

Testimony by Robert Malley, Middle East and North Africa Program Director,
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Mr. Chairman: Let me begin by expressing my deep appreciation for the invitation to testify before the Senate Armed Services Committee. This hearing comes at an important time, when some argue that the surge's success dictates continuation of the US military presence while others claim the surge's underlying failure commands a relatively prompt military withdrawal.

The issue and the stakes involved merit a different deliberation. I long have believed that the matter of troop levels, which absorbed so much of the debate one year ago and maintains its centrality today, is a misleading question that has spawned misguided answers. On its own, and in the absence of significant policy changes, the addition of troops can have an impact, perhaps even an important one. But, by its very nature, that impact inevitably will be temporary, reversible and inadequate.

The surge is a case in point. Its achievements – some planned, some serendipitous, others purely coincidental – should not to be belittled. The military campaign calmed areas that had proved particularly violent and inaccessible, such as Anbar and several Baghdad neighborhoods and essentially halted sectarian warfare. Sunni leaders, both tribal elements and former insurgent commanders, turned against al-Qaeda in Iraq and reached deals with US forces. Until recently at least, the Sadrist movement abided by a unilateral ceasefire and avoided confronting coalition troops. All in all, US commanders in the field displayed a degree of sophistication and knowledge of local dynamics without precedent during the long course of this war. The end result can be summed up as follows: the prospect of a single, devastating civil war has given way to the reality of a series of smaller, more manageable ones.

But the question is: then what? What higher purpose will these successes serve? Are they putting the United States on a path that will allow it to minimize the costs to our strategic interests, the Iraqi people's wellbeing and regional stability of a withdrawal that, sooner or later, must occur? Or are they simply postponing what still remains the most likely scenario: Iraq's collapse into a failed and fragmented state, protracted and multi-layered violence, as well as increased foreign meddling that risks metastasizing into a broader proxy war?

As late as yesterday, we still have not received convincing answers to these fundamental questions. For the first four years of this war, the administration pursued a lofty strategy – the spread of democracy throughout the Middle East; Iraq as a regional model – detached from any realistic tactics. The risk today is that, having finally adopted a set of smart, pragmatic tactics, it finds itself devoid of any overarching strategy.

The tactical successes associated with the surge offer a fragile but genuine opportunity to reassess our overall approach and put the emphasis where it needs to be: steps by the US administration to credibly pressure the Iraqi government and alter the regional climate. This entails ceasing to provide the Iraqi government with unconditional military support;

using our leverage and the threat of withdrawal to encourage progress toward a broad national compact and a non-sectarian, impartial state; designing a long-term program of cooperation to replenish Iraq's depleted human resources; and, importantly, engaging in real diplomacy with all of its neighbors, Iran and Syria included.

If, however, this administration or its successor 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 resources on a multilayered civil war. And it will be time to bring this tragic policy to a close through the orderly withdrawal of American troops.

1.

Mr. Chairman, at the outset it is important to recognize what has occurred since the surge was announced and which exceeded many observers' expectations, mine and my colleagues' included. My assessment is based on the longstanding fieldwork performed by the International Crisis Group's staff and consultants who have been in Iraq repeatedly, inside and outside the Green Zone, in contact with officials, militiamen, insurgents and ordinary citizens, almost without interruption since the war began.

The surge in some cases benefited from, in others encouraged and in the remainder produced a series of politico-military shifts affecting the Sunni and Shiite communities. One of the more remarkable changes has been the realignment of tribal elements in Anbar, known as the Awakening Councils or *sahwat*, and former insurgents, now referred to as Sons of Iraq. This was largely due to increased friction over al-Qaeda in Iraq's brutal tactics, proclamation of an Islamic State and escalating assaults on ordinary Iraqis labeled traitors or apostates (including policemen, civilians and mere cigarette smokers). Opting to break with al-Qaeda, they chose to cooperate with the US.

In both cases, tribal and insurgent decisions were aided by enhanced military pressure on al-Qaeda resulting from augmented US troops and in both instances US forces displayed far greater subtlety and sophistication than at any prior point. All parties benefited. US forces gained access to the tribes' and former insurgents' in-depth knowledge of local topography and human environment; conversely, groups collaborating with the coalition typically ended up with greater control over relevant areas. As a result of cooperation between the Awakening Councils, the Sons of Iraq and US forces, large areas of Anbar were pacified and Baghdad neighborhoods regained a measure of stability.

Among Shiites, the most significant evolution was Muqtada al-Sadr's August 2007 unilateral ceasefire. The decision was made under heavy US and Iraqi pressure and as a result of growing discontent from Muqtada's own Shiite base. The Sadrist were victims of their own success. Throughout 2006 and early 2007, the movement was on a steady rise, controlling new territory, attracting new recruits, accumulating vast resources and infiltrating the police. But there was a flip side. The vastly increased wealth, membership and range of action led to greater corruption, weaker internal cohesion and a popular backlash. Divisions within the movement deepened, splinter groups – often little

more than criminal offshoots – proliferated. As a result, anti-Sadrism grew, including among Muqtada’s constituency.

The US surge worsened the Sadrist situation, checking and, in some instances, reversing the Mahdi Army’s territorial expansion. The August 2007 clashes in Karbala between members of Muqtada’s movement and the rival Shiite Islamic Supreme Council of Iraq (ISCI) further eroded the Sadrist standing. In reaction, Muqtada announced a six-month freeze on all Mahdi army activities which he subsequently prolonged in February 2008. The decision reflects a pragmatic calculation that a halt in hostilities would help Muqtada restore his credibility, give him time to reorganize his forces and wait out the US presence. Sunni and Shiite ceasefires were mutually reinforcing, as the need to defend one’s community from sectarian attacks receded. Sectarian warfare largely came to an end.

Other factors account for the reduction in violence. These include a welcome shift in US military posture toward population protection, shifting forces from large bases to the frontlines of the unfolding civil war, establishing neighborhood patrols and in particular filling the security vacuum in Baghdad. They also include the less welcome fact that, by the time the surge was in place, sectarian-based armed groups had divided up the capital into separate fiefdoms in which they held their increasingly homogenized population hostage. All in all, however, the surge benefited from a conceptual revolution within the US military leadership, which gave US forces the ability to both carry out new policies and take advantage of new dynamics. Had it remained mired in past conceptions, propitious evolutions on the ground notwithstanding, we would today be facing a very different and bleaker situation.

2.

On their own, absent an overarching strategy for Iraq and the region, these tactical victories cannot turn into genuine successes. Yet, as far as one can tell, the tasks being performed by US troops are disconnected from a realistic, articulated political strategy vis-à-vis Iraq or the region. What objectives are US troops trying to accomplish? What is an acceptable endstate? What needs to be done and by whom? None of these questions has an answer, and they expose the limits of the surge’s tactical success.

Without genuine efforts by the Maliki government to reach a new political compact, the surge’s achievements are insufficient. By President Bush’s own standards, the military surge was useful only to the extent it led the Iraqi government to forge a national consensus, recalibrate power relations and provide Sunnis in particular with a sense their future is secure. Observers may legitimately differ over how many of the administration’s eighteen benchmarks have been met. None could reasonably dispute that the government’s performance has been utterly lacking. The government’s inadequate capacity cannot conceal its absence of will: True to its sectarian nature, and loath to renounce its exclusive hold on power, the Maliki government has actively resisted moving toward compromise. Why not? It has no logical reason to alienate its

core constituency and jeopardize its fragile political makeup when inaction has no consequence and the US will always back it up.

A small number of agreements have been reached and are regularly trumpeted by the administration. But they have made virtually no difference. In the absence of a basic political consensus over the nature of the state and distribution of power and resources, passage of legislation is only the first, and often the least meaningful step. Most of these laws are ambiguous enough to ensure that implementation will be postponed or the battle over substance converted to a struggle over interpretation. And in the absence of legitimate, representative and effective state and local institutions, implementation by definition will be partisan and politicized. To date, such has been the fate of, *inter alia*, the constitutional review, the Justice and Accountability Law, and the Provincial Powers Law -- each one giving rise to controversy, some having done more harm than good, and none being meaningfully carried out. What matters is not chiefly whether a law is passed in the Green Zone. It is how the law is carried out in the Red Zone.

Without establishment of a more inclusive, less partisan and sectarian Iraqi political and security structure, the surge's achievements are reversible. Among Sadrist rank and file, impatience with the ceasefire already is high and growing. They equate it with loss of power and resources, believe the US and ISCI are conspiring to weaken the movement and eagerly await Muqtada's permission to resume the fight. The Sadrist leadership has resisted the pressure, but in light of recent events in Basra and Sadr City, this may not last. The answer is not military. The Sadrists are as much a social as they are a political or military phenomenon. They enjoy wide and deep support, particularly among young Shiites. Excessive pressure, particularly without political accommodation by current power-holders, is likely to trigger both fierce Sadrist resistance in Baghdad and an escalating intra-Shiite civil war in the South. Again, those trends have been much in evidence over recent weeks.

Among Sunnis, mood and calculations also could readily alter. The turn against al-Qaeda is not necessarily the end of the story. While some tribal chiefs, left in the cold after Saddam's fall, found in the coalition a new patron eager to provide resources, this hardly equates with a genuine, durable trend toward Sunni Arab acceptance of and participation in the political process. For them, as for the Sons of Iraq in general, it is chiefly a tactical alliance – forged to confront an immediate enemy (al-Qaeda) or the central one (Iran). Any accommodation has been with *us*, not between *them and the government*. It risks coming to an end if the ruling parties do not agree to greater power sharing and if Sunnis become convinced the US is not prepared to side with them against Iran or its perceived proxies; at that point, confronting the greater foe (Shiite militias or the Shiite-dominated government) once again will take precedence.

Even al-Qaeda in Iraq cannot be decisively defeated through US military means alone. While the organization has been significantly weakened and its operational capacity severely degraded, its deep pockets, fluid structure and ideological appeal to many young Iraqis mean it will not be irrevocably vanquished. The only genuine and sustainable solution is a state that extends its intelligence and coercive apparatus throughout the

territory, while offering credible alternatives and socio-economic opportunities to younger generations.

Without steps to build a more effective, legitimate central state, the surge's achievements could portend a serious strategic setback. The US is bolstering a set of actors operating at the local level, beyond the realm of the state or the rule of law and imposing their authority by sheer force of arms. The tribal awakening in particular has generated new fault lines in an already divided society as well as new potential sources of violence in an already multilayered conflict. Some tribes have benefited heavily from US assistance, others less so. This redistribution of power almost certainly will engender instability and rivalry between competing tribes, which in turn could give rise to intense feuds -- an outcome on which some insurgent groups are counting. None of this constitutes steps toward consolidation of the central government or institutions; all could very easily amount to little more than US boosting specific actors in an increasingly fragmented civil war. In sum, short-term tactical achievements could pose a threat to Iraq's long-term stability.

Without cooperation from regional actors, the surge's achievements are vulnerable. Iraq's neighbors were not at the origin of, or even played a major part in, Iraq's catastrophe. But the situation is such that sustainable stability is impossible without their consent. If dissatisfied, the *sahwat* or Sons of Iraq could seek help from neighboring Arab states seeking to promote their influence, counter Iran, or pursue a sectarian, Sunni agenda. Iran has the greatest ability to sabotage any US initiative and its help is required to pressure insurgents and militias to pursue a political path. US troops can seek to contain this influence, but they are pushing against the tide. Tehran's role is there to stay and, over time, deepen, exercised through myriad channels -- military, but also religious, cultural, economic and humanitarian. Tehran enjoys strong ties to actors across the political system, both within and outside the government. If the goal is to reduce Iran's destabilizing efforts and reach some accommodation over Iraq's future, this can only be done through US diplomatic engagement with Tehran and negotiations over all issues.

The bottom line is that it cannot be up to US troops to achieve prerequisite of success: a legitimate, functioning government; credible, effective institutions; a less hostile regional environment. Those goals, if they can be accomplished at all, only can be done by Iraqis and by hard-headed US diplomacy. This is not a military challenge in which one side needs to be strengthened and another defeated. It is a political one in which new local and regional understandings need to be reached. That is not occurring. Instead, far from being a partner in an effort to achieve a new compact or stem violence, our allies in the government are one side in a dirty war over territory, power and resources. Likewise, far from engaging Tehran, the administration has objected to genuine, broad-based negotiations, placing it in the awkward position of relying on Iranian allies in Baghdad while at the same time developing a tough anti-Iranian strategy for the region.

3.

Mr. Chairman, three critical observations derive from this analysis.

First, the United States's best allies during the surge have not been the parties we brought to power, protected and supported. They have instead been former leaders of the insurgency and armed groups who, for their own reasons, chose to side with us.

That in itself represents a stunning indictment of US policy to date. It means we have been unable to pressure those over whom we possess the greatest leverage.

Second, the reason the US lacks this leverage is that it has not convinced itself – and perforce its Iraqi allies – that it eventually might have to withdraw even in the absence of strategic success.

This does not mean the US should announce its departure now or espouse a timetable or rigid benchmarks. It means, however, that the administration should be prepared to live with the consequences of withdrawal if the Iraqi political class fails to make rapid, substantive progress toward political accommodation and establishment of non-partisan, non-sectarian state institutions. It means the US must be prepared to bluntly convey that sentiment to its Iraqi interlocutors. For as long as the US ties its fate to that of its Iraqi allies, it will remain hostage to their ineptitude or ill-will. Given the mismatch between what US forces can do and what needs to be done, their greatest utility paradoxically may lie in the credible threat of withdrawal.

Third, the United States's allies in Iraq are also allies of Iran which is our and, we claim, also one of Iraq's greatest foes. Ironically, we have been siding with Iran's partners in the intra-Shiite civil war .

That points to yet another fundamental contradiction at the core of our policy: the US cannot simultaneously pursue the competing and self-defeating goals of stabilising Iraq and destabilising Iran. It must choose.

Prolonging the military mission makes sense only if part of a strategy that is coherent, sets achievable goals, puts the onus on the Iraqi government and its allies to take long-overdue steps, and accepts the need for a US regional approach, including engagement with Iran and Syria and redefinition of our objectives in the Middle East. *Absent such overarching policy objectives, US troops are being asked to carry a disproportionate burden to attain unreachable and inconsistent objectives at inordinate and rising cost.*

4.

The recent Basra operation is a microcosm of all that is astray in the current approach. The battle was initiated by the Iraqi government without our agreement and halted by the Iranian regime without our involvement. Maliki informed coalition officials only a few days prior that he intended to target militias in the south. His protestation to the contrary notwithstanding, the operation was neither broadly aimed at all militias nor narrowly focused on so-called special groups. Militants linked to the Fadhila party were untouched, despite years of violently flouting the law. Nothing was done to the Badr organisation, ISCI's militia which, according to some reports, may even have fought alongside government forces. Without question, the target was the Sadrists and ISCI's as well as Maliki's purpose was to cut them down to size in advance of provincial elections scheduled for October. As the Iraqi government seeks to replicate the tribal model to the

south, and encourage tribes to take on the Mahdi Army, potential sources of internecine violence will multiply. The struggle was another episode in the ongoing intra-Shiite civil war, a harbinger of what awaits much of the country if current trends continue.

For the US, the downsides were legion. The affair reversed timid US efforts to reach out to the Sadrists. It threatened their tenuous ceasefire and led to lethal rocket attacks on coalition personnel in the Green Zone. It wholly contradicted the notion of an impartial, non-politicised state. It called into question the tentative security and stability Baghdad and other parts of the country. It ended up boosting the Sadrists – who showed the strength of their organisation; Muqtada – whose stature grew among his followers; and Iran – which mediated the truce. Meanwhile, Iraqi forces performed poorly, unable to dislodge the Sadrists from their southern strongholds and victims of a high number of defections.

And yet, throughout, the US appeared at best passive, more often complicit. It allowed its airpower and Special Forces to be dragged into an intra-Shiite power struggle at the worst possible time, with the least possible coordination and resulting in the worst possible outcome. Despite Iraqi reliance on US political and military support, the administration acted as if it had no leverage, no influence and no say. The episode was nothing short of dumbfounding.

5.

Mr. Chairman, in seeking to define concrete, achievable goals for our troops, I believe we must begin with acknowledgment of two basic realities.

First, a US withdrawal under existing conditions – an Iraq dominated by armed militias, sectarian forces and a predatory political class; the collapse of the state apparatus, the lack of any political accommodation; the rise of *jihadism*; an extraordinary refugee crisis; and a regional context more polarized and tense than ever before – would constitute a stark and perilous setback. It would leave Iraq as a failing state, set the stage for escalating and perhaps horrific violence and invite regional involvement and radicalism that will further damage our posture in the Middle East.

But, second, that a continued US military presence carries a heavy price tag as well. With each passing day, the human toll mounts. Precious resources are expended. Our military is overstretched and our readiness undercut. US margin of maneuver on other critical national security issues is further limited. And our influence and credibility in the region and throughout the world continue to erode.

The objective, it follows, should be to create a local and regional environment that minimize the damage flowing from the departure of our troops that, sooner rather than later, must occur. A strategy that seeks to capitalise on the surge's achievements to promote that goal would rest on the following three pillars:

1. **A new forceful approach that puts real pressure and exercises real leverage on all Iraqi parties, government included.** The ultimate goal would be overhaul of the sectarian political system and establishment of a more equitable and inclusive compact, agreed upon by all relevant actors – e.g., government, militias and insurgent groups – on issues such as federalism, resource allocation, internal boundaries, de-Baathification, the scope of the amnesty, the makeup of security forces and the timetable for a US withdrawal.

Pressing the Iraqi government and its allies is key. As noted, the US must move away from unconditional support and use the credible threat of military withdrawal if the government does not compromise, fairly implement new legislation or take steps toward impartial state institutions. Our position should be clear: continued US presence depends on whether there is movement in this direction. If the compact is not reached or implemented, the US would significantly accelerate the withdrawal of forces that then will have lost their main purpose. Conversely, if and when a compact is reached, a responsible schedule and modalities of coalition withdrawal should be negotiated and agreed upon.

There are practical, short-term consequences as well. The US should only support Iraqi military operations consistent with its own goals and strategy; base training and assistance on the professionalism and non-partisan behaviour of its Iraqi recipients; and shun sectarian ministers or army units and their commanders. Likewise, the US should condition its help to expand and equip the security apparatus on a strict vetting process and retraining program.

2. **A new multilateral strategy that focuses on the region and includes engagement with Iran and Syria.** The ultimate goal would be to diminish tensions and polarisation while agreeing on rules of the game for outside powers to ensure that a US withdrawal trigger neither a regional scramble for power in Iraq nor a local scramble for patrons by Iraqis – either of which would cause greater instability and loss of American influence. 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 their policies to that effect. Most damaging, given Iran's enormous sway in Iraq, has been competition between the US and Iran and the conviction in Tehran that Washington is seeking to build a hostile regional order. Broad reassessment of US regional policy will be required, as will wide-ranging negotiations with Iran, whose influence will not be checked militarily but mainly through tough bargaining.

There are other regional dimensions. The explosive question of the Kurdistan region's boundary with the rest of Iraq obliges the US to define a clear and coherent relationship with its NATO ally, Turkey, and its Kurdish friends. And it cannot address the question of al-Qaeda in particular and *jihadi* salafism more generally without looking at its sources in Arab Gulf States.

3. **A long term commitment to invest in and replenish Iraqi human resources.** Our obligations and responsibility will not end after our troops have left. Iraq's human resources have been sapped by years of sanctions, warfare and post-war mismanagement. Much of the qualified middle class lives in exile or is stuck in professional stagnation. The educational system is eviscerated. Universities are dysfunctional, children barely learn how to read and girls have been particularly victimised. Blanket de-Baathification removed experienced managers. Civil war dynamics in urban centres purged them of less sectarian and more open-minded professionals. Oil-rich, Iraq today is also humanly bankrupt. It will take decades to recover and rebuild.

To this end, Iraqis need training of civil servants, scholarships and agreements with foreign universities. Refugees also must be tended to. Many belonged to Iraq's middle class and fled precisely because they were non-sectarian, were unaffiliated with any given militia, and therefore lacked the necessary protection. They should not be abandoned, left to stagnate and languish but rather be prepared for their return. Exile should be used to hone new skills that will facilitate their eventual social reintegration. There is every reason to assist host countries – Syria included -- in that endeavor.

This scenario does not constitute a clearcut victory under any realistic definition. But, in all likelihood, it represents the optimal outcomes at this late stage. And, at the very least, it is consistent with obligations incurred toward those who were sent to wage this war and toward those on whose soil it has, for their enduring misfortune, been waged.