

Testimony by Robert Malley, Middle East and North Africa Program Director,
International Crisis Group to the Senate Foreign Relations Committee, January 23, 2007

Mr. Chairman: First, let me express my deep appreciation for the invitation to testify before the Senate Foreign Relations Committee. By now, you have had many days of important testimony; virtually all your witnesses have emphasized the gravity of the situation in both Iraq and the region. The United States unmistakably is at a crossroads. If it is poorly managed, our nation will have to live with the consequences of regional instability, rising extremism and diminished American credibility for a long time to come.

It is difficult, at this late stage, to imagine a positive outcome to this war. But to have *any* chance of success, mere tinkering will not do. What is needed today is a dramatic change in our approach toward both Iraq and the region, so that we seek to enlist broad international support for a new political compact among Iraqis, cease treating the Iraqi government as a privileged partner rather than an integral party to the sectarian war; and engage in real diplomacy with all Iraq's neighbours, Iran and Syria included.

To be clear: if the administration is not prepared to undertake such a paradigm shift, then our nation has no business sending its men and women in harm's way. It has no business squandering its precious resources on a growing civil war. And it will be time to bring this tragic episode to a close through the orderly withdrawal of American troops in a manner that protects vital U.S. interests with some remaining to contain the civil war within Iraq's borders.

Unfortunately, the plan announced by President Bush does not reflect the necessary clean break. It adheres to the same faulty premises that have guided its approach since the onset of the war and therefore suffers from the same fatal contradictions. In its essence it amounts to "stay the course plus 20,000" – an inadequate answer to a disastrous situation that at most will delay what only radical course correction can avert. Under the best case scenario, it will postpone what, increasingly, is looking like the most probable scenario: Iraq's collapse into a failed and fragmented state, an intensifying and long-lasting civil war, as well as increased foreign meddling that risks metastasising into a broad proxy war. Such a situation could not be contained within Iraq's borders.

There is abundant reason to question whether the administration is capable of such a dramatic course change. But there is no reason to question why we ought to change direction, and what will happen if we do not.

1.

Mr Chairman, at the outset it is important to begin with an honest assessment of where things stand. My assessment is based on the longstanding field work performed by the International Crisis Group's staff and consultants who have been in Iraq repeatedly, outside of the Green Zone, in contact with militiamen and insurgents, almost without interruption since the war.

Two key factors are critical in understanding the country's current condition. One is the utter collapse of the state apparatus which created both a security and managerial vacuum that three and a half years of reconstruction have failed to overcome. The security vacuum has been filled by autonomous, violent actors – militias linked to the Shiite Islamists (the Badr Corps and Muqtada al-Sadr's Mahdi army), as well as an array of smaller groups, among them Mahdi army off-shoots, neighbourhood vigilantes, private sector contractors guarding politicians as well as oil, power and other key facilities, and criminal mafias. The armed groups' and militias' most important source of legitimacy and power has become the conflict's very radicalisation: the more they can point to the extreme violence of the other, the more they can justify their own in terms of protection (of one's community) and revenge (against another). In the absence of a state apparatus capable of safeguarding the population, civilians are caught in a vicious cycle in which they must rely on armed groups.

The other factor is the rise of a class of politicians, predominantly former exiles and émigrés enjoying little legitimacy among ordinary Iraqis, who have treated the country and its resources as their party or personal entitlement, have encouraged a communal-based political system that has polarised the country and, in some cases, have advanced separatist agendas that are tearing the nation apart. Political actors have accentuated differences through their brand of identity politics and promotion of a political system in which positions are allocated according to communal identities. With few exceptions, the parties and individuals that came to represent these communities – themselves internally divided – carved out private fiefdoms in the ministries and institutions they acquired, preying on state coffers and reconstruction largesse to finance their militias and line their pockets. The absence of politics also raised the stock of both Sunni and Shiite clerics and, over time, the more radical among them, at the expense of secular minded forces.

Not unlike the groups they combat, the forces that dominate the current government thrive on identity politics, communal polarisation and a cycle of intensifying violence and counter-violence. Increasingly indifferent to the country's interests, its political leaders gradually are becoming local warlords when what Iraq desperately needs are national leaders.

And so, hollowed out and fatally weakened, the Iraqi state today is prey to armed militias, sectarian forces and a political class that, by putting short term personal concerns ahead of long term national interests, is complicit in Iraq's tragic destruction.

The implication is clear and critical: the government – by which I mean the entire institutional apparatus set up since the fall of Saddam -- is not and cannot be a partner in an effort to stem the violence, nor will its strengthening contribute to Iraq's stability. The Sunni Arab representatives it includes lack meaningful support within their community and have no sway with the armed opposition groups that are feeding civil war dynamics. Conversely, its most influential Shiite members control the most powerful militias, which also are involved in brutal sectarian violence. Given the depth of polarisation, the U.S. must come to terms with the fact that the current government is merely one among many

parties to the conflict. The manner of Saddam Hussein's execution was only the latest and most vivid illustration: it was Green Zone meets Red Zone, the pulling of the curtain that revealed the government in its rawest, crudest form.

One additional comment: It has been argued that the ongoing sectarian division of the country could be a pathway toward Iraq's eventual stabilisation through a rough division into three entities. There is little doubt that Iraq's territory is being carved up into homogeneous sectarian zones, separated by de facto front lines. What were once mixed neighbourhoods – and whose identity as chiefly Sunni or Shiite areas would have been impossible to presume prior to the war – are in the process of being consolidated according to a single religious identity.

But there remain countless disputed areas, resolution of which would entail far greater and more savage levels of violence than currently is occurring. Even in Baghdad, the mosaic has not disappeared; it has evolved. Sunni and Shiite neighbourhoods are gradually being consolidated, but the process is far from complete, and in any event these neighbourhoods are still intermingled. Current confessional boundaries will be fiercely fought over; minority enclaves will be the targets of bloody assaults. Moreover, the violence is taking place within communities, with intra-sectarian tensions giving rise to fratricidal clashes. In other words, Iraq's division may soon become inevitable. But it will not be a tidy three-way-split and it will entail violence on a scale far greater than anything witnessed so far. It may become the final outcome. It should not be a U.S. goal.

2.

The absence of an effective central state, coupled with Iraq's growing fragmentation and increased power of autonomous groups and militias, has enhanced the role of outside actors both as potential spoilers and as needed partners in any effort to stabilise the country. This is an issue over which there has been considerable confusion, but the reality is simply this: The fact that Iraq's neighbours did not instigate the crisis does not mean they could not sustain it if they so desired, nor that it can be resolved without their help. Given how dire things have become, it will take active cooperation by all foreign stakeholders to have any chance to redress the situation.

Regrettably, opposite dynamics today are at play. As it approaches its fifth year, the conflict has become a magnet for deeper regional interference and a source of greater regional instability. As the security vacuum has grown, various neighbours and groups have sought to promote and protect their interests, prevent potential threats and pre-empt their counterparts' presumed hostile actions. In principle, neighbouring countries and other regional powers share an interest in containing the conflict and avoiding its ripple effects. But, divided by opposing agendas, mistrust and lack of communication, they so far have been unable to coordinate strategies to that effect. Most damaging has been competition between the U.S. and Iran and the conviction in Tehran that Washington is seeking to build a hostile regional order. As a result, instead of working together toward an outcome they all could live with (a weak but prosperous and united Iraq that does not

present a threat to its neighbours), each appears to be taking measures in anticipation of the outcome they all fear – Iraq’s descent into all-out chaos and fragmentation. By increasing support for some Iraqi actors against others, their actions have all the wisdom of a self-fulfilling prophecy: steps that will accelerate the very process they claim to wish to avoid.

Iraq’s sectarian tensions are also spreading throughout the region. They are exacerbating a Sunni-Shiite divide that is fast becoming the dominant lens through which Middle East developments are apprehended. The most serious repercussions are felt in confessionally mixed societies such as Lebanon, Syria and some Gulf countries. One of the more perilous prospects is that of renewed conflict along an Arab-Persian divide. The more it develops, the more Iraq will become the theatre of deadly proxy wars waged by others. Should this happen, the U.S. will be fighting a difficult and highly unpredictable battle.

3.

Mr. Chairman, the president’s newly announced approach can only be properly assessed in light of this assessment. And it is in light of this assessment that its fundamental flaws and contradictions become clear: it seeks to provide a military solution to a political crisis; it leaves the political dimension to an Iraqi government that is an integral party to the sectarian conflict; and it seeks to stabilise Iraq without offering a regional strategy or engagement with pivotal neighbours without which such a goal simply is unattainable.

1. *The President’s plan essentially relies on military means to resolve a political problem:* Iraq may not be experiencing a war of all against all, but it is at the very least a war of many against many. Government supported militias as much as Sunni insurgents are part of this confrontation, and inter-sectarian fighting mixes with intra-sectarian struggles. The implication – critical in terms of devising an effective response – is that this is not a military challenge in which one side needs to be strengthened and another defeated, but a political one in which new understandings need to be reached. Even if the addition of several thousand U.S. troops quells the violence in Baghdad – an uncertain proposition at best -- insurgent groups and militias are likely to focus their efforts elsewhere and/or to melt away. The President’s plan is at best a short-term answer to a long-term problem: the moment the U.S. “surge” ends, violent actors will resume their fighting. In short, Washington’s contemplated strategy of “clear, build and hold” is no response to the insurgents’ and militias’ strategy of “recoil, redeploy and spoil.”
2. *To end the sectarian fighting, the President’s plan depends on an Iraqi government that has become an integral party to the sectarian war:* The president repeatedly describes the Iraqi government as one of national unity. It is nothing of the sort. It is not a partner in an effort to stem the violence nor will its strengthening contribute to Iraq’s stabilisation. The administration must come to terms with the fact that the current government has become one side in a growing dirty war. It is incapable of generating the compromises required to re-stabilize the country and rebuild

institutions that have decayed, been corrupted and are today unable to either provide security or distribute goods and services.

This does not mean, as sometimes is suggested, that the U.S. should engineer another cabinet change, trying to forge an alliance that excludes Sadr and may ultimately sacrifice Maliki. Maliki and the cabinet are symptoms, not causes of the underlying problem: the core issue is not with the identity of cabinet members; it is with the entire political edifice put in place since 2003. No Prime Minister operating under current circumstances could do what Prime Minister Maliki has not. Structural not personnel changes are now needed.

3. *The President's plan is premised on contradictory and self-defeating regional goals: one cannot simultaneously stabilise Iraq and destabilise Iran and Syria:* Although neither Tehran nor Damascus is at the origins of, or even plays a major part in Iraq's catastrophe, the situation has reached the point where resolution will be impossible without their cooperation, as both states have the ability to sabotage any U.S. initiative and as both are needed to pressure or persuade insurgents and militias to pursue a political path. Former U.S. assistant secretary of state Jim Dobbins, no stranger to successful U.S. efforts at conflict resolution, put it well: It has never been likely that the United States could stabilise Iraq and destabilise Iran and Syria at the same time. As long as the United States continues to operate at cross purposes with nearly all its neighbours, and particularly the most influential, American efforts to promote peace and reconciliation are unlikely to prosper. In refusing to combine coercion with communication in its dealings (or non-dealings) with Iraq's neighbours, the Bush administration is making peace in Iraq less likely, and increasing the chances for war throughout the surrounding region.¹

In lieu of talking to Iran and Syria, the administration is proposing a different kind of engagement: military threats addressed toward Iran, combined with attempts to build an anti-Iranian coalition of pro-Western Sunni Arab governments. Besides raising the most obvious question (how can the U.S. rely on Iranian allies in Baghdad at the same time as it is developing a tough anti-Iranian strategy for the region) this approach runs the risk of promoting internecine conflict and, possibly, all-out and un-winnable civil wars in Lebanon and Palestine -- yet another series of catastrophes in the making.

4.

At this late stage, only a radical and dramatic policy shift – entailing a different distribution of power and resources within Iraq as well as a different set of outside influences mobilised to achieve it – can conceivably arrest the spiralling decline. In contrast to the President's plan, the International Crisis Group bases its own on the belief that the Iraqi government is one of actors in sectarian violence, not a partner in fighting extremists; that the entire post-2003 power structure must be overhauled, rather than strengthened; and that the U.S. must engage with all relevant regional actors, rather than

¹ The *International Herald Tribune*, 18 January 2007.

seek to succeed alone and isolate those who, in response, are most likely to destabilise Iraq.

The International Crisis Group's proposal aims to meet the three most important challenges: to end the civil war, reconstruct the state and its institutions and prevent dangerous regional spill over. This is not something the U.S. can do alone nor is it something it can count on the Iraqi government achieving. It needs to reach out widely to seek collaboration from friends and foes alike. That will require not only requesting others to play a part in implementing a new policy but also giving them a key role in shaping it. Crisis Group advocates three essential and interrelated steps:

1. A new forceful multilateral approach that puts real pressure on *all* Iraqi parties:

The Baker-Hamilton report was right to call for the creation of a broad International Support Group; it should comprise the five permanent Security Council members, Iraq's six neighbours and the UN represented by its Secretary General. But its purpose cannot be to support the Iraqi *government*. It must support *Iraq*, which means pressing the government, along with all other Iraqi constituents, to make the necessary compromises. It also means defining rules of the game for outside powers vis-à-vis Iraq, agreeing on redlines none would cross, and, crucially, guiding the full range of Iraqi political actors to consensus on an acceptable end state. This does not entail a one-time conference, but sustained multilateral diplomacy.

The absence of an effective Iraqi state apparatus, the fragmented nature of Iraqi society and the proliferation of self-sustaining militias and armed groups underscore the urgency of a much more substantial role for the international community, and in particular for neighbouring states. The U.S. unfortunately no longer possesses the credibility or leverage to achieve its goals on its own and Iraqi actors are unlikely to budge without concerted effort by all regional players with influence and leverage over them. Although what happens in Iraq will depend above all on the creation of a new internal momentum, such momentum cannot be sustained without cooperation from neighbours who each possess considerable nuisance and spoiling capacity.

2. A conference of all Iraqi and international stakeholders, modelled after the Dayton conference for Bosnia and the Bonn conference for Afghanistan, to forge a new political compact: A new, more equitable and inclusive national compact needs to be agreed upon by all relevant actors, including militias and insurgent groups, on issues such as federalism, resource allocation, de-Baathification, the scope of the amnesty, the structure of security forces, and the timetable for a U.S. withdrawal. This can only be done if the International Support Group brings all of them to the negotiating table and if its members steer their deliberations, deploying a mixture of carrots and sticks to influence those on whom they have particular leverage.

Indeed, if enlarging the scope of international players is one essential pillar, enlarging the range of Iraqi actors and injecting new momentum in national reconciliation efforts must be another. Much of the past few years of diplomacy have had an extraordinarily surreal and virtual quality: pursuit of an Iraqi political process that is wholly divorced from

realities on the ground through dealings between the U.S. and local leaders who possess neither the will nor the ability to fundamentally change current dynamics – who, indeed, have been complicit in entrenching them. The present government does not need to be strengthened – say, by expanding Iraqi security forces; it needs to have a different character and pursue different objectives. The time has come for a new, more inclusive Iraqi deal that puts rebuilding a non-ethnic, non sectarian state at the top of its objectives.

The conference should include all Iraq's political stakeholders – leaders of parties, movements, militias, insurgent groups, tribal confederations and civil society organisations across the political spectrum. The point is to exercise pressure from above – through foreign supporters of local groups – and below – by enlisting the far more reasonable and conciliatory aspirations of most ordinary Iraqis. The conference's objective should be to guide Iraqi actors toward an internal consensus on the principal issues of dispute and amend the constitution accordingly.

3. A new U.S. regional strategy, including engagement with Syria and Iran, and end to efforts at forcible regime change and revitalisation of all tracks of the Arab-Israeli peace process: Polite engagement of Iraq's neighbours will not do. Rather a clear redefinition of U.S. objectives in the region will be required to enlist regional, but especially Iranian and Syrian help. The goal is not to bargain with them but to seek agreement on an end-state for Iraq and the region that is no one's first choice, but with which everyone can live.

Engagement with Iran and Syria was one of the core recommendations of the Iraq Study Group, and one of the first to be summarily dismissed by the President. Seriously engaging Syria and Iran will not be easy; bringing them around will be even harder. But the U.S. has no workable alternative if its objective is to restore peace in Iraq and defuse dangerous tensions threatening regional stability. On top of refraining from damaging steps, there is much Iran and Syria can do to help: enhance border control; using Damascus's extensive intelligence on and lines of communication with insurgent groups to facilitate negotiations; drawing on its wide-ranging tribal networks to reach out to Sunni Arabs in the context of such negotiations; and utilising Iran's leverage to control SCIRI and its channels in southern Iraq to convince the Sadrists they have a stake in the new compact.

Given current U.S. policy, neither Iran nor Syria today sees much to gain from helping us extricate ourselves from Iraq. The question is not whether either side will surrender to the other. The question is whether there exists some accommodation that, while short of either side's ideal outcome, nonetheless meets each side's minimum vital interests. The answer is at best uncertain, given the considerable mistrust that currently prevails. But there are considerable costs for all sides with continuing along the present course: a deepening crisis for the U.S. in Iraq, the prospect of further international sanctions and isolation for Iran and Syria, and dissolution of the Iraqi state with potential harmful consequences for all. In other words, the most powerful inducement for a compromise are the risks associated with the status quo.

5.

The issue of troop levels, which has consumed so much of the debate and to which the administration has offered its response, is the wrong question, disconnected from ground realities. On its own, and in the absence of significant political change, the addition of troops will have only marginal and temporary impact on the intensity of violence. Without fundamental changes in Iraq and in U.S. policy, a continued American presence serves little purpose. In fact, it risks making Washington complicit in the worst excesses of the Iraqi government, providing it with both public excuses and the security to operate with impunity.

Rather, the issue of U.S. troops can only be properly understood in relation to whether or not a new Iraqi political compact is reached. If it is, then what are needed are negotiated arrangements for a relatively rapid coalition military withdrawal. The coalition's military roles, rules of engagement and withdrawal schedule should be an item for discussion at the Dayton/Bonn like conference, an instrument of leverage for the U.S. and a means of ensuring an orderly withdrawal. The coalition presence would be conditioned on this compact being reached and on implemented; the schedule for its withdrawal should be agreed and, in any event, should be completed within a reasonable time period, probably not more than two to three years. If a consensus emerges for longer stay, that could then be considered. Should the consensus back a more rapid withdrawal, it should of course be carried out.

But, and by the same token, if the compact is not reached or not implemented, the U.S. should significantly accelerate the withdrawal of forces that then will have lost their main purpose. A residual number may remain, for example at the borders in order to contain the conflict within Iraq. Any such withdrawal raises difficult political and even moral issues, as the U.S. undeniably bears responsibility for Iraq's current calamity. *But there can be no possible justification for an open-ended investment in a failing state.*

6.

Mr. Chairman, Implementation of the plan put forward by the International Crisis Group would present one last opportunity. It is at best a feeble hope, dependent on a fundamental shift among Iraqi political leaders who have long been preoccupied with only short term gain; on a radical rupture by an administration that has proved resistant to pragmatic change; on a significant alteration in relations between the U.S. and key regional countries that have been marked by deep distrust and strategic competition; and on involvement by international actors that have warily watched from the sidelines. But it is the only hope to spare Iraq from an all-out disintegration. And it would be the only possible justification for continuing to invest our troops and our resources in this misbegotten adventure.