

Hearing on Sectarian Violence in Iraq and the Refugee Crisis: Testimony by Dr. Judith Yaphe, Distinguished Research Fellow, Institute for National Strategic Studies at the National Defense University

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Research Memo

Can the U.S. Influence Political Progress in Iraq?

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Summary:

Regardless of the debate over the success or failure of the military surge in Iraq, Americans and Iraqis agree on one key point: military operations alone are insufficient to quell the insurgencies and keep Iraq intact. A political surge is essential, and it can only be delivered by Iraqis. Yet, as the military surge reaches its peak and despite U.S. pressure to enact benchmark legislation, the Iraqi government led by Prime Minister Nuri al-Maliki continues to fail to show progress toward a political solution. If the political stalemate in Baghdad were not enough, Iraq in the months ahead will face three other potentially explosive political events: provincial elections, a controversial census, and a referendum to determine who will govern Kirkuk.

What can the U.S. do to restore confidence in its ability to end the violence and regain a level of cooperation? More to the point, what can the U.S. do to bolster confidence in the central government in Baghdad, shore up its sagging influence, and enhance its ability to establish and maintain a stable, secure, and inclusive Iraq, despite sagging U.S. influence? The U.S. can:

- Continue to support the elected government in Baghdad and help it act decisively to establish its authority through a consensual exercise of power. Reward progress made on key issues of inclusivity (rolling back De-Ba'athification measures), expanding military capabilities, and progress in repairing and exploiting Iraq's energy resources. Criticism from Washington will not strengthen Maliki's hand or enhance the ability of his government to act. Efforts to destabilize the elected government, even if it is unpopular with Iraqis and Americans, or to

encourage regime change by unconstitutional means will drive a further wedge between the U.S. and Iraq. Miscalculation of America's ability to influence Baghdad could push the Maliki government-or its successor-into the arms of Tehran. Similarly, over-confidence on Iran's part of its influence in Iraq could tilt public and official opinion to favor U.S. support.

• Encourage political reform and not regime change. Iraq needs a more inclusive political system and national reconciliation, but demanding that the government create these by fiat will not work. Encouraging electoral reform could achieve this goal. The current electoral process of national lists and a nation-wide election only strengthens sectarian and ethnic factionalism. Provincial elections and electoral districts based on geography should produce candidates from local communities and responsible to them.

• Use the uncertain outcome of U.S. elections in 2008 and prospect of a precipitous drawdown of forces to underscore the need for political progress. Make clear to Iraqis that we are serious about long-term withdrawal and that our policy is not dependent of the status of the insurgencies in Iraq; it is based on protecting our national interests.

• Engage Iraq's neighbors in supporting the government in Baghdad. This includes talks with Iran, Syria, and Saudi Arabia on the mutual need for a secure and united Iraq and the need to limit foreign intervention.

Background

With the collapse of the Ba'thist government in 2003, the United States appeared to be in a position to shape the country's political direction and establish a civil society. Iraq had no history of sectarian warfare but it had a long tradition of political violence. At first, communal unease was masked by the need of Kurd and Arab, Sunni and Shi'a to establish bases of power and lines of authority in the nascent political process. Despite efforts by Sunni extremists and renegade Ba'thists to provoke violence and civil war, Iraq was able to avoid religiously motivated communal warfare. At that moment, America's ability to influence nation-building and create a more equitable and secure country was at its greatest.

The moment was brief. As American leverage over Iraq's political future waned, Iraqi factions that had been long isolated and excluded from power assumed dominant roles in the succeeding provisional governments and proceeded to deconstruct Iraqi politics, society, and security. Iraq today is a country divided by competing identities and loyalties. Some Iraqis find their primary identity in their ethnic origins-Kurds seeking to right historic wrongs through maximalist demands for

territory and wealth, Arabs and Turkmen trying in response to defend their own rights to land and resources. Others identify themselves primarily according to religious sect-Sunnis trying to re-establish their historical political dominance, Shi'a determined to enjoy their new-found status as the majority group in a newly democratic country.

Iraq is not in the midst of a single insurgency focused simply on ending American occupation, nor is it enmeshed in a sectarian civil war in which one clearly defined religious faction makes war on another over doctrinal differences. Instead, struggles over national identity and political power lie at the heart of the issue. Iraq is experiencing a complicated set of civil wars and power struggles over conflicting visions of identity and reality. Much of the political conflict and social violence is waged in sectarian terms, but under the façade of religion Shi'a are fighting Shi'a, Sunnis are battling Sunnis, Sunni Turkmen are fighting Shi'a Turkmen, and criminals and opportunists are using the instability to enrich themselves and empower warlords. The parties to the struggle are tribal leaders, militia chiefs, politicized clerics, former government and military officials, Mafia-style warlords, criminals, and individuals who spent long years in exile.

In the midst of this multi-faceted conflict, Iraqis are under constant siege from poverty, unemployment, a dysfunctional government, corrupt political leaders, and vicious militias determined to enforce their peculiar combination of sectarian purity and material self-aggrandizement. At the same time, the Maliki government is under pressure from the U.S. government and politicians to show progress on U.S.-established political benchmarks, including revision of the Constitution and enactment of laws on control of the country's oil resources, de-Ba'thification, and national reconciliation. The problem is that the political system upon which all these demands are being levied has not yet completed the painful process upon which the country embarked in April 2003: the establishment of a new modus operandi for the governance of Iraq based on a lowest common denominator vision of what kind of country Iraq is going to be. Instead, more than four years after the collapse of Saddam Husayn's regime, all the key contenders are still battling for power in much the same way that Saddam did.

As a result, the Shi'a factions that dominate the government in Baghdad and their Kurdish allies continue to balk at making political concessions that could undermine their new-found positions of power. This includes refusal to adopt inclusive political practices or end the broad application of de-Ba'thification laws. Rather than creating accountable ministries staffed by apolitical technocrats and experts, they find it necessary to ensure control by embedding family, friends, and clients in powerful (and lucrative) posts. While they have promised cooperation with American and coalition forces in the war on al-Qaida and other terrorist elements, in reality they define "terrorists" as their political or tribal opponents and the militias those opponents control.

Iraq's political leaders' have welcomed the military surge. However, they resent what they view to be unwarranted intrusion into sovereign political issues. For these Iraqis, the U.S. debate over when-not if-the U.S. should withdraw and benchmarks Iraq's National Assembly must pass, are intrusive, interventionist, and relevant only for American political consumption, not to the life-or-death struggle for power in Iraq. The resentment is fueling tensions between Iraqis and Americans and further undermining U.S. influence in Iraq and the region. No amount of U.S. pressure seems capable of influencing Iraqi political leaders, who are more absorbed with struggling for political power and local control than with pleasing the United States.

The lack of progress has other sources. Part lies in the newly invented political system and its constitution, which was crafted in haste in 2005. Political authority was decentralized, national power was limited, and provincial, sectarian, and ethnic interests consolidated. Identity shaped by a strong sense of ethnicity, religious sect, and victimization define loyalty for many in Iraq. Part of the problem lies in the politicians and factions trying to assert control over territory, people, and wealth. Their self-absorption has left the government of Prime Minister Nuri al-Maliki unable to curb sectarian strife, establish a modicum of security, win political consensus on any issue, or deliver the goods and services desperately needed by the Iraqi people.

And, part of the problem lies in the engrained resentment in Baghdad over U.S. efforts to direct political decisions and security operations. Occupied by Turks, British, and Americans, Iraqis resent foreign intervention in their politics. Moreover, U.S. failure to meet Iraqi expectations that it would deliver everything from democratic institutions to jobs, foreign investment, electricity, and peace caused many Iraqis to lose confidence in American intentions and capabilities.

What Could Change This Picture?

Iraq may be at risk of failing as a state, but it is not there yet. Nor do Iraq's new political elites have any interest in committing national suicide. What could restore their willingness to cooperate and a modicum of confidence in the United States, and boost its influence.

• Success of local tribal and community leaders against al-Qaida. The trend of tribal and other leaders within the Sunni Arab community turning against the terrorist elements with which they had previously been allied began in predominantly Sunni Anbar with the support of U.S. forces and is apparently spreading towards Baghdad. The United States should not take this tribal cooperation with American forces for granted; it does not signify Sunni Arab acceptance of the legitimacy of

the government in Baghdad, nor should it be interpreted as new-found loyalty to the U.S. It does, however, demonstrate how readily self-interest can alter what may appear at first glance to be alliances of principle.

• Coming leadership changes. The leader of the Islamic Supreme Council in Iraq (ISCI), Abd al-Aziz al-Hakim, is gravely ill with lung cancer. His organization is officially being guided by one of his sons, but the real power is likely to be a technocrat highly regarded in the West, Adil Abd al-Mahdi. Adil is not a cleric and is reportedly unpopular with the rank-and-file of the ISCI, but he is apparently an effective organizer and may be able to put together a more coherent and less combative organization. Similarly, Jalal Talabani, President of Iraq and leader of the Patriotic Union of Kurdistan, has been hospitalized in Jordan and the U.S. this year with unspecified ailments. Talabani is in his 70s and showing his age after long years of combating both Saddam Husayn and his primary rival for leadership of the Kurdish community, Kurdistan Regional Government President and Kurdish Democratic Party head Masoud Barzani. The two Kurdish factions are still negotiating the unification of their organizations and militias, and the rising generation of Kurdish leaders may be willing to challenge the autocratic control wielded by these powerful warlords over the Kurdish economy, politics, and civil society. It is possible that an opening up of the political system within Iraqi Kurdistan could lead to a reexamination of long-unchallenged assumptions about how the Kurds' relate to the rest of Iraq-for better or worse.

• Shifting political alliances. In recent months several prominent Iraqi leaders have attempted to create political alliances that cross sectarian lines. For example, Iyad Allawi, a secular Shi'a and ex-Ba'thist who headed the second provisional government and now controls 25 seats in the National Assembly, has been trying to rebuild his organization by appealing to both secular Iraqis and religious Iraqis who prefer a secular government. Allawi is a well-known quantity admired for his decisiveness and courage, but he is also seen as corrupt and criticized for being too close to the U.S. More significantly, Muqtada al-Sadr, the radical Shi'a cleric who heads the Sadr Movement and the Mahdi militia, has begun trying to broaden his appeal, inviting religious Sunnis and Christians under the protective umbrella of his movement. Sadr's attraction has two sources: first, the effective social and humanitarian programs that he runs, which benefit a large number of poor Shi'a, especially in Baghdad, and second, the ability of his Mahdi army to retaliate against Sunni extremists and protect Shi'a neighborhoods. Some Iraqis believe Sadr's goal is to be the Spiritual Guide of Iraq seated in the shrine city of Najaf, a position paralleling that of Iran's Supreme Leader, Ali Khamenei, a political ayatollah who (like Muqtada) lacks authentic religious credentials.

• Kurdish maneuvering. Iraq's Kurdish factions have been ominously quiet while Sunni and Shi'a extremists-both Arab-fight each other for power in the name of Islam. The Kurds are determined to gain Kirkuk by the end of this year by de-Arabizing the city and then holding a referendum that will approve Kurdish control. Turkey would like the referendum postponed while it considers the potential impact that an expanded Kurdish regional authority virtually independent of Iraq might have on its own Kurdish population. Iraq's Kurds, however, may be crafting another dramatic political shift. Representatives of some Kurdish factions claim their leaders are considering changing loyalties

and allegiances from Baghdad to Ankara. It is unclear what arrangements Kurdish leaders may be considering, and it is equally unclear what benefit Ankara would perceive in allying with Iraq's Kurds. Such a move might arguably provide short-term solutions to Kurdish-Arab power struggles in Iraq and to Turkey's problems with anti-Turkish Kurdish terrorists (the PKK) operating from safe havens in northern Iraq, but Turkish leaders would seem far more likely to see it as increasing separatist tendencies among Turkish Kurds rather than easing them.

What Can the U.S. Do?

There is little consensus between policy advocates in either the United States or Iraq on what can or cannot work in Iraq. Some policy analysts argue that the U.S. should abandon a strategy based on maintaining the central government in Baghdad for a province-centric, locally-based strategy that focuses on building local community capacity rather than strengthening central government authority. Others urge re-inventing a strong, central governing authority in Baghdad rather than relying on a weak, decentralized political system that lacks the authority or will to act in defense of the nation.

Another debate focuses on the question of whether the United States should continue to work with Iraq's elected government, cultivate new alliances with tribes or factions that are security-focused and anti-Iranian, or support replacement of Maliki's government. A policy of cultivating new allies raises a number of practical questions: Who can the U.S. trust? How do you win over these new allies? Do you arm them and assist them in their inter-tribal, clan, ethnic or sectarian battles? Will tilting towards specific groups because of their sectarian identification or mutual antipathy for Iran help or harm the U.S. in the longer term? Can one buy a tribe or only rent one? On the other hand, continuing to work through the elected central government, regardless of who leads it, implies U.S. confidence that the government and a new Iraqi army can rise to defend the interests of Iraq as a whole and not just those of a sectarian or ethnic subset of the Iraqi people. Is the creation of such a government and force, with the necessary public credibility, possible? Not in the short term. Creation of a democratic culture and a government and armed forces willing to act constitutionally takes time and training. The decisions and actions of Iraq's current leaders reflect their long years as leaders of opposition movements in exile rather than their brief roles as politicians in the brief years since Saddam's long and violent rule ended.

While outsiders debate the next stages of U.S. policy in Iraq, the insurgencies continue and local sectarian and ethnic leaders and their militias grow in influence and strength. The U.S. by itself lacks the resources necessary to build national political, military and security institutions and economic infrastructure and at the same time invest in local neighborhood and community-building. Iraq needs technical experts in economic reconstruction, agriculture, and a wide range of skills to support the reconstruction efforts already underway in many regions. To sustain these efforts and initiate new programs aimed at building

security, the U.S. will need to enlist the resources of the international community as well as the skills of Iraq's diverse populations. One thing is clear. The U.S. will not again enjoy the kind of confidence or influence it possessed in the first days after Iraq's liberation. It will need to pick its way carefully through the dangerous zones of Iraqi politics and security. U.S. political and military leaders need to:

- Continue to support the elected government in Baghdad and help it act decisively to establish its authority through a consensual exercise of power. We need to reward positive behavior—passage of de-Ba'athification which can lead to greater political and security inclusiveness, success in military training and expanded Iraqi operations, and oil legislation. U.S. talks with Iran may help strengthen the ability of the Maliki government or its successor, to move forward on decision making in critical areas, but the U.S. must be careful not to present such any agreement as collusion by external actors to dictate Iraq's future. Even the appearance of acceding to demands from Washington or Tehran could undermine whatever base of support Maliki has now. The Iraqi government must walk a fine line between its dependence on support from the U.S. and Iran to deliver services or security to the Iraqi people and its vulnerability to charges from all sides of being too acquiescent to either American or Iranian influence. U.S. efforts to manipulate the government or realign political factions will weaken the elected government without either enhancing American credibility or introducing a more effective replacement regime.

- Encourage political reform. Demanding transparent governance, strict accountability, and the passage of specific kinds of legislation without reforming the electoral system will only increase resentment of the U.S. and undermine the legitimacy of the elected government. Iraqis talk about needing the rule of law, which the U.S. represents in theory, but they first need the kind of security and protection that creates an environment able to sustain the rule of law in practice and the experience of government change through democratic, legitimate means. The U.S. should encourage holding provincial elections as called for in Iraq's constitution and shifting from the current list-based, nation-wide system, which reinforces sectarian and ethnic-based lists, to geographically defined districts. This way, candidates known to the electorate, directly elected by them, and responsible to them may encourage the emergence of local-based leaders representing Iraq's diverse groups. The result could be the rise of new political players who enjoy bona fide popular legitimacy, have the local political bases to govern more effectively, and who ultimately can present a constructive challenge to the factions currently holding national politics hostage to personal pique.

- Carefully prioritize demands on a fragile government in Baghdad—is it in American or Iraqi interests to hold Baghdad hostage to demands that it pass legislation on oil or de-Ba'athification, for example, if doing so ensures the total collapse of the current government?

- Emphasize political affiliation over ethnic or sectarian identity. Deal with Iraqi political players in terms of parties and factions, and not as ethnic or sectarian blocs. Emphasizing sectarian or ethnic identity reinforces separateness rather than encouraging inclusion.

- Urge an end to bickering over which party or faction 'owns' which post or ministry and to awarding positions to family, friends and clients rather than to technocrats and experts. In particular, urge the removal of the most offensive and extreme appointees in the Defense, Interior and Intelligence Ministries. Finding replacements for them and the militias embedded in these ministries will be difficult but is necessary before Iraqis can look to their own rather than to the U.S. for protection and justice.

- Avoid picking sides in Iraq's internal political battles or personalizing confrontations with tribal, sectarian, or ethnic leaders. A strategy that tilts towards seemingly compliant Sunni Arab tribes and leaders today could produce unintended consequences tomorrow, such as the creation of a new, well-armed militia focused on attacking Americans rather than al-Qaida terrorists or Iranian elements. On the other hand, today's rogue may be tomorrow's key to resolving a security or political dilemma.

- Continue efforts to create a national military force. Emphasize recruitment from all sectors of the population, provide training in military tactics and civil-military relations, and provide the means for the Iraqis to defend themselves against well-armed insurgents. Iraq's neighbors can have no role in this critical task—all are seen as having more interest in a militarily and politically weak Iraq than in an Iraq able to defend itself. And all are probably planning their actions once the U.S. withdraws.

- Use the uncertain outcome of U.S. elections in 2008 and prospect of a precipitous drawdown of forces to underscore the need for progress in Iraqi governance, national reconciliation, and security operations. The withdrawal card may be our strongest lever. This might pressure a recalcitrant central government and self-absorbed allies, such as the Kurds, to cooperate. None of the key players wants immediate U.S. withdrawal. Fear and mistrust of "the other" (Kurd of Arab, Shi'a of Sunni, Sunni Arab of everyone) outweigh opposition to the U.S. presence, although few Iraqis would admit this openly. Make clear to Iraqis that we are serious about long-term withdrawal and that our policy is not dependent of the status of the insurgencies in Iraq; it is based on protecting our national interests.

- Try to engage Iraq's neighbors to take positive measures to assist the Iraqis in securing their borders and blocking the transit of terrorist recruits and money to stoke the insurgencies in Iraq. The neighbors, for now, are part of the problem. Gulf Arabs claim former Iraqi Ba'athists and Sunni Arab extremists living in the Gulf are given safe haven and in some cases citizenship, serve in local police and security services, and facilitate the transfer of assistance from individuals in those countries to Sunni extremists in Iraq. Their recruitment of young men for Sunni insurgent operations in Iraq and collection of money allegedly has the tacit support of the ruling Sunni families in several Gulf countries. None of the Gulf governments appears to have much interest in an Iraq led by non-Sunnis or non-Arabs, although all would deny it.

A Cautionary Note

Iraqis warn that a U.S. military withdrawal, especially a precipitous one, will create a security vacuum that religious extremists, terrorists, and possibly some neighbors will rush in to fill. Their neighbors agree that the result will be a worse chaos than has been witnessed to date. They say anticipation of a U.S. military withdrawal is already encouraging Iraqi factions, militias, and terrorists to prepare for the day after we leave.

Effective governance may still be possible. As Iraqi politics and politicians mature, they may see the benefits to be gained from thinking nationally, and not merely factionally. While the major groups-Kurds, Shi'a factions, and Sunni parties-issue demands they characterize as non-negotiable, these may in fact be maximalist bargaining positions. There may yet be room for compromise, even over the critical issues of oil exploitation and revenue distribution, federalism, and the role of Islam in governance. The fate of Kirkuk and the repeal of the de-Ba'thification law appear more problematic, but even in these areas there have been signs of willingness to compromise on the margins and where factional interests overlap.

True integration of the armed forces is probably not yet feasible. Popular perceptions of an ethnically and religiously mixed military are highly polarized. Sunnis see the army as a Shi'a dominated, illegitimate occupying force, while Shi'a Arabs and Kurds profess fear if alleged ex-Ba'thists (meaning Sunni Arab officers who served in Saddam's army) return. Iraqis say they prefer regional militias under local control, but local control is an ambiguous concept in regions where mixed populations live and ethnic cleansing conducted by militias in uniform is a reality. There is little public confidence in the Interior and Intelligence Ministries or the police, all of which are militia-led and uncontrollable. Given the violence perpetrated by Shi'a militias in police uniforms, Sunnis in military leadership positions, and the factional infighting in the Interior and Intelligence Ministries, it is difficult to predict when and how these instruments of national power can gain legitimacy and respect. Equally worrisome are indications that officers and civilians trained in or by the U.S. are being marginalized and, in some cases, purged from the Defense Ministry.

Iraq is at a defining moment in its history. Can this state, which was created by imperial artifice after World War I, survive its multiple and overlapping insurgencies, the conflicting visions of what it means to be Iraqi, and the competing egos of its new political leaders? How these contradictions are resolved will determine whether Iraq hangs together as a single state, finds a relatively peaceful equilibrium in what some call a "soft partition," or violently collapses at the cost of the ultimate destruction of the Iraqi state and identity.

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