options under current governance frameworks within the PMC industry, and the failure of the United States and its allies to proactively engage in the Sahel region. To address these shortcomings, I recommend a combination of a stringent unified licensing apparatus, with particular attention paid to corporate revenue streams and financial structures, stronger options for accountability in cases of violation of legal norms on the part of PMCs for the international community, and a recommitment to cooperation in security partnerships on the part of the West to address demand-side issues arising from dissatisfaction among partnering states with current approaches.

---

<sup>1</sup>Noah Sandfort is a graduating senior at Swarthmore College, pursuing a double major in political science and economics. He has previously served as a research assistant to Swarthmore's political science department and to the Foreign Policy Research Institute's national security program, focusing on subjects including Russian hybrid and information warfare strategies, and Chinese overseas engagement strategy. He is originally from Lafayette, Colorado.

<sup>2</sup>At the time this article was written, the group was known as the Wagner Group, though it was later rebranded / renamed / replaced with the Africa Corps name.

# 1 Introduction: A Novel Tool for the Russian Approach to Warfare

On February 24, 2022, the world watched in horror as columns of Russian armored vehicles rolled over the Ukrainian border in what Putin termed a “special military operation” aimed at “denazifying” the democratically elected government in Kyiv. In the over a year and a half since (as of the time of writing), the Russo-Ukrainian War has raged on unabated as the first large-scale conventional conflict of the century, having cost the lives of an estimated 190,000 combatants and 30,000 civilians<sup>3</sup> (Cooper et al. 2023). Accounts of the war are replete with tales of Russian malice and brutality thwarted only by Ukrainian spirit and ingenuity, in defiance of the dismal odds initially given by analysts. One defining trend throughout the conflict has been the deployment of private military contractors (PMCs) by the Russian Federation at a scale unprecedented for the post-Cold War era. The most prominent of these outfits, the Wagner Group has recently risen to household status thanks to its penchant for brutality and its unsuccessful June 2023 *coup d’etat* attempt.

But Wagner’s existence predates the 2022 invasion by almost a decade, and its role as a covert tool in the Kremlin’s foreign policy arsenal stretches far beyond the Ukrainian theater. Owing to both its murky relationship with the Russian state and its regular military operations, as well as its blatant disregard for international humanitarian and human rights norms, the Wagner Group brings with it concerning implications for actors within security, humanitarian, and human rights circles alike. Further, the fact that it has risen to such prominence in the contemporary security landscape has highlighted extensive cracks in contemporary regulation of the burgeoning PMC industry on the part of both the United States and the international community writ large. In this paper, I will offer background into the nature of the Wagner Group and its activities before exploring the implications carried by its continuing operation, existing frameworks laid out by the international community for governing the PMC industry and their shortcomings, and potential measures for both the United States and its allies, and the United Nations as a whole, for addressing the threats posed both by the Wagner Group, and the greater PMC industry.

## 2 Background: A Russian Oligarch-backed “Private” Military Contractor

The Wagner Group was first founded in 2014 as a consolidation of several other Russian PMC outfits, most notably Moran Group and Slavonic Corps. The group’s primary figurehead and business leader until June 2023 was Yevgeny Prigozhin (June 1, 1961 - August 23, 2023), a Russian oligarch with organized crime connections who became a close friend of Putin’s via his work in the restaurant and catering industries (Murphy 2023). According to investigative

---

<sup>3</sup>Helene Cooper, Thomas Gibbons-Neff, Eric Schmitt, and Julian Barnes, “Troop Deaths and Injuries in Ukraine War Near 500,000, U.S. Officials Say,” *New York Times*, August 18, 2023; “Ukraine: Civilian Casualty Update 11 September 2023,” United Nations Human Rights Office of the High Commissioner, September 11, 2023.

journalism group Bellingcat, the senior military commander of Wagner was believed to be Dmitry Utkin (June 11, 1970 – August 23, 2023), an ex-GRU Spetsnaz veteran and open neo-Nazi (the group's name, "Wagner," is a reference to Richard Wagner, Hitler's favorite composer(Bellingcat Staff 2020)). Prior to the 2022 invasion, the group is believed to have employed between 2,500-5,000 fighters, with the closest estimate coming in at 3,602 thanks to a 2018 leak of a then-recent payroll document(Marten 2019). This original cadre was largely composed of veterans from both the Russian military and various nationalist militias who fought across a wide array of post-Soviet conflicts(Sukhankin 2020). Today, the group has swelled immensely thanks to its policy of recruiting convicts to fight in exchange for clemency, with 2023 estimates placing the group's peak membership at 50,000 fighters(Morning Edition 2023). Wagner has been observed operating significant quantities of equipment far more advanced than is typical for a PMC, including T-72 main battle tanks, Mi-24 helicopter gunships, and a wide array of armored personnel carriers and artillery systems. Since 2014, it has fought across a wide array of contexts, including Syria, the Central African Republic (CAR), Mali, Sudan, and now in Ukraine, in support of both Russia-friendly leaders, and at times the Kremlin's own uniformed forces (ibid.). In return, many host governments pay in the form of natural resource extraction allowances such as for gold and diamonds, which the group in turn utilizes to finance its operations(Pokalova 2023).

Following Prigozhin's failed mutiny, the group has found itself amid an immense organizational shake up. The Kremlin appears to be in the process of scaling back the group's operations, forcing it to surrender much of its heavy equipment, and offering mercenaries that did not participate in the attempted coup the opportunity to sign contracts with the regular Russian Armed Forces(Clarke 2023). Prigozhin himself was initially exiled to Belarus, before reportedly being killed alongside several other members of his inner circle when his private jet crashed under suspicious circumstances in Russia's Tver region on August 23, 2023. Putin seems to believe in the group's continued utility in some capacity, however, with varying reports discussing the appointment of a new leader to replace Prigozhin and the continued expansion of the group's operations in Africa. However, owing to new evidence in the aftermath of the Wagner coup, the Kremlin will likely be forced to take more direct responsibility for its role in the group's operations moving forward.

Although Wagner has historically sought to present itself as a PMC, a mounting body of evidence points toward inaccuracies in this designation. Per the International Committee of the Red Cross (ICRC),

private military security companies are private business entities that provide military and/or security services, irrespective of how they describe themselves. Military and security services include, in particular, armed guarding and protection of persons and objects, such as convoys, buildings and other places; maintenance and operation of weapons systems; prisoner detention; and advice to or training of local forces and security personnel.

In other words, PMCs are private enterprises that provide services to a client that would normally fall under the auspices of a state's own armed forces. The Wagner Group likely

fails to satisfy the “private” stipulation of this definition. On June 27, 2023, in response to the Wagner coup, Putin publicly stated that the Russian government had directly supplied Wagner with some two billion dollars over the course of the past year, and that the group had been “fully funded” by the state. Although this statement countermands his previous claim that “the Russian state has nothing to do with this (PMC Wagner),” it is merely the latest in a long string of suspect developments tying the group more directly to the Kremlin.

Wagner Group mercenaries have frequently been observed operating directly alongside the uniformed Russian army, as well as being transported on official Russian state aircraft. Similarly, they have frequently received legal treatment in line with Russia’s own regular armed forces, to the point of direct diplomatic intervention by Putin when a contingent of operatives from the group were arrested by Belarusian authorities in 2020. As a result, even years before Putin’s admission, eminent scholars on the subject were already branding Wagner as a semi-state armed group as opposed to a traditional PMC.

### **3 Brutality and Subversion: Wagner’s Threats to the International Community**

The presence of the Wagner Group on the modern battlefield brings with it widespread troubling implications in both the human rights and security domains. First and foremost, the Wagner Group has been implicated in a range of human rights abuses spanning the contexts in which it operates. In its deployments against Islamic fundamentalist insurgents in CAR and Mali, Wagner Group fighters have frequently been implicated in instances of civilian victimization. Indeed, in CAR, 70 percent of the group’s unilateral operations (that is, those independent of CAR’s own state armed forces) have targeted local civilian populations (Serwat et al. 2022). This exceeds the rate of civilian victimization on the part of the very militants that Wagner is ostensibly deployed in the country to combat (ibid.).

The exact crimes perpetrated by the group’s fighters are diverse, including extrajudicial killings, torture, forced disappearances, property crime such as burglary and looting, and rape and other forms of sexual violence (Akinwotu and Burke 2022). Similar behavior on the part of Wagner fighters has also been reported in Libya, Syria, and most recently Ukraine (Rampe 2023). A particularly publicized example of Wagner’s brutality came in 2017 when a video leaked showing members executing a Syrian conscript for desertion using a sledgehammer, torturing him by crushing his limbs before delivering the killing blow (Karadsheh 2021). The group’s practice of recruiting convicts has also been called into question on humanitarian grounds, given that these enlistments are in some cases reported to occur under duress, with alternatives to service at times being as severe as forced disappearance (United Nations Human Rights Office of the High Commissioner 2023). This, combined with the group’s brutal disciplinary practices (including frequent executions), have led the United

Nations to in some cases characterize Wagner's recruitment of prisoners as a violation of the right to life (*ibid.*).

The nature of its sub-Saharan African operations has also at times placed it directly at odds with both humanitarian groups (which have been victims of its looting) and U.N. peacekeepers, creating significant challenges for these groups in carrying out their prescribed missions. As Druet lays out in a memo written for the International Peace Institute, U.N. peacekeeping missions with a protection of civilians mandate are obligated to intervene in instances where local populations are under threat by armed actors "using all necessary means" (Druet 2023). Wagner's activities thus frequently placed it in an adversarial position to missions such as the now-discontinued UN Multidimensional Integrated Stabilization in Mali (MINUSMA) with which it shared an operational theater; in some cases this presented the risk of direct armed conflict (*ibid.*).

There are multiple dimensions of added risk associated with such an eventuality. Importantly, the Wagner Group represents a powerful foe on the battlefield. As mentioned previously, the Wagner Group is well equipped and (in the case of its African and Middle Eastern contingents at least) is largely composed of veteran fighters (Sukhankin 2020). The group has, in the past, even proved a formidable adversary for U.S. Special Forces operators, as was the case during the battle of the Deir ez-Zor natural gas plant in Syria in 2018 wherein the group was only repulsed thanks to the extensive application of U.S. air power (McFate 2020). Although U.S. forces operating in Syria at the time were well resourced enough to respond to the threat, most U.N. peacekeepers are only equipped for combat at the squad level using small arms, not adversaries with access to Wagner's equipment, manpower, and training. The general lack of resources available to peacekeepers has resulted in disasters such as the U.N. mission in Sudan's failure to uphold its mandate and defend civilians caught in the crossfire during the Battle of Juba in 2016 (Spink and Wells 2016). U.N. missions at present often simply do not have the firepower or personnel available to quickly and effectively engage a well-resourced foe, meaning that the presence of opposing actors such as Wagner has the potential to lead to significant field challenges for U.N. peacekeepers in fulfilling their missions. To counter Wagner, U.N. peacekeeping missions will be forced into a higher level of resource commitment, and both members of these missions and the civilians they are responsible for protecting will be placed in even greater danger.

On the macro scale, engagement with the Wagner Group has historically carried with it significant possibilities for unwanted geopolitical blowback. The hazy nature of the relationship between Wagner and the Russian state has obfuscated exactly who any opposing force is actually engaging with when it goes up against the group's soldiers. Although recent developments (namely, the June 2023 coup attempt) have granted a far clearer picture of Wagner's close relationship with the Russian state, previously, the propinquity of the two was largely unknown. Even though the character of the group's operations and the identities of the senior leadership tended to point toward affiliation with the Kremlin, the group's existence remained technically illegal under Russian law (which currently deems "mercenary behavior" unconstitutional) (Marten 2019). This, in turn, has meant that peacekeepers and

others have not known the extent to which they are dealing with agents of the Russian state during confrontations with the outfit. This is compounded by the fact that Wagner often deploys alongside 'advisors' from the regular Russian armed forces sent to provide training support for local actor, and who are difficult to distinguish from Wagner Group mercenaries (Druet 2023). This means that, historically, any use of force by peacekeepers against Wagner Group personnel has essentially risked use of force against members of a P5 country's military. In turn, this places peacekeepers in an incredibly precarious position, as they thereby risk the potential for Russian reprisal in their attempts to fulfill their mandates. Further, Wagner's dubious legal status means that the Russian state enjoys significant plausible deniability for the group's operations by claiming that they were acting in violation of Russian law. Thus, the Kremlin is free to utilize Wagner in capacities where the deployment of its own uniformed personnel would bring with it more serious consequences.

The lack of clarity in Wagner-Kremlin relations also leads to problems of accountability for the group's members in cases of misconduct committed by the group. Despite the extensive evidence of Russian involvement with the group, the burden of proof for charging a state in connection with a proxy or paramilitary group's actions is incredibly high. Based on precedent set in the 1986 case *Nicaragua v. United States of America*, a paramilitary can only be held as a *de facto* state organ if 1) the state paid, financed, and coordinated/supervised the group's actions, and 2) the state "specifically 'directed or enforced' the perpetuation" of IHL [international humanitarian law] violations by the group "with respect to the specific operation in the course of which [IHL] breaches may have been committed" (Kostin 2022). Although subsequent cases (namely *Prosecutor v. Tadić*) have broadened criteria for prosecuting a state to include overall control via financial and military assistance without requiring it to have specifically given an order to its proxy actor to violate IHL, this still creates a high bar for ensuring accountability (*ibid.*). Further, due to the poor legal definition of what exactly a mercenary is, definitively designating an actor as such in the eye of the law (and thereby making them subject to the penalties associated with the designation) often proves impossible in practice (Liu 2015). Therefore, historically, finding legal methods of accountability for the Wagner Group has proven difficult, as it is nearly impossible to firmly establish it as a Russian state organ or as a purely mercenary outfit, in turn closing the doors to options for prosecution specific to either typology. This gray zone has allowed the Wagner Group to operate with relative impunity with respect to IHL and, pending action on the part of the international community, may encourage copycat actors to do the same.

## 4 A Legal Wild West: The Current State of PMC Governance

The numerous avenues available to Wagner and similar entities for circumventing accountability measures represent a major threat to both peacekeeping and humanitarian missions and the integrity of human rights law within the contemporary security landscape. Although the international community has already attempted to address the issue in various capacities, such legal efforts at international PMC governance are still in their infancy and have yet to

affect significant change. At present, the most comprehensive guidance on PMC usage comes from the Montreux Document. The Montreux Document was published in 2008 at the behest of 17 states, including the United States, United Kingdom, South Africa, and Angola, and establishes a set of responsibilities and best practices pertaining to PMC utilization, including with respect to PMC conduct as it relates to IHL (Cockayne 2008). Although the practices and principles laid out within the Montreux Document are sound, it suffers from one major shortcoming: It is non-binding. Compliance with the Montreux Document is purely based on the willingness of the signatory states, and even for those who have ratified it, there is no enforcement apparatus to hold them accountable for violating it.

Since 2011, the United Nations has sponsored a working group aimed at creating a more comprehensive accountability framework for both PMCs and the states that contract their services. In its current form, the resulting instrument would affirm the conditions laid out by the Montreux Document and establish binding legal obligations for signatory states (Sizo Nkosi 2022). Although the establishment of such an instrument would certainly represent a step in the right direction, it would still suffer from the same pitfalls as those before it. For example, similar to the Rome Statute (to which many states, including the United States, Russia, India, and China, are not signatory), which established the International Criminal Court, this instrument would only have authority over those states that choose to ratify it (*ibid.*). Therefore, for revisionist states such as Russia, or for states that otherwise see themselves as disenfranchised within the contemporary global world order, there is little incentive to ratify such an instrument and thus follow its guidelines. Further, although the instrument calls for increased unification of licensing regimes across member states, it still ultimately leaves the act of establishing and enforcing licensing standards in the hands of individual states. Therefore, although the changes such an instrument would bring about to these systems would no doubt represent an improvement over the status quo, it still leaves room for jurisdictional issues and differences in local laws, which could frustrate efforts at accountability. Further, although it calls upon states to share relevant information with respect to the activities of private military contractors “with a view to ensure effective regulation of and oversight over their activities with a view to investigate and prosecute possible crimes committed by such companies and/or their personnel,” there is again little specificity regarding an apparatus by which to share said information or what specific information is to be collected (*ibid.*). In particular, no mention is made of access to corporate financial information, which is an essential piece of the puzzle in understanding how Russia has been able to utilize the Wagner Group as a means of skirting accountability for so long. It is worthy of note that an earlier 2011 draft of this convention featured provisions for a more substantive information sharing framework, including provisions for an international registry and reporting by countries on their imports and exports of PMC services (United Nations Human Rights Council 2011). However, the current incarnation appears to have largely done away with this.

Some entities within the private sector have also made similar moves in an attempt by the industry to self-regulate. The aptly named International Code of Conduct Association, for instance, is an independent certifying body that audits and subsequently endorses applicant

firms who meet its conduct standards<sup>4</sup>. Although the certification standards established by the group benefit its mission of improving PMC conduct and responsibility, the group is again hampered by the fact that participation in its apparatus is entirely voluntary. This same shortfall applies to other industry organizations whose work includes enhanced conduct and accountability measures, such as the British Association of Private Security Companies<sup>5</sup>.

## 5 Chaining the Beast: A Comprehensive Framework for Moving Forward

To bring rogue actors who use their PMC status as a smokescreen to heel, the international community must adopt a more hardline approach. I thus propose the creation of a centralized licensing regime with greater legal power. One possible method for achieving this would be a U.N.-controlled office responsible for globally certifying PMCs. This would ensure that all PMCs are governed to the same standards and offer a quick avenue for holding noncompliant actors accountable as they could simply face termination of their licenses. A loss of licensing would, in turn, effectively force them to cease operations, given that states party to this hypothetical instrument would in turn be obligated to take punitive action (e.g., economic sanctions) against those who either host or contract with unlicensed PMCs. Non-signatory states could also face certain limitations to their diplomatic power within the United Nations, such as removal from consideration for Security Council membership.

Such an apparatus would incur significant added costs in the realpolitik calculus of states either hosting or working with an unlicensed PMC. Both signatory and non-signatory states would stand to lose both significant hard and soft power should they fail to cooperate, as signatories will face legal consequences for failure to comply, while non-signatories will still pay the costs of failure to comply as their signatory partners would be obligated to impose restrictions on them in realms such as trade. Under this hypothetical version of the instrument, continued use of Wagner would create a further economic bloody nose for Russia, as signatory states that may have otherwise seen it as in their best interest to turn a blind eye to its activities would be forced to reevaluate their positions. Although such a carrots-and-sticks regime is unlikely to amount to a silver bullet given that each state's situation is unique, and as such there will still be those who see flouting this legislation as advantageous, a more directly enforceable framework as outlined above stands to alter significantly the incentive structure of working with an outfit such as Wagner.

To prevent states in the future from forming their own faux PMCs such as Wagner, this hypothetical U.N. instrument aimed at governing PMCs would also include provisions to ensure transparency in their revenue streams and corporate structures to guarantee all licensed entities are, in fact, private enterprises. Therefore, as a part of their continued licensing under this hypothetical framework, PMCs would be required to disclose detailed financial reports at frequent intervals showing both their sources of payment, and where

---

<sup>4</sup>See <https://icoca.ch/>.

<sup>5</sup>See <https://bapsc.org.uk>.

this money is being used. This would ensure that the relevant authorities have access to all necessary information for holding contracting states to account for the actions of contractors (either employed by or based within the country), and thwart future attempts by states to utilize the PMC designation as a disguise for their own proxy actors.

Of course, as the Wagner Group's expanding operations in the Sahel and beyond show, countering it on the world stage is just as much a matter of finding alternative pathways to meeting demand as it is of better regulating supply. Any sustainable solution to the problems posed by the Wagner Group (and any future copycat actors seeking to emulate it) will require addressing the underlying reasoning behind why certain states have chosen Wagner as a security partner. For the international community, and the West in particular, there are ample opportunities to roll back Wagner's influence via a reorienting of foreign policy and security arrangements to support governments in the region. Recently among the states of the Sahel, there has been a wave of discontent regarding the notion that continued engagement with traditional Western security partners represents a continuation of prior imperialist and neocolonial dynamics. Governments in countries such as Mali, and most recently Niger as a result of its military coup, are increasingly looking to non-Western sources such as the Wagner Group in search of support in combating threats in the region (e.g., Islamic militants) as a means of asserting their autonomy (Busari 2023). Although the majority of ire has been directed toward France, the resultant blowback has also jeopardized the geopolitical standing of the United States and others in the region (*ibid.*). Therefore, if the United States and its partners hope to successfully counter Wagner, they must reexamine their own current models for providing security aid to ensure that they are doing so in a manner that local partners view as sufficiently egalitarian rather than paternalistic.

## 6 Conclusion

Owing to its blatant disregard for human rights norms, and its role in obfuscating the Kremlin's activities the world over, the Wagner Group and its implications should be a cause of great concern in global security circles. On a micro scale, the group's recent successes in securing clients in the Sahel highlight current shortcomings in how the Western bloc relates to many key partners in the developing world, particularly in the realm of security cooperation. On the macro scale, meanwhile, the fact that the Wagner Group has been able to operate with such relative impunity highlights how the world at large has failed to address adequately the rise of the private military company industry, leaving it ripe for exploitation by unscrupulous actors.

As with many of today's most pressing geopolitical crises, addressing the issues posed by the Wagner Group will require a commitment to multilateral cooperation. This, of course, will not come without its own array of challenges given the sheer number of actors that must be willing to put aside their differences in the name of enhancing the overall state of global human rights. Given its substantial geopolitical gravitas, the United States must be prepared to lead the way in any future efforts at regulating the PMC industry. This will require its continued commitment to the principles of the Montreux Document (and

its ratification of any future measures adding to it). In its current incarnation, the PMC industry represents a major threat to both civilian protection efforts in war zones and the rules-based international order as a whole. As such, addressing the current shortfalls in its governance should be treated as a matter of significant priority for the international community.

## References

- Akinwotu, Emmanuel and Jason Burke (May 2022). "Russian Mercenaries Linked to Civilian Massacres in Mali". In: *The Guardian*. <https://www.theguardian.com/world/2022/may/04/russian-mercenaries-wagner-group-linked-to-civilian-massacres-in-mali>.
- Bellingcat Staff (Aug. 2020). "Putin Chef's Kisses of Death: Russia's Shadow Army's State-Run Structure Exposed". In: *Bellingcat*. <https://www.bellingcat.com/news/uk-and-europe/2020/08/14/pmc-structure-exposed/>.
- Busari, Stephanie (Aug. 2023). "Africa's Latest Coup Is a Headache for the West and an Opportunity for Russia". In: *CNN*. <https://www.cnn.com/2023/08/03/africa/africa-anti-french-sentiment-analysis-intl/index.html>.
- Clarke, Colin (July 2023). "Following Prigozhin's Aborted Mutiny, What Will Happen to the Wagner Group?" In: *Center for Strategic and International Studies*. <https://www.fpri.org/article/2023/07/following-prigozhins-aborted-mutiny-what-will-happen-to-the-wagner-group/>.
- Cockayne, James (2008). "Regulating Private Military and Security Companies: The Content, Negotiation, Weaknesses and Promise of the Montreux Document". In: *Journal of Conflict & Security Law* 13.3. <https://www.jstor.org/stable/26294643>, pp. 401–428.
- Cooper, Helene et al. (Aug. 2023). "Troop Deaths and Injuries in Ukraine War Near 500,000, U.S. Officials Say". In: *New York Times*. <https://www.nytimes.com/2023/08/18/us/politics/ukraine-russia-war-casualties.html>.
- Druet, Dirk (Mar. 2023). "Wagner Group Poses Fundamental Challenges for the Protection of Civilians by UN Peacekeeping Operations". In: *Global Observatory*. <https://theglobalobservatory.org/2023/03/wagner-group-protection-of-civilians-un-peacekeeping-operations/>.
- Karadsheh, Jomana (July 2021). "This Syrian Man Was Tortured and Murdered. His Brother Wants Justice". In: *CNN*. <https://www.cnn.com/2021/07/21/middleeast/syria-torture-russian-mercenaries-cmd-intl/>.
- Kostin, Alex (Aug. 2022). "Guest Post: 'Wagner Group Atrocities - Holding Russia Accountable Under Prosecutor v. Tadic?'" In: *Lawfire at Duke University*. <https://sites.duke.edu/lawfire/2022/08/13/guest-post-wagner-group-atrocities-holding-russia-accountable-under-prosecutor-v-tadic/>.
- Liu, Hin-Yan (2015). *Law's Impunity: Responsibility and the Modern Private Military Company*. Vol. 56. Studies in International Law. Oxford; Portland, Oregon: Hart Publishing.
- Marten, Kimberly (May 2019). "Russia's Use of Semi-State Security Forces: The Case of the Wagner Group". In: *Post-Soviet Affairs* 35.3, pp. 181–204. DOI: 10.1080/1060586X.2019.1591142.

- McFate, Sean (Apr. 2020). *Mercenaries and Privatized Warfare Current Trends and Developments*. Tech. rep. <https://www.ohchr.org/sites/default/files/Documents/issues/Mercenaries/WG/OtherStakeholders/sean-mcfate-submission.pdf>. Office of the United Nations High Commissioner for Human Rights.
- Morning Edition (Feb. 2023). “Examining the Wagner Group, a Private Military Company That Russia Has Relied On”. In: *NPR*. <https://www.npr.org/2023/02/06/1154739417/examining-the-wagner-group-a-private-military-company-that-russia-has-relied-on>.
- Murphy, Brian (Aug. 2023). “Yevgeniy Prigozhin, Russian Mercenary Leader Who Became Putin Foe”. In: *The Washington Post*. <https://www.washingtonpost.com/obituaries/2023/08/26/yevgeniy-prigozhin-putin-wagner-dies/>.
- Pokalova, Elena (July 2023). “The Wagner Group in Africa: Russia’s Quasi-State Agent of Influence”. In: *Studies in Conflict & Terrorism*, pp. 1–23. DOI: 10.1080/1057610X.2023.2231642.
- Rampe, William (May 2023). “What Is Russia’s Wagner Group Doing in Africa?” In: *Council on Foreign Relations*. <https://www.cfr.org/in-brief/what-russias-wagner-group-doing-africa>.
- Serwat, Ladd et al. (Aug. 2022). “Wagner Group Operations in Africa: Civilian Targeting Trends in the Central African Republic and Mali”. In: *ACLEDA*. <https://acleddata.com/2022/08/30/wagner-group-operations-in-africa-civilian-targeting-trends-in-the-central-african-republic-and-mali/>.
- Sizo Nkosi, Mxolisi (Oct. 2022). *Second Draft Instrument on an International Regulatory Framework on the Regulation, Monitoring of and Oversight Over the Activities of Private Military and Security Companies*. Tech. rep. <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/wgmilitary/2022-11-03/PMSCs-Second-Draft%20Instrument-Clean.pdf>. United Nations OHCHR.
- Spink, Lauren and Matt Wells (Oct. 2016). *Under Fire: The July 2016 Violence In Juba and UN Response*. Tech. rep. <https://civiliansinconflict.org/wp-content/uploads/2017/09/civic-juba-violence-report-october-2016.pdf>. Center for Civilians in Conflict.
- Sukhankin, Sergey (2020). *Russian Private Military Contractors in Sub-Saharan Africa: Strengths, Limitations and Implications*. Paris, France: IFRI.
- United Nations Human Rights Council (May 2011). *Draft of a Possible Convention on Private Military and Security Companies (PMSCs) for Consideration and Action by the Human Rights Council*. Tech. rep. United Nations Human Rights Council.
- United Nations Human Rights Office of the High Commissioner (Mar. 2023). “Russian Federation: UN Experts Alarmed by Recruitment of Prisoners by ‘Wagner Group’”. In: *United Nations Human Rights Office of the High Commissioner*. <https://www.ohchr.org/en/press-releases/2023/03/russian-federation-un-experts-alarmed-recruitment-prisoners-wagner-group>.

# Polarized Defense: the NDAA in an Era of Partisan Polarization

Kijana E. Knights\*

## Abstract

This study examines whether increased congressional polarization has diminished bipartisan support for the National Defense Authorization Act (NDAA), traditionally a bipartisan piece of legislation. Using DW-NOMINATE scores to measure polarization and analyzing House voting patterns from the 101st to 117th Congress (1989-2022), this research finds that more polarized members are significantly more likely to vote against the NDAA. The effect has intensified over time, with polarization having a stronger negative impact on NDAA support in the post-2002 period compared to earlier years. Linear regression analysis reveals that a one-unit increase in polarization score corresponds to a 0.749 decrease in likelihood of supporting the NDAA. These findings suggest that as the NDAA increasingly serves as a vehicle for non-defense policies, it becomes vulnerable to the same partisan dynamics affecting other legislation, potentially threatening its 60-year streak of passage and America's defense policy stability.

## 1 Introduction

“The annual National Defense Authorization Act . . . cleared the House in a near-party-line vote, 219-210” (Quinn 2023). This was the headline of an article covering the latest National Defense Authorization Act (NDAA) for Fiscal Year 2024 (ibid.). The NDAA is an annual must-pass bill that authorizes appropriations for the Department of Defense (DoD) and other defense-related activities as well as sets organizational policies for the armed services. By setting priorities and authorizing programs for the DoD, the NDAA is a major component of the United States' foreign policy arsenal. It has been successfully passed for 60 consecutive years regardless of the party in power.

---

\*Kijana Knights is a graduate of the United States Military Academy in 2024 who majored in American Politics. His research interests include Congress, polarization, and defense policy.

There were two areas of disagreement in the 2024 NDAA: a proposed change to the DoD's abortion policy and a ban on the DoD paying for transition surgeries and treatments for transgender servicemembers (Mitchell and Dress 2023). The roll call vote was split almost perfectly along party lines, only four Democrats and four Republicans voted against the majority of their party (Quinn 2023). A few years ago, such a vote breakdown would have been unheard of. However, the NDAA has increasingly become a lightning rod for polarized politics. Polarization has impacted every aspect of American life. This is exemplified by Congress' decreasing effectiveness, local government officials aligning with the president on national-level policies, and the increased ideological alignment of the parties.

As polarization in Congress has increased and the parties have become more polarized, members have fewer avenues to pass substantive bills. This has resulted in decreased legislative output in terms of the number of bills because non-defense-related policies are being attached to major must-pass bills such as the NDAA. This makes the traditionally bipartisan NDAA less resilient to partisanship and a target for strategic disagreement. This leads to this paper's core question: Has increased polarization in Congress resulted in decreased bipartisan support for the National Defense Authorization Act? The results of this research support the hypothesis that increased polarization, measured using the absolute value DW-NOMINATE dimension 1 scores, has resulted in the more polarized members of the House of Representatives voting against the NDAA, and this effect is becoming more prevalent over time.

## 2 Literature Review

*Contemporary Polarization Theory.* Polarization in political science is defined as when the public and its leaders have become divided into two distinct groups (N. M. McCarty 2020). Broadly, polarization can be categorized in three ways: policy polarization, ideological polarization, and partisan polarization (ibid.). Policy polarization is defined as the condition in which extreme views on a matter have become more commonplace. This means that the discussions on any given policy are divided on a bimodal distribution on a liberal-conservative spectrum (ibid.). Ideological polarization refers to the increasing ideological distance between the two major parties (relatedly, others have noted an increasing frequency of voters identifying as being liberal or conservative, as opposed to identifying as centrists) (ibid.). Partisan polarization in the American political system describes the phenomenon by which polarization is organized around parties leading to the ideological divergence between the Democratic and Republican parties (ibid.). For example, a system is more polarized on a partisan dimension if liberals primarily identify with one party and conservatives identify with another and there is little crossover between the two. This results in decreased ideological overlap between the two parties, resulting in less compromise when legislating (Hare and Poole 2014).

A different approach to contemporary polarization discusses the origin of voter policy preference gaps. Partisan sorting theory posits that voters do not have enough information to have an informed opinion on any given issue. Therefore, instead of voters switching their

party to match their ideology and ideologically sort, voters switch their ideology to match their party and sort on partisan lines (Levendusky 2010). Dan Wood and Soren Jordan find that the Ronald Reagan presidency (1981-1989) was the start of modern polarization because Reagan attacked the New Deal social contract and consensus (Wood and Jordan 2017). Consequentially, voters who were born in the 1960s and came of age during the 1980s are more likely to sort than older voters (Levendusky 2010). This has resulted in voters who are more loyal to their party, making parties more ideologically homogenous, which in turn forces candidates to take more extreme positions in order to win primary elections (Abramowitz 2018). These forces combine to create a negative feedback loop of partisan, party, and elite polarization.

*Congressional Polarization.* Congress has seen drastic changes because of the polarization of the elites and the electorates with tangible consequences for policymaking. However, before discussing the consequences of congressional polarization, it must be quantified and measured. DW-NOMINATE is a statistical model that measures the ideological positions of members of Congress based on their roll call voting behavior (*Voteview — About Us* 2024). The higher the score, the more conservative the legislator; the lower the score, the more liberal the legislator. There are two dimensions of the DW-NOMINATE score. The first-dimension score measures ideology on a traditional economic and role-of-government scale. This means that liberals on this scale support larger government and more conservative members support less government. The second-dimension score measures differences within one party on the social issues of the time (*ibid.*). Poole in 2017 notes that the second dimension has collapsed onto the first dimension, meaning that intra-party splits on social issues are rare (*voteviewblog* 2017). Calculating the average members' scores allows for a comparison of levels of polarization in Congress across time. Nolan McCarty found that polarization in Congress has steadily increased since the 1970s and the pace of polarization has only accelerated (N. McCarty 2017). He measured this by taking the difference in the average DW-NOMINATE score for Republicans and compared it to the average score for Democrats. McCarty also found that increased polarization is not uniform across both parties. In the House of Representatives specifically, Republicans have increasingly become more polarized while Democrats' DW-NOMINATE scores have remained relatively stable since the 1940s (*ibid.*).

Research by Mansbridge and Martin found that Congressional polarization began in the 1970s, based on an analysis of the average distance between members' ideologies using DW-NOMINATE scores (Mansbridge and Martin 2016). Their research finds that Congress in 2016 was at its highest levels of polarization since 1886 and that the levels of polarization only continue to rise (*ibid.*). While many theories attempt to explain the cause of this phenomenon, they can be grouped into two main schools of thought: bottom-up polarization and top-down polarization.

Further analysis of DW-NOMINATE scores shows that there was a convergence of the ideological scores of the parties between 1940 and 1970 (Hare and Poole 2014). After this point, DW-NOMINATE scores diverge in both chambers; however, the House's divergence is

more drastic (*ibid.*). This is proven in research by Poole that measures the fit of congressional voting on issues of abortion, gay rights, gun control, and immigration for DW-NOMINATE scores calculated on both dimensions (*ibid.*). Poole found that first-dimension scores fit member roll call voting from 1973 to 2009 because beliefs on these issues have condensed onto a liberal-conservative dimension. However, instead of the masses polarizing, it is the politically informed elites who are polarized, while the moderate middle becomes increasingly politically inactive (*ibid.*).

When each party can hold and claim a distinct position on an issue such as abortion, voters can easily decide which party they want to vote for based on its stance on that issue. Outcomes of House elections are no longer tied to how well or poorly an individual member of Congress provides constituent services and resources but to the party makeup of their district (Abramowitz 2018). This incentivizes members of Congress to focus on national policy in line with the view of the President and the national party instead of local and state concerns.

Party polarization in Congress has also resulted in increased gridlock, decreased congressional power, and less effective policymaking in all policy areas because of increased incentives for legislators to engage in brinkmanship when parties are united and governments are divided (Mansbridge and Martin 2016). Polarization makes it harder to build legislative coalitions necessary to enact new policies. It also exacerbates the difficulty of bipartisan cooperation and decreases Congress' legislative capacity (N. McCarty 2007). This decreased legislative capacity is being replaced by strategic disagreement.

Strategic disagreement is another way polarization leads to legislative stagnation. Strategic disagreement is a situation in which a president, party, or political actor refuses to compromise with the opposite party in order to gain an electoral advantage (*ibid.*). McCarty contends that strategic disagreement is becoming a more prevalent method of political discourse (*ibid.*). In the absence of legislative action, the executive branch is empowered to circumvent traditional legislative functions through executive orders (*ibid.*). Presidents are now more likely to take unilateral action rather than follow the legislative process due to polarization (Mansbridge and Martin 2016).

The impact of political parties on electoral politics is well documented by political scholars. In the past, scholars called for increased polarization of the parties to enable an ideologically cohesive majority to govern and give Americans distinct vote choices (**apsr1950summary**). However, this potential benefit is negated when control of the executive and legislative branches is split, an increasingly common occurrence in American politics (N. McCarty 2007). When this happens, it is assumed that bargaining will occur between party leaders, but when there are increased policy differences between elites, there are fewer compromises that both parties will accept. This increases the likelihood of brinkmanship in negotiations, making compromise unlikely (*ibid.*).

### 3 Defense Policy, Foreign Policy, and Polarization

Defense policy is traditionally resistant to partisan conflict because of the bipartisan support needed to address and combat security threats. While a nation must have a healthy debate about its place in the world, a polarized environment prevents the nation from making rapid decisions which in turn could have global repercussions. The discourse over defense policy has traditionally been bipartisan. When the nation is under attack or faces an external threat, partisan politics are put aside for a time to allow the president to act decisively.

Senator Arthur Vandenberg is famously quoted as saying that “politics stops at the water’s edge” (*U.S. Senate: Arthur Vandenberg: A Featured Biography* 2024). However, this does not mean that there is consensus in Congress on the conduct of defense policy. Congress is constitutionally mandated to be actively engaged in foreign policymaking by controlling appropriations, confirming ambassadors, and approving treaties. Conversely, the president is empowered to be the commander in chief of the Armed Forces, receive foreign diplomats, and recommend ambassadors for approval by the Senate. Because of the increasing complexity of issues and the post-World War II national security state, the executive branch has gradually gained power in defense policymaking. This results in the executive branch being energetic and proactive in defense policy, leaving Congress only to react to its actions. This dynamic leaves America’s defense policy vulnerable to partisan politics because of the effects of congressional polarization. Defense policies may be supported or opposed based on the electoral incentives that arise from strategic disagreements with the president and not on the merits of the policy itself.

The NDAA is considered defense policy because it defines and influences how the nation confronts foreign danger utilizing armed force. The founders defined defense policy as a policy that is focused on “security against foreign danger” (Deering 2005). Foreign policy is defined as “intercourse with foreign nations” (ibid.). The former would be dominated by the legislative branch because of its serious consequences while the latter would be controlled by the executive branch to ensure one voice represented the nation to the outside world. This is why the president is empowered by the Constitution to make treaties, appoint ambassadors, and receive foreign ambassadors and ministers. In the realm of national security, the president is only constitutionally charged to be the commander in chief (ibid.). Conversely, Congress is given authority to declare war, establish an army and a navy, control immigration, and regulate foreign commerce (ibid.). Ideally, this results in the dominance of Congress in the realms of defense and commerce and the dominance of the executive branch in diplomacy. Even in the president’s diplomatic role, Congress would function as an active advisor and critic because of the constitutional requirement of senatorial consent on appointments and treaties. This division of labor between the two branches no longer holds. The president now dominates foreign and defense policy, and Congress’ defense policy power has decreased drastically (ibid.). This has forced Congress into a reactive role and shifted authority to the president (ibid.). Overall, this combines foreign policy and defense policy into a singular entity that is dominated by the national security presidency.

Congress' relationship is now deferential to the executive branch in defense policy, and this deference constrains its options to act in this space. One of the first factors that affects post-World War II congressional behavior is public threat perceptions. When Americans believe that the country faces an external threat, they believe that the president must decisively lead, and congressional dissent is unacceptable (Lindsay 2003). Members of Congress lean into this and allow the president to take the political risk of combating an external threat and the potential backlash that could follow. Decision-making power during the Cold War shifted multiple times between congressional and presidential power with presidential power climaxing in 1960 and culminating in the imperial presidency during the Nixon administration (ibid.). However, as public opinion on the Vietnam War shifted, the need for congressional reassertion of defense policy power became evident. Taking advantage of the unpopularity of the Vietnam War, Congress was able to retake some power in defense policymaking. A second factor in determining decision-making power in defense policy is the success or lack thereof of the president's defense policy (ibid.). If a president has a track record of successful foreign policy, Congress is more deferential to him to continue to exercise power, resulting in the preservation of presidential supremacy in defense policy (ibid.).

On the opposite end of congressional deference is congressional defiance. Congressional defiance was born out of a lack of public knowledge of defense and foreign policy issues (ibid.). When Americans were asked to name a foreign policy issue that worried them in 1998, the most common response was "don't know" (ibid.). This lack of public awareness reduced the electoral risks posed to members of Congress who disagreed with the president because the public did not have clearly defined policy preferences.

Not only does polarization increase the amount of special interest influence in foreign policy, there are also tangible challenges that have arisen from it. Kenneth Schultz believes that four challenges have arisen from increased polarization that makes it difficult for the United States to conduct foreign policy (Schultz 2017). These new challenges are highlighted in this quotation:

It is more difficult to get bipartisan support for ambitious or risky undertakings, particularly the use of military force and the conclusion of treaties. It is hard to agree across parties on the lessons of foreign policy failure, therefore complicating efforts to learn and adapt. The risk of dramatic policy swings from one administration to another of the opposite party complicates our ability to make long-term commitments to allies and adversaries. If dramatic swings become the norm, allies and adversaries will expect volatility. The fourth and final peril of polarization is that few, if any people anticipated prior to 2016: The vulnerability to foreign intervention in our political system (Schultz 2017).

The first and second challenges are caused by polarization. Strategic disagreements exacerbate a lack of bipartisanship in foreign policy. The inability to get bipartisan support results in the president being incentivized to act unilaterally. While presidential unilateral action is expedient, it can inject partisanship into decisions that may be unpopular politically but necessary for the successful conduct of foreign policy such as military deployments. However, without congressional consent, the president incurs electoral risk alone and Congress

can strategically disagree and benefit electorally. This matters because when the president acts alone, it leaves few levers for Congress to express its opinion on a foreign policy decision. The NDAA, by nature of being an annual must-pass bill, has become one of these levers.

*The National Defense Authorization Act.* Since 1961, a National Defense Authorization Act (NDAA) has been passed and signed under both Democrat and Republican majorities and presidents (Thornberry 2021). This piece of legislation authorizes appropriations for the Defense Department and establishes defense policies and restrictions based on congressionally established requirements. It does not provide any money to be spent as with appropriations bills (Congressional Research Service 2024). For a new ship to be built, the NDAA must authorize the ships to exist, then a defense appropriations bill gives to money to build the authorized ships. This isolates the NDAA as solely a priority and policy-setting bill. The path to pass an NDAA is a clearly defined process that traditionally involves compromise between both parties and both chambers. Examples of mechanisms within the process that incentivize compromise and collaboration are the months of hearings, committee markups and amendments, and full debate and amendments by the full House and Senate (Thornberry 2021). After both chambers pass their respective bills, a conference committee is appointed to debate and reconcile differences between the two (ibid.). The final conference report is sent back to both chambers and if passed is sent to the president. In modern congressional policymaking, this is an extremely rare show of bipartisanship.

The NDAA is Congress' primary method to shape the defense policy that, as established previously, is now dominated by the executive branch. This fact, paired with its consistent passage, has made it a vehicle for non-defense-related bills to be passed. An example cited by Congressman Mac Thornberry is the 2019 NDAA "granting paid parental leave to all federal employees" (Thornberry 2021). He describes the NDAA as "a sturdy ox" pulling a legislative wagon on which a lot of legislative baggage is carried. He concludes in his essay that the NDAA remains bipartisan because of its 63-year streak of being signed into law: Members know that there must be an NDAA passed every year, therefore they are incentivized to compromise (ibid.). Each NDAA offers a member to advance their priorities, and no member wants to be responsible for destroying the last vestiges of good governance (ibid.). Generally, the consensus around this process and the bill is based on the fact that both political parties generally support America being engaged in world politics that is enabled by a strong military. The NDAA is now being drawn into partisan conflict, leading to decreased bipartisan vote totals. The lack of other vehicles for Congress to express its opinion on defense policy has caused this "legislative wagon" to begin to collapse, slowly forcing it into the mud of partisanship and polarization.

## 4 Research Design

The objective of this quantitative analysis is to determine if increased polarization is resulting in less bipartisanship in NDAA roll call votes.

- **Hypothesis 1:** More polarized members of Congress are more likely to vote against the NDAA.

- **Hypothesis 2:** Polarization has increased over time, exacerbating the negative vote effect on the NDAA.

To test these two hypotheses, this study conducted an ordinary least squares regression analysis and logistic regression using the equation below where “vote” is an individual member vote on the NDAA,  $\beta_1$  is the absolute value of dimension 1 DW-NOMINATE scores for members of Congress,  $\beta_2$  is the sum of variates, and  $\varepsilon_i$  is the standard error:

$$Vote_i = \beta_1|Dimension1| + \beta_2X_i + \varepsilon_i$$

*Dependent Variable.* The vote variable represents the vote outcome of the NDAA. In the dataset, a yes vote on the NDAA is coded as “1” and a no vote is coded as a “0.” The dataset covers the 101st Congress to the 117th Congress, corresponding to the calendar years 1991 to 2023. The votes are based on congressional roll call voting in the House on the final conference report.

*Independent Variables.* The polarization score variable, —Dimension1—, is interpreted as how polarized a member is regardless of ideology. DW-NOMINATE gives an individual member’s partisanship from -1 to 1. From this, the ideology and level of partisanship can be derived. When the absolute value is taken, this indicates how polarized an individual member is regardless of party. A score of 0 means a member is not polarized and a score of 1 means the member is extremely polarized.

*Control Variables.* The *Intra-Party Conflict* variable, —Dimension2—, is interpreted as how a member splits with their party. Dimension 2 of DW-NOMINATE is interpreted as intra-party conflict on social issues of the day that cut across party lines. For example, from the late 1930s to 1970s this dimension picks up the party conflict over the civil rights movement. The *Effectiveness* variable is the ratio of the legislative effectiveness score to the benchmark score from each member of Congress. It captures the ability of a legislator to advance their policy priorities through Congress and into law. When used in conjunction with a legislator benchmark score, they are above expectations if the ratio between their LES is greater than 1.50. A member meets expectations if the ratio is between .50 and 1.50. A member is below expectations if the ratio of their LES to their benchmark score is less than .50. This metric was developed by the Center for Effective Lawmaking.

The *Party* variable controls whether a member of Congress is a Democrat or not. If the value is 1, the member is a Democrat; if the value is 0, the member is a Republican.

The *Party in Power* variable controls if a member is in power at the time they vote for the NDAA. If the value is 1, the member is in the majority at the time of their vote; if the value is 0, the member is within the minority at the time of their vote.

The *Majority Party Leadership* variable controls if a member of Congress is within the leadership of the majority party. If the value is 1, the member is a majority party leader; if the value is 0, the member is a not majority party leader.

The *Minority Party Leadership* variable controls if a member of Congress is within the leadership of the minority party. If the value is 1, the member is a minority party leader; if the value is 0, the member is not a minority party leader.

## 5 Results and Discussion

*NDAAs Support Trends.* This research aims to find if polarization is causing more no votes on the NDAA, and finally, if this effect is increasing over time. First, a baseline of trends of NDAA support must be established. From the Fiscal Year 1991 NDAA (1990) to the Fiscal Year 2023 NDAA (2022), the average percentage of “yea” votes on the NDAA is 81.77%. When broken down by party over the same period, Democrats have an average support level of 76.39 and Republicans have an average support level of 83.07. Table 1 shows the average support from the 101st to 117th Congress. Overall, this shows that the NDAA has been a reliable source of bipartisanship during the studied period. Some outliers of support from both parties are the Democrats’ support in the 111th Congress and the Republican lack of support in the 101st. One condition that may have affected Republican support is presidential disagreement over the bill. The must-pass nature of the NDAA and the lack of a congressional majority may have forced President Bush to sign the Fiscal Year 1990 NDAA. Historical research finds that President Bush had major reservations about signing the bill. Areas of contention included the reduction of presidential authority to conduct foreign policy negotiations and the lack of funding for the Strategic Defense Initiative (*Statement on Signing the National Defense Authorization Act for Fiscal Year 1991 — The American Presidency Project* 1991). A possible explanation for the outlier of Democrat support and Republican opposition in the 111th Congress is the inclusion of hate crime legislation; this was extensively mentioned by Ranking Member of the House Armed Services Committee, Representative McKeon (Armed Services Republicans 2009). Figure 1 highlights the percentage of support by the party and the president in power at the time.

Congress	Year	Democrat Support (%)	Republican Support (%)
101	1989-1990	81.10%	37.57%
102	1991-1992	78.99%	75.63%
103	1993-1994	92.13%	31.38%
104	1995-1996	48.43%	85.78%
105	1997-1998	65.50%	91.90%
106	1999-2000	84.73%	96.72%
107	2001-2002	77.75%	98.37%
108	2003-2004	85.24%	99.76%
109	2005-2006	84.10%	99.55%
110	2007-2008	83.41%	97.68%
111	2009-2010	88.15%	59.10%
112	2011-2012	54.30%	84.40%
113	2013-2014	55.21%	85.84%
114	2015-2016	77.87%	97.27%
115	2017-2018	70.37%	97.39%
116	2019-2020	83.08%	87.20%
117	2021-2022	88.28%	86.63%
Average		76.39%	83.07%

Table 1: Average NDAA Support by Party

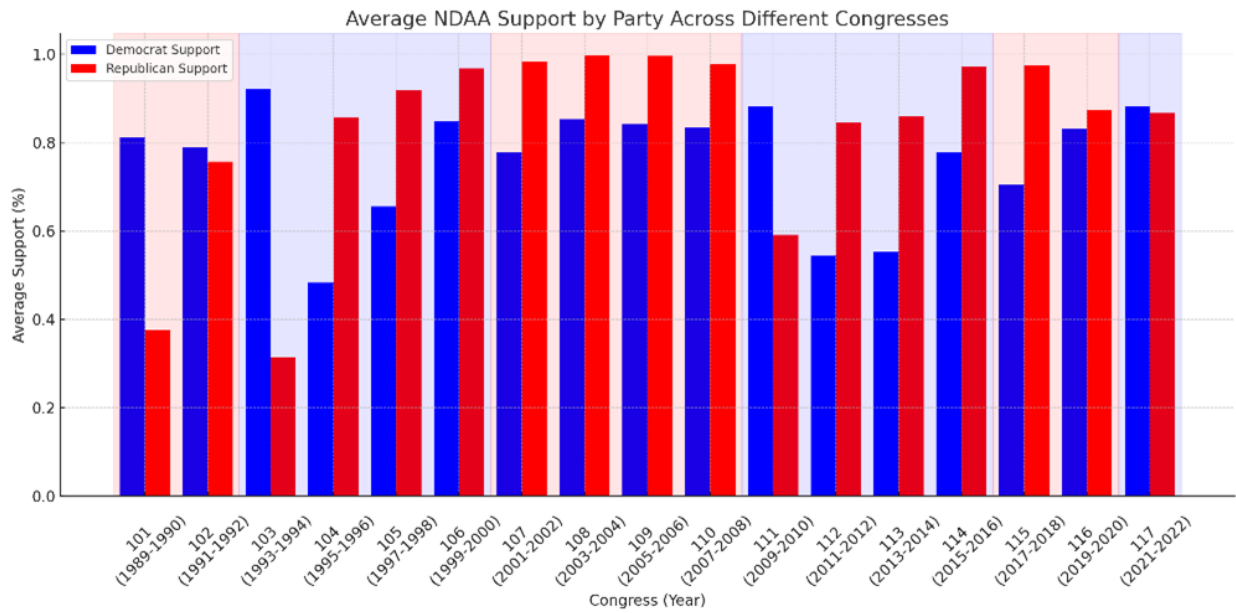


Figure 1: Average NDAA Support by Party Across Different Congresses

*Polarization Trends.* This study looks at two time periods that are demarcated by the end of public support for the war in Iraq. This is based on a Gallup poll on the question “Do you favor or oppose the U.S. war with Iraq?” (Gallup.com 2007). Public support for the war in Iraq flipped to a plurality in November 2004, marking the end of public consensus on support for the war in Iraq as a major part of the Global War on Terror (GWOT) (ibid.). The post-consensus split attempts to filter out the ‘rally around the flag’ effect that occurred after 9/11 and in subsequent military operations. Figure 2 shows the distribution of members’ partisanship. This is calculated using the absolute value of the dimension one DW-NOMINATE scores. Taking the absolute value removes the liberal-conservative scale from dimension one DW-NOMINATE scores and measures how polarized an individual member is. Figure 2 shows that the House of Representatives is becoming more partisan over time using this pre- and post-consensus GWOT split.

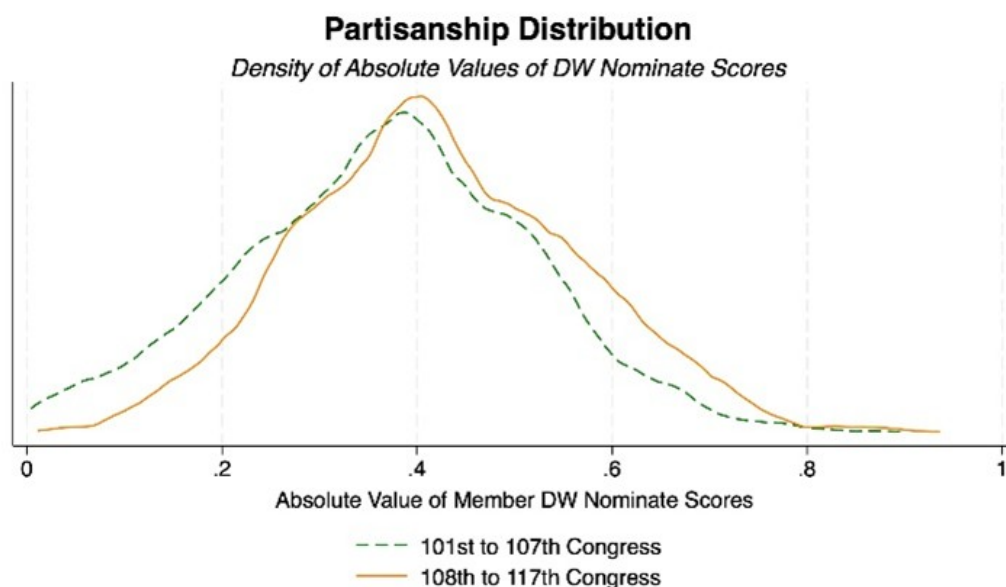


Figure 2: Partisanship Distribution

*Increased Polarization and Decreased NDAA Support.* To support hypothesis 1, a linear regression was run to assess the impact of elite polarization in the House on the likelihood of voting for or against the NDAA after controlling for intra-party conflict, party, party in power, majority party leadership, minority party leadership, and effectiveness. Table 2 shows the results of that regression. First, a one-unit increase in the polarization score of a House member is associated with a -0.749 decrease in voting for the NDAA. This means that as a member gets closer to 1 on the polarization score scale, they are more likely to vote against the NDAA. Another result of note is that Democrats are more likely to vote against the NDAA. Both results are statistically significant at the 0.01 level. The 99% confidence interval for polarization score ranges from -0.792 to -.707 and does not include zero. This means that this effect is very likely to not be due to random chance. A surprising effect

is that legislative effectiveness has little to no effect on a member voting on the NDAA and is not statistically significant. Overall, this model explains 15.7% of the variance in House members' votes on the NDAA. This is an acceptable level of explanatory power in social science research because most of the variables are significant (Ozili 2022). Overall, the model is statistically significant as shown by the F Statistic.

Table 2: OLS Regression Results

	<b>Dependent Variables</b>
<b>Constant</b>	<b>1.16*</b> (0.01) [1.14, 1.19]
<b>Polarization Score</b>	<b>-0.749*</b> (0.021) [-0.792, -0.707]
<b>Intra-Party Conflict</b>	<b>-0.347*</b> (0.015) [-0.377, -0.317]
<b>Party (1=Democrat)</b>	<b>-0.124*</b> (0.007) [-0.104, -0.079]
<b>Party in Power</b>	<b>0.168*</b> (0.006) [0.156, 0.181]
<b>Majority Party Leadership</b>	<b>-0.081*</b> (0.021) [0.038, 0.124]
<b>Minority Party Leadership</b>	<b>-0.012*</b> (0.002) [-0.029, -0.054]
<b>Legislative Effectiveness</b>	<b>-0.006</b> (0.002) [-0.012, -0.002]
Observations	13,291
R <sup>2</sup>	0.157
Adjusted R <sup>2</sup>	0.156
Residual Std. Error	0.354 (df = 13283)
F Statistic	283.941* (df = 6; 13284)

Robust Standard Errors in Parentheses

99% Confidence Intervals in Brackets

\*p&lt;0.01

Table 2: Model with Controls

**Finding 1.** As House members become more polarized, they are more likely to vote against the NDAA.

*Is this effect getting worse?* To determine if this effect is getting worse over time, the observations were split between the 101st to 107th Congress (1989-2002) and the 108th to 117th Congress (2003-2022). These results are shown in Table 3. After splitting the period, the effect of polarization is stronger in the second period than in the first. A one-unit increase

in the polarization score is associated with a -0.877 decrease in the likelihood of a member of the House voting for the NDAA. If a member of the House's party is in power in the first period, they are more likely to vote for the NDAA, but this effect shrinks in the second period. The linear regression also shows that in the second period, Democrats were slightly more likely to vote for the NDAA but after 2002 they were more likely to vote no on the NDAA. These findings are statistically significant at the 0.01 level. Legislative effectiveness still does not significantly predict voting behavior on the NDAA. Overall, the R squared increases from the first period to the second period.

**Finding 2.** This effect of increased polarization on NDAA votes is getting worse. Polarization has a greater effect on members in the 108th to 117th Congresses than on the 101st to 107th Congresses.

Table 3: OLS Regression Results for Votes during X Congress

Variables	NDAA Vote	
	101-107	108-117
<b>Polarization Score</b>	-0.747* [0.0392]	-0.877* [0.0297]
<b>Intra-Party Conflict</b>	-0.284* [0.0258]	-0.367* [0.0215]
<b>Party (1=Democrat)</b>	0.0233* [0.0114]	-0.172* [0.00812]
<b>Party in Power</b>	0.273* [0.0119]	0.104* [0.00789]
<b>Majority Party Leadership</b>	0.140* [0.0144]	0.0655* [0.0173]
<b>Minority Party Leadership</b>	0.0666 [0.0452]	-0.0140 [0.0296]
<b>Legislative Effectiveness</b>	-0.00883 [0.00403]	-0.00188 [0.00366]
<b>Constant</b>	0.977* [0.0233]	1.331* [0.0173]
Observations	5,401	7,890
R-squared	0.177	0.193

*Note:* Robust Standard Errors in Brackets.  
\*p<0.01.

Table 3: Regression Results Across Earlier, Later Sessions of Congress

## 6 Conclusion

This research finds that as members of the House become more polarized, they are more likely to vote against the National Defense Authorization Act and that this effect is getting worse. Future studies of this issue could use Representative Thornberry's legislative wagon dynamic to quantify the attachment of non-defense-related bills to the NDAA. It is possible that as the page count of the NDAA or as more non-defense related bills are included in the

NDAA, more members are more likely to vote against it. Additionally, research shows that the Senate is less polarized than the House, but as the more deliberative body of Congress, this effect could be less. Additionally, instead of looking at the final conference report, a study could look at the votes on the first bill presented to the House. Lastly, future research could analyze the effects of conflict around the world on the House voting for or against the NDAA. A hypothesis for this is that as conflict around the world increases, more members vote for the NDAA.

This research has implications for national security and legislative policymaking. Since the NDAA is a must-pass bill as discussed previously, members feel more willing to vote for it. This leaves it open to extraneous amendments and measures placed into it. If this trend continues and the House continues polarizing, there may come a year in the future in which the streak of passage is broken. This could send signals of weakness to our enemies and damage the morale of members of the military. The NDAA in the past has been used as a vehicle to increase pay, improve quality of life, and address sexual assault. To service members, an inability to pass the annual NDAA indicates the House is too polarized to care about the well-being of the military. Future leaders of the House must ensure that the legislative wagon of the NDAA does not collapse.

## References

- Abramowitz, Alan I. (2018). *The Great Alignment: Race, Party Transformation, and the Rise of Donald Trump*. Yale University Press. DOI: 10.2307/j.ctvhrczh3.
- Armed Services Republicans (Oct. 2009). *McKeon Statement in Support of the Conference Report for the National Defense Authorization Act for Fiscal Year 2010*. <https://armedservices.house.gov/news/press-releases/mckeon-statement-support-conference-report-national-defense-authorization-act>.
- Congressional Research Service (Feb. 2024). *Defense Primer: The NDAA Process*. Tech. rep. <https://sgp.fas.org/crs/natsec/IF10515.pdf>. Congressional Research Service.
- Deering, Christopher (2005). "Foreign Affairs and War". In: *The Legislative Branch*. Ed. by Paul J. Quirk, Sarah A. Binder, and Annenberg Foundation Trust at Sunnylands. Institutions of American Democracy Series. New York: Oxford Univ. Press, pp. 349–381.
- Gallup.com (Sept. 2007). *Iraq — Gallup Historical Trends*. <https://news.gallup.com/poll/1633/Iraq.aspx>.
- Hare, Christopher and Keith T. Poole (July 2014). "The Polarization of Contemporary American Politics". In: *Polity* 46.3, pp. 411–429. DOI: 10.1057/pol.2014.10.
- Levendusky, Matthew (2010). *The Partisan Sort: How Liberals Became Democrats and Conservatives Became Republicans*. Chicago: University of Chicago Press.
- Lindsay, James (Sept. 2003). "Deference and Defiance: The Shifting Rhythms of Executive-Legislative Relations in Foreign Policy". In: *Presidential Studies Quarterly* 33.3. The Permanent War, pp. 530–546.

- Mansbridge, Jane J. and Cathie J. Martin, eds. (2016). *Political Negotiation: A Handbook*. Washington, D.C: Brookings Institution Press.
- McCarty, Nolan (2007). “The Policy Effects of Political Polarization”. In: *The Transformation of American Politics: Activist Government and the Rise of Conservatism*. Ed. by Paul Pierson and Theda Skocpol. Princeton Studies in American Politics. <https://www.jstor.org/stable/j.ctt7rwcc>. 14. Princeton: Princeton University Press, pp. 223–255.
- (Jan. 2017). “Polarization, Congressional Dysfunction, and Constitutional Change”. In: *Indiana Law Review* 50.1, p. 223. DOI: 10.18060/4806.1136.
- McCarty, Nolan M. (2020). *Polarization: What Everyone Needs to Know*. New York: Oxford University Press.
- Mitchell, Ellen and Brad Dress (Dec. 2023). “5 NDAA Topics Causing a Stir as Defense Bill Heads toward Final Vote”. In: *The Hill*. <https://thehill.com/policy/defense/4356762-ndaa-controversial-topics-final-vote/>.
- Ozili, Peterson K. (June 2022). “The Acceptable R-Square in Empirical Modelling for Social Science Research”. In: *SSRN Scholarly Paper*. DOI: 10.2139/ssrn.4128165.
- Quinn, Melissa (July 2023). “House Approves NDAA in Near-Party-Line Vote with Republican Changes on Social Issues - CBS News”. In: <https://www.cbsnews.com/news/house-vote-ndaa-2024-republicans-amendments-abortion-dei-transgender-care/>.
- Schultz, Kenneth A. (Oct. 2017). “Perils of Polarization for U.S. Foreign Policy”. In: *The Washington Quarterly* 40.4, pp. 7–28. DOI: 10.1080/0163660X.2017.1406705.
- Statement on Signing the National Defense Authorization Act for Fiscal Year 1991 — The American Presidency Project* (1991). Accessed April 26, 2024. <https://www.presidency.ucsb.edu/documents/statement-signing-the-national-defense-authorization-act-for-fiscal-year-1991>.
- Thornberry, William McClellan (2021). “The National Defense Authorization Act: The Sturdy Ox of Legislation Policy Essay”. In: *Harvard Journal on Legislation* 58.1, pp. 1–22.
- U.S. Senate: Arthur Vandenberg: A Featured Biography* (2024). Accessed March 20, 2024. [https://www.senate.gov/senators/FeaturedBios/Featured\\_Bio\\_Vandenberg.htm](https://www.senate.gov/senators/FeaturedBios/Featured_Bio_Vandenberg.htm).
- Voteview — About Us* (2024). Accessed April 24, 2024. <https://voteview.com/about>.
- voteviewblog (Jan. 2017). “The Collapse of the Voting Structure — Possible Big Trouble Ahead”. In: *Voteview Blog*. <https://voteviewblog.com/2017/01/12/the-collapse-of-the-voting-structure-possible-big-trouble-ahead/>.
- Wood, B. Dan and Soren Jordan (2017). *Party Polarization in America: The War Over Two Social Contracts*. 1st. Cambridge University Press. DOI: 10.1017/9781108164450.

# In One Ear and Out the Other? Electoral Issue Salience and Elite Withdrawal from the Iraq War Coalition

Zach Fotiadis, Georgetown University\*

## Abstract

Why do states withdraw from military coalitions? Such decisions often involve tension between distinct sources of pressure. Some member states must balance requests from coalition leaders to stay deployed with domestic political demands to pull out, particularly if the coalition in question is having difficulty achieving success. The author finds that in this context, domestic elections play a paramount role in influencing elite foreign policy choices when a country's participation in a military coalition is a highly salient issue for its public. From constraining to empowering political leadership's desired agenda, voters with foreign policy priorities are among the players with a seat at the decision-making table. This research thesis explores the conditions under which electorates prioritizing an international affairs issue will induce their respective leaders into adopting their position. The case study is the Iraq War Coalition, assessing whether the existence of anti-war electoral issue salience was a major factor compelling elites to withdraw. The research model ultimately produces the key finding that high relative anti-Iraq War electoral issue salience was a primary inducer of coalition exit among democratic states in the absence of elite consensus.

## 1 Introduction

Among the most palpable misconceptions concerning foreign relations is that politics stops at the water's edge. Elite decision-makers in democratic states face considerable domestic pressure with respect to policies they pursue abroad (Putnam 1988). Periodic election cycles,

---

\*Zach Fotiadis is a graduate of Georgetown University's Walsh School of Foreign Service.

in particular, substantially augment leadership accountability and help dictate the trajectory of global engagement (ibid.). Elite responsiveness to electoral outcomes has historically served as a decisive factor in eventual withdrawal from military entanglements, especially when voters prioritize their anti-war views (Pilster, Böhmelt, and Tago 2013). Few contemporary cases highlight this phenomenon better than member-state exit from the Iraq War Coalition. Popular discontent with participation in the Multi-National Force - Iraq was a near ubiquitous experience among its major contributors (Berinsky and Druckman 2007), culminating in significant political consequences (Wilder 1997). A sizable proportion of pro-war leadership was punished electorally, bleeding crucial demographic constituencies, dramatically underperforming at the polls, or suffering outright defeat (ibid.). The degree to which post-hoc electoral pressure within an anti-war issue salient environment translated into explicit policy modifications, however, remains a subject of debate. The precarious terrain of international affairs requires elites to balance the priorities of the homefront with those of the geopolitical. Elite ideological preferences also play a significant role in the decision-making process. Therefore, this thesis seeks to answer the primary research question: To what extent did electoral issue salience influence political elites to withdraw from the Iraq War Coalition?

The following sections shall evaluate the degree to which anti-Iraq War electoral issue salience determined whether/how elites decided to implement a coalition withdrawal policy. The evaluation of issue salience shall be balanced with other geopolitical/ideological concerns of elite leadership, with the conclusion breaking down the precise relevance of the x-variable.

## 2 Literature Review

Relevant scholarship regarding elite responsiveness to domestic political pressure during the Iraq War remains largely confined to public opinion's constraint on coalition *entry*. Existing assessments of coalition *withdrawal* mostly explore pre-hoc (anticipating an election) rather than post-hoc (after that fact) electoral pressure, largely neglecting the role of issue salience.

Chapter 7 of Matthew Baum and Philip Potter's groundbreaking 2015 book *War and Democratic Constraint: How the Public Influences Foreign Policy* fleshes out the role of democratic institutions (i.e., the press and public opinion) on shaping elite Iraq War policy (Baum and Potter 2015). Baum and Potter conclude that limited press accountability toward elite policy coupled with a low-information political environment enable pro-war leadership to more easily sidestep anti-war popular sentiment in the short term (ibid.). The text falls short of answering this author's primary research question, however. Their x-variable concerns public opinion generally, evaluates the role of the *runup* to an election on elite policymaking as opposed to its *aftermath*, and exclusively addresses elite decision-making regarding *entry* into the Iraq War Coalition.

Arnaud Dellis's *The Salient Issue of Issue Salience* (2009) fleshes out the theoretical backdrop of the issue salience variable: Elites maximize salience of electorally advantageous issues and "defuse" salience of an electorally weak issue (Dellis 2009). This framework nonetheless

fails to address the primary research question at hand, focusing exclusively on coalition entry and pre-hoc, rather than post-hoc, electoral pressure (Baum and Potter 2015).

The literature specifically pertaining to Iraq War Coalition withdrawal is extensive, though it either fails to emphasize or outright neglects the dynamic of electoral issue salience. Jason Davidson's *Heading for the Exits: Democratic Allies and Withdrawal from Iraq and Afghanistan* (2014) offers the most pertinent examination of domestic pressure's inducement of Iraq War Coalition withdrawal, comparing it alongside geopolitical considerations (Davidson 2014). Davidson draws three relevant conclusions: Withdrawal is likely when anti-war opposition is popular; government-opposition consensus reduces withdrawal likelihood; and government-opposition consensus diminishes when alliance fallout and national security risks are minimal (ibid.). He acknowledges Iraq issue salience, though fails to thoroughly explore its impact on withdrawal (ibid.).

Additionally, Sarah Croco's *The Decider's Dilemma: Leader Culpability, War Outcomes, and Domestic Punishment* (2011) makes the astute observation that coalition defection rarely occurs under the same leaders who chose to join the coalition in the first place (Croco 2011). Croco concludes that "culpable" elites (i.e., those presiding over the initiation of a military conflict) are less likely to withdraw due to higher likelihood of electoral punishment (ibid.). She also deals with post-hoc electoral pressure by arguing that non-culpable leaders are more likely than culpable leaders to withdraw after a given election-cycle (ibid.). Her work's neglect of Iraq issue salience represents a key limitation with respect to the primary research question at hand.

This study seeks to fill gaps in the existing literature, assessing the impact of anti-war post-hoc electoral issue salience (x) on elite decision-making concerning withdrawal from the Iraq War coalition (y). A new model integrating the x variable with Croco's elite culpability hypothesis best characterizes the theoretical roadmap the author envisions. In the framework Croco describes, the drivers of coalition withdrawal—which have solid empirical support—depend crucially on electoral issue salience. Importantly, it helps resolve an apparent empirical puzzle because in some cases, the drivers of coalition withdrawal work significantly better than in others, and accounting for electoral issue salience as a key condition enables more accurate understanding of select cases.

### 3 Definitions and Key Terms

Electoral issue salience is by nature a multifaceted dimension that itself necessitates a conceptual breakdown. A political issue is defined as highly electorally salient if considered of importance to determining a given election outcome. For the issue to be classified as 'important' in this sense, it must either have been a top-five concern among the electorate as a whole or at least of 'influence' to a plurality in deciding their vote, as indicated by pertinent polling data. Additionally, electoral issue salience may be expressed in relative or absolute terms. The former involves a plurality of voters classifying an issue as either of influence or

a top-five concern in their electoral decision, while an outright majority is required for the latter.

The author postulates that policymaker acquiescence to electoral issue salience, or elite responsiveness, characterized the dynamic of withdrawal from the Iraq War Coalition. In this thesis, the Iraq War Coalition is dually referenced as both the Multi-National Force - Iraq and the Coalition of the Willing, the respective military alliances involved in the initial regime change phase (2003) and post-Saddam stabilization/reconstruction period (2003-2011). A recurring theme of foreign policy deference or public acquiescence to elite decision-making acts as something of an inverse to elite responsiveness and is also discussed.

## 4 Methods and Research Design

*Variables.* As alluded to in the prior subsection, electoral issue salience, represented in this case study as anti-Iraq War/pro-withdrawal sentiment, serves as the independent variable. Elite responsiveness, expressed as the elite decision to withdraw from the Iraq War Coalition, serves as the dependent.

*Data Collection.* This thesis employs mixed methods data acquisition, analyzing largely quantitative statistical analysis for anti-Iraq War issue salience and qualitative references for elite coalition withdrawal policy.

- *Anti-Iraq War Electoral Issue Salience:* Analysis of anti-Iraq War issue salience will incorporate a combination of public opinion metrics from a variety of databases and evaluations of the public record on popular sentiment.
- *Elite Responsiveness:* Elite responsiveness via coalition withdrawal policy will examine direct quotations and references regarding official positions of elites, largely extracted from primary source texts such as news articles and government press releases.

*Hypothesis.*

- *Anti-Iraq War Electoral Issue Salience (H1):* Political Elites Were More Likely to Cite High Anti-Iraq War Electoral Issue Salience in their Decision to Withdraw from the Coalition

*Alternative Explanations.*

- *Alliance Dependence (H2):* Political Elites Were More Likely to Cite an Alliance Framework in their Decision to Withdraw from the Coalition
- *Elite Ideology (H3):* Political Elites Were More Likely to Cite Ideological Preferences in their Decision to Withdraw from the Coalition

## 5 Case Selection

Here I evaluate the dynamics of withdrawal pertaining to three democratic member-states from the Iraq War Coalition (2003-2011): Spain, Australia, and the United Kingdom (Carney 2011). The political elites of each were among the coalition's staunchest defenders and most dedicated partners. Each sought to sidestep differing levels of anti-Iraq War public opinion, with varying degrees of success. Each faced some form of electoral backlash for their commitment to coalition participation, though the magnitude of anti-war issue salience ranged between them. Elites in Spain and Australia implemented a coalition withdrawal policy in response to post-hoc electoral pressure, while direct elite responsiveness was significantly reduced for the United Kingdom.

Regarding the alternative explanations, each countries' elite leadership exhibited levels of alliance dependence and ideological motivation for their foreign affairs conduct. The degree to which such variables influenced their respective coalition withdrawal policy (including whether they overshadowed electoral issue salience) will be examined alongside elite responsiveness.

## 6 Analysis

*Aznar, Zapatero, and the 2004 Spanish General Election: Background.* Almost immediately after President George W. Bush announced his intention to form a "Coalition of the Willing" seeking the removal of Saddam Hussein's Ba'athist regime in Iraq (King 2002), Spanish Prime Minister Jose Maria Aznar emerged as among the U.S. commander-in-chief's staunchest allies in the effort. Aznar had actively thrown weight behind American war aims even prior to the Multi-National Force's inception; he was a signatory to a January 2003 statement demanding that "Europe and America Must Stand United" on Iraq (The Irish Times 2003). He and his center-right People's Party government committed what would amount to 1,300 troops to the coalition (Carney 2011), in addition to assembling a 1,200-force miscellaneous contingent from Central America known as the Plus Ultra Brigade.

Madrid's contributions were limited from the start; intense anti-war attitudes within nearly all levels of the Spanish body politic dramatically constrained the prime minister's ability to pursue his ambitious foreign policy agenda (Elmundo.es 2003). General opposition to participation in the Iraq War Coalition reached 91% just prior to the invasion's initiation and was consistently over two-thirds throughout its duration (ibid.), the most measurable anti-war sentiment in all of Europe (Baum and Potter 2015). Protests were frequent and palpable, with a 1.5 million-person crowd in mid-February 2003 serving as Spain's largest political demonstration up to that point (ibid.).

Despite the seemingly politically suicidal nature of Aznar's chosen course with respect to Iraq, his calculus was not entirely unsound. The People's Party had scored a landslide victory in the 2000 Spanish General Election, acquiring one of few absolute parliamentary majorities in Europe (ibid.). This, coupled with the Spanish public's historic foreign policy

deference concerning low-cost military engagements within a diverse multilateral coalition (Arias 2013), made him feel he possessed leeway to buck the trends.

Aznar's approach ultimately backfired in stupendous fashion. The People's Party endured an unprecedented electoral defeat on March 14, 2004, losing 35 seats and the Congress of Deputies to the left-of-center opposition, the Socialist Workers' Party (PSOE) (IFES Election Guide 2016). PSOE Leader Jose Luis Rodriguez Zapatero had capitalized aggressively on dissatisfaction with the government's Iraq policy amongst the Spanish electorate throughout the campaign (Dannenbaum 2011). As newly elected Prime Minister, Zapatero removed Spain entirely from the Multi-National Force by the end of April 2004 (Arias 2013).

*Electoral Issue Salience: Zapatero, Out by April.* Though negative public perception of Iraq War participation amongst the Spanish populace was evident from the onset, the degree to which this translated into anti-war issue salience in the 2004 election requires a more comprehensive data breakdown. A state prohibition on conducting official polling data during the campaign's final week (arguably the most critical period) makes analysis of election-eve developments difficult (Dannenbaum 2011). However, exit polls and quantifiable salience-inducing events serve as effective substitutes.

Measures of anti-Iraq War issue salience indicate an undulating trend over the course of the election cycle. CIS University Madrid's official polling data identified that likely Spanish voters prioritized their concerns surrounding elite Iraq policy as early as February 2003 (same timeframe as the 1.5 million-person demonstration), with 27.5% of survey respondents "deem[ing] the prospective [entry into the Iraq War Coalition] as one of Spain's top three problems" (ibid.). By mid-2003 through early 2004, however, Iraq's issue salience had substantially diminished. 14.8% of survey respondents listed the "war in Iraq" as among Spain's three most pressing problems in April 2003 and only 2.4% in the February 2004 edition of the CIS survey (ibid.). Around this timeframe, the People's Party began to undergo modest reputational recovery, with many commentators predicting the March 14 election in their favor (Torcal and Rico 2004).

By the immediate lead-up to election day, the tables appear to have decisively turned. According to the official April 2004 exit polls conducted by Opina, "41.8 percent said that the [People's Party] government's policy to support the intervention Iraq [sic] influenced their vote," a 37.5% jump from the final poll conducted prior to the mandatory week-long hiatus (Dannenbaum 2011). Within that seven-day span, a development of some kind had breathed new life into anti-Iraq War issue salience.

The elephant in the room has largely been identified as the 2004 Madrid train bombings, often referred to as 11-M, the deadliest terrorist attack in Spanish history and Europe's deadliest since 1988 (ibid.). Considering the attack's timing (just three days before the election) coupled with its perpetrators being al-Qaeda affiliates, the dramatic spike in issue salience as detected by the exit polls serves as a process-tracing smoking gun, though some scholarly disputes persist (ibid.). The best evidence available to justify this proposition

concerns the issue salience intersection of international terrorism and support for Iraq War coalition withdrawal. 64% of respondents in a Real Elcano exit poll expressed the opinion that “the Madrid bombings would not have occurred if Spain had not supported the Iraq War” (ibid.). In short, having reliably established a high degree of anti-Iraq War issue salience in the 2004 election, the subsequent question concerns whether this phenomenon influenced Prime Minister Zapatero’s coalition withdrawal policy.

Available evidence from the public record appears to validate an answer in the affirmative. Zapatero and the PSOE condemned the People’s Party’s Iraq policy throughout both the duration of the campaign and the early weeks of his premiership, publicly emphasizing a strong, sustained, and unambiguous opposition to Spanish participation in the Coalition of the Willing. He embarked upon a mission to ensure the issue’s salience, routinely chastising the Aznar government’s pro-war agenda as “a fiasco” (Al Jazeera 2004), “a disaster” (Russell 2004), and “an error based on lies” (Efron and Wallace 2004) as well as calling for a complete withdrawal of all Spanish forces by June 30 unless a United Nations Security Council resolution formally endorsed the operation (Goodman 2004).

By April 27, 2004, all 1,300 troops (including the entirety of the Plus Ultra Brigade) had been unilaterally withdrawn, making Spain the first major partner to exit the Multi-National Force - Iraq (NBC News 2004). Only a month into Zapatero’s tenure and roughly 10 weeks prior to his initial self-imposed deadline, the prime minister asserted that no Security Council mandate was in sight and participation had proven far too costly (Simons 2004). Evidence that high elite responsiveness to anti-Iraq War issue salience played an enormous role in this decision is considerable. Nearly every public reference Zapatero made regarding his withdrawal policy was qualified by underscoring the priorities of a war-weary Spanish populace. In a local newspaper interview several months after the coalition exit, he stated “that withdrawing the troops from Iraq was a result of the will of the electorate, reflected by 75-80% of the Spanish voting public,” adding “[i]n a democratic country, it is important to respond to the aspirations of the majority, the general feeling of the public and the society” (Arias 2013). The exceedingly rapid and early withdrawal coincided with the release of the Opina exit poll indicating high anti-Iraq War electoral issue salience, the latter of which served to reinforce the former substantially.

*Alliance Dependence: Zapatero Pulls the Plug on U.S.* In addition to testing the power of Spain’s isolationist tradition (ibid.), participation in the Iraq War Coalition sparked domestic debate over the country’s geopolitical realignment. Prime Minister Aznar had been an adherent to the burgeoning position of a Spanish-American alliance pivot, abandoning Madrid’s extensive legacy of European solidarity (ibid.). Zapatero, however, firmly rejected his predecessor’s “Atlanticist” philosophy of taking foreign policy cues from Washington as opposed to Brussels (ibid.). A devoted adherent of traditional European alliance dependence, he routinely emphasized the value of continental autonomy and foreign policy coordination (Powell 2009). “Spain is going to be more pro-Europe than ever” was a pledge he made just days following his election victory (Efron and Wallace 2004). He promptly aligned with fellow anti-Iraq War stalwarts within the European community, namely President Jacques

Chirac of France and Chancellor Gerhard Schroeder of Germany (Powell 2009). However, Zapatero's soft anti-Americanism did not constrain him from actively aligning with Washington's agenda when validated by institutional norms and protocol, as indicated by his strong support for the NATO war effort in Afghanistan (Dannenbaum 2011).

However, evidence that alliance dependence overshadowed or overrode electoral issue salience is scant. None of Zapatero's frank public statements on withdrawal bear any significant mention of strategic reliance on Europe. Additionally, his internationalist outlook considerably matched the predominant views of the Spanish public, thereby actually augmenting the issue salience hypothesis.

*Elite Ideology: The Prime Minister's New Groove (To an Old Beat)?* Zapatero embraced a vision of Spanish liberal internationalism championing humanitarian ideals, transcendent borders, and prioritization of soft over hard power (Powell 2009). Despite his monolingualism, years of political obscurity in the parliamentary backbench, and considerable inexperience/lack of interest in the foreign affairs domain prior to assuming the premiership, the new prime minister had quickly arrived at the center of a seismic globalist pivot in his country's history (Field 2011). Zapatero's internationalist orientation has been characterized as simply a revival of the PSOE line adopted by the party's first post-Franco prime minister, Felipe Gonzalez: commitment to multilateral institutionalism (Powell 2009).

Regardless of Zapatero's precise ideological preferences, their impact on withdrawal from the Iraq War Coalition did not appear to trump electoral issue salience. The interplay between ideology and degree of elite responsiveness was prominent, as his philosophical positions on foreign affairs mirrored much of the public rationale for coalition exit. Additionally, his Iraq policy cannot be fundamentally boiled down to individualist considerations. Many of his personal attributes, namely a political history of avoiding offense, simply did not apply (McLean 2006).

## **7 Howard, Rudd, and the 2007 Australian Federal Election**

*Background.* Australian Prime Minister John Howard's policy of Iraq War Coalition entry mirrored that of Spain's Aznar, in many ways representing the latter's ideal model. Apart from Tony Blair's government in the United Kingdom, Howard's Australia was unquestionably the United States' closest international partner during the quest to affect regime change in Iraq. The prime minister had the unparalleled experience of being the only foreign leader to witness the attacks of September 11, 2001, with his own eyes, having been in Washington, D.C., the morning American Airlines Flight 77 struck the Pentagon (Grubel 2011). Observing the ordeal firsthand only hardened his neoconservative internationalist resolve and cemented a firm commitment to Bush's Global War on Terror (Johnston 2007). Australia was among the four countries committing combat forces to the Coalition of the Willing, providing the third largest contingent (*ibid.*). The Australian Army, coupled with the Royal

Navy and Air Force, were supplied as part of what was codenamed Operation Falconer (Carney 2011).

The prime minister's unabashed and unwavering advocacy for Iraq War participation and the Bush Doctrine initially required significant sidestepping of Australian public opinion. According to a Newspoll survey, Australian opposition to military action against Iraq in the absence of a United Nations Security Council resolution reached as high as 76% in the runup to the invasion (Doeser and Eidenfalk 2015). This anti-war fervor took a three-year hiatus, however, beginning with Howard and his Liberal-National coalition's landslide reelection in 2004 (S. Bennett, Newman, and Kopras 2005). Opposition to the government's Iraq policy tamed sufficiently so as to enable a second round of military support, codenamed Operation Catalyst (Parliament of Australia n.d.).

Howard's enjoyment of strong foreign policy deference from the Australian public did not last forever. Liberal-National were soundly defeated in the 2007 Federal Election, shedding 22 seats to the Labour Party Opposition under Kevin Rudd (S. Bennett, Newman, and Kopras 2005). *Electoral Issue Salience: Howard Goes Down Under*. Staunch anti-Iraq War views amongst the Australian population appeared to stage a comeback by 2007, with that year's Lowy poll indicating 57% opposition to 37% support (Lowy Institute 2007). The electoral issue salience of this position also increased dramatically, as demonstrated via a comprehensive breakdown of pertinent political data from the period.

According to the 2007 Australian Election Study (AES), when asked how important the war in Iraq was to them personally as an election issue, the overwhelming majority of respondents ranked the concept highly. 36% classified their position as "extremely important" and 39.2% as "quite important," with only 24.8% answering "not very important" (Bean, McAllister, and Gow 2008). Additionally, when asked which party's position on the war in Iraq came closest to their own, a resounding 43.1% of respondents selected Labour, with Howard's Liberal-National coalition trailing by nearly 20 points (*ibid.*). Of the 44.2% who stated they approved of Prime Minister Howard's handling of the war in Iraq, only 7.6% approved strongly (*ibid.*). Alternatively, of the 55.7% who disapproved, 24.6% did so strongly (*ibid.*). As many as 76% of respondents stated that the Iraq War had not been worth the cost, versus only 24% who expressed otherwise.<sup>1</sup> The aggregate of AES exit polls largely affirm the claim of high anti-Iraq War electoral issue salience.

A variety of explanations exist for the precipitous decline in approval of elite Iraq policy. Failure to achieve key war objectives, namely stabilizing the Middle East and minimizing the proliferation of militant jihadists, likely dampened faith in the efficacy of coalition participation (Council on Foreign Relations n.d.). The most empirically demonstrable cause surrounds lower confidence in Howard's leadership qualities, thereby reducing the propensity for foreign policy deference (Bean, McAllister, and Gow 2008).

---

<sup>1</sup>See Judith Anne Betts' *The Battle of the Narratives: Australian Media Agendas and the Iraq War* for an assessment of changing media portrayal's impact on shifting public opinion.

Additionally, the role of Opposition Leader Rudd in amplifying anti-Iraq War issue salience in the runup to the 2007 election cannot be discounted. Such active efforts became a fixture of the campaign, at one point characterizing entry into the conflict as the “greatest single error of Australian national security and foreign policy decision making since Vietnam” (Al Jazeera 2007). He routinely chastised the Howard government’s “no end in sight” approach to coalition participation and called for a “responsible withdrawal” of all Australian combat units by mid-2008 (ibid.).

Upon his victory in the November election, Rudd maintained his commitment to coalition withdrawal. Days before formally assuming the premiership on December 3, he unveiled a concrete plan of action for extracting the remaining 550 combat troops from Iraq by the following year (Guardian staff reporter 2007). This promise was largely fulfilled, with complete pullout of all forces beginning June 1, 2008 (Carney 2011). The final 12 Australian Defense Force operatives were withdrawn on July 28, 2009, three days ahead of schedule (Daily Express 2009). The degree of alignment between his strategic pre-election Iraq promises and subsequent withdrawal policy indicates a high level of elite responsiveness.

*Alliance Dependence: Bush’s Forgiving Mood.* Australia’s extensive geopolitical dependence on the United States cannot be ignored when evaluating the rationale for its Iraq War coalition entry, as well as the dynamics of its exit. Upon ratification of the Australia, New Zealand, United States (ANZUS) Security Treaty in 1951, Canberra obtained an indispensable privilege from Washington: a collective security framework (Australian Treaty Series 1997). Importantly, its non-binding nature and lack of an explicit collective defense clause has served to induce considerable ingratiating diplomacy on Australia’s part, hoping to remain in the United States’ good graces (Henry 2020).

Evidence that this factored into Howard’s calculus regarding entry into Iraq is ample. The Liberal PM repeatedly emphasized the necessity of coalition participation for strengthening the U.S.-Australian alliance. The first mention of his “stay the course” policy took place at a joint press conference with President Bush in 2004, symbolizing Iraq’s significance to enhancing Washington-Canberra ties (White House Archives 2004).

There exists little evidence that Rudd’s impetus for withdrawal was seriously informed nor inhibited by U.S. alliance dependence, however. He presented himself politically as a skeptic of Howard’s deference to the Bush foreign policy agenda, repeatedly chastising the Liberal-National government for basing its “national security policy on one pillar alone—the United States Alliance” (Davidson 2014).

However, the Labour PM was far from a Zapatero-style unilateralist. He actively coordinated Canberra’s staged withdrawal policy with the Americans, resulting in limited backlash on the part of the Bush administration. The president went out of his way to clarify for the record that he was not “mad at the prime minister for fulfilling his campaign pledge” (White House Archives 2008b). Though alliance dependence considerably influenced the nature of Rudd’s exit from the Iraq War Coalition, indicated by his modest degree of collaboration

with the United States, the evidence suggests that it had minimal impact on the *decision* to withdraw itself.

*Elite Ideology: International Rudd.* Much of Rudd's rhetoric surrounding the necessity of leaving Iraq could just as easily have reflected his own personal misgivings with the policy's substance, as opposed to elite responsiveness. Some indications in his political profile and personal background lend credence to this theory. A career diplomat by training, Rudd served as Second Secretary at the Embassy in Beijing during a remarkably tumultuous period for the Eastern Bloc (Weller 2014). The resulting value he placed on the robustness of liberal institutionalism over preemptive militarism (Gyngell 2008), coupled with a belief in the impending shift of the geopolitical center of gravity to the Asia-Pacific (*ibid.*), may very well have dictated his staunch aversion to Iraq War participation.

A deeper analytical dive largely disputes this contention. Claims that a well-developed internationalist vision shaped his anti-war perspective are undercut by the reality of Rudd's initial support for the Multi-National Force in its early stages (Wright 2007).

## 8 Blair, Brown, and the 2005 U.K. General Election

The U.K. case diverges considerably from Spain and Australia. The United Kingdom never instituted a formal coalition withdrawal policy until after the United States announced the beginning of the Multi-National Force-Iraq's termination in 2008 (White House Archives 2008a). The evidence indicates that a lack of early coalition exit reflected low elite responsiveness despite moderately high anti-Iraq War issue salience in the 2005 General Election. *Background.* From the onset, U.K. Prime Minister Tony Blair emerged as indisputably the most loyal and steadfast international supporter of Bush administration policy in Iraq. The extent of British dedication to the American war effort was demonstrated upon the Multi-National Force's creation. At 46,000 combat troops (Carney 2011), the United Kingdom's Operation Telic represented the second largest contribution to the entire Iraq War Coalition following the United States and a far bigger contingent than any other country (*ibid.*).

Comparable to Aznar in Spain and Howard in Australia, Blair's decision to enter the Iraq War Coalition required significant sidestepping of public opinion. The final pre-war Ipsos poll showed 63%-26% opposition on the eve of the Iraq invasion's commencement (Ipsos 2003). Despite this, Blair continued to pursue an uncompromising stand in favor of coalition participation, enormously emboldened by his domestic political circumstances. Like Aznar and Howard, he enjoyed a sizable parliamentary majority following a substantial victory in the most recent national elections (the 2001 General Election having been dubbed the "quiet landslide") (BBC News 2010). Yet, Blair departed from the aforementioned cases in that he was serving as leader of a center-left Labour government (Rentoul 2013). As such, the mass of anti-war sentiment arose predominantly from within his own party. 52% of Labour voters reportedly disapproved of invading Iraq in August 2002, while 139 of 410 Labour MPs in the House of Commons voted against formally sending troops on March 18, 2003 (Baum and Potter 2015). Alternatively, the center-right Opposition was supportive of the

prime minister's Iraq policy, with the then-Conservative Party Leader Ian Duncan Smith at one point accusing Blair of not being expeditious enough in preemptively striking Baghdad (ibid.).

The internally partisan nature of resistance to Blair's position on coalition participation made anti-war sentiment seemingly easier to absorb. This mindset undergirded the prime minister's prolonged interventionist tenacity throughout the remainder of his tenure.

*Electoral Issue Salience: Blair without Care.* Public opposition to U.K. participation in the Iraq War Coalition remained potent throughout the runup to the 2005 General Election, with 47% of British respondents viewing the government's decision to use force against Iraq as "wrong" versus 43% who perceived it as "right" (Pew Research Center 2004). Despite this, Blair's government was reelected by a comfortable margin on May 5, 2005 (The Electoral Commission 2006). Labour successfully retained its majority with 355 seats, as opposed to the Conservative Opposition only acquiring 165 (ibid.). This nonetheless constituted a dramatic underperformance for Blair compared to his 2001 and 1997 landslides (The Electoral Commission 2006). Labour shed 48 seats, while Conservatives gained 33 and the third-party Liberal Democrats increased their share by 11 (ibid.).

Blair stood firm in his commitment to coalition participation both during the campaign cycle and in the aftermath of the election. Just three months after the election result, he delivered remarks insisting he would not retreat from Iraq and defending his partnership with President Bush (Al Jazeera 2005).

The prime minister's lack of elite responsiveness to an increasingly war-averse populace coupled with an electoral underperformance begs the question of why. Exit polls incorporated into the British Election Study (BES) indicate dramatically declining approval of continued coalition participation, with 47.8% of respondents rating the policy "badly" compared to a meager 14.2% rating it "well." Such anti-Iraq War sentiment did translate into moderately high relative electoral issue salience, with respondents listing it as their fourth most important issue overall. Opposition to elite Iraq policy was amplified amongst Labour defectors, with the plurality of those surveyed citing the issue as their top reason (MacAskill 2005). This was to the benefit of left-splinter groups like the Liberal Democrats, whose consistent criticism of Blair's entry into the Coalition of the Willing without U.N. authorization enabled them to leech off historically pro-Labour constituencies (i.e., university student and Muslim voters) (Fisher et al. 2005).

A secondary question must, therefore, be asked concerning low elite responsiveness to the moderately high degree of relative anti-Iraq War electoral issue salience established by the data. The answer appears two-fold. The first part reflects a comparable phenomenon facilitating Blair's policy of coalition participation from the beginning: elite consensus. Anti-war constituencies were deprived of a major pro-withdrawal party in the 2005 election, as both Labour and Conservatives were fundamentally supportive of Operation Telic (CNN

2005). Blair's only real liability from standing his ground on Iraq was potentially shedding Labour votes to minor political parties.

The second regards a crucial caveat to the issue salience explanation. According to the BES, opposition to government policy on Iraq was only reported as the number one concern for 5.6% of respondents, a rather minute raw percentage. Although there was high relative anti-war electoral issue salience, absolute salience was rather limited. This indicates that despite being sufficiently high to induce electoral damage for the incumbent party, it was not all-encompassing enough to require imminent elite responsiveness for the sake of political survival.

The prime minister persisted in sustaining coalition participation throughout the duration of his third term (2005-2007). Though he agreed to initiate the evacuation of 1,600 troops in February 2007, he remained resolute on retaining a 5,500-person combat presence (Sturcke 2007). The political costs of his recalcitrance eventually reached a boiling point. With 60% of Labour Party membership expressing discontent with his war policy and upwards of half demanding his resignation, the prime minister announced he would step down by June 2007 (Rawnsley 2010).

Upon his formal exit, he was replaced by his chancellor of the exchequer, Gordon Brown (NPR 2007). A far less enthusiastic champion of coalition participation than his predecessor, Brown unveiled a complete withdrawal plan on December 17, 2008 (Watt 2008). All U.K. forces left by May 2011 (Hopkins 2011).

*Alliance Dependence: The U.S.-U.K. Extra-Special Relationship* Among the most apparent factors in determining the United Kingdom's sustained participation in the Iraq War Coalition was its Special Relationship with the United States. Blair's close coordination with and unwillingness to abandon the United States likely contributed to his insistence on remaining (Arab News 2023). The latter dynamic was even more potent in molding Prime Minister Brown's exit strategy. He notably did not implement a single troop pullout until *after* President Bush's announcement of the first American withdrawal in September 2007 (NBC News 2007) and did not produce his complete withdrawal plan until after the president declared his intention to gradually terminate the Iraq Coalition in its entirety (Watt 2008).

Though the aforementioned evidence indicates that the Special Relationship shaped the nature of Brown's exit, its role in driving Blair's pro-participation stubbornness was moderate at best. The prime minister's good faith partnership with President Bush, in addition to the mass exodus of various other high-profile allies by 2005, would likely have provided him the political cover necessary to justify a gradual pullout plan in a manner comparable to Australia's Rudd (Carney 2011).

*Elite Ideology: Tony Blair's Liberal Flair.* The single most crucial influence on Blair's staunch commitment to sustained Iraq War Coalition participation was his ideological predisposition. The prime minister positioned himself unambiguously as a staunch post-Cold

War liberal internationalist, envisioning a progressive world order bound by Western values of democracy, universal self-determination, humanitarianism, and respect for national sovereignty (Livesey 2021). In a 1999 speech before the Chicago Economic Club, Blair outlined his “Doctrine of the International Community,” a call for liberal nations to collectively organize and ostracize violators of established geopolitical norms (H. Bennett 2014).

Blair had long perceived Saddam Hussein’s Iraq as among the principal threats to this international community (Baum and Potter 2015). He was particularly alarmed by its continued expulsion of U.N. weapons inspectors, fearing its possible intentions to enrich a diverse WMD profile (ibid.). Blair’s government authorized a joint four-day bombing campaign with the United States against Iraq beginning on December 16, 1998; the strategically coordinated targeting of both munitions and bureaucratic centers lent credence to the theory that the two allies were setting the stage for a gradual regime change policy (ibid.). By the time the Bush administration had announced its plans to pursue a military course against Saddam in 2002, the British PM was on the record envisioning an Iraq without him in power (White House Archives 2002). “I will be with you, whatever” represented Blair’s even stronger private endorsement of President Bush’s prospective policy in a July 28, 2002, letter, adding that a multilateral coalition could be assembled and deployed by the following January.

Liberal interventionism was a rampant theme embedded in his pro-war rhetoric. In a March 2004 speech on the subject, he expressed the sentiment that “[the West] should do all we can to spread the values of freedom, democracy, the rule of law, religious tolerance and justice” (Guardian staff 2004). He routinely clarified that his sustained belief in Iraqi regime change reflected a broader dedication to this geopolitical liberalization project, summarizing his view in a 2006 speech that he was “ardently in favour of spreading democracy around the world” (Tempest 2006).

## 9 Discussion and Conclusion

Based on a comprehensive analysis of the available evidence, high anti-Iraq War electoral issue salience likely played an at least moderate role in inducing coalition withdrawal. Hypothesis 1 (H1) was readily affirmed by the first two cases, as Spain and Australia electorally punished a culpable elite in a highly anti-war issue salient political environment and replaced them with non-culpable leadership in favor of exit from the Multi-National Force. The United Kingdom diverged from this conception, as though a culpable elite was electorally punished in a moderately high anti-war issue salient environment, the degree of elite responsiveness remained minimal. The likely explanation for this deviation was that the low proportion of absolute anti-war issue salience, when coupled with elite consensus on Iraq policy, enabled reduced responsiveness. This discovery requires minor qualification of the primary research question, with the ultimate conclusion being that *relative* electoral issue salience did influence political elites to withdraw from the Iraq War Coalition *in the absence of elite consensus*.

All three cases were unified by their general adherence to Croco's model of elite culpability and coalition withdrawal. Spain, Australia, and the United Kingdom implemented an exit policy only under the aegis of a non-culpable leader following the refusal of culpable leadership to do so.

## References

- Al Jazeera (Mar. 2004). *Zapatero Turns down Bush Request*. URL: <https://www.aljazeera.com/news/2004/3/17/zapatero-turns-down-bush-request>.
- (Sept. 2005). *Blair: No Retreat from Iraq*. URL: <https://www.aljazeera.com/news/2005/9/27/blair-no-retreat-from-iraq>.
- (Oct. 2007). *Iraq Dominates Australia TV Debate*. URL: <https://www.aljazeera.com/news/2007/10/21/iraq-dominates-australia-tv-debate>.
- Arab News (Mar. 2023). *Ex-PM Blair Says US-UK Relationship Would Have 'Suffered' If Britain Abandoned Iraq Invasion*. URL: <https://www.arabnews.com/node/2267831/world>.
- Arias, Maria (2013). "The Dynamics of Public Opinion towards Aznar's and Zapatero's Foreign Policy: The European Constitution and the War of Iraq". MA thesis. University of Oslo.
- Australian Treaty Series (1997). *The ANZUS Treaty*. 1952.
- Baum, Matthew A and Philip BK Potter (2015). *War and democratic constraint: How the public influences foreign policy*. Princeton University Press.
- BBC News (Aug. 2010). *The Rise and Fall of New Labour*. URL: <https://www.bbc.com/news/uk-politics-10518842>.
- Bean, Clive, Ian McAllister, and David W. Gow (Jan. 2008). *Australian Election Study, 2007*. DOI: 10.4225/13/50bbfa14b3cb1.
- Bennett, Huw (2014). "Enmeshed in Insurgency: Britain's Protracted Retreats from Iraq and Afghanistan". In: *Small Wars & Insurgencies* 25.3, pp. 501–521. DOI: 10.1080/09592318.2014.913541.
- Bennett, Scott, Gerard Newman, and Andrew Kopras (Mar. 2005). *Commonwealth Election 2004*. Tech. rep. Parliament of Australia: Department of Parliamentary Services. URL: [https://parlinfo.aph.gov.au/parlInfo/download/library/prspub/CBHF6/upload\\_binary/cbhf64.pdf](https://parlinfo.aph.gov.au/parlInfo/download/library/prspub/CBHF6/upload_binary/cbhf64.pdf).
- Berinsky, Adam J. and James N. Druckman (2007). "The Polls—Review". In: *Public Opinion Quarterly* 71.1, pp. 126–141. DOI: 10.1093/poq/nf1049.
- Carney, Stephen A. (2011). *Allied Participation in Operation Iraqi Freedom*. Department of the Army.
- CNN (Apr. 2005). *Blair Faces Concerted Iraq Attack*. URL: <https://edition.cnn.com/2005/WORLD/europe/04/25/uk.election/index.html>.
- Council on Foreign Relations (n.d.). *The Iraq War*. URL: <https://www.cfr.org/timeline/iraq-war>.

- Croco, Sarah E. (2011). "The Decider's Dilemma: Leader Culpability, War Outcomes, and Domestic Punishment". In: *American Political Science Review* 105.03, pp. 457–477. DOI: 10.1017/s0003055411000219.
- Daily Express (July 2009). *Australia Ends Iraq Troop Presence*. URL: <https://www.express.co.uk/news/world/117463/Australia-ends-Iraq-troop-presence>.
- Dannenbaum, Tom (2011). "Bombs, Ballots, and Coercion: The Madrid Bombings, Electoral Politics, and Terrorist Strategy". In: *Security Studies* 20.3, pp. 303–349. DOI: 10.1080/09636412.2011.599199.
- Davidson, Jason (2014). "Heading for the Exits: Democratic Allies and Withdrawal from Iraq and Afghanistan". In: *Democracy and Security* 10.3, pp. 251–286. DOI: 10.1080/17419166.2014.946017.
- Dellis, Arnaud (2009). "The salient issue of issue salience". In: *Journal of Public Economic Theory* 11.2, pp. 203–231.
- Doeser, Fredrik and Joakim Eidenfalk (2015). "Ignoring Public Opinion: The Australian and Polish Decisions to Go to War in Iraq". In: *Cambridge Review of International Affairs* 29.2, pp. 562–580. DOI: 10.1080/09557571.2015.1058616.
- Efron, Sonni and Bruce Wallace (Mar. 2004). *Spanish Victor Says Iraq War Based on 'Lies'*. URL: <https://www.latimes.com/archives/la-xpm-2004-mar-16-fg-spain16-story.html>.
- Elmundo.es (Mar. 2003). *Cerca Del 91% de Los Españoles Es Contrario a La Intervención En Irak*. URL: <https://www.elmundo.es/elmundo/2003/03/27/espana/1048763322.html>.
- Field, Bonnie N. (2011). *Spain's "Second Transition"?* Routledge.
- Fisher, Justin et al. (2005). *The General Election 2005 Campaign Analysis*. Tech. rep. URL: [https://www.electoralcommission.org.uk/sites/default/files/pdf\\_file/TheGeneralElection2005CampaignAnalysisReportFINAL\\_19223-14162\\_\\_E\\_\\_N\\_\\_S\\_\\_W\\_\\_.pdf](https://www.electoralcommission.org.uk/sites/default/files/pdf_file/TheGeneralElection2005CampaignAnalysisReportFINAL_19223-14162__E__N__S__W__.pdf).
- Goodman, Al (Apr. 2004). *Spain Plans Quick Pullout of Iraq*. URL: <https://www.cnn.com/2004/WORLD/europe/04/18/spain.withdraw/>.
- Grubel, James (Sept. 2011). *Australia's Howard a Surprise 9-11 Witness*. URL: <https://www.reuters.com/article/world/us/australias-howard-a-surprise-9-11-witness-idUSTRE78406N/>.
- Guardian staff (Mar. 2004). *Full Text: Tony Blair's Speech*. URL: <https://www.theguardian.com/politics/2004/mar/05/iraq.iraq>.
- Guardian staff reporter (Nov. 2007). *Rudd Pledges to Withdraw Australian Troops from Iraq*. URL: <https://www.theguardian.com/world/2007/nov/30/usa.iraq>.
- Gyngell, Allan (Dec. 2008). *Ambition: The Emerging Foreign Policy of the Rudd Government*. Tech. rep. Lowy Institute for International Policy.
- Henry, Ian (Oct. 2020). *Adapt or Atrophy? The Australia-U.S. Alliance in an Age of Power Transition*. URL: <https://www.spf.org/jpus-insights/spf-worldviews-on-the-united-states-en/woldviews-on-the-united-states003.html>.
- Hopkins, Nick (May 2011). *UK's Eight-Year Military Presence in Iraq to End on Sunday*. URL: <https://www.theguardian.com/world/2011/may/18/british-militarys-8-years-in-iraq-ends>.
- IFES Election Guide (2016). *Elections: Spanish Senate 2004 General*. URL: <https://www.electionguide.org/elections/id/835/>.

- Ipsos (Mar. 2003). *Iraq, the Last Pre-War Polls*. URL: <https://www.ipsos.com/en-uk/iraq-last-pre-war-polls>.
- Johnston, Tim (Nov. 2007). *Ally of Bush Is Defeated in Australia*. URL: <https://www.nytimes.com/2007/11/25/world/asia/25australia.html>.
- King, John (Nov. 2002). *Bush: Join 'Coalition of Willing'*. URL: <https://edition.cnn.com/2002/WORLD/europe/11/20/prague.bush.nato/>.
- Livesey, Thomas (2021). "What Was the Foreign Policy Described as 'Liberal Interventionism' and Did It Work in the Years 1997-2001?" MA thesis. King's College London. URL: <https://www.kcl.ac.uk/political-economy/assets/thomasliveseyessay.pdf>.
- Lowy Institute (2007). *Iraq - Lowy Institute Poll*. URL: <https://poll.lowyinstitute.org/tags/iraq/>.
- MacAskill, Ewen (May 2005). *Poll Shows War Factor Was Key Issue for Many*. URL: <https://www.theguardian.com/politics/2005/may/06/uk.iraq1>.
- McLean, Renwick (Dec. 2006). *Zapatero's 'Softness' Has a Backbone*. URL: <https://www.nytimes.com/2006/12/05/world/europe/05iht-spain.3793170.html>.
- NBC News (Apr. 2004). *Last Spanish Combat Troops Leave Iraq*. URL: <https://www.nbcnews.com/id/wbna4845463>.
- (Oct. 2007). *U.K. PM Announces Partial Iraq Withdrawal*. URL: <https://www.nbcnews.com/id/wbna21094115>.
- NPR (June 2007). *Gordon Brown Becomes British Prime Minister*. URL: <https://www.npr.org/templates/story/story.php?storyId=11457830>.
- Parliament of Australia (n.d.). *Australia's Military Contribution toward the Reconstruction of Iraq*.
- Pew Research Center (Mar. 2004). *Survey Report*. Tech. rep. URL: <https://www.pewresearch.org/global/2004/03/16/survey-report/>.
- Pilster, Ulrich, Tobias Böhmelt, and Atsushi Tago (2013). "Political Leadership Changes and the Withdrawal from Military Coalition Operations, 1946-2001". In: *International Studies Perspectives* 16.4, pp. 463–483. DOI: 10.1111/insp.12058.
- Powell, Charles (2009). "A Second Transition, or More of the Same? Spanish Foreign Policy under Zapatero". In: *South European Society and Politics* 14.4, pp. 519–536. DOI: 10.1080/13608740903503886.
- Putnam, Robert D. (1988). "Diplomacy and Domestic Politics: The Logic of Two-Level Games". In: *International Organization* 42.3, pp. 427–460.
- Rawnsley, Andrew (Feb. 2010). *How the Bloody Anarchy of Iraq Broke the Spirit of Tony Blair*. URL: <https://www.theguardian.com/politics/2010/feb/28/tony-blair-iraq-spirit-broke>.
- Rentoul, John (2013). *Tony Blair: Prime Minister*. London: Faber and Faber.
- Russell, Ben (Mar. 2004). *Zapatero Refuses to Reverse Policy on Iraq*. URL: <https://www.independent.co.uk/news/world/europe/zapatero-refuses-to-reverse-policy-on-iraq-567578.html>.
- Simons, Marlise (Apr. 2004). *Spanish Leader Pulling Troops from Iraq*. URL: <https://www.nytimes.com/2004/04/18/international/europe/spanish-leader-pulling-troops-from-iraq.html>.
- Sturcke, James (Feb. 2007). *Blair: We Should Be Proud of Iraq Role*. URL: <https://www.theguardian.com/world/2007/feb/22/iraq.iraq>.

- Tempest, Matthew (Mar. 2006). *Blair Sees Iraq as 'Clash about Civilisation'*. URL: <https://www.theguardian.com/politics/2006/mar/21/iraq.iraq>.
- The Electoral Commission (Mar. 2006). *Election 2005: Constituencies, Candidates and Results*. Tech. rep. URL: [https://web.archive.org/web/20081209144147/http://www.electoralcommission.org.uk/\\_\\_\\_data/assets/pdf\\_file/0007/47185/Election2005\\_constituencies,candidatesandresultsFINAL\\_20719-15241\\_\\_E\\_\\_N\\_\\_S\\_\\_W\\_\\_.pdf](https://web.archive.org/web/20081209144147/http://www.electoralcommission.org.uk/___data/assets/pdf_file/0007/47185/Election2005_constituencies,candidatesandresultsFINAL_20719-15241__E__N__S__W__.pdf).
- The Irish Times (Jan. 2003). *Full Text of Letter Written by Eight European Leaders*. URL: <https://www.irishtimes.com/news/full-text-of-letter-written-by-eight-european-leaders-1.459198>.
- Torcal, Mariano and Guillem Rico (2004). "The 2004 Spanish General Election: In the Shadow of al Qaeda". In: *South European Society and Politics* 9.3, pp. 107–121. DOI: 10.1080/1360874042000271889.
- Watt, Nicholas (Dec. 2008). *Brown: British Military to Withdraw from Iraq*. URL: <https://www.theguardian.com/politics/2008/dec/17/gordon-brown-iraq>.
- Weller, Patrick (2014). *Kevin Rudd: Twice Prime Minister*. Melbourne Univ. Publishing.
- White House Archives (Apr. 2002). *President Bush, Prime Minister Blair Hold Press Conference*. URL: <https://georgewbush-whitehouse.archives.gov/news/releases/2002/04/20020406-3.html>.
- (June 2004). *Remarks by the President at a Joint Press Availability with Australian Prime Minister John Howard*. URL: <https://georgewbush-whitehouse.archives.gov/news/releases/2004/06/text/20040603-3.html>.
- (Dec. 2008a). *President Bush and Iraq Prime Minister Maliki Sign the Strategic Framework Agreement and Security Agreement*. URL: <https://georgewbush-whitehouse.archives.gov/news/releases/2008/12/20081214-2.html>.
- (Mar. 2008b). *President Bush Participates in Joint Press Availability with Prime Minister Kevin Rudd of Australia*. URL: <https://georgewbush-whitehouse.archives.gov/news/releases/2008/03/20080328-3.html>.
- Wilder, Paul (1997). "A Decade of Election Results: Updating the International Almanac". In: *Representation* 34.2, pp. 143–144. DOI: 10.1080/00344899708523005.
- Wright, Lincoln (Aug. 2007). *Proof Rudd Approved of Iraq War*. URL: <https://www.dailytelegraph.com.au/proof-rudd-approved-of-iraq-war/news-story/169b5135aad26da42673a02fb5c01745>.

# The Incompatibility of the Triple-E Senate Reforms in Canada

Stephanie L. Hastick, York University\*

## Abstract

As Canadian institutions have been shaped and informed by many influences out-side of Canada's borders, one must ask: Can imported ideas of reform to Canada's Senate, such as the Triple E Senate reform representing having an equal, elected, and effective Senate, be compatible within a Canadian setting? One will find that the ideas of reform in the Triple-E Senate are American imports that cannot be applied to Canada's ideological landscape of political culture and systems. With an equal Senate, it does not consider that certain provinces within Canada are treated differently due to French representation being integral to Canada and its institutions. Furthermore, the elected Senate impedes Canada's cultural and political understanding of the Senate as an institution recognized for its independence and providing sober second thought. Lastly, an effective Senate fails to recognize that Canada's institutional system already gives the Senate powers equivalent to the House of Commons. When examining the arguments for having a Triple-E Senate, it becomes apparent that Triple-E Senate reforms are the embodiment of American political culture and systems that happen to be incompatible with Canada's political cultures and systems. It discounts the reality of the issues that will arise from the expectation that such reforms will seamlessly fit in Canada, and thus, one must respond accordingly and reject Triple-E Senate reforms.

---

\*Stephanie L. Hastick was born and raised in Mississauga, Ontario, Canada. She has recently been admitted to a Juris Doctor program for the Fall 2025 term. During the academic year of 2024-2025, Stephanie pursued a Master of Arts degree in Political Science at York University in Toronto, Ontario, Canada, with a focus on reforming the Canadian Senate to democratize it. She holds an Honours Bachelor of Arts degree, summa cum laude, from York University. Her research interests include Canadian politics, Comparative politics, and democratic governance.

# 1 Introduction

When examining the Canadian ideological landscape, one will find that Canadian institutions seen today have been shaped and informed by many influences from Canada's heritage and those geographically closest to the country. From Canada's inception, early traditions passed down from the United Kingdom to Canada historically indicated the United Kingdom's influence as Canadian institutions would become replicas of what the United Kingdom originally held as its own (Bridgman 2020). Nevertheless, through the years, the United States, due to its proximity to Canada and its global presence, gradually brought new understandings to be incorporated into the governing of Canadian institutions. The imported influences from other countries on Canada's institutions can be exemplified by examining the United Kingdom's Westminster system; it is replicated through Canada's parliamentary system, with both the executive and legislative branches being affected (Docherty 2002). Also, on this premise and when examining the codified Canadian constitution, it becomes apparent that American influences have also helped shape the landscape of the judicial branch of government (Bridgman 2020). Some entities, Canadian conservatives and regional areas such as western Canada, have advocated for more American influences to be integrated into Canada's institutions, particularly a request to reform the Canadian government's legislative branch (Lusztig 1995).

The institution that has received such requests for Americanized reform is the Canadian Senate, which historically has yet to receive much change through its existence as a central Canadian institution (*ibid.*). The purpose of the Canadian Senate revolves around its enumerated powers, which include the ability to conduct "investigations, revision of legislation, representation of regions and special interests, and protection of individual rights" (Franks 1988). Those who advocate for Senate change admit to wanting to address integrity, legitimacy, and democratic deficiencies seen within the operation and formation of the Senate, and a term to encapsulate such changes is the Triple-E Senate (Dodek 2015). The Triple-E Senate establishes the reforms the Canadian Senate should go through, creating an equal, elected, and effective Senate in line with how the U.S. Senate currently operates (Lusztig 1995). As some of Canada's institutions have moved completely away from mirroring the United Kingdom's institutions, there are limitations to how many more institutions can be influenced away from such a system due to the political landscape that is particular to Canada. The ideas of reform in the Triple-E Senate are American imports that cannot be applied to Canada's ideological landscape of political culture and systems. The reasoning behind why the Triple-E Senate should not be implemented in Canada is that its advocacy for an equal Senate does not account for the regionalism found in Canada's political culture; the Triple-E Senate proposal for an elected Senate fails to account for Canada's historical culture in its institutions compared to the United States. Lastly, the Triple-E Senate reform suggestion of having an effective Senate does not account for the delegation of certain responsibilities assigned to Canada's institutional systems.

## 2 An Equal Senate: What Is It?

To completely understand why an equal Senate in the Triple-E Senate reform is incompatible with the Canadian political landscape, one first must understand what the reform defines as an equal Senate. The Triple-E Senate would be unable to embody its stated goal within the Canadian political landscape because the word ‘equal’ implies it should be grafted into the Canadian system, but it ignores Canada’s regional political culture. The definition of equal Senate from the term Triple-E Senate is concerned with the representation of the provinces within the Canadian Senate (Burton and Patten 2015). In particular, this would imply that if the equal Senate were to be upheld, depending on what is needed with the number of senators allotted to sit in the Senate, “each province would be represented by the same number of senators” regardless of population while completely disregarding Canada’s linguistic demographics (Hogg 1993).

This idea appears to be an import from the United States as its Senate consists of “two senators from each state” with the intention of ensuring the US states had sovereignty in the Constitution and protecting small states from larger US states so that allows the states to be equal to each other even though the states’ populations could differentiate significantly (Binder and Smith 1997). The current distribution of Canadian Senate seats is divided as the west being British Columbia, Alberta, Saskatchewan, and Manitoba where they are allotted six seats each, but Ontario and Quebec, seen as individual regions, get 24 each, the Maritime region of New Brunswick, and Nova Scotia each have 10 seats, Newfoundland and Labrador have six seats, Prince Edward Island has four, and the territories of Nunavut, Northwest Territories and the Yukon all get one Senate seat (Hicks and Blais 2008). It is clear with the seat distribution of Canada’s Senate that the different regions of Canada are not equal, as Quebec is merely one province, and western provinces with large populations, such as British Columbia or Alberta themselves, only have six senators to represent them each, while the singular province of Quebec gets 24 seats (Watts 2003). One could question this distribution and propose the possibility that the adoption of the Triple-E Senate reform would allow for an equal number of senators to be represented in Canada’s Senate. However, this kind of thinking needs to address the reality that Canada has a specific political culture with different expectations from the United States, particularly as it pertains to discussions about language; this consideration is not given such importance within the United States of America’s own political culture.

In the Canadian political culture, two founding identities are particular to Canada as a country as well as its institutions, which are both English and French, and the decision to recognize both of these as the official languages of Canada was codified within the Canadian Charter of Rights and Freedoms (Fortier 1994). At first, it seems that the official languages are merely referencing a historical past, but rather it is for the protection of francophone Quebecers where institutions today ensure the longevity and strong representation of French throughout many of Canada’s “economic, social, and political institutions” (ibid.). If Canada were to apply an equal Senate, it would leave the possibility of Quebec not being represented and, ultimately, francophones not being properly represented within the Canadian Senate. Further, Quebec has twice attempted referendum procedures to secede from Canada to form

its own sovereign country, so the changing of Quebec's Senate representation could trigger a third referendum (Seymour 2000). This could be very disruptive to the Canadian tapestry of the country's political culture because it can be extrapolated that it would be very unpopular, even to the point where it could lead to the succession of Quebec from Canada.

Practically, it would not be politically feasible for any federal political party to assert such a policy because there are likely two results that would occur. First, there would be provinces that would prefer the status quo since they already have a significant amount of representation above any other provinces or territories and would prefer maintaining the current allotted amount of Senate seats rather than allowing for equal Senate seats for each province and territory. Second, the federal politicians who propose this might have to deal with the reality that some provinces and territories could push for raising their Senate seat numbers regardless of any amount they already had. The only region that would be likely to engage in this deal would be territories such as the Yukon, Northwest Territories, and Nunavut since they are given very few seats in the Canadian Senate, but their power to be major players is limited due to the fact that Canada's constitution does not have a provision for territorial participation in amendments (Albert 2015). Even if there was a reality in which it did not cause the breakup of the country, it should still be recognized as unfair since it would strip away the representation of the large francophone population that resides in Quebec because such meaningful representation would be diluted as the other territories and provinces are places where French is not as prominent. From these discussions that have been put forward thus far, representation is important especially for the francophone community in Canada as it should be interpreted that the agreeance with having an equal Senate is also an agreeance with diminishing French in Canada and that would not stand in a constitutionally bilingual country (Fortier 1994). So, the conclusion that should be followed is dismissing the policy proposal for shrinking the number of senators that Canada has or raising the numbers so that every province and territory has an equal number of senators. An equal Senate is not the only reform suggested by the Triple-E Senate that first seems applicable in Canada, but without understanding Canada's political institutions, it could have severe consequences.

### 3 Considering the Prospect of Elections

Due to Canada's historical past and understanding of the Senate, applying the Triple-E Senate in terms of having an elected Senate would devolve the meaning placed on the Senate, particularly in Canada, and would not assimilate well with Canada's historical institutional culture. The second Triple-E Senate reform to discuss is an elected Senate where elections are held for senators in order for them to have a seat in Canada's Senate (Burton and Patten 2015). This means when this idea is applied to Canada for having an elected Senate, what would occur is similar to the House of Commons, where the prospective members of parliament need to run and campaign for elected office during an election; senators would be subjected to the same standards (Marland and Giasson 2020). This is an American idea because the United States in 1912 adopted the 17th Amendment, which allowed senators to be elected by voters rather than appointed by state legislatures (Cornell Law School 2023).

If one were to look at the history and historical background of why there was the transition from appointed to elected in the U.S. Senate, it is because the legislative branch had allowed for political organizations and special interest groups to have the ability to purchase Senate seats (*ibid.*). The United States chose to have an elected Senate, which is unlike the way that Canada's Senate works; Canada already has legislation that prevents what occurred in the U.S. Senate to happen in its own Senate. In 2003, because of a scandal that occurred with Canadian Prime Minister Jean Chrétien, to ensure his legacy was not tarnished, his government legislated to constrain corporations and unions by putting a maximum \$1,000 limit "on contributions to local candidates, party constituency associations, or nomination contestants," which Prime Minister Stephen Harper only strengthened (Gagnon and Tanguay 2017). So, as can be seen here, Canada has corrected monetary corruption through the money allowed to circulate in its institutional processes. Also, the Canadian Constitution explicitly mentions how the Canadian Senate is similar to the United Kingdom's House of Lords, "where the Upper House is not elected," and thus in a historical manner this key document illuminates Canada's traditions and identifies the reasoning for Canada's political landscape (Sarro 2013).

If the Triple-E Senate reform of an elected Senate were to be implemented, this would ultimately transition Canada away from having the Governor General appoint senators to sit in the Canadian Senate on the advice of the Canadian prime minister (Macfarlane and Goodyear-Grant 2019). In fact, this would remove the possibility of what is innate to the Senate's role in its relationships with other institutions. If enacted, the Senate would lose its independence because senators would depend on the riding's<sup>1</sup> populace (to be elected / reelected), so it might hesitate to make unpopular decisions, as the senators would risk being voted out in the next election cycle. This can be anticipated because through the current setup of the Canadian Senate, once they receive their appointment, the prime minister has considerably less sway over them, particularly as some "pledge to never engage in partisan behaviour or sit in partisan caucuses within the Senate" (*ibid.*). However, with having an election, it is almost like the prime minister gets the opportunity to review an appointment after a certain amount of time with the ability to remove them on a whim, which takes away from their independence.

By demonstrating how both situations are quite similar with having frequent prime ministerial reviews of senators and having elections, it brings to the forefront that an elected Senate would have significant negative consequences and implications. This point can be expanded upon by making a comparison to the judicial branch that exists in the United States, based on the possibility of the presence of elected and appointed judges. One will find that through having an appointed judge, it allows the liberty to be "free from political co-option by special interests (or the ruling majority)" as it instills an independence that allows for litigation to be more prevalent than the other selection option of elected judges (Hanssen 1999). However, then it is to be expected that when analyzing elected judges' decisions, there is more concrete certainty to it because there is a dependence on acting within the sphere of external political entities' expectations for the most part (*ibid.*). This should

---

<sup>1</sup>"Riding" refers to a political district.

raise significant issues especially in the judicial system since “the rule of law requires an independent court” as it is to be expected and also found within Canada’s own legal system (Hogg and Zwibel 2005).

So, by taking this understanding when looking at Canada’s historical past with judges and the judicial system, it follows that the intended purpose of the Senate and its relationship to the House of Commons should be respected with the ultimate goal of upholding a type of independence. In all likelihood, with the acceptance of an elected Senate, as prescribed by the Triple-E Senate reform, senators would likely need to have strong ties to political parties in Canada. It has been shown throughout Canada’s political culture that Canada has strong party discipline, which would curtail the independence of what is expected of the tradition of Canada’s Senate (Marland 2020). The institution of the Canadian Senate is described as the sober second thought, as its role is to “examine and pass legislation sent to it from the House of Commons before any bill becomes law” with the independence not to take such a partisan and radical view (Docherty 2002). The Triple-E Senate reform recommending an elected Senate also prescribes another type of reform that does not account for Canada’s political landscape, as its institutions cannot take on these Americanized reforms.

## 4 Considering *Effectiveness*

Lastly, the third reform suggested by the Triple-E Senate—an effective Senate—needs a clearer understanding of Canadian institutional systems’ defined responsibilities as it would only work in the American landscape in which it resides. The Triple-E Senate reform of an effective Senate can be described as the Senate will ultimately have legislative powers that are considered to be effective in their usage (Burton and Patten 2015). This is considered an American import because effective Senate powers represent an ideal that can be found quite frequently discussed in American political culture. In the United States, both the upper and lower houses have equal power, but certain responsibilities differentiate the Senate and the House of Representatives, but both have abilities to put a check and balance on presidential power (The White House 2021). In the United States, the legislative branch is the U.S. Congress, which is meant to keep the executive branch of government in check and ensure that it does not supersede its power, and that is why there is a separation between these branches of government (ibid.).

It is an American ideal that both the Senate and the House of Representatives are effective enough to ensure that other branches of government are contained in their actions; should this ideal apply also in the context of Canada? The answer is no; as per the makeup of Canada’s parliamentary system, there are no divisions of power separating the branches. An example of this is that in Canada, the prime minister is part of the executive and the legislative branch, which means they contribute to “the rule making and rule enacting” (Balasubramanian 2017). So accepting the American effective Senate would not be plausible because in the Canadian parliamentary system, a politician has the ability to serve in both branches of government. Also, within Canada, it differentiates from the American system as the role of the Senate and the powers given to the Senate are the same as the House of

Commons, so it would be redundant to have equivalent powers (Thomas 2003). If Canada were to incorporate what is expected from a Triple-E Senate reform of having an effective Canadian Senate, the result would be not only gridlock which the United States of America deals with in their own effective Senate (Gerhardt 2013). The allowance of an effective Senate in Canada would enable the mechanism of motions of no confidence to take place not only in the House of Commons, but it would be a power bestowed upon the Canadian Senate as well (House of Commons Canada 2023). This now allows the opportunity for more motions of no confidence to occur and the more frequently that motions of no confidence are able to take place; it then could be deduced it will invite the opportunity for general elections to happen (*ibid.*). With the possibility of increasing the frequency of unsuccessful motions of no confidence it presents the possibility that success could be found at some point when allowing the Senate to be an effective Senate. The only way to mitigate the effective Senate's possible volatility is that the government of the day now has to be wary that both the House of Commons and the Senate have the power to topple the government, so then there must be the maintaining of party discipline and ensuring that the government of the day maintains enough confidence in both the House of Commons and Senate by winning majorities or placating the opposition. The current reality that Canada contends with—as it is only the House of Commons who has this power—is that from 2004 to 2024 there have been nine motions of no confidence (two of which were successful), and the introduction of an effective Senate would not only be disruptive to Canada's representatives but also eligible voters (Snow 2024). One will find that within Canadian culture, when an election is called outside the regular election cycle, there is the tendency of Canadians to disapprove, as one can see from Canada's 2021 federal election, which Canadians saw as unnecessary and did not significantly change the makeup of the seats in the House of Commons (Nickel 2021). It might be initially viewed that this is merely low stakes when looking at the statistics of the motions of no confidence within a 10 year span, but it does create an argument for the maintenance of stable governments and an effective Senate would only work against such a goal and contribute to the possibility of instability within Canadian parliament.

## 5 Conclusion

Throughout the examination of the potential Triple-E Senate reform that could in the future be adopted by the Canadian Senate, I argue that such reforms are an American import, and one that should not be applied in the Canadian political landscape. The Triple-E Senate would fail because it focuses on American understandings and tries to force them into Canadian contexts. The first recommendation of the Triple-E Senate is an equal Senate, and one can find that with the U.S. Senate, each state has two senators to protect states' rights against other government levels intruding and viewing those states as all equal (Binder and Smith 1997). So a reduction in Quebec seats from 24 seats or the leveling out of an equal amount of seats in the Canadian Senate for Quebec would likely cause the province of Quebec to want independence and secede from Canada (Watts 2003). The second recommendation of the elected Senate from the Triple-E Senate comes from the United States trying to deal with the corruption found within its institutions by amending the constitution with the 17th Amendment (Cornell Law School 2023). So if the elected Senate reform were to be applied,

the Canadian Senate would lose its ability to be a chamber that maintains its independence of being the sober second thought entrenched in Canada's institutional culture, something which I feel is present in the United States only to a clearly lesser degree (Docherty 2002). Finally, the effective Senate that can be found in the suggestions made by Triple-E Senate reforms is American because of how the Senate and the House of Representatives powers differentiate in the legislative branch but mainly tasked with countering the executive branch (The White House 2021). So, if the Triple-E Senate reform were to be applied because of how the parliamentary system works, the reform would ultimately contribute to instability through increasing the possibility of elections because of motions of no confidence if the Senate in Canada were allowed to be effective and were equally powerful as the House of Commons (House of Commons Canada 2023). This is why not all institutions in Canada can go under reforms that are American imports, as suggested by the Triple-E Senate reforms to address deficits in the Senate (Dodek 2015). It is vital to understand the Canadian political landscape before suggesting reforms that have originated outside of Canada.

## References

- Albert, Richard (Nov. 2015). "The Difficulty of Constitutional Amendment in Canada". In: *Alberta Law Review* 53.1, pp. 85–114. DOI: 10.29173/alr281.
- Balasubramanian, Sai (2017). "Executive Dynamism in Healthcare: A Rich History of the Executive Branch and Its Use of Power in Public Health and Access to Care Initiatives". In: *Faulkner Law Review* 9.1, pp. 61–93. URL: [https://go-gale-com.ezproxy.library.yorku.ca/ps/i.do?p=AONE&u=yorku\\_main&id=GALE%7CA540376058&v=2.1&it=r](https://go-gale-com.ezproxy.library.yorku.ca/ps/i.do?p=AONE&u=yorku_main&id=GALE%7CA540376058&v=2.1&it=r).
- Binder, Sarah A. and Steven S. Smith (1997). "The Original versus the Traditional Senate". In: *Politics or Principle?: Filibustering in the United States Senate*. Washington, DC: Brookings Institution Press. Chap. 2, pp. 29–51.
- Bridgman, Aengus (2020). "A Nonpartisan Legislative Chamber: The Influence of the Canadian Senate". In: *Party Politics* 27.5, pp. 1009–1016. DOI: 10.1177/1354068820911345.
- Burton, Michael and Steve Patten (2015). "A Time for Boldness? Exploring the Space for Senate Reform". In: *Constitutional Forum / Forum constitutionnel* 24.2, pp. 1–7. DOI: 10.21991/c9nq37.
- Cornell Law School (2023). *Seventeenth Amendment: Historical Background*. Accessed March 18, 2023. URL: <https://www.law.cornell.edu/constitution-conan/amendment-17/seventeenth-amendment-historical-background>.
- Docherty, David C. (2002). "The Canadian Senate: Chamber of Sober Reflection or Loony Cousin Best Not Talked About". In: *The Journal of Legislative Studies* 8.3, pp. 27–48. DOI: 10.1080/714003922.
- Dodek, Adam (2015). "Addressing the Senate's 'Triple-Deficit': The Senate as Driver of Its Own Reform". In: *Constitutional Forum / Forum constitutionnel* 24.2, pp. 39–45. DOI: 10.21991/c94q1t.

- Fortier, D'Iberville (Jan. 1994). "Official Languages Policies in Canada: A Quiet Revolution". In: *International Journal of the Sociology of Language* 105-106.1, pp. 69–98. DOI: 10.1515/ijsl.1994.105-106.69.
- Franks, C.E.S. (1988). "Canadian Senate in an Age of Reform". In: *Queen's quarterly* 95.3, pp. 663–681. URL: <https://search-proquest-com.ezproxy.library.yorku.ca/docview/1296881477/fulltextPDF/5E80C534E9F54410PQ/1>.
- Gagnon, Alain and Brian Tanguay (2017). "The Evolution of the Canadian Party System: From Brokerage to Marketing-Oriented Politics". In: *Canadian Parties in Transition: Recent Trends and New Paths for Research*. 4th ed. North York, ON: University of Toronto Press. Chap. 1, pp. 3–28.
- Gerhardt, Michael J. (June 2013). "Why Gridlock Matters". In: *Notre Dame Law Review* 88.5, pp. 2107–2120. URL: <https://heinonline-org.ezproxy.library.yorku.ca/HOL/Page?handle=hein.journals/tndl88&id=2165&collection=journals&index=journals/tndl>.
- Hanssen, F. Andrew (Jan. 1999). "The Effect of Judicial Institutions on Uncertainty and the Rate of Litigation: The Election versus Appointment of State Judges". In: *The Journal of Legal Studies* 28.1, pp. 205–232. DOI: 10.1086/468050.
- Hicks, Bruce M. and André Blais (2008). "The Harper Government's Senate Reform Proposals". In: *Restructuring the Canadian Senate through Elections*. Montreal, QC: IRPP, pp. 10–20.
- Hogg, Peter W. (1993). "The Difficulty of Amending the Constitution of Canada". In: *Osgoode Hall law journal* 31.1, pp. 41–62. URL: <https://heinonline-org.ezproxy.library.yorku.ca/HOL/Page?handle=hein.journals/ohlj31&id=51&collection=journals&index=journals/ohlj>.
- Hogg, Peter W. and Cara F. Zwibel (June 2005). "The Rule of Law in the Supreme Court of Canada". In: *University of Toronto Law Journal* 55.3, pp. 715–732. DOI: 10.1353/tlj.2005.0016.
- House of Commons Canada (2023). *Parliaments and Ministries - The Confidence Convention*. Accessed March 18, 2023. URL: <https://www.ourcommons.ca/marleaumontpetit/DocumentViewer.aspx?Language=E&Sec=Ch02&Seq=3>.
- Lusztig, Michael (1995). "Federalism and Institutional Design: The Perils and Politics of a Triple-E Senate in Canada". In: *Publius: The Journal of Federalism* 25.1, pp. 35–50. DOI: 10.1093/oxfordjournals.pubjof.a038180.
- Macfarlane, Emmett and Elizabeth Goodyear-Grant (2019). "The Perils and Paranoia of Senate Reform: Does Senate Independence Threaten Canadian Democracy?" In: *Canada: the State of the Federation 2017 : Canada at 150: Federalism and Democratic Renewal*. Ed. by Elizabeth Goodyear-Grant and Kyle Hanniman. Montréal, QC: McGill-Queen's University Press. Chap. 5, pp. 97–109.
- Marland, Alex (2020). "Party Discipline in Canada". In: *Whipped: Party Discipline in Canada*. Vancouver, BC: UBC Press, pp. 3–37.
- Marland, Alex and Thierry Giasson (2020). "Inside the Campaign : Managing Elections in Canada". In: *Inside the Campaign: Managing Elections in Canada*. Vancouver, BC: UBC Press, pp. 3–27.
- Nickel, Rod (Sept. 2021). 'Waste of Money': Canadians Lament C\$612 Million Election That Changed Little. Thomson Reuters. URL: <https://www.reuters.com/world/americas/>

waste-money-canadians-lament-c612-million-election-that-changed-little-2021-09-21/.

- Sarro, Douglas (Nov. 2013). “Two Paths to Senate Reform”. In: *Revue québécoise de droit constitutionnel* 5.1, pp. 125–144.
- Seymour, Michel (Apr. 2000). “Quebec and Canada at the Crossroads: A Nation within a Nation”. In: *Nations and Nationalism* 6.2, pp. 227–255. DOI: 10.1111/j.1354-5078.2000.00227.x.
- Snow, Dave (Oct. 2024). *Dave Snow: The Political Power of a Non-Confidence Motion and How Poilievre Is Using Them to Set the Parliamentary Agenda*. URL: <https://thehub.ca/2024/10/16/dave-snow-the-political-power-of-a-non-confidence-motion-and-how-poilievre-is-using-them-to-set-the-parliamentary-agenda/>.
- The White House (Jan. 2021). *The Legislative Branch*. URL: <https://www.whitehouse.gov/about-the-white-house/our-government/the-legislative-branch/>.
- Thomas, Paul G. (2003). “Comparing the Lawmaking Roles of the Senate and the House of Commons”. In: *Protecting Canadian Democracy: the Senate You Never Knew*. Ed. by Serge Joyal. Montréal, QC: McGill-Queen’s University Press. Chap. 7, pp. 189–228.
- Watts, Ronald L. (2003). “Bicameralism in Federal Parliamentary Systems”. In: *Protecting Canadian Democracy: The Senate You Never Knew*. Ed. by Serge Joyal. Montréal, QC: McGill-Queen’s University Press. Chap. 3, pp. 67–104.

# Horrors at Home: Assessing the Islamic State’s Strategy to Attack France and Belgium from Within

Giacoma Kokotakis\*, Georgetown University

## 1 Introduction

“There is no excuse for any Muslim not to migrate to the Islamic State ... joining [its fight] is a duty on every Muslim. We are calling on you either to join or carry weapons [to fight] wherever you are,” said a spokesperson for the Islamic State in a May 2015 audio message (Gardner 2015). It served as perhaps the clearest indication of the Islamic State’s external strategy: conducting attacks against the West from within.

From a perspective of lethality, the Islamic State successfully employed this strategy. Between 2014 and 2019, five Islamic State-directed attacks in Europe have killed 188 people (Bergen, Serman, and Salyk-Virk 2019), and including other attacks that have been conducted by individuals inspired by Islamic State ideology, this figure has increased considerably. Even though it lacked the military power to face the West head-on, the Islamic State’s actions caused tragic losses that shook European communities and worsened social tensions arising from the refugee crisis.

This paper examines past Islamic State attacks using foreign fighters and homegrown terrorists in France and Belgium, its networks in those countries, and its Western-targeted recruitment strategies. It concludes that the Islamic State’s strategy to direct attacks against the West from within succeeded because of its French and Belgian networks and the Al-Hayat media branch’s effective Western-targeted propaganda, although the strategy proved unsustainable due to territorial loss and social media content moderation. Currently, the group’s increased activity, ‘digital caliphate,’ and returning foreign fighters require the Islamic State to be viewed as an enduring, significant threat to the West.

---

\*Gia Kokotakis graduated magna cum laude from Georgetown University in 2024, where she studied government, French, and Jewish civilization. Currently, she is pursuing a Master’s degree in Terrorism, Security & Society at King’s College London. Her research focuses on American far-right extremism and international terrorist groups.

## 2 Notable Islamic State Attacks in France and Belgium: Shared Connections

From 2014 to the present, the Islamic State has inspired and facilitated attacks in Europe ranging in lethality, weapons, and targeting. The November 2015 terrorist attacks in Paris and the March 2016 bombings in Brussels are the most lethal attacks in France and Belgium in which the Islamic State may have provided support and direction. Although the attacks' targets and weaponry differed, they shared a high involvement of foreign fighters and were connected through the same network, providing an extensive team for logistical support and thus facilitating more complex attacks.

On November 13, 2015, three bombers detonated suicide vests at a soccer match at the Stade de France in Paris, followed by three gunmen conducting shootings at restaurants and bars in Paris's 11th District. Another gunman engaged in a hostage event after carrying out a mass shooting at the Bataclan Concert Hall. One hundred and 30 people died from the attacks committed by nine assailants, although 30 individuals were involved to provide logistical support for the attacks (Cragin 2017).

On March 22, 2016, bombers associated with the Islamic State detonated two IEDs at Zaventem airport and one at the Maelbeek underground station, killing 32 people along with the three suicide bombers (Wojtasik 2021). One bomb was discovered undetonated in the airport terminal, along with an AK-47 rifle that was not used in the attack (Elliot 2017). Three of the bombers had known each other from childhood and had fought together in Syria (*ibid.*).

Foreign fighters played instrumental roles in both attacks. In Paris, seven assailants, although having been born in France or Belgium, had previously traveled to Syria to fight for the Islamic State (Cragin 2017). Sixteen of the 30 logisticians who provided essential support for the Paris attacks and the Brussels suicide bombers were also returned foreign fighters (Reed, Pohl, and Jegerings 2017). As the Islamic State continued to lose territory, its foreign fighters relocated, with a 2016 report suggesting the organization may "systematically export terror cells to Europe" to conduct attacks like those in Paris and Brussels (*ibid.*). Even though only a small percentage of foreign fighters return to commit attacks in their home countries, they may also pose a threat by providing logistical, financial, or recruitment services to the terrorist organization, as seen by the high number of logisticians involved in facilitating the Paris attacks.

Individuals involved in the Paris and Brussels attacks also had significant overlap. Forensic evidence suggests offline links between the terrorists, as "fingerprints of at least three Paris attackers were found in apartments rented by two of the Brussels bombers" (Buchanan and Park 2022). Overlap also occurred between those supporting the Paris attacks and those carrying out the Brussels attack. Individuals who provided key logistical support for the terrorist attacks in Paris "rapidly transitioned to an operational role in Brussels," such as how "Naaajim Laachroui helped construct explosives for the Paris attacks before donning his

own suicide vest in Brussels” (Gartenstein-Ross 2016). The connections between logisticians and attackers in the two plots committed by European nationals, many being returned foreign fighters, demonstrate the existence of an extensive Islamic State network in Europe.

In addition to personal connections, the sheer complexity of the attacks required an extensive network of logisticians far surpassing the terrorists who carried out the violence, thus confirming to authorities the existence of this Islamic State network. The 2015 attackers managed to “successfully [detonate] their suicide belts in seven locations in Paris, indicating that the group had mastered both how to mix the compound and how to set it off” (Callimachi 2016). The bombers in Brussels also successfully coordinated the explosion of three bombs in two separate locations. Both attacks demonstrate an elevated complexity in the open-source intelligence of targets and communication needed to successfully execute the plots, suggesting a highly organized effort, and thus the existence of a network (*ibid.*).

### **3 Islamic State Networks in France and Belgium: Abaaoud, Zerkani, and their Origins**

The Abaaoud network and the Zerkani network’s recruitment of foreign fighters, facilitation of those fighters’ travel to Syria, and oversight of their training in Syria were instrumental to the success of the Islamic State’s use of European nationals to attack France and Belgium from within. Two entities that I describe in greater length below, Sharia4Belgium and Katibat al-Muhajirin (KAM), also played significant roles in acting as feeders into the Zerkani and Abaaoud networks.

From 2014 to 2017, the Islamic State played a significant role in directing or enabling attacks in Europe, and these Islamic State-connected plots demonstrated a higher level of sophistication and casualties (Bergen, Sterman, and Salyk-Virk 2019). Foreign fighters increase the Islamic State’s capabilities to attack France and Belgium due to their ability to carry out complex, effective plots and facilitate the growth of extremist networks. As seen in the Paris and Brussels attacks, foreign fighters “are often better trained, more highly motivated and networked, and tied to skilled planners back in the war zone” (D. Byman 2019). Attacks involving foreign fighters are likely to be far more lethal than those conducted by non-foreign fighters. A study published in 2017 examining 51 successful jihadi attacks throughout Europe and North America found that returning foreign fighters who commit terrorist attacks at home kill five times more people on average than non-foreign fighter assailants (Vidino, Marone, and Entenmann 2017). Returned foreign fighters may also play other roles in attacks that increase their complexity and lethality, such as “logisticians, travel facilitators, [and] passport forgers” (D. Byman 2019) or may facilitate the travel of new foreign fighters, acting as a bridge between growing extremist networks at home and violent terrorist organizations abroad (Reed, Pohl, and Jegerings 2017). Thus, foreign fighters are integral to the Islamic State’s ability to carry out high-lethality attacks and grow their extremist networks in France and Belgium from within.

In the earlier stages of the Syrian civil war, connections made in Sharia4Belgium led to significant waves of Belgians leaving to join the jihad. Some of these fighters would join KAM, the main francophone cluster in the Islamic State's external operations branch (Brisard and Jackson 2016). The relationships formed in these earlier groups either before or during the individuals' time fighting in Syria often translated to their maintenance of contact following their return to Europe and thus their integration into the same Islamic State networks in France and Belgium (*ibid.*).

Mostly active in Antwerp and Vilvoorde, Sharia4Belgium was a "Flemish extremist group founded by Fouad Belkacem" (Ostaeyen 2016). The group, although having mostly amateurish recruits, had a prominent internet and social media presence, increasing its ability to attract individuals from diverse backgrounds (Ostaeyen 2019). Sharia4Belgium officially disbanded in October 2012 following Belkacem's arrest for a myriad of hate crimes, leading a group of high-ranking members to depart for Syria to join some of the earliest jihadi networks operating there (Ostaeyen 2016). Individuals in Sharia4Belgium who traveled to Syria as foreign fighters often connected with other friends in the group still in Europe, encouraging them to join the Syrian jihad and eventually creating a snowball effect of Belgian jihadi recruitment (*ibid.*). Although the group had already officially ended, its role in recruiting Belgian foreign fighters for the Syrian jihad led it in 2013 to be called "the biggest recruitment base for Belgian foreign fighters" (Ostaeyen 2017). The connections formed in Sharia4Belgium facilitated the growth of a network that would bring together the plotters, logisticians, and attackers responsible for the Paris and Brussels attacks.

KAM was the original cluster involved in the Islamic State's external operations composed mostly of French-speaking volunteers who often developed strong personal connections with one another, some even predating the Syrian jihad (Brisard and Jackson 2016). Having begun in Syria in 2012 as a Chechen battalion (Steinberg 2014), the number of francophone foreign fighters in the cluster increased over time, making it particularly alluring to Belgian and French foreign fighters. Many of KAM's members expressed an early interest in returning to Europe to carry out the terrorist attacks for which they had acquired the necessary training during their time as foreign fighters (Brisard and Jackson 2016). KAM's alumni went on to organize, support, and carry out attacks for the Islamic State on French and Belgian soil, often falling back on connections made within KAM while fighting abroad to fulfill their plots. For example, the KAM alumnus who attacked the Brussels Jewish Museum in May 2014 was in contact with two other KAM alumni residing in Belgium, one being Abdelhamid Abaaoud, a few months before his own attack (*ibid.*).

The recruitment, radicalization, and networking efforts of two individuals would largely facilitate the Islamic State's foreign fighter strategy in France and Belgium. Before fighting in KAM, Abdelhamid Abaaoud was recruited into the Zerkani network, one of the largest recruiters and facilitators of Islamic State foreign fighters out of Belgium. Based around the Molenbeek district of Brussels, 42-year-old Moroccan-born Zerkani, a resident of Brussels, avidly recruited young men and led them like a criminal gang (Ostaeyen 2016). Operating in a secret fashion, Zerkani's network "was responsible for recruiting at least 57 individuals

from Brussels” (Ostaeyen 2017), and it is estimated that he arranged the travel of 30 of his recruits to fight in Syria (ibid.). He often facilitated this travel through Turkey and paid foreign fighters “up to €4,000 from the proceeds of the gang’s thefts” (Ostaeyen 2016). Although Zerkani was not involved in planning or executing the 2015 Paris attacks or the 2016 Brussels attacks, “the foreign fighter recruitment networks he established from 2012 to 2014” were “at the center of IS’s ongoing operations in Europe” until at least 2016 (Gartenstein-Ross 2016).

Abdelhamid Abaaoud, a Belgian national who fought for the Islamic State in Syria after being recruited into the Zerkani network, constructed a network now known as the Abaaoud network. He was connected to the Brussels attack (as his fingerprints were found in a safe house rented by two of the Brussels bombers)(Buchanan and Park 2022) and an attack at the Jewish Museum of Belgium in Brussels in May 2014, among others. Most importantly, he assembled the team of Paris attackers. As a tactical commander in the Islamic State’s Amn al-Kharji, the “shadowy wing of IS’s bureaucracy responsible for selecting and training external operatives and for planning terrorist attacks in areas outside of IS’s core territory” (Gartenstein-Ross 2016), Abaaoud facilitated the emergence and expansion of an Islamic State network stretching across France and Belgium that would birth the two deadliest Islamic State plots in both countries (D. Byman 2019).

## 4 Al-Hayat, Social Media, and Western-Targeted Propaganda

In addition to its founding and maintenance of networks in Europe, the Islamic State’s strategy of attacking the West from within succeeded due to its propaganda machine. Before they can become foreign fighters, the Islamic State must radicalize and recruit European nationals. Up until 2019, the Islamic State put the majority of its focus on propaganda, with Al-Hayat Media focusing on “recruiting and representing an idyllic society” (Gerstel 2016). Al-Hayat’s targeted messaging and high-production quality, as well as Islamic State propaganda’s high volume of outreach through effective social media strategies, made it a startlingly effective propaganda machine capable of recruiting thousands of people from democratic countries like France and Belgium.

Al-Hayat’s propaganda messaging was designed to resonate with Westerners, presenting a positive image of life in the caliphate tailored to different audiences. Through Al-Hayat, the Islamic State portrayed itself and the caliphate as the ultimate utopia, romanticizing terrorism in a way that appealed most greatly to teenagers. The organization directed its recruitment efforts at 16- to 25-year-olds “who are isolated from their societies and who do not have a strong sense of identity or purpose” and who “often know little about Islam or have learned about religion from IS operatives” (ibid.). The Islamic State targeted youth by displaying its members in the most positive light possible, although what this positivity entails differed between men and women.

Al-Hayat's propaganda primarily targeted men, portraying the Islamic State as a welcoming environment, a place to find camaraderie, and a rewarding lifestyle. The organization's visual propaganda went "to great lengths to illustrate the multi-ethnic background of its members," with pictures in its publication *Dabiq* often showing a diverse range of soldiers embracing each other like athletes before a match (ibid.). The Islamic State thus presented itself as a haven for recruits from all nations. The Islamic State also compared itself to the West's failures, particularly with regard to racial relations. In Al-Hayat's film *No Respite*, the narrator explains that in the Islamic State, "there is no difference between an Arab and a non-Arab, or a black man and a white man except through piety" before showing Islamic State soldiers of different races smiling with their arms around each other's shoulders (Macnair and Frank 2017). By portraying the Islamic State as a welcoming environment for people of all races, especially in contrast to tumultuous Western race relations, the Islamic State presented itself as a utopia of equality, friendship, and peace—a welcoming haven—in order to draw in young people who may feel lost, isolated, or unwelcome in their Western homes.

Islamic State propaganda targeting Western men leaned heavily on themes of fulfillment. Multiple videos "showcase Western recruits discussing the great friends they have made in the Caliphate," thereby "offering [potential recruits] the hope of friendship they do not have at home" (Gerstel 2016). Emotional analysis of Al-Hayat propaganda concluded that repeated uses of words like "brother" and "son" in Islamic State messaging contribute to conveying a feeling of belonging (Maragkos and Maraveakis 2022). Interviewed Islamic State fighters describe how they were unhappy until they devoted their lives to the Islamic State's cause, portraying the life of a terrorist as meaningful and happy (Macnair and Frank 2017). Islamic State thus lured young, isolated men from the West with the promise of belonging and acceptance, presenting the terrorist organization as a place to find existential fulfillment.

Propaganda from Al-Hayat also conveyed to potential recruits that by joining the Islamic State, they will have a rewarding lifestyle. Islamic State propaganda portrayed its fighters' lives in a glamorized manner, presenting their roles in a video game-like style. The Hollywood-quality production of Al-Hayat films enabled the Islamic State to use special effects and production tricks "to portray IS terrorists as heroes and depict fighting for IS as akin to playing in a real-life video game" (Lieberman 2017). The films directly copied the visuals and aesthetics of first-person shooter games, thereby offering "a way to recruit young, technologically savvy, men while sanitizing the violence they were being recruited to participate in" (Dauber et al. 2019). By employing "rapid-fire action montage[s] accompanied by a recruitment hymn," the Islamic State implied "that warfare is a real-life game of 'Grand Theft Auto,'" including scant depictions of Islamic State atrocities such as "abduction, rape, destruction of mosques, persecutions, crucifixions, and the whipping of women who were caught without a hijab" (Lieberman 2017). In addition to drawing young men in by presenting fighting for the Islamic State as similar to fighting in video games, the Islamic State suggested that by joining the terrorist organization, they would have access to sexual encounters that they lacked in their home European countries. Islamic State magazine articles promoted the idea that in jihad, the relief of sexual tensions is allowed in order to increase

men's ability to fight well, with a highly controversial 2013 fatwa used as justification for the organization's sexual slavery (Gerstel 2016). The broadcasting of access to sex slaves in Islamic State propaganda toward Western audiences "appeals to lonely, sexually frustrated young males who are IS's target audience" (ibid.). Thus, through Al-Hayat's propaganda, the Islamic State presented the life of a terrorist as rewarding by simulating violent acts like video games and promising access to sex slaves.

While Islamic State propaganda aimed at a male audience painted the organization in a positive light by emphasizing its diversity of soldiers, belonging to a brotherhood, and rewarding participation in violence and sexual acts, its propaganda aimed at female Westerners portrayed the group as a family-friendly environment where gender equality thrived. Although the Islamic State mainly targets men, it also purposefully targets Western women, as at least 100 French women in 2014 were recruited to become jihadi brides or suicide bombers for the Islamic State (Lieberman 2017). To appeal to Western women, Al-Hayat propaganda portrayed the Islamic State as a family-friendly environment. Scenes where Islamic State fighters are shown "enjoying an average family life and playing with children in the sunshine" (ibid.) presented the terrorist organization as a pro-family utopia and emphasized the role of marriage and family (Gerstel 2016). Islamic State propaganda also included shots of jihadi brides participating in military-like activity, showing them in "the al-Khansaa police brigade and carrying AK-47s" (ibid.) or posing "around a luxury BMW, brandishing guns much like their male counterparts" (Lieberman 2017). These images suggest the idea that in the Islamic State, women are held equal to male fighters. Even though reports of the group's harsh and unequal treatment of women reveal this propaganda to be a wholly inaccurate depiction of the organization and its values, it nonetheless served the purpose of painting the Islamic State as a utopia for women as well as men.

The high-production quality of Al-Hayat's propaganda materials added to its recruitment efficacy among Western audiences by inflating the perceived strength of the Islamic State as an organization and thus legitimizing the caliphate. The Islamic State viewed its media strategy as two-thirds of its battle (Siboni, Cohen, and Koren 2015), devoting significant resources to maintaining a high-quality propaganda machine. In so heavily investing in Al-Hayat, the Islamic State was able to produce videos "professionally produced and shot in high-definition, as well as the equally high-quality periodical magazines . . . which are translated in several languages including English" (Macnair and Frank 2017). Such propaganda quality emphasized the bravery and efficacy of Islamic State fighters, depicting them as victorious over weak and evil enemies to present the terrorist organization as strong and prepared. In addition to high visual quality, Al-Hayat's propaganda materials were also high-quality in the way in which they were produced to connect strongly with potential Western recruits. The complexity of the outlet's website, used to combine "content and diverse material with new video clips and subtitles for earlier clips, in addition to articles, news reports, and translation of jihad material" for non-Arab speakers, suggested that it was "designed by a team with experience in producing material for a Western audience." In Al-Hayat's documentaries, the narrator speaks in perfect English with no identifiable accent (ibid.), making the organization's message more professional and impactful on Western

audiences. The high quality of these messaging outlets in film, print, and digital means conveyed that “IS has successfully established a caliphate and recruited thousands of members to join the terrorist organization” (Lieberman 2017). By producing propaganda of such high quality, the Islamic State legitimized itself as an organization, portraying the terrorist group as strong, well-funded, and meant to be taken seriously on an international level.

Finally, the Islamic State’s use of social media to increase its outreach and volume of messaging contributed heavily to the efficacy of its propaganda machine. The Islamic State took advantage of “the ungoverned and loosely regulated nature of social media” in the 2010s, establishing “a dominant position on social networks that allows them to easily communicate with potential recruits” (Gerstel 2016). They made innovative use of popular social platforms to amplify their propaganda (Zerofox Team 2015). Specifically, the group used strategies of hashtag hijacking and large volumes of posts to target thousands of potential Western recruits.

Islamic State propagandists on Twitter employed a simple strategy known as “hashtag hijacking,” implanting popular words into posts containing Islamic State material to gain the attention of people looking for more mainstream content (Siboni, Cohen, and Koren 2015). This strategy began in 2014 as only one of an array of tactics used by Islamic State propagandists to maintain the organization’s heavy presence on social media (Girginova 2017), reflected the group’s strategic choice to cater to groups extending past believers in jihadism or others they consider as supporters (Winter and Bach-Lombardo 2016). Hashtag hijacking increased the number of people viewing Islamic State material on social media, broadening the audiences exposed to Islamic State propaganda and thus increasing its chances for recruitment of Westerners.

The Islamic State used homegrown extremists as propagandists and independent social media applications to increase and maintain the volume of posts they produced on social media. Between the Al-Battar battalion, “a Twitter-based team designated to push IS propaganda and castigate IS opponents” (Fernandez 2015), and sympathetic Islamic State “fanboy” accounts outside of the group’s territory, the Islamic State assembled a social media propaganda force in 2016 of at least 3,000 users capable of producing up to 90,000 tweets per day (Gerstel 2016). Additionally, the Islamic State magnified its quantity of propaganda posts on Twitter through an independent application called “Dawn of Glad Tidings.” Through this application, once available for download on the Google Play store, individuals gave the Islamic State automatic access to their accounts’ posting capabilities. Islamic State had access to an army of “puppet Twitter profiles,” which it used to reach “tens of thousands of users, giving the perception that their message was more widespread and popular than it truly was” (Zerofox Team 2015). By assembling an array of supporting propaganda accounts outside of its territory and using an application to take control of puppet accounts’ posting capabilities, the Islamic State was able to increase and maintain an elevated level of propaganda output on social media, making its propaganda machine extremely effective.

## 5 An Unsustainable Strategy

Although the Islamic State successfully conducted high-lethality attacks against France and Belgium from within, its strategy ultimately proved unsustainable. In recent years, Islamic State attacks in the two countries have declined both in number and lethality, attributed mainly to the group's decreasing involvement in enabling and directing attacks. The quantity and quality of Islamic State propaganda have also declined as the group suffered territorial losses in Syria, resulting in fewer foreign fighters.

The effectiveness of an 85-country coalition dedicated to fighting the Islamic State has made the terrorist organization's strategy to attack France and Belgium from within largely unsustainable, as shown by a decrease in the number of attacks and the lethality of those attacks in Europe. The Islamic State suffered significant military losses at the hands of the coalition, with U.S. and Syrian forces regaining "the last remnants of ISIL territory in eastern Libya" in March 2019 (Institute for Economics and Peace 2020). The same year, a U.S. military operation killed the leader of the Islamic State at the time, Abu Bakr al-Baghdadi (*ibid.*). Such heavy military defeats deprived the Islamic State of "a haven in which to recruit, organize, and plan attacks" (D. L. Byman 2017). The group's capability to facilitate attacks against the West has been considerably reduced by "the consequent attrition of personnel and reduction in resources" due to military engagement by U.S. and coalition forces (European Union Agency for Law Enforcement Cooperation 2019). As a result, Europol concluded in its 2019 report that in Europe, "all jihadist terrorist attacks were committed by individuals acting alone" (*ibid.*), highlighting how the "diminished sophistication in the preparation and execution of jihadist terrorist attacks contributed to a lower number of casualties in completed attacks" (*ibid.*). An effective military campaign against the Islamic State and subsequent territorial and financial losses therefore disrupted the terrorist organization's ability to direct and support attacks plotted by any remaining Abaaoud-like tactical coordinators in France and Belgium.

Such heavy military losses also dealt the Islamic State propaganda machine a serious blow. Due to the U.S.-led coalition's victories, Islamic State propaganda declined in both quantity and quality. The terrorist organization's monthly propaganda output plummeted by 75 percent when it began to lose significant strategic territory and a number of its leading propagandists from November 2016 to April 2017 (Wilson Center 2018). By the spring of 2017, the terrorist organization had "lost more than half of its internet outlets after losing the cities of Mosul and Fallujah," with Mosul having been "one of the Islamic State's main media operation centers." A 2019 Europol report noted that 2018 saw "a decrease in the number of IS videos featuring high-production values and high-definition drone footage of battlefields" with official Islamic State videos featuring "little beyond ruined towns and occasional forays into enemy territory" (European Union Agency for Law Enforcement Cooperation 2019). With the central Islamic State propaganda machine floundering, as demonstrated by the decreasing quantity and worsening quality of its propaganda, the responsibility for propaganda dissemination and recruitment fell much more heavily on the shoulders of Islamic State supporters and sympathizers. Overall, the propaganda has shown to be far less effective than in its peak years, as the group's main appeal—the Islamic State's successful construction

and maintenance of a true Islamic State—can no longer be painted as a victory or a utopia (D. L. Byman 2017). Consequently, the number of foreign fighters leaving Western Europe, including those from France and Belgium, has fallen alongside the Islamic State’s territorial losses (Reed, Pohl, and Jegerings 2017).

Furthermore, accelerating content moderation efforts that began in the mid-2010s across a multitude of social media platforms to target pro-Islamic State accounts and content made the organization’s social media propaganda efforts considerably more difficult. A widespread effort to suspend pro-Islamic State Twitter accounts beginning in 2015 resulted in “devastating reductions” in “ISIS follower accounts” and “a net loss of ISIS social media presence” (Maddox 2019). In 2019, Europol’s Action Day saw a coordinated effort across nine social media platforms to identify and remove pro-Islamic State accounts and content. These efforts particularly impacted Islamic State support on Telegram (Europol 2019), a prominent platform of choice for pro-Islamic State users following stricter content moderation by more mainstream platforms such as Facebook and Twitter. These advances in content moderation made previously successful Islamic State social media strategies—including hashtag hijacking and other tactics—largely ineffective, further curtailing the terrorist organization’s ability to disseminate Western-targeted propaganda.

## 6 An Enduring Threat

Although the Islamic State’s strategy of attacking the West from within proved unsustainable due to the organization’s reduced capabilities, the group currently remains a threat to both countries because of its increasing activity, ‘digital caliphate,’ and returning foreign fighters.

Increased global Islamic State activity presents a concerning reversal of the group’s diminished capabilities following massive territorial losses by the U.S.-led coalition. Even though U.S. national security officials still view the group as a minimal threat (Seldin 2024), the Islamic State has demonstrated a widespread “uptick in operational capabilities” (Vincent and Zimmerman 2023). In Syria, the Islamic State claimed responsibility “for 16 various operations in our [Syrian Democratic Forces] regions and more than 30 operations in the Syrian desert region” within less than two months, an uptick from 2023’s figures (Seldin 2024). Most recently, the Islamic State’s Afghan branch, the Islamic State in Khorasan Province (ISKP), carried out an attack on a concert hall in Moscow on March 22, 2024, that killed over 133 people (Doyle 2024). Although it is unknown if this attack presages a resurgence by the group in the West (Gera 2024), the scale and international target of the Moscow attack demonstrate an increased operational capability that directly contradicts earlier U.S. claims this year that the Islamic State’s waning strength limits it to conducting “small attacks . . . in Iraq and Syria” (Seldin 2024). The Islamic State’s suspected increased capabilities present the possibility that they will refocus their attention on directing attacks against the West, since “those groups that once demonstrated or sought to develop transnational attack capabilities still seek to target the United States and Europe” (Vincent and Zimmerman 2023).

Next, Islamic State activity has also increased in the form of territorial expansion into Africa, attracting foreign fighters and creating the possibility for the group to expand its financial activity. As of 2023, efforts to stop the expansion of groups like the Islamic State and al-Qa'ida into the Sahel region in Africa have failed (Al Jazeera 2023). The group has claimed new territory in Mali and Somalia, retaken land previously lost to counterterrorism campaigns in Mozambique, and pushed into Africa's center and southern regions (*ibid.*). These new expansions have increased the flux of foreign fighters to join the terrorist group, as a noticeable number of foreign fighters, mostly from Spain and Morocco, have traveled to join the Islamic State in Mali (Zelin 2024). Although the number of fighters traveling to Africa is "nowhere near what was seen in Syria last decade, even small mobilizations can lead to external terrorist operations in Western countries, as seen with plots emanating from Somalia and Yemen years ago" (*ibid.*). Moreover, growing territorial control in Somalia presents a concerning financial opportunity for the Islamic State, as Somalia is a "key node in the Islamic State's global fundraising networks" (*ibid.*). Therefore, the Islamic State's recent territorial expansions into Africa are increasing its draw of foreign fighters and may facilitate revenue growth, increasing the threat it poses to the West.

While the collapse of the caliphate and new content moderation policies made the Islamic State's previous propaganda strategy unsustainable, the emergence of the Islamic State's unofficial digital caliphate has allowed the organization to overcome some of these challenges and continue reaching young, Western audiences. Because territory loss crippled its propaganda machine—which relied on individuals physically in Islamic State-controlled regions of the Middle East to create and disseminate propaganda for the recruitment of foreign fighters from the West—decentralized, pro-Islamic State communities online are now responsible for the bulk of IS propaganda heavy lifting (Criezis 2022; Ayad 2025). These widespread digital communities form a digital caliphate that creates and disseminates pro-Islamic State content geared at young, Western audiences while devising resourceful and anticipatory strategies to avoid content moderation and deplatforming (Ayad 2025). Members of this digital caliphate have created online magazines for young Western viewers and translate official Islamic State news into multiple Western languages (Meleagrou-Hitchens and Bellaiche 2023). Although the quality and length of these Western-gearred online magazines fall short when compared to its official Islamic State predecessors, such as *Inspire* and *Dabiq*, one editor claimed to have "adapted the *Dawah* (proselytization)' to the needs of today's youth who are used to 'short and quick information' and are inspired by the popularity of short Tik-Tok videos and Youtube 'shorts'" (*ibid.*). Other pro-Islamic State online users dedicate themselves to translating official Islamic State news into a multitude of languages, engaging in "grass-roots projects" to develop independent "brand names" for their translation collectives (Criezis 2022). Furthermore, the digital caliphate consistently develops new strategies to evade content moderation algorithms, allowing pro-Islamic State content to flourish on multiple different platforms. These strategies include using emojis to replace terrorist language, tempering overtly pro-Islamic State rhetoric in English posts, and blurring photos with Islamic State-identifying symbols, among others (Criezis 2022; Scott 2022). Users coordinate strategies, applying certain tactics to different platforms in order to most effectively weaponize "blindspots within each social media platform's content poli-

cies to promote a hateful and violent ideology” (Scott 2022). The pro-Islamic State digital caliphate thus allows the organization to overcome propaganda difficulties it has faced since the crumbling of the caliphate while still targeting young, Western audiences.

Next, returned and missing Islamic State foreign fighters from France and Belgium perpetuate the threat posed by the terrorist group. Small numbers of foreign fighters from France and Belgium have been recorded as returning. As of 2020, 270 French foreign fighters and 125 Belgian foreign fighters have returned to their countries of origin (Gartenstein-Ross, Clarke, and Chace-Donahue 2020). These individuals will likely face prison sentences, though neither France nor Belgium uses capital punishment. Many former foreign fighters are estimated to have been released by the end of 2020 (ibid.). Furthermore, in addition to the foreign fighters France and Belgium have identified as returnees, a significant number remain unaccounted for (Simcox 2019). According to an April 2019 Europol assessment, European law enforcement has “lost track of at least 150 Belgian FTFs [foreign terrorist fighters]” (Ostaeyen 2019). Considering this significant portion of foreign fighters whose locations are unknown, the number of reintegrated former fighters to France and Belgium may be higher than previously recorded.

Although some may deradicalize, foreign fighters who do not can spread Islamist ideologies in their local communities and contribute to extremist networks. Because they return home “with the stature and glory that attends a man who fought for his faith and community, foreign fighters are well-positioned to promote a more extreme version of Islam,” effectively spreading this ideology within isolated Muslim communities so that “the jihadist movement [endures] even without a conflict, as radical groups form in fighters’ home countries” (ibid.). Returned foreign fighters may also sustain existing networks in Western countries or create new ones. These networks may be connected to or independent from the Islamic State. Lone actors, now responsible for a large percentage of recent attacks in France and Belgium, were rarely *truly* lone actors. Most of these individuals maintained online relations “in loose networks or small unstructured groups, and may [have] receive[d] material and/or moral support from like-minded individuals” (European Union Agency for Law Enforcement Cooperation 2019). Although these networks are not connected directly to the Islamic State in the way that the Abaaoud network was, they nonetheless foster the radicalization of individuals and communities. Offline extremist networks may be built or reconstructed by returning foreign fighters in prisons. France’s policy of separating extremist prisoners from the general population “could help returnees and other radical prisoners create and solidify extremist *dawa* (proselytization) networks” (Gartenstein-Ross, Clarke, and Chace-Donahue 2020). French and Belgian returnees may use these connections formed in prison to “join other extremist facilitation networks throughout Europe to coordinate attacks.” French and Belgian officials should therefore continue to consider the Islamic State a threat to their countries due to the influence returned foreign fighters may have in European extremist communities.

## 7 Conclusion

The Islamic State succeeded in attacking France and Belgium from within, effectively using foreign fighters and an efficient propaganda machine to launch deadly attacks against the two European countries. In particular, the Zerkani and Abaaoud networks funneled the largest number of French and Belgian foreign fighters to Syria. Under Abaaoud, many of these European nationals were trained with the expectation that they would return to France or Belgium to support or carry out Islamic State-directed attacks. The propaganda produced by the group's Al-Hayat Media Center connected strongly with Western audiences due to its targeted messaging and high production quality. The Islamic State's innovative use of social media to establish a dominant digital footprint and expand its online audience also contributed to the effectiveness of its propaganda.

However, although highly lethal and therefore successful for a number of years, the Islamic State's territorial collapse under a U.S.-led coalition's campaign rendered the strategy of attacking France and Belgium from within unsustainable. Following heavy military losses, the Islamic State could no longer play a significant role in directing attacks against the West, resulting in fewer and less lethal attacks in France and Belgium attributed almost exclusively to lone-wolf attackers (not members of Islamic State-connected networks). The organization also struggled to produce propaganda of the same quantity or caliber, leading to significant drops in the recruitment of foreign fighters. Gains in social media content moderation in the mid- to late 2010s also reduced the group's propaganda presence on mainstream social media platforms.

However, considering the Islamic State's recent uptick in activity and operational capability, digital caliphate, and returning foreign fighters, the group still poses a considerable threat to France and Belgium, as well as the West as a whole. With the possible resurgence of the Islamic State as a global menace, policymakers around the world must reexamine the strategies that brought it to the brink of destruction five years ago: crippling territorial losses and widespread, effective content moderation policies. By increasing international cooperation to halt the Islamic State's expansion into Africa, the international community can deny the group the opportunity to regain significant territorial control in a manner that magnifies its operational capabilities through foreign fighter recruitment and financial expansion. Although other international crises, such as the Russian invasion of Ukraine and the war between Israel and Hamas in Gaza, have captured the majority of global leaders' attention, turning away from the Islamic State's growing presence in different regions across Africa hands the terrorist group the opportunity to rebuild potentially to the threat level it once posed in the early to mid-2010s.

Furthermore, although Islamic State supporters have adapted to content moderation guidelines and learned to circumvent them, content moderation has proved to be a significant obstacle for the terrorist group in the past. Coordinated content moderation efforts like Europol's 2019 Action Day have dealt a significant blow against pro-Islamic State networks on mainstream platforms, and although "de-platforming violent extremists on major

platforms is far from a catch-all solution,” it still “limits their wider reach of influence and forces them to restrict themselves to more obscure platforms” (Criezis 2022). Islamic State supporters online are currently forced to spend time and effort planning for both ways to avoid de-platforming and how to stay connected if channels or accounts are removed by platform administrators (ibid.).

In order to clamp down on Islamic State supporters’ ability to connect with one another and radicalize others by spreading pro-Islamic State propaganda, social media companies (both mainstream and alternative) must work jointly with international leaders and organizations to develop new content moderation strategies that are both reactive and proactive. In addition to training algorithms to recognize Islamic State supporters’ new strategies to remain undetected, proactive policies to reduce the efficacy of Islamic State supporters’ evolving online evasion tactics must be made a priority. Only by investing in the research and development of a proactive approach will the international community cease playing a game of whack-a-mole against online Islamic State supporters (Makuch 2014) and begin making long-lasting, impactful change that curbs the terrorist group’s ability to recruit and radicalize.

## References

- Al Jazeera (May 2023). *Sahel 'at a crossroads' as armed groups gain sway in Africa: UN*. URL: <https://www.aljazeera.com/news/2023/5/17/sahel-at-a-crossroads-as-armed-groups-gain-sway-in-africa-un>.
- Ayad, Moustafa (Feb. 2025). “Teenage Terrorists and the Digital Ecosystem of the Islamic State”. In: *Combating Terrorism Center Sentinel* 18.2, pp. 1–8.
- Bergen, Peter, David Sterman, and Melissa Salyk-Virk (Sept. 2019). *Terrorism in America 18 Years after 9/11*. Tech. rep. New America. URL: <https://www.newamerica.org/international-security/reports/terrorism-america-18-years-after-911/what-is-the-threat-to-europe/>.
- Brisard, Jean-Charles and Kevin Jackson (Dec. 2016). “The Islamic State’s External Operations and the French-Belgian Nexus”. In: *Combating Terrorism Center Sentinel* 9.11, pp. 8–15. URL: [https://ctc.westpoint.edu/wp-content/uploads/2016/11/CTC-Sentinel\\_Vol9Iss1118.pdf](https://ctc.westpoint.edu/wp-content/uploads/2016/11/CTC-Sentinel_Vol9Iss1118.pdf).
- Buchanan, Larry and Haeyoun Park (Apr. 2022). *Uncovering the Links Between the Brussels and Paris Attackers*. URL: <https://www.nytimes.com/interactive/2016/03/23/world/europe/how-the-brussels-and-paris-attackers-could-be-connected.html>.
- Byman, Daniel (2019). *Road Warriors*. New York: Oxford Printing Press.
- Byman, Daniel L. (June 2017). *Beyond Iraq and Syria: ISIS’s ability to conduct attacks abroad*. URL: <https://www.brookings.edu/testimonies/beyond-iraq-and-syria-isis-ability-to-conduct-attacks-abroad/>.

- Callimachi, Rukmini (Mar. 2016). *How ISIS Built the Machinery of Terror Under Europe's Gaze*. URL: <https://www.nytimes.com/2016/03/29/world/europe/isis-attacks-paris-brussels.html>.
- Cragin, R. Kim (2017). "The November 2015 Paris Attacks: The Impact of Foreign Fighter Returnees". In: *Orbis* 61.2, pp. 212–226. DOI: 10.1016/j.orbis.2017.02.005.
- Criezis, Meili (Sept. 2022). *Create, Connect, and Deceive: Islamic State Supporters' Maintenance of the Virtual Caliphate Through Adaptation and Innovation*. Tech. rep. The George Washington University Program on Extremism, p. 21. URL: [https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/Criezis\\_CreateConnectDeceive\\_09222022\\_0.pdf](https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/Criezis_CreateConnectDeceive_09222022_0.pdf).
- Dauber, Cori E. et al. (June 2019). "Call of Duty: Jihad – How the Video Game Motif Has Migrated Downstream from Islamic State Propaganda Videos". In: *Perspectives on Terrorism* 13.3, pp. 17–31. URL: <https://www.jstor.org/stable/26681906>.
- Doyle, Kevin (Mar. 2024). *Moscow concert hall attack: Why is ISIL targeting Russia?* URL: <https://www.aljazeera.com/news/2024/3/23/moscow-concert-hall-attack-why-is-isil-targeting>.
- Elliot, Trent (June 2017). "Complex Coordinated Terrorist Attack: Considerations for Practical Emergency Preparedness and Resiliency Exercises". MA thesis. Wright State University. URL: <https://corescholar.libraries.wright.edu/cgi/viewcontent.cgi?article=1200&context=mph>.
- European Union Agency for Law Enforcement Cooperation (2019). *European Union Terrorism Situation and Trend Report 2019*. Tech. rep. Europol. DOI: 10.2813/788404.
- Europol (2019). *Referral Action Day against Islamic State online terrorist propaganda*. URL: <https://www.europol.europa.eu/media-press/newsroom/news/referral-action-day-against-islamic-state-online-terrorist-propaganda>.
- Fernandez, Alberto M. (Oct. 2015). *Here to Stay and Growing: Combatting ISIS Propaganda Networks*. Tech. rep. The Brookings Project on U.S. Relations with the Islamic World U.S.-Islamic World Forum. URL: [https://www.brookings.edu/wp-content/uploads/2016/07/IS-Propaganda\\_Web\\_English\\_v2.pdf](https://www.brookings.edu/wp-content/uploads/2016/07/IS-Propaganda_Web_English_v2.pdf).
- Gardner, Frank (May 2015). *Islamic State releases 'al-Baghdadi message'*. URL: <https://www.bbc.com/news/world-middle-east-32744070>.
- Gartenstein-Ross, Daveed (June 2016). *Radicalization in the U.S. and the Rise of Terrorism*. Hearing before the Subcommittee on National Security and the Subcommittee on Government Operations of the Committee on Oversight and Government Reform. URL: <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/Gartenstein-Ross-DefendDemocracy%20Statement%20Radicalization%206-23.pdf>.
- Gartenstein-Ross, Daveed, Colin P. Clarke, and Emelie Chace-Donahue (Feb. 2020). *The Enduring Legacy of French and Belgian Islamic State Foreign Fighters*. Tech. rep. Foreign Policy Research Institute. URL: <https://www.fpri.org/article/2020/02/enduring-legacy-french-belgian-isis-foreign-fighters/>.
- Gera, Vanessa (Mar. 2024). *What we know after the Islamic State group claims responsibility for Moscow massacre*. URL: [https://www.washingtonpost.com/world/2024/03/23/russia-moscow-concert-hall-attack-islamic-state/f9d5242a-e94e-11ee-9eba-1558f848ec25\\_story.html](https://www.washingtonpost.com/world/2024/03/23/russia-moscow-concert-hall-attack-islamic-state/f9d5242a-e94e-11ee-9eba-1558f848ec25_story.html).

- Gerstel, Dylan (2016). "ISIS and Innovative Propaganda: Confronting Extremism in the Digital Age". In: *Swarthmore International Relations Journal* 1.1, pp. 1–9. DOI: 10.24968/2574-0113.1.5.
- Girginova, Katerina (Aug. 2017). "Hijacking Heads & Hashtags". In: *Global-e* 10.56. URL: <https://globalejournal.org/global-e/august-2017/hijacking-heads-hashtags>.
- Institute for Economics and Peace (Nov. 2020). *Global Terrorism Index 2020: Measuring the Impact of Terrorism*. Tech. rep. Sydney.
- Lieberman, Ariel Victoria (Jan. 2017). "Terrorism, the Internet, and Propaganda: A Deadly Combination". In: *Journal of National Security Law and Policy* 9.1, pp. 95–124. URL: [https://jnslp.com/wp-content/uploads/2017/04/Terrorism\\_the\\_Internet\\_and\\_Propaganda\\_FINAL.pdf](https://jnslp.com/wp-content/uploads/2017/04/Terrorism_the_Internet_and_Propaganda_FINAL.pdf).
- Macnair, Logan and Richard Frank (2017). "'To My Brothers in the West...': A Thematic Analysis of Videos Produced by the Islamic State's Al-Hayat Media Center". In: *Journal of Contemporary Criminal Justice* 33.3, pp. 243–253. DOI: 10.1177/1043986217699313.
- Maddox, J.D. (Sept. 2019). *Lessons From the Information War: Applying Effective Technological Solutions to the Problems of Online Disinformation and Propaganda*. Tech. rep. The George Washington University Program on Extremism. URL: <https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/Lessons%20from%20the%20Information%20War.pdf>.
- Makuch, Ben (Aug. 2014). *Banning Islamic State Jihadists From Twitter Is Like Playing Whack-a-Mole*. URL: <https://www.vice.com/en/article/z4mzbj/isis-twitter-whack-a-mole>.
- Maragkos, Konstantinos E. and Petros E. Maraveakis (May 2022). "Extracting Primary Emotions and Topics from the Al-Hayat Media Centre Magazine Publications, Using Topic Modeling and Lexicon-Based Approaches". In: *Social Science Computer Review* 0.0, pp. 1–22. DOI: 10.1177/08944393211061272.
- Meleagrou-Hitchens, Alexander and Julien Bellaiche (Apr. 2023). *Maintaining the Movement: ISIS Outreach to Westerners in the Post-Caliphate Era*. Tech. rep. The George Washington University Program on Extremism, p. 18. URL: [https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2023-04/maintaining-the-movement-final\\_0.pdf](https://extremism.gwu.edu/sites/g/files/zaxdzs5746/files/2023-04/maintaining-the-movement-final_0.pdf).
- Ostaeyen, Pieter Van (June 2016). "Belgian Radical Networks and the Road to the Brussels Attacks". In: *Combating Terrorism Center Sentinel* 9.6, pp. 7–12. URL: [https://ctc.westpoint.edu/wp-content/uploads/2016/06/CTC-SENTINEL\\_Vol9Iss613.pdf](https://ctc.westpoint.edu/wp-content/uploads/2016/06/CTC-SENTINEL_Vol9Iss613.pdf).
- (2017). "Belgian Foreign Fighters in Syria and Iraq – May 2016". In: *NATO Science for Peace and Security Studies - E: Human and Societal Dynamics* 134.1, pp. 40–51. DOI: 10.3233/978-1-61499-757-3-40.
- (Apr. 2019). *State of Terror: The History and Influence of the Belgian ISIS Contingent*. ECTC Advisory Network Conference. URL: [https://www.europol.europa.eu/cms/sites/default/files/documents/the\\_history\\_and\\_influence\\_of\\_the\\_belgian\\_isis\\_contingent.pdf](https://www.europol.europa.eu/cms/sites/default/files/documents/the_history_and_influence_of_the_belgian_isis_contingent.pdf).
- Reed, Alastair, Johanna Pohl, and Marjolein Jegerings (June 2017). "The Four Dimensions of the Foreign Fighter Threat: Making Sense of an Evolving Phenomenon". In: *The International Centre for Counterterrorism – The Hague* 8.1. DOI: 10.19165/2017.2.01.

- Scott, Mark (Feb. 2022). *Islamic State Evolves Emoji Tactics to Peddle Propaganda Online*. URL: <https://www.politico.eu/article/islamic-state-disinformation-social-media/>.
- Seldin, Jeff (Jan. 2024). *Islamic State Trying to Rise Under the Radar*. URL: <https://www.voanews.com/a/islamic-state-trying-to-rise-under-the-radar/7465654.html>.
- Siboni, Gabi, Daniel Cohen, and Tal Koren (Mar. 2015). "The Islamic State's Strategy in Cyberspace". In: *Military and Strategic Affairs* 7.1, pp. 127–144. URL: [https://www.inss.org.il/wp-content/uploads/systemfiles/7\\_Siboni\\_Cohen\\_Koren.pdf](https://www.inss.org.il/wp-content/uploads/systemfiles/7_Siboni_Cohen_Koren.pdf).
- Simcox, Robin (Aug. 2019). *The Post-Caliphate Terror Threat in Europe—and the Need for Continuing U.S. Assistance*. Tech. rep. The Heritage Foundation. URL: <https://www.heritage.org/terrorism/report/the-post-caliphate-terror-threat-europe-and-the-need-continuing-us-assistance>.
- Steinberg, Guido (June 2014). "A Chechen al-Qaeda? Caucasian Groups Further Internationalise the Syrian Struggle". In: *German Institute for International and Security Affairs, SWP Comments* 31, pp. 1–7. URL: <https://www.swp-berlin.org/en/publication/chechens-in-the-syrian-struggle>.
- Vidino, Lorenzo, Francesco Marone, and Eva Entenmann (2017). *Fear Thy Neighbor: Radicalization and Jihadist Attacks in the West*. Milan: Ledizioni LediPublishing.
- Vincent, Nathan and Katherine Zimmerman (Sept. 2023). *The State of al Qaeda and ISIS in 2023*. URL: <https://www.criticalthreats.org/analysis/the-state-of-al-qaeda-and-isis-in-2023>.
- Wilson Center (Jan. 2018). *ISIS After the Caliphate*. URL: <https://www.wilsoncenter.org/article/isis-after-the-caliphate-0>.
- Winter, Charlie and Jordan Bach-Lombardo (Feb. 2016). *Why ISIS Propaganda Works*. URL: <https://www.theatlantic.com/international/archive/2016/02/isis-propaganda-war/462702/>.
- Wojtasik, Karolina (Mar. 2021). "Analysis of the Bombers' Tactics and the Consequences of a Series of Terrorist Attacks in Brussels (22 March 2016)". In: *The Police Review* 140.4, pp. 135–153. DOI: 10.5604/01.3001.0014.8467.
- Zelin, Aaron Y. (Mar. 2024). *The Islamic State on the March in Africa*. URL: <https://www.washingtoninstitute.org/policy-analysis/islamic-state-march-africa>.
- Zerofox Team (Nov. 2015). *ISIS: Terror Has Gone Social*. URL: <https://www.zerofox.com/blog/islamic-state-isis-terror-has-gone-social-infographic/>.

# On Target: Predicting Whether Defense-Related Legislation Will Follow its Intended Purpose

Daniel Vrablic\*

## Abstract

Using the 2001 *Authorization for Use of Military Force*, I create a predictive theoretical framework to determine whether or not defense-related legislation will follow its intended purpose. I articulate the factors of the framework through an organizational approach and test and compare my findings with two other notable pieces of defense legislation: the National Security Act of 1947 and the War Powers Act of 1973. In doing so, I hypothesize triggering events to which new legislation responds, internal actors in the policy stream, and external pressures outside the policy stream are the strongest factors that affect whether or not defense-related legislation will follow its intended purpose when enacted into law. In applying this framework, I find these factors to hold some predictive value, but that internal agents in the policy stream to be the most salient in determining if a piece of defense legislation will detract from its purpose; I find external pressures outside the policy stream hold the least predictive value.

## 1 Introduction: A Nation Shaken and the 2001 AUMF

“I can hear you! I can hear you! The rest of the world hears you, and the people who knocked these buildings down will hear all of us soon,” President George W. Bush proclaimed just a few days after 9/11 (Williams 2021). Backed by Americans’ unified resolve to defend their country’s interests and values in the face of an unprecedented threat, Bush lobbied Congress for greater autonomy to act to neutralize terrorist threats. Receptive, Congress approved an *Authorization for Use of Military Force* (AUMF), hereafter referred to as the 2001 AUMF.

---

\*Daniel Vrablic is a graduate of the US Military Academy, where he studied American Politics.

The 2001 AUMF has become one of the most controversial pieces of legislation in American history. Namely, because it was/is not used for its intended purpose. It has been used for more than two decades to justify the surveillance of Americans conducting foreign phone calls without a warrant, attack the Islamic State of Iraq and Syria (ISIS) 15 years after the attacks, and conduct strikes on the Syrian government in 2017 – just to name a few. This paper evaluates the circumstances surrounding the passage of the 2001 AUMF and the unique, bipartisan nature between Congress and the executive that enabled its broad application. In doing so, I create a qualitative framework of predictive value. The qualitative variables I utilize include 1) trigger events to which the legislation responds, 2) internal agents in the policy stream, and 3) external pressures outside of the policy stream. I test and apply these variables to my case base, the 2001 AUMF, and to the 1947 *National Security Act* (1947 NSA), and the 1973 *War Powers Act* (1973 WPA). I find hypothesis two is most salient in this framework and that external pressures – proximal distance to the next presidential election – considered in defense legislation to have less predictive value.

## 2 Literature Review

Triggering events to which legislation responds, internal actors in the policy creation stream, and external pressures on policy creation strongly determine the efficacy of aligning policy creation and implementation. The public and political perception of triggering events affects the extent to which a commensurate response will occur. John Kingdon notes a “focusing event,” such as a crisis or disaster (the triggering event), is required such that it garners attention by the public and policymakers as an indicator of a larger problem (Kingdon 2014). Additionally, in order for a focusing event to gain enough prominence to warrant political action, Kingdon argues any three of the following conditions must already be present to gain public salience: 1) the focusing event already reinforces a pre-existing perception of a problem; 2) the focusing event serves as an early warning for future, similar events to occur; and 3) the focusing event has occurred before and is therefore not merely a coincidence to dismiss (*ibid.*). With this said, there is an element of past or suspected recurrence that exists throughout all these conditions. In addition, Thomas Birkland argues, in order for a focusing event to actually induce change, it must produce a high level of “aggregated harm,” coupled with rarity (Birkland 1997). Said harm must not already be “pre-aggregated;” in other words, it must not already be a harm factored into the public’s psyche, such as (as unfortunate as it is) freak car crashes or plane crashes that produce casualties (*ibid.*). With this said, an event hence qualifies as a triggering event if it features an element of rarity or intense surprise, recurrence, and a noticeable aggregation of harm.

Public views and legislation action expressed by internal actors in the policy stream are affected by the public’s perception of a triggering event (for the purposes of this paper, internal actors will consist of Congress and the executive branch). It is then reasonable to assume highly publicized triggering events will find subsequent non-partisanship among the internal actors, and therefore creates lasting change: this is not always true. The publicized triggering event may find polarization in diagnosis of failure and/or response. Daniel Mallinson argues “polarization introduces greater friction in policymaking, so it’s harder to change the

status quo, but when you do, the change is bigger” (Tutella 2024). In other words, the presence of friction during policy creation (intra-Congress and alongside the executive branch) increases the probability of incremental, narrow change that does not actually address an ongoing problem. Polarization is a normal and expected aspect of “punctuated equilibrium” that marks U.S. politics: legislative periods of small, incremental change or stasis for an extended period of time and then a more drastic change that breaks decades-old status quo politics (ibid.).

To be clear, polarization is not unique to Congress; it can also occur between Congress and the President. The President, for example, can utilize “veto bargaining” in the pre-passage phase of legislation (Guenther and Kernell 2020). Threatening to veto a piece of legislation before it is voted on realigns the content of the bill in favor of the President’s agenda, but later creates inevitable friction as to how, specifically, the bill will be implemented once finally adjusted due to the executive’s disdain for certain language of the bill. In the wake of the COVID-19 pandemic, for example, the White House and Congress were in agreement in their messaging that new legislation must be passed to relieve Americans. Passed by the Senate chamber in a 92-6 vote, this \$1.4 trillion relief bill included almost \$900 billion in COVID-19 related relief to Americans; nonetheless, President Trump threatened to veto it (while ultimately signing it into law) (PBS News 2020). Later, Republicans in Congress alleged President Biden misused these appropriated funds (Budget Committee 2022). Additionally, President Obama threatened to veto (and did veto) the Justice Against Sponsors of Terrorism Act (JASTA), a 9/11-centric bipartisan bill that allowed Americans to sue foreign governments suspected of supporting terrorism and tailored towards Saudi Arabia (The White House 2016). His veto was overridden. As shown, even though a focusing event might render a bipartisan solution, the Congress and President might disagree as to its language and implementation as operationalized through veto bargaining. Polarization and tension, intra-Congress or between Congress and the President, makes long-term solutions less capable of providing an adequate response to the focusing event.

In addition to the internal actors within the policy stream, external pressures on policy creation affects the implementation of policy (for the purposes of this paper, external pressures will be operationalized to “temporal distance to the next election”). First, it is critical to understand how internal actors vote in relation to their status in any given electoral cycle. Sunil Ahuja finds senators who are facing re-election are far more responsive to their constituency’s preferences than when not facing re-election (Ahuja 1994). Further, those senators who are two years away from their re-election are more likely to display greater responsiveness to their constituent’s preferences than when four years away from re-election (ibid.). Charles Cnudde and Donald McCrone likewise find that, when closer to an election, members of Congress more closely align their voting behavior to that of their electorate (Cnudde and McCrone 1966). In doing so, they introduce legislation often regarded as political grandstanding: introducing the legislation for the purpose of scoring political points rather than actually affecting policy. As elections are the most visible form of accountability from the voter to their elected leaders, members of Congress will gain more votes in their next election cycle through this strategic political option (Park 2023). Simply put,

the temporal distance to an any given future election affects how a member of Congress acts. Henceforth, with presidential election years yielding the greatest percentage of voters, members of Congress that introduce pieces of legislation proximally closer (within two years) to the next presidential election are less concerned about the actual implementation of the legislation and more concerned about scoring political points (Leighley and Nagler 2014).

### 3 Developing a Framework

The passage of legislation occurs in a complex and unpredictable environment of competing priorities between stakeholders. The environment changes rapidly and undeniably affects the speed of passage and implementation and scope of its proposed purpose. As a profession, the military serves the Constitution and follows the legal orders of the commander in chief; however, it is important to recognize and predict when the intended purpose of legislation primarily implemented by the defense establishment might be led astray. This ultimately affects the civil-military relationship that is so critical for the U.S. military's license to protect American interests.

Utilizing an organizational approach of analysis and studying the 2001 AUMF and other defense legislation, I perceive and evaluate the dynamics of that environment. I propose that analyzing three substate factors provides insight into whether legislation will achieve its intended purpose. These three factors – the triggering event to which the legislation responds; policy creation within Congress and alongside the executive in the pre-passage phase; and electoral proximity – will comprise my framework to predict how military-related legislation will be interpreted and enacted compared to its intended purpose, by which I refer to the extent to which the implementation of legislation follows in accordance with the language, wording, and spirit of the legislation when enacted according to Congress.

The first factor is 1) *Trigger events to which the legislation responds*. This includes the events – such as natural disaster, crisis, or attack – that shape the environment and serve as the direct cause for the passage of the new legislation. Typically, these events pose a grave and immediate threat to the loss of American lives but are reactive to singular circumstances. Additionally, for the sake of this paper, I assume these events include some sort of unaggregated harm to catch enough public attention to inspire political change: the American public did not already expect this event to occur.

Because of this, legislatures act rapidly with narrow and relatively inflexible legislation to directly counter the event in a measurable way. Military legislation that is “narrow” are those that specifically names groups to be targeted, DoD or executive branch entities to execute tasks, places general dates of reporting or time frames to Congress (such as sunset clauses) – specific, measurable words that enables a stakeholder to align its implementation to its wording. However, risk of recurrence for these events also has a palpable effect on how legislation is written. If politicians, the American people, or media perceive the threat likely to recur frequently, legislation is more likely to be broadly written. This perception of recurrence exists if there is widespread conversation and/or agreement in public discourse

or in polling. And, broadly written language is assessed as no mention of targets or groups, no mention of DoD or executive agencies to execute tasks, or has language that enables preemptive action.

Narrowly written legislation, if used beyond its initial singular circumstances, is not prone to overstep or misuse from its intended purpose. The converse is true of broadly written legislation. From this, hypothesis one is summarized as follows:

- **Hypothesis 1a:** Triggering events without risk of recurrence will elicit a narrow response and follow its intended purpose.
- **Hypothesis 1b:** Triggering events with risk of recurrence will elicit a broader response and not follow its intended purpose.

The second factor is 2) *the internal agents in the policy stream*. Internal agents include the groups and entities responsible for physically writing and negotiating legislation. For the purposes of this paper, it includes the White House and Congress engaged in passing legislation. In situations where a piece of legislation has bipartisan support (60% (threshold to overcome filibuster in senate) or more of both chambers vote “yea”) intra Congress, it is more likely to follow its intended purpose. The institutional levers of oversight in Congress will outlast a single two-year session of Congress such that continued re-evaluation of the law’s implementation and effectiveness occurs. However, because the executive branch executes and implements the law, cohesion between Congress and the White House is critical in the pre-passage phase. For the purpose of this paper, cohesion and bipartisanship between Congress and the White House includes no threat of veto by the President in the pre-passage phase. If Congress and the White House maintain bipartisan work on a piece of legislation in the pre-passage phase, the law will follow its intended purpose. Conversely, legislation that undergoes a lack of bipartisanship within Congress and between Congress and the White House will not follow its intended purpose. With this, hypothesis two is as follows:

- **Hypothesis 2a:** Legislation that has bipartisan support intra Congress AND between Congress and the President in the pre-passage phase is more likely to follow its intended purpose.
- **Hypothesis 2b:** Legislation that does not have bipartisan support intra Congress and/or between Congress and the President is more likely to be adapted away from its intended purpose.

The third factor is 3) *the external pressures outside of the policy stream*. An external pressure refers to non-policy related compulsion that affects the wording and language of a particular piece of legislation. The temporal proximity to an election or reelection – i.e. how soon the lawmakers involved will be answerable to constituents through re/election – is an example. I define legislation with “close temporal proximity” as that which passed within two years of a presidential election, whereas “distant in proximity” is any time outside this period. This clearly creates different timelines and incentives not only between the executive and legislative branches, but within the legislative branch’s chambers. However, given voter behavior, presidential election years exert the strongest influence.

When officeholders are close to election, they are more concerned about credit claiming and political grandstanding; for this reason, legislation passed closer in proximity to an election will be more likely to be drafted with vague language but addresses popular objectives. Because of this, there is less focus on ensuring the legislation is implemented the way it was meant to be implemented. Put another way, the legislation is passed with more regard for gaining votes than making a lasting difference. Therefore, legislation passed in close proximity to an election is less likely to measurably follow its intended purpose. Conversely, legislation passed in distant proximity to an election is more likely to undergo robust political debate and review, and hence is more likely to achieve its ends. Hypothesis three is summarized below:

- **Hypothesis 3a:** Legislation passed in distant proximity to the next presidential election will follow its intended purpose.
- **Hypothesis 3b:** Legislation passed in close proximity to the next presidential election will not follow its intended purpose.

## 4 The 2001 AUMF - Intent Versus Implementation

When President Bush entered the White House 2001, foreign policy was low on the list of priorities. The attacks on September 11, 2001, which killed 2,996 Americans, shook the soul of the nation, and heralded a paradigmatic shift in American and global security priorities. Initially, despite a national rally around the flag, Congress was wary of granting President Bush too much authority. The White House submitted an initial draft of the AUMF requesting the authority “to deter and preempt any future acts of terrorism or aggression against the United States,” to which was rejected by Congress, citing its overly broad language (Abramowitz 2002). Members of congress, such as Oregon Congressman Peter DeFazio urged caution on executing military operations indiscriminately and without specific regard for the attackers responsible during open debate, noting that doing so would only perpetuate cycles of violence within the Middle East (U.S. Congress. House of Representatives 2001). With this, the intent of the 2001 AUMF was refocused so that the President could “...use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001” (Congress.gov 2001). Nonetheless, no specific mention to Al-Qaeda was included in the language of the legislation, as their public designation as the 9/11 attackers was not made until six days after the 2001 AUMF passage in President Bush’s address to Congress (The White House 2001). California Congresswoman Barbara Lee was the only “nay” vote in Congress, in which she argued the AUMF provided for insufficient congressional oversight of President Bush’s actions (Lee n.d.). President Bush and the Pentagon could now legally execute missions towards nations or groups that had direct, or tangential, interaction with 9/11.

President Bush refocused U.S. interests on international terrorism launching a “Global War on Terror” (GWOT) with the 2001 AUMF as the enabling legislative vehicle. The opening salvo of the war targeted the Taliban regime in Afghanistan, which had provided tacit support

and shelter for the Al Qaeda hijackers. The U.S. demanded the regime turnover all Al-Qaeda fighters and their leader Osama Bin Laden to the U.S. and terminate terrorist training camps. Following Taliban noncompliance, President Bush announced the first military campaign against Al-Qaeda on October 7, 2001: Operation Enduring Freedom. The U.S. military began the campaign with aircraft operations and strikes on 31 targets; within a week and a half, U.S. and coalition forces established “target zones” within Afghanistan to strike vulnerable areas and regions (Ball 2005). Within months, U.S. and coalition forces had already destroyed 11 training camps and 39 Taliban Command and Control nodes sites (U.S. Department of State Archive n.d.). Though the 2001 AUMF enabled the U.S. military to prosecute targets directly related to 9/11, its intent was quickly sidestepped to achieve ulterior political and military objectives by the Bush Administration.

The 2001 AUMF served as legal justification for the passage of domestic policy objectives, overstepping legal norms and expanding the law’s interpretation. The most notable of which is the highly controversial NSA program dubbed the “terrorist surveillance program” (TSP) (Intel.gov 2013). In 2004 and 2005, reports circulated that the NSA was conducting wire-tapping operations on Americans in an affront to their fourth amendment rights (Risen and Lichtblau 2005). In response, the Department of Justice (DOJ) claimed GWOT was qualification for applying the fourth amendment’s provision for ‘... warrantless searches where ‘special needs, beyond the normal need for law enforcement’...” (U.S. Department of Justice 2006). Above all, the DOJ asserted “... The President’s authority to authorize the terrorist surveillance program is firmly based both in his constitutional authority as Commander-in-Chief, and in the Authorization for Use of Military Force (AUMF) passed by Congress after the September 11 attacks” (ibid.). In other words, the DOJ believed the 2001 AUMF provided legal justification for surveilling law-abiding Americans suspected to be conducting nefarious international calls with potential terrorists loosely connected with Al-Qaeda.

Beyond the Bush Administration, Barack Obama, Donald Trump, and Joe Biden have all legally justified military operations using the 2001 AUMF. President Obama’s administration authorized deployments, airstrikes, and military offensives in June of 2014 to respond to ISIS – a group incepted 15 years after 9/11 – stating these actions were “... taken pursuant to his constitutional and statutory authorities, including the authority provided in the 2001 AUMF” (U.S. Archives 2004). President Obama also relied on the 2001 AUMF to justify the use of attacks by military drones against al-Shabaab in Somalia and the Khorosan Group in Syria (Bradley and Goldsmith 2016). Additionally, President Trump, responding to the Syrian government’s use of chemical weapons against its own people in 2017, launched a series of airstrikes targeting the Syrian state and its military again citing the 2001 AUMF as legal justification (Siemion 2017). Most recently, in 2022 President Biden cited the 2001 AUMF as justification for the raid that killed the leader of ISIS, Abu Ibrahim al-Hashimi al-Qurayshi in Northern Syria (Berger 2022).

## 5 Applying the Framework: 2001 AUMF

This section explores whether the above hypotheses provide predictive utility to make sense of the distortion of the 2001 AUMF as a case study of legislation that has exceeded its mandate. Treating the 2001 AUMF as the base case, I also apply the framework to two other pieces of legislation to compare my findings. These pieces of defense-related legislation include the 1947 NSA and the 1973 WPA.

To begin applying the framework, I first compare the wording of the law to the actions and/or inactions as a result of its implementation. Then, I test each hypothesis. In the case of the 2001 AUMF, President Bush was authorized to "... use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001" (U.S. Congress. Senate n.d.)

Beginning with hypothesis 1, the horrific terrorist attacks of 9/11 cost thousands of American lives and was one of the largest triggering events in American history. Within a week of the attacks, 73% of Americans believed another terrorist attack would occur "soon" and this belief affected their emotional well-being and behavior (Pew Research Center 2001). The American people expected another 9/11 to occur again. Therefore, hypothesis 1a is null and void, and hypothesis 1b is applied to determine predictive value: triggering events with risk of recurrence will elicit a broader response and not follow its intended purpose. When examining the language of the legislation, there is no mention of specific groups, entities, targets, DoD entities to execute tasks, or timelines to report back to Congress. Hence, it is broadly written.

Continuing with hypothesis 2, the 2001 AUMF enjoyed bipartisan support within Congress. It passed the senate chamber by a 98-0 vote, as well as a 420-1 vote by the House of Representatives (it exceeds the 60% threshold of support by both chambers) (U.S. Congress. Senate n.d.). Although Congress initially rejected the first White House draft language, there was generally consensus and bipartisan effort between both the White House and Congress (no veto threat occurred because an AUMF cannot be vetoed) to pass the AUMF. Because of this, hypothesis 2a is applied: legislation that has bipartisan support intra Congress AND between Congress and the President in the pre-passage phase is more likely to follow its intended purpose. Because hypothesis 1b and hypothesis 2a are both applied, there is a neutral prediction, as of now, as to whether the 2001 AUMF will follow its intended purpose. Now, hypothesis three is applied to break the tie!

Recall that hypothesis concerns the efficacy of a law's implementation as a function of its proximity to the next presidential election. Because the 2001 AUMF was approved by Congress outside of a two year window of the 2004 presidential election (it has distant proximity to the next presidential election), hypothesis 2a is applied. It would then follow, because 2a is applied, that the 2001 AUMF would follow its intended purpose. The AUMF was signed within a year of President Bush's first term and – given the severity of 9/11 –

there was no incentive to conduct political grandstanding or gain political points through this period of national mourning. And, though the premise of hypothesis 2a presupposes the legislation undergoes rigorous debate and thorough triage to ensure it is implemented the way congress intends it to be implemented, the 2001 AUMF was approved within 10 days of the attacks. Nonetheless, hypothesis 3a will remain.

To be clear, the application of hypothesis 3a tilted the framework's prediction towards the notion that the 2001 AUMF would follow its intended purpose upon passage. As this legislation is hallmarked as adapting away from its intended purpose, my qualitative framework provided adverse predictive value in this application.

## 6 Comparison 1: the National Security Act of 1947

To compare the framework's predictive power, I will test it against the National Security Act of 1947. Unlike the 2001 AUMF, I perceive this legislation as following its intent. The National Security Act launched "a major restructuring of the U.S. government's military and intelligence apparatus in the years following WWII" (National Security Archive n.d.) The U.S. position as a leading global superpower after WWII required a national security apparatus: one that could effectively deter the Soviet threat and maintain America's pre-eminence on the world stage. The National Security Act of 1947 created the National Security Council, Central Intelligence Agency, and the office of the civilian Secretary of Defense.

The intent of the National Security Act of 1947 was to: "promote the national security by providing for a Secretary of Defense; for a National Military Establishment; for a Department of the Army, a Department of the Navy, and a Department of the Air Force; and for the coordination of the activities of the National Military Establishment with other departments and agencies of the Government concerned with the national security" (*National Security Act of 1947* n.d.).

Congress and the White House were in accord Communism was a recurring threat to American interests. Some in Congress sounded the alarm over the communist threat through the "Red Scare," fearful that the communist regime sought to actively work and shape policy in the State Department and had waged ideological warfare against capitalism and Christianity (McCarthy 1950). Additionally, President Truman announced the "Truman Doctrine" in 1947, whereby the U.S. would provide extensive military, economic, and political aid to countries seeking to eradicate the threat of communism (Office of the Historian n.d.). It is important to note that, unlike the language of the 2001 AUMF, the 1947 NSA is written much more narrowly, although the threat of recurrence remained. Specific tasks are enumerated to the executive branch as to which departments to create; these departments were mandated to report to Congress, annually, in a national security strategy report and from the director of national intelligence; and limits were placed on the appropriated dollars expendable to conduct these actions. For this reason, neither hypothesis 1a nor 1b can be fully applied - there is a threat of recurrence *and* the law is narrowly written. Therefore, hypothesis 1 is not used for testing.

With the creation of a national secretary, interagency heads within the Department of War feared their departments would lose influence and be ultimately subordinate to the Army (National Security Archive n.d.). Namely, Navy Secretary James Forrestal believed a unified secretary defense, with authority over all departments, would draw away appropriations and weaken the Navy, as well as Marine Corps aviation (ibid.). As a compromise, each department agreed to not merge, but to give general authority to the Secretary of Defense "... with the caveat that individual secretaries would administer the three departments as separate units" (*National Security Act of 1947* n.d.). In other words, each department secretary still retained the ability to independently operate their own department, but the Secretary of Defense would coordinate work between them.

As one can see, there was disagreement as to what a solution to a centralized military looked like, but this occurred largely within the executive branch and not between the executive branch and Congress. Notwithstanding, President Truman strongly recommended its passage by Congress in the pre-passage phase (Truman 1947). Further, the 1947 NSA passed both chambers of Congress through a voice vote, signaling a high degree of bipartisanship (and it certainly crosses the 60% threshold) (Central Intelligence Agency 2003). Because of this, hypothesis 2a is applied: this legislation had bipartisan support intra Congress AND between Congress and the President in the pre-passage phase. Before applying hypothesis three, my qualitative framework currently predicts that the 1947 NSA will follow its intended purpose. Now, for hypothesis three.

The 1947 NSA, in contrast to the 2001 AUMF, was passed within one year of President Truman's presidential re-election in 1948. For this reason, hypothesis 3b is applied. Recall that hypothesis 3b would predict that this piece of legislation will not follow its intended purpose because it is passed in close proximity to the next presidential election. For this reason, there is a "tie" in that, hypothesis 2a predicts that the 1947 NSA will follow its intended purpose whereas hypothesis 3b argues the opposite.

In review, hypothesis 1 was not applied towards the 1947 NSA because the language of the bill was quite specific in actioning tasks for department creation in addition to the recurring threat of communism (the triggering event in this case). Hypothesis 2a was applied because this piece of legislation enjoyed bipartisan support both within Congress and between Congress and the Executive Branch. And, because the 1947 NSA was signed within a year of the next presidential election, hypothesis 3b was applied. Because both hypothesis 2a and 3b are applied, a "neutral" or prediction is rendered.

Historically, the 1947 NSA is lauded as a consequential piece of legislation that enabled the U.S.'s success in the Cold War. In line with its objectives, it successfully unified the defense apparatus, reorganized how intelligence is collected, and created the NSC and CIA. Scholar William Inboden writes "It created the broad institutions for the statecraft of national security while allowing ample latitude for adaptation and evolution across very different eras including the Vietnam War, post-Cold War, the 9/11 age, and beyond" (War on the Rocks 2017).

## 7 Comparison 2: the War Powers Act of 1973

In addition to the National Security Act of 1947, I apply the framework to the War Powers Act of 1973 (1973 WPA). The 1973 WPA was signed into law in the aftermath of the U.S. invasion of Cambodia. In March of 1970, Prince Norodom Sihanouk, the Cambodian head of state, was overthrown (Drivas 2011). The Nixon administration felt Cambodia was at risk of falling into Communist hands and would ultimately reduce the bargaining position of the U.S. in settling the Vietnam war (ibid.). President Nixon failed to consult Congress before committing ground troops to Cambodia; and, not only was Congress not notified beforehand, but the invasion was a violation of territorial sovereignty of a state considered neutral during the Vietnam War (Willmott 1967). The executive's flagrant regard for Congress's constitutional role as the sole body for declaring war flustered the body, and, in turn, demanded that the president's power to commit acts of war be more accountable to Congress. For, prior to this time, presidents had occasionally made acts of war without the expressed approval of Congress - but never had the White House at such scale skirted Congress or ignored the American people in doing so (Redmond 2015). A series of executive failures to notify Congress of acts of war - the Gulf of Tonkin, invasion and air campaign of Cambodia, and the Vietnam War - exacerbated Congress's trust. In response, Congress sought to limit the President's ability to wage war without the expressed consent of Congress through the 1973 WPA (Richard Nixon Museum and Library n.d.).

The stated intent of the 1973 WPA was "to fulfill the intent of the framers of the Constitution of the United States and insure that the collective judgment of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities or in such situations" (*STATUTE-87-Pg555.Pdf* n.d.).

The legislation reasserted Congress's authority in foreign wars and to limit the president's ability to take military action by requiring the President to notify Congress within 48 hours of military action and prohibits armed forces from remaining for more than 60 days.

What is peculiar about this piece of defense legislation is that is what not written in response to an immediate, externally-inducing triggering event. Though one could argue that there was, indeed, an indirect, ongoing threat that a future President's reckless actions might endanger American lives because he did not receive congressional authorization to inject U.S. forces into conflict, I would argue that this surely would satisfy the "internal agents in the policy stream" hypotheses and does not satisfy the spirit of applying hypothesis one. The internal agent - the executive branch - caused a crisis of institutional trust, not of American lives, respectively. With this said, the 1973 WPA passed the House of Representatives with 59% voting "yea" and 79% voting "yea" from the Senate (Congress.gov 1973). Though not fully 60% approved in the House as articulated in hypothesis two, I believe one can assume risk and say that any margin of error for the hypothesis would accept this. Now, to the executive. A presidential veto! For this reason, hypothesis 2b is applied: there was

not bipartisan work both between Congress and the executive branch in the pre-passage or passage phase.

Examining hypothesis 3, the 1973 WPA was passed 3 years away from the presidential election of 1976. From this, hypothesis 3b is accepted and applied. To be fair, there was tremendous political capital to be gained by Congress; this law was popularly supported among their constituents and allowed them to stomp on the message that they would prevent another Vietnam from happening. Nonetheless, the inflexible nature of hypothesis 3b ensures its application.

As a review, hypothesis one was not applied because the event taking place is induced by the internal agent, and not the external circumstances. Hypothesis 2b was applied as President Nixon vetoed the legislation - the strongest indication of a lack of bipartisanship between Congress and the executive branch. Recall this predicts the legislation will not follow its intended purpose. Then, hypothesis 3b was applied; the 1973 WPA was passed in distant proximity to the next presidential election, which predicts the legislation will follow its intended purpose. We are at a “theoretical tie” with no tiebreaker. Thus, a neutral rating is given.

In retrospect, presidents have routinely circumvented the intended purpose of the WPA legislation. In 1981, President Reagan failed to properly notify Congress about committing U.S. troops to El Salvador; in 1999 Bill Clinton continued a bombing campaign in Kosovo beyond the 60-day limit; and President Obama initiated military action in Libya without congressional authorization required by the War Powers Act (Richard Nixon Museum and Library n.d.). And, this is just a start of major violations of the law. Though this law undoubtedly moved the goalposts with regard to executive transparency in times of war (the President has notified Congress pursuant to the 1973 WPA 130-plus times) his law failed and continues to fail in following its intended purpose (Elsa 2022).

## 8 Analysis and Implications

Upon examination of the 2001 AUMF, 1947 NSA, and 1973 WPA, it appears hypothesis two is the most salient predictor, and has a clear, outsized impact on the probability a piece of defense-related legislation will follow its intended purpose. There are a multitude of reasons that this hypothesis seems to be more predictive than the others. Beginning with hypothesis one, though a triggering event undoubtedly affects the volume of defense-related legislation, clarity as to the likelihood of recurrence is often not agreed upon in a straightforward manner between the legislature and the executive branch – blurring the intent of the legislation, and later, its implementation. For example, though the nation felt another 9/11-type attack was imminent, no one knew what this attack would look like. Although there are clear differences in a legislation’s language (i.e. narrowly or specifically written) that makes predicting its implementation possible, the shared understanding of recurrence to the triggering event is not straightforward to quantitatively measure.

Hypothesis three is not as predictive as hypothesis two because the unique, (mostly) nonpartisan nature of defense legislation better insulates itself from political grandstanding. While most politicians might try to gain political capital through a large, omnibus fiscal appropriations bill, defense-related legislation is treated differently by members of Congress. The gravity of protecting America's national security associated with defense legislation ensures gaining political points is limited - though not entirely. Because of this, I believe the temporal proximity of the passage of defense-related legislation to the next presidential election is not as critical to determining whether or not a piece of defense-related legislation will follow its intended purpose. Finally, I believe hypothesis two - discerning whether or not there is bipartisan intra-Congress *and* between Congress and the executive - to be the most salient predictor of whether or not defense-related legislation will follow its intended purpose because, above all, the executive branch is the sole agency charged with enforcing and implementing law. A veto, or veto-threat by the President, will strongly correlate to a piece of legislation that does not follow its intended purpose upon passage. This is certainly the case with the 1973 WPA; Nixon's veto indicated his desire to guard the executive's institutional and informational advantage and tools in wartime - a desire every subsequent commander in chief has shown through their violation and rationale. A united Truman administration and Congress led to the overwhelming success of the 1947 NSA in creating the necessary apparatus to defend America's interests against the Soviet Union in the Cold War, as well as ubiquitous threats of today. To be fair, there was intense agreement between the White House and Congress through the 2001 AUMF passage and yet, this piece of legislation has not followed its intended purpose. I argue this piece of legislation is a "wildcard" of sorts in the realm of defense-related legislation because of the incredibly broad nature in which it was written.

Future research could address this question by exploring these themes more deeply and directly through quantitative methods. Additionally, expanding the number of case studies (i.e. defense-related legislation) could make the results clearer and more robust. Because of the narrow application of only these three initial trial cases, I recommend this framework undergo more rigorous testing to confirm the validity of these three hypotheses and implications of their interaction. Further, given the tightly coupled nature of defense legislation to other policy areas, potential avenues for future research using a similar framework could address other salient issues, such as healthcare, social security, immigration, and tax reform. Ultimately, it seems likely that these or similar variables will be indicative of legislative success for a variety of interests with diverse implications for the health of America's legislative legitimacy.

## 9 Conclusion

Research into whether defense legislation is used according to its intended purpose is important because it affects the civil-military relations that are critical for the U.S. military to operate. Because of this, policymakers play an integral role in how the American people trust and view the military, fair or not. Amidst topical concern that alleges of a more political military, predicting the future of whether defense legislation will accomplish its intended

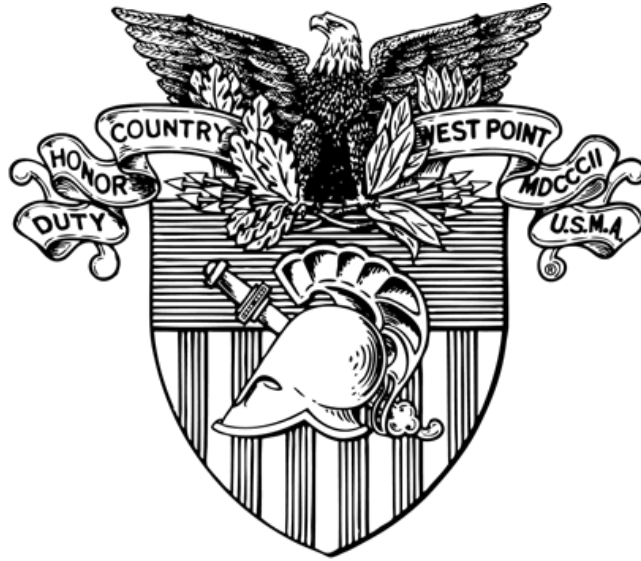
purpose has never been more important. To better democratize how the U.S. military conducts its operations, it is imperative pieces of legislation include narrowly tailored language such as sunset clauses, reauthorizations, specific mention of agencies to implement tasks, and reporting requirements. This will allow the American people to be informed when going to the ballot box.

## References

- Abramowitz, David (2002). “The President, the Congress, and Use of Force: Legal and Political Considerations in Authorizing Use of Force Against International Terrorism”. In: *Harv. Int’l LJ* 43, p. 71.
- Ahuja, S. (1994). “Electoral Status and Representation in the United States Senate: Does Temporal Proximity to Election Matter?” In: *American Politics Quarterly* 22.1, pp. 104–118. DOI: 10.1177/1532673X9402200107.
- Ball, Gregory (Feb. 2005). *2001—Operation Enduring Freedom*. URL: <https://www.afhistory.af.mil/FAQs/Fact-Sheets/Article/458975/2001-operation-enduring-freedom/>.
- Berger, Miriam (Feb. 2022). *Biden’s legal justification for striking ISIS leader in Syria – and why not everyone agrees*. URL: <https://www.washingtonpost.com/world/2022/02/04/biden-aumf-legal-justification/>.
- Birkland, Thomas A. (1997). *After Disaster: Agenda Setting, Public Policy, and Focusing Events*. Washington, D.C.: Georgetown University Press.
- Bradley, Curtis A. and Jack L. Goldsmith (2016). *Obama’s AUMF Legacy*. URL: [https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=6661&context=faculty\\_scholarship](https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=6661&context=faculty_scholarship).
- Budget Committee (Apr. 2022). *Smith Exposes Billions in COVID Waste, Taxpayer Funds Diverted to Biden’s Border Crisis During Budget Hearing*. URL: <https://budget.house.gov/press-release/smith-exposes-billions-in-covid-waste-taxpayer-funds-diverted-to-bidens-border-crisis-during-budget-hearing>.
- Central Intelligence Agency (Apr. 2003). *Legislative History of the Central Intelligence Agency National Security Act of 1947*. Tech. rep. CIA-RDP90-00610R000200010002-3. Released. URL: <https://www.cia.gov/readingroom/document/cia-rdp90-00610r000200010002-3>.
- Cnudde, CF and DJ McCrone (1966). “The Linkage between Constituency Attitudes and Congressional Voting Behavior: A Causal Model”. In: *American Political Science Review* 60.1, pp. 66–72. DOI: 10.2307/1953807.
- Congress.gov (Nov. 1973). *Actions - H.J.Res.542 - 93rd Congress (1973-1974): Joint resolution concerning the war powers of Congress and the President*. URL: <https://www.congress.gov/bill/93rd-congress/house-joint-resolution/542/all-actions>.
- (Sept. 2001). *Text-S.J.Res.23-107th Congress (2001-2002): Authorization for Use of Military Force*. URL: <https://www.congress.gov/bill/107th-congress/senate-joint-resolution/23/text/enr>.

- Drivas, Peter G. (2011). "The Cambodia Incursion Revisited". In: *International Social Science Review* 86.3/4, pp. 134–159. URL: <http://www.jstor.org/stable/41887495>.
- Elsa, Jennifer K. (Mar. 2022). *The War Powers Resolution: Concepts and Practice*. Tech. rep. Updated. Congressional Research Service. URL: <https://crsreports.congress.gov/product/pdf/R/R42699>.
- Guenther, S. M. and S. Kernell (2020). "Veto Threat Bargaining with a Bicameral Congress". In: *Political Research Quarterly* 74.3, pp. 628–644. DOI: 10.1177/.
- Intel.gov (Dec. 2013). *The Department of Justice releases inspectors general reports concerning collection activities authorized by President George W. Bush after the attacks of September 11, 2001*. URL: <https://www.intelligence.gov/ic-on-the-record-database/results/778-the-department-of-justice-releases-inspectors-general-reports-concerning-collection-activities-authorized-by-president-george-w-bush-after-the-attacks-september-11,-2001>.
- Kingdon, John (2014). *Agendas, alternatives, and public policies*. London: Pearson.
- Lee, Barbara (n.d.). *Three Days After 9/11, I was the lone vote in Congress against the War*. URL: <https://www.latimes.com/opinion/story/2021-09-13/barbara-lee-aumf-afghanistan-war-vote-2001>.
- Leighley, Jan E. and Jonathan Nagler (2014). *Who Votes Now?: Demographics, Issues, Inequality, and Turnout in the United States*. Princeton, NJ: Princeton University Press.
- McCarthy, Joseph R. (Feb. 1950). *Speech at Wheeling, West Virginia*. Delivered at the Ohio County Republican Women's Club, Wheeling, WV. URL: [https://pages.uoregon.edu/eherman/teaching/texts/McCarthy\\_Wheeling\\_Speech.pdf](https://pages.uoregon.edu/eherman/teaching/texts/McCarthy_Wheeling_Speech.pdf).
- National Security Act of 1947* (n.d.). URL: <https://www.dni.gov/index.php/ic-legal-reference-book/national-security-act-of-1947>.
- National Security Archive (n.d.). *The National Security Act Turns 75*. URL: <https://nsarchive.gwu.edu/briefing-book/intelligence/2022-07-26/national-security-act-turns-75>.
- Office of the Historian (n.d.). *Milestones: 1945–1952*. URL: <https://history.state.gov/milestones/1945-1952/truman-doctrine>.
- Park, Ju Keon (Apr. 2023). "Electoral rewards for political grandstanding". In: *PNAS*.
- PBS News (Dec. 2020). *Trump criticizes COVID-19 relief bill, suggests he might not sign*. URL: <https://www.pbs.org/newshour/politics/trump-criticizes-covid-19-relief-bill-suggests-he-may-not-sign>.
- Pew Research Center (Oct. 2001). *Americans Open to Dissenting Views on the War on Terrorism*. URL: <https://www.pewresearch.org/politics/2001/10/04/americans-open-to-dissenting-views-on-the-war-on-terrorism>.
- Redmond, Shifa (2015). "Secrecy and Illegitimacy As Integral to Operation Menu, 1969–1870". In: *The Mirror - Undergraduate History Journal* 35.1, pp. 137–148. URL: <https://ojs.lib.uwo.ca/index.php/westernmirror/article/view/15818>.
- Richard Nixon Museum and Library (n.d.). *War Powers Resolution of 1973*. URL: <https://www.nixonlibrary.gov/news/war-powers-resolution-1973>.
- Risen, James and Eric Lichtblau (Dec. 2005). *Bush Lets U.S. Spy on Callers Without Courts*. URL: <https://www.nytimes.com/2005/12/16/politics/bush-lets-us%E2%80%9993spy-on-callers-without-courts.html>.

- Siemion, Rita (Aug. 2017). *Trump Administration Says Its Broad Powers Under the 2001 AUMF Are Plenty*. URL: <https://www.justsecurity.org/43831/trump-administration-broad-powers-2001-aumf-plenty/>.
- STATUTE-87-Pg555.Pdf* (n.d.). URL: <https://www.govinfo.gov/content/pkg/STATUTE-87/pdf/STATUTE-87-Pg555.pdf>.
- The White House (Sept. 2001). *Address by the President to the Joint Session of Congress and the American People*. URL: <https://georgewbush-whitehouse.archives.gov/news/releases/2001/09/20010920-9.html>.
- (Sept. 2016). *Veto Message from the President – S.2040*. URL: <https://obamawhitehouse.archives.gov/the-press-office/2016/09/23/veto-message-president-s2040>.
- Truman, Harry S. (Feb. 1947). *Letter to the President of the Senate and to the Speaker of the House Transmitting Draft of National Security Act*. URL: <https://www.trumanlibrary.gov/library/public-papers/42/letter-president-senate-and-speaker-house-transmitting-draft-national>.
- Tutella, Francisco (Jan. 2024). *Political polarization may slow legislation, make higher-stakes laws likelier*. URL: <https://www.psu.edu/news/research/story/political-polarization-may-slow-legislation-make-higher-stakes-laws-likelier>.
- U.S. Archives (2004). *President George W. Bush Record of Achievement*. Washington, DC. URL: <https://georgewbush-whitehouse.archives.gov/infocus/achievement.chap1.html>.
- U.S. Congress. House of Representatives (Sept. 2001). *Congressional Record: House Debate on H.J. Res. 64 (Authorization for Use of Military Force)*. URL: [https://avalon.law.yale.edu/sept11/cr\\_010.asp](https://avalon.law.yale.edu/sept11/cr_010.asp).
- U.S. Congress. Senate (n.d.). *Authorization for Use of Military Force, S.J.Res.23*. 107th Cong., 1st sess., passed September 14, 2001. URL: <https://www.congress.gov/bill/107th-congress/senate-joint-resolution/23>.
- U.S. Department of Justice (2006). *The NSA Program to Detect and Prevent Terrorist Attacks: Myth v. Reality*. Tech. rep. Washington, DC, p. 2. URL: [https://www.justice.gov/archive/opa/docs/nsa\\_myth\\_v\\_reality.pdf](https://www.justice.gov/archive/opa/docs/nsa_myth_v_reality.pdf).
- U.S. Department of State Archive (n.d.). *The Global War on Terrorism: The First 100 Days*. URL: <https://2001-2009.state.gov/s/ct/rls/wh/6947.html>.
- War on the Rocks (July 2017). *The National Security Act Turns 70*. URL: <https://warontherocks.com/2017/07/the-national-security-act-turns-70/>.
- Williams, Chris (Sept. 2021). *'I can hear you! The rest of the world hears you': George W. Bush's bullhorn speech*. URL: <https://www.fox29.com/news/i-can-hear-you-the-rest-of-the-world-hears-you-george-w-bushs-bullhorn-speech>.
- Willmott, William E. (1967). "Cambodian Neutrality". In: *Current History* 52.305, pp. 36–53. URL: <http://www.jstor.org/stable/45313971>.



# WEST POINT PRESS







WEST POINT  
PRESS



*WPJPS*