

Testimony for the U.S. Senate
Committee on Foreign Relations
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I would like to thank the members of the Senate Foreign Relations committee, particularly Chairman Lugar and Ranking Member Biden, for holding this hearing today, and for the opportunity, once again, to offer my views on the political situation in Iraq and to suggest some ideas for increasing the chances for success in Iraq. I want to add that the views expressed here are my own and not necessarily those of the U.S. Institute of Peace, which does not advocate specific policy positions.

The Committee has posed a number of penetrating questions and options and asked for our analysis and suggestions. They have not been easy to answer because they touch on issues which go to the heart of the difficulties confronting Iraqis and the Coalition forces. But I will do my best to address them.

1. Should the Coalition encourage Iraqis to forego writing a full constitution now, or encourage strict adherence to current deadlines for finishing the constitution?

The Coalition should take its lead from the Iraqis and should not be seen to be intervening in the constitutional process, although it can offer help and encouragement behind the scenes. The Iraqis are intensely engaged at the moment in negotiations on the constitution, and have indicated that they think they can complete most of the necessary compromises and the drafting process by the deadline. If that is actually the case, it would seem presumptuous of us to urge them to take more time. However, if, as seems likely, the drafting proves more difficult or Iraqis themselves indicate they need more time, we should be encouraging them to take it—not forcing a deadline. In short, pressure for a deadline should not be coming from us. Rather, our message should be the achievement by Iraqis of a “better” instrument, one that satisfies Iraqi needs, rather than the symbolic achievement of meeting a deadline.

There are several incentives behind the drive to meet the deadline. One is the US agenda—the need to prove to the U.S. public that Iraq’s political process is moving ahead, that progress is being made, and that the U.S. commitment has some measurable achievements—sorely needed in the face of insurgent attacks. A second is the Iraqi election schedule and a desire by the current Iraqi government to prove itself by meeting the deadline and consolidating power by moving to another, more permanent election, as soon as possible. Third is the oft cited need to keep people’s “feet to the fire”. Without a deadline, the process could drag on indefinitely, postponing the hard work of compromise, rather than facing the issues. Lastly, there is the symbolic fall-out of missing the deadline which could be seized on by insurgents for propaganda value. But these arguments—especially the last—do not outweigh the arguments for taking more time, if needed, to produce a better constitution.

Additional time should be evaluated on the basis of what can be achieved with it. Here one must make a distinction between what could be achieved if the deadline were advanced a few more months, and what may take years or decades to achieve. In the short term, one thing that could be better achieved would be public education on the constitution and feed back from the public in time for consideration in the draft. Some effort has been made in this direction but not enough. If the drafting committee could indicate, at the end, that they had considered public opinion, it might make a difference in public acceptance and the feeling the public had a stake in the process. A second beneficial outcome might be greater inclusion of the sunni community. Sunnis have been included in the drafting process but more time might allow greater consultation and mobilization of support. Third, perhaps most important, more time could help in crafting a new electoral law that was more inclusive, if the constitutional committee were so inclined. Many Iraqis are suggesting that the law put more emphasis on districts and provinces but this would require a census and other measures, which are time consuming. Time should not dictate something as important as the electoral law.

But several issues will be difficult to resolve on 15 August—and probably just a difficult on 15 January. One is the issue of Iraqi identity. Is there an Iraqi identity and if so what is its nature? The constitution will be expected to lay down a few principles on this subject that various communities inside—and outside—Iraq will be watching carefully as a pointer to Iraq’s future. What will the constitution say about “nationalities” inside Iraq and will it satisfy the Kurdish need for a distinct identity? What about Iraq as part of the Arab world? A statement that satisfies Arab

nationalists, especially among the sunnis, may not sit well with Kurds and some shi'ah. And if Iraq is declared an Islamic state, will the formulation provide space for secularists and non-Muslims? Even the Iraqi flag, as a symbol of Iraqi identity, will be contentious.

Second is the issue of federalism and the distribution of power between the central government and various provincial and local units. This is undoubtedly one of the most contentious issues. First it involves defining provincial and local units and their territorial boundaries. This solution must deal with the Kurdish Regional Government (KRG) and whether Kirkuk and other territories are included in it. It could also involve creating larger regional units, for example in the region around Basra. Will the current 18 provinces continue to exist? Will provinces be defined on a territorial basis or will there be an ethnic or sectarian component? And what will be the powers of the local units (especially the KRG) and the central government, especially with respect to the collection and distribution of revenue?

Third is the issue of ownership and management of Iraq's resources, especially oil. Will this be vested in the central government, or in Iraq's citizens as a whole. Or will some or all of these resources accrue to local and regional governments? Lastly is the issue of national security, the formation of a national army and the role of the various militias with respect to the central government.

There will have to be a compromise and an understanding on these issues before the broad outlines of a constitution—and stability in Iraq—can take shape. If they cannot be reached—or at least some broad principles laid down—by 15 August, then the Iraqis should be allowed to extend the deadline as provided for in the TAL. It is not clear that simply putting out a mini-constitution, with agreement on what they can achieve in the short term and postponing these critical issues, is a solution. Neither the identity issue (which involves relationships among Iraq's ethnic and sectarian communities) nor the federalism issue, which involves power sharing among communities and territorial units, are likely to be solved with any finality in a few weeks or even months. But putting them off indefinitely may well make them more difficult to solve later as special interests become entrenched. Rather Iraqis should be encouraged to think of this constitution as the first of many steps in the process of knitting their society and their country together and in democratizing it.

Whether by 15 August or 15 January they should be encouraged to achieve a flexible formula for sharing power among communities and for achieving a balance of power between the center and the periphery. They will need to come out with a constitutional framework firm enough and

broad enough to provide for stable, effective government, with enough sovereignty and legitimacy to instill confidence in Iraq's future at home and abroad. This will be particularly important for foreign investors who will not want to sink money into a country whose government does not appear to be stable. But this instrument must also be flexible, able to be modified by some acceptable public process over time, to allow for growth and development on the ground. Iraq's new identity; the relationship between the center and the provinces; and between its various communities will take decades to grow. The instrument that is written now should provide a framework for that growth, including the possibility of future discussions and modification. Any thought that a product achieved on 15 August—or 15 January—will be “final” is folly. But simply putting off difficult questions indefinitely is not an acceptable solution either.

What can/should the Coalition do to advance this aim?

0 Stop pressure and public policy statements on the need to meet the 15 August deadline. Let the Iraqis take the lead, but let them know, privately and publicly, that if they need more time, they should take it.

0 Make it equally clear, however, that the time is not limitless; that the TAL provisions do need to be met, and that the time extension for some reasonable draft should be met by 15 January. Thus the momentum already underway will be maintained.

0 Encourage all concerned to view the constitution as a framework, an initial step in Iraq's constitutional life, which can be adjusted over time in a public process to accommodate changes. The constitution itself should provide for such a process.

0 Encourage a more realistic attitude, especially in the U.S., over what to expect of the constitution. Too much weight has been placed on the constitution as a “turning point” and a means of curtailing the insurgency. Like the election, the draft constitution will be a positive step, but in itself is not likely to have more than a marginal effect on the insurgency. Tying the two together is a political mistake.

2. Should the Coalition conduct a public education campaign designed to stimulate interest in the constitution and discussion of the insurgency?

This is much easier to answer. The Iraqi government—not the Coalition—should conduct a public education campaign on the constitution but this campaign should not include discussion of the insurgency. These are two separate (though related) issues, which should not be mixed. Doing so would tie the constitution and its content to the insurgency; divert attention from the main subject and fix the two together in the public mind. It could put the constitution at risk and provide a new target for insurgent attacks. Worse, it could make the constitution's success appear contingent on insurgent activity and tie the government's agenda to the insurgency. The agenda should be in the hands of the elected government. Discussion of the constitution—as the blue print for Iraq's future—should stand on its own. But the public discussion should make clear that the political process is open to all and is the appropriate vehicle to achieving political goals—not violence-- in the new Iraq.

Whether a “massive” campaign can be conducted under present conditions is questionable, but certainly considerable public activity can be undertaken on the constitution and its various provisions. Discussion of these issues is important to invest society in the political process and the government to follow. Certainly issues can be debated in the media (press, radio and TV); in university and school settings; and within limits, in town hall settings. These steps will have a number of virtues. This activity is mandated in the TAL and following TAL procedure will demonstrate adherence to the rule of law. Even more important, it will help build civil society. Various civic groups formed to educate the public will be the basis for future interest and “watchdog” groups. (Already a number of these have formed and are operating). This will lay the basis for future political participation.

Special effort should be made to persuade sunnis to lead the process in sunni areas and to encourage sunni participation in the discussion. The opportunity to participate in and influence the constitutional process is essential to give sunnis a feeling that they have a stake in the future.

I have a problem with the timing of the process, however. A public education campaign needs to be undertaken both before and after the final draft is submitted, so that the public feels it has a say in its content. While some activity has been initiated in this area, the efforts have been little and late. As the deadline nears, it is unlikely that such efforts will bear much fruit; hence, Iraq may be missing a chance to help invest the public with a feeling that it has a stake in its outcome. This is another reason to extend the time frame somewhat.

There is still an opportunity for public education after the draft is submitted and before the referendum and this is essential, not only for the vote on the constitution, but for the political process to follow. It is assumed that the constitution will elaborate principles to be followed by legislation filling in specifics in many areas. The public campaign can educate various sectors of society on their rights and obligations as specified in the constitution and how it will affect them. The groups which undertake this campaign will be essential building blocks in furthering this legislation and bringing the public and its various sectors into the process.

3. Should we take steps to forestall a sunni-shi'ah conflict?

In some ways the question may misdefine the issue. Rather than a sunni-shi'ah conflict, the conflict is much broader, and involves all of Iraq's communities in a search for a new identity. In fact there are two complex processes going on. The first is an increasing polarization of the Iraqi polity among both ethnic and sectarian communities (Kurds and Arabs as well as shi'ah and sunnis) as Iraq searches for a new political identity and a new political center of gravity. As is well known, the elections in January of this year put into office a majority shi'ah ticket (the United Iraqi Alliance) which got 48 percent of the vote; 51 percent of the seats in the assembly; and a Kurdish ticket which polled 26 percent of the vote and got 27 percent of the seats. Parties, such as the Iraqi list, led by Ayad Allawi, and the Iraqiyyun, led by Ghazi al-Yawar, which ran on a more centrist, non-sectarian platform, together polled only a little more than 15 percent of the vote. Sunnis, many of whom boycotted the election or failed to vote for other reasons, gained only 17 seats in the Assembly, six percent of the total. The elections reflected a reality—that Iraqi politics now runs largely on the foundation of cultural identity, not on the basis of interests or party platforms. Helping to move Iraq away from this polarization and encouraging a sense of national identity should be one of the Coalition's long term goals.

But it is well to keep in mind that both the shi'a and the Kurds have been disciplining their own communities and preventing retribution and retaliation—up to a point. This has been successful largely because these two groups have benefited by inheriting power in the new regime, although this discipline may be breaking down on the ground. A shi'ah rejectionist, Muqtafda al-Sadr has been temporarily silenced, in part by military action, but more importantly by being brought into the political process. While Sadr himself did not run for election, he allowed his supporters to do so. They did well in the southern provinces and, through their participation on the UIA

ticket, got a substantial number of seats in the assembly, and even some in the cabinet. The Kurdish leadership, which tends to be pragmatic, has skillfully managed a younger generation of more extreme nationalists, best represented in the referendum movement, again because Kurds have been included in power; indeed, a Kurd is President of the Republic.

In the end, rather than a shi'ah-sunni conflict what we see is that of rejectionists of a new government and a new political order. This is the second, more critical process, most virulently manifested in the insurgency. Most of the rejectionists are sunnis; most of the government and those shaping the new order are shi'ah and Kurds. But the sunni rejectionists need to be understood not simply as a sectarian group but as a community whose leaders once occupied power (not as sunnis but mainly as nationalists) and now find themselves to be an increasingly marginalized minority. They not only resent their loss of power and status, but fear discrimination and victimization by the new ruling groups. Many have also lost employment and economic benefits as well. Moreover, the sunnis are fragmented and generally without a strong spokesman or spokesmen who can speak for a broad sector of the community, although some groups are coming forward.

In general sunni rejectionists can be divided into several different categories. Extremists, such as the Islamic salafists and jihadis, tied to al-Qaida, and former Saddam loyalists engaged in the general violent mayhem in Iraq are generally beyond the pale and cannot—and should not—be propitiated. But a number of other sunni oppositionists—army officers, former Ba'th Party members, nationalists opposed to “occupation” and unemployed youth riled by current conditions—can probably be brought into the fold of the new regime in time and with the proper incentives. Conversations with sunni oppositionists indicate that their concerns are a) occupation and the foreign presence; b) loss of power and prestige; c) lack of sunni representation in the political process d) increased sectarianism; and e) the lack of a rule of law and security, especially for their community.

Attempts to alleviate this problem should focus on addressing these problems. Several suggestions can be made.

First, encourage the government to bring sunnis into the political process. (Progress has already been made through sunni representation on the constitutional committee). A media campaign to solicit opinions on the constitution would further this process. If more time is needed to provide security in sunni areas and to make sure a level playing field emerges in preparation for elections (both the vote on the constitution and the next parliamentary election) encourage the government to provide it.

Second, encourage a revision of the election law which moves from a single country-wide election list to a more district based system, which assures sunni areas seats in the assembly regardless of who votes, and allows local leaders to emerge in sunni provinces.

Third, encourage the current government to revisit the de-Ba'thification program. Anecdotal evidence suggests that much of the educated middle class—especially academics and professionals like doctors and lawyers—who may have been party members but who have no criminal records—feel alienated and left out. This class is particularly turned off by increased sectarianism, and by de-Ba'thification which discriminates against them. Many are leaving, thus depriving Iraq of much needed expertise. A better vetting system, which focuses on individual behavior and records, rather than a blanket category such as party membership, would help. But it has to be born in mind that this is still an extremely sensitive issue for the new shi'a and Kurdish leaders, who will need encouragement to move in this direction.

Fourth, many sunnis complain of a lack of rule of law and security. Strengthening the court system, the prison system and the police system would also help. While this is a long term effort, it is particularly necessary in sunni areas and in Baghdad. Much of the security threat is due to common crime, especially kidnappings. Focusing on developing local police in local areas, and getting international help for the effort, could allow Coalition forces to pull out of difficult cities, alleviating some of the problems of the military presence in sunni areas. Many sunni professionals could also be employed in the legal justice system, if strict standards of meritocracy are employed.

Lastly outside mediation might have some benefit but it needs to be handled carefully, lest it be seen as interference, especially by the new shi'a dominated government. Many key members of the new government have long been in opposition to the sunni-dominated Ba'th regime. They face persecution, imprisonment, killing of relatives and long exile at their hands and hence fear and often distrust them. This fear and distrust is reciprocated by sunnis, particularly since many of the sunnis who need to be brought into the process may, indeed, have had contact with those using violence against the regime or have been supporting it. Hence, involvement by key figures in neighboring Arab sunnis states may be regarded with suspicion. However, including some Arab leaders in an international delegation—particularly if the delegation also included shi'ah—might be a good idea.

Any mediation effort involving neighboring states would need a clear definition of its mission—and what it could do to influence and mitigate the

“sunni” problem. The current government would be interested in efforts to control the border; efforts to control finances flowing to insurgents; public support for the electoral process and the new constitution; and public rejection of violence. International and regional efforts along these lines, in return for Iraqi government efforts to bring more recalcitrant sunnis into government and local police forces, might be helpful

4. How can the Coalition cultivate new leaders in Iraq and insure that they will interact politically, rather than using violence?

I am currently involved, as a Fellow at USIP, in a study of Iraq’s emerging political leadership and their various visions for the future of Iraq. In conjunction with this project, I have made two trips to Iraq—one in December to northern Iraq to interview Kurdish leaders and one in May and June to Baghdad and Basra to talk to the newly elected members of the Assembly and the government and others working at the provincial level. These interviews revealed a rich mix of political leaders emerging with considerable promise for the future, although that promise may take some time to mature.

The problem of replacing Iraq’s leadership once Saddam and the Ba’th had been removed has always been one of the most difficult facing Iraq and the Coalition. After 35 years in power, Saddam loyalists and the Ba’th Party were deeply entrenched not only in the military and security services, but in the bureaucracy and the education establishment as well. If many had been left in power at lower levels, continuity might have been greater, but there would have been little change from the past and leaving them in would have alienated the opposition which was spearheading the change. Removing and disbanding the previous pillars of state—the option chosen by the coalition-- has allowed for entirely new leadership to emerge, but it has deeply alienated the previous official class and created a large vacuum at the center of power. Filling this vacuum, has been difficult.

New leadership can come essentially only from two or three sources. One is the reintroduction of elements of the previous regime, vetted for security purposes. The second is from exile opposition groups who have been operating outside of Iraq for decades; and the third is from the indigenous Iraqi population, most of whom have had little or no leadership experience. Essentially, the Coalition opted for the second solution, disbanding the army and the party and essentially bringing in a large group of exile opposition leaders, mainly from the West. This group dominated the Iraq Governing Council (IGC) and its associated cabinet formed in 2003.

In this first attempt at government, the CPA attempted to balance all of Iraq's ethnic and sectarian groups and also brought in most political parties—other than the Ba'th—that had played a role in Iraq previously. But the dominant members of the IGC at this stage were Western educated Iraqis with long residence in and familiarity with the west. Many, though not all, were relatively secular. The shift to an interim government in 2004 did not essential change that pattern, but the election of January 2005 brought an expression of popular will and a shift to new leadership which probably better reflects future trends in Iraq, although it is too soon to make firm predictions on that score. Several points need to be made about this leadership to understand the leadership challenge facing Iraq.

First, the current government, like its predecessors, is dominated, at its upper ranks, by exiles who have spent most of their formative years outside Iraq, or, in the case of the Kurds, running their own government in the north. But there has been a change in these exiles. Whereas earlier regimes (the IGC and Interim government) were led mainly by Western educated and Western oriented oppositionists, the new government is not. Some of these earlier politicians are still present, but key positions are now in the hands of the shi'ah religio-political parties of the UIA and the Kurdish parties. The shi'ah members of the opposition have often spent time, not in the West but in Iran, or Arab countries, like Syria and Lebanon. They are Arab Iraqis but are interested in instilling more of an Islamic identity in Iraq. So in one sense, Iraq has exchanged one set of exiles for another. But for now, new political leadership from inside Iraq—though it is emerging—has still not made its way to the top leadership posts in any significant numbers.

Second, turn-over in posts at the top has been substantial, creating lots of opportunities for social mobility, but little to gain experience. (The same phenomenon is true at local and provincial levels where discontinuity may be even greater). In the current government, over 60 percent of cabinet ministers are new to the job. And even those who are not new, have only held a post at that level for a year or so in a previous cabinet. Even then, many have been shifted from one ministerial post to another, giving them little time to put down roots. While some of this change is to be expected in a situation of radical change, it means that most new leaders still have little experience in running a state. Even well trained exiles, to say nothing of indigenous Iraqis, will need time and a learning process to acquire this experience.

One exception to this rule is the Kurdish leadership occupying positions in the central government—and in the KRG. They have acquired considerable experience—and maturity, often through the school of hard

knocks—from running government in the north; dealing with the failure of a civil war; holding (imperfect) elections; and in dealing in foreign affairs with neighbors and with Europe and the US. It is not surprising that their area is quiet and gradually becoming more prosperous. The question with the Kurds, however, is how committed they are to building Iraqi institutions in the center, as opposed to those in the north and how to draw this experienced leadership further into the rebuilding of Iraq.

Experience in government also exists among academics and former bureaucrats some of whom were ex-Ba’thists and affiliated with them. But are they flexible and open enough to deal with the new situation? Many are still alienated by the loss of their status and fearful of discrimination. The question here is how to bring them in and compensate for their loss of status, and prestige. Distrust between new and old must be dispelled and ways found to get both groups working together. There is some progress here, but it needs to be accelerated.

Lastly there is the problem of differing visions of the future Iraq and where the various leaders would like to take the country. Arab sunnis (and certainly ex-Ba’thists) want a unified country, empty of foreign forces, with a strong central government and a rule of law and meritocracy—all of which would favor them. Kurds want a federation with a high degree of self-rule. They are largely secular and look for a separation of mosque and state; and they support the continued presence of U.S. troops for protection. The dominant shi’ah coalition wants to affirm the Islamic character of Iraq and strengthen the role of Islamic law; is wary of US forces but needs them temporarily to assure continuation of its majority rule; and favors elections which it hopes will assure its continued political dominance. And indigenous leaders would like to ease out the exiles to make room for themselves. All of these differences will have to be reconciled and political space made for different groups to live, compete and thrive. This will take years, but the process is already underway with Iraq’s first free election and the negotiations for a constitution. In fact, the on-going political process is one of the bright spots in a sometimes bleak picture.

How can this process be facilitated and how can the Coalition help?

First and foremost, every effort should be made to open Iraq to the outside world. While exiles have had some exposure to the outside, those inside have had little. Education at every level has deteriorated and Iraqis, especially professionals, are hungry for outside expertise and contact. Give it to them. Visitors programs, fellowships and scholarships to study at US and European universities and colleges, providing computers and library facilities to universities and centers, and similar programs need to be

encouraged and funded. While these are already underway—and have been successful—much more needs to be done. The greater interpersonal contacts that ensue will establish networks that can be built on in the future. One of the most positive aspects of my trips was in finding young people, in their twenties and thirties, who wanted to come to the States to study political and social sciences—not engineering and computers science—for the first time in decades. We should encourage that.

Second, concentrate on the younger generation which is Iraq's future. While the vision of most of the 40 and 50 year olds in leadership has already been formed—and often in divergent ways—those in their adolescence and early adulthood are still flexible. And we should avoid stereotypes. For example, among the most hopeful and promising experiences of my trip to Baghdad was in talking to this generation, including several young people from Sadr City, often thought of as a poverty ridden slum and a nest of radical Islamists following Muqtada-l-Sadr. One was a husband and wife team involved in local municipal government; both were graduates of universities and one was interested in pursuing a Ph.D. thesis on U.S. foreign policy, but he needs more training in English. He should get it. Another was a remarkable young woman in her early thirties, who had been encouraged by her family to get an education as a doctor. She had almost achieved her goal when Saddam was overthrown. She was appointed to her neighborhood council, and in a new enthusiasm for politics, she ran the gamut from neighborhood to district to city council member; then was appointed to the interim national council of 2004 and finally ran, as an independent, for the new National Assembly—and won, all in two short years. She has elected a political career and wants to come to the States to learn, first hand, how to engage in one. What better way to invest in future leadership than to provide her—and others like her—with this opportunity.

Third, encourage and strengthen the many civil society groups that are already blossoming, despite dire security conditions. Help newly emerging think tanks with funding they may need to get started and support the interest groups that are emerging during the constitutional process. Encourage training and conferences that bring diverse groups together in an environment that allows hands-on discussion and potential resolution of conflicts. The institution which is funding my research, USIP, is a good example, though not the only one, of the many ways in which these activities can be supported, through grants to local civic action groups; training exercises; support for the constitutional process, and the like. IRI and NDI are doing yeoman work as well. These activities often do not make the

headlines but they are critical for developing future leadership with the skills and attitudes necessary for compromise.

Fourth, strengthen government capacity, both at the national and local levels. The political process is, justifiably, sucking up much of the time, energy and resources of Iraq's elite. Meanwhile, the more mundane aspects of government—delivery of electricity, garbage collection, security—are neglected or given over to freelancers and contractors who may be corrupt or worse. Building government structures and an honest bureaucracy, which can carry this load and employ the population, especially at local levels, would greatly enhance Iraq's ability to carry on and to garner popular support, while it struggles to settle the difficult political problems at the national level. Encouraging a civil service administration based on meritocracy would be a good step in this direction.

Lastly economic development—by and for Iraqis—must take place, despite the security situation. All evidence suggests that this element—and the security that goes with it—is the number one priority of the population, not the political process. The constitutional process, while important, must be supplemented by growing prosperity and a strengthening of the middle class. Over time, nothing will better tamp down ethnic and sectarian tensions; help mitigate past feelings of victimization and fears of reprisal; and provide a new and better vision for Iraq's future and for its youth, than more economic growth. The public must be given new opportunities and alternative visions for Iraq's future which can only come from widening economic opportunities and real freedom of choice. A failure to couple economic development to the political progress being made may produce an Iraqi version of what has just occurred in Iran—the election of a religiously conservative president supported by the neglected working classes. The potential indigenous leadership in Iraq today is not hidden secularists and liberals, but the Sadrist movement, which gains support by its nativist claims (its leaders have not spent time outside of Iraq) and its championship of the poor, uneducated and jobless. The best way to combat this combination is to make sure a) that the political process continues to be open to these groups and b) that the younger generation of underprivileged, such as those Sadr City residents I met, are nurtured, encouraged and given access to the outside world.

The views above reflect the testimony at the hearing; they do not represent formal positions taken by the Institute, which does not advocate specific policies.