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TESTIMONY

An Iraqi Modus Vivendi

How Would It Come About and What Would It Look Like?

TERRENCE K. KELLY

CT-303

April 2008

Testimony presented before the Senate Foreign Relations Committee on April 3, 2008

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The RAND Corporation

An Iraqi Modus Vivendi
How Would It Come About and What Would It Look Like? [2]

Before the Committee on Foreign Relations
United States Senate

April 3, 2008

Mr. Chairman, Mr. Ranking Member, and members of the Committee, it is an honor for me to be here today to share some thoughts on Iraq's prospects in the future, and how this will be shaped by, and influence, U.S. interests and policies. You have asked me to address what Iraq may look like in 2012, and how we might get there. Permit me to first give you an overview of the argument I would like to make today.

First, the conflict in Iraq is not likely to be resolved any time soon. True reconciliation is likely at least a generation away. Furthermore, though some talk of "victory" and similar terms, we do not know what that means, though we may know it after we see it. In particular, this is not a war between nation states, there is no enemy army to defeat, and in several important cases it is quite difficult to identifying who the "enemy" is. Even when we know who he is, there are often no easy ways to "defeat" him, as he may be an integral part of the government we are have chosen to support and is always among the population we are committed to defend.

Next, we are trying to do too much in Iraq. Unless one thinks that the U.S. can maintain very high troop levels in Iraq for the foreseeable future, we need to clearly understand what we must do as opposed to what we would like to do, and commit resources accordingly. This requires a clear articulation of U.S. vital interests. While it is difficult to build a strategy that relies on hindsight to assess progress and success, it is not difficult to articulate U.S. interests in Iraq – something that has not been done in a manner that is useful to strategists and planners. U.S., not Iraqi, interests should drive our strategy, and they will have profound implications on our approach and required resources.

To explore such an approach and provide a statement on how we get to 2012, I will first review some facts about the situation in Iraq, and then propose two vital U.S. interests that I believe

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[2] This testimony is available for free download at http://www.rand.org/pubs/testimonies/CT303/.

should drive our approach. I then argue that what is needed is an Iraqi *modus vivendi* rather than a comprehensive reconciliation, and discuss how such arrangements might come about, as well as what U.S. interests and capabilities imply that we should do to affect this *modus vivendi*. I will conclude by touching on what Iraq, and our involvement in Iraq, might look like in 2012 and beyond.

Preliminaries

Violence in Iraq has decreased dramatically. Pundits have conflicting arguments for why this has happened, but in one important way such discussions are academic. The fact of the matter is that violence needed to be reduced for political progress to be made, and violence has been reduced. That, in itself, gives cause for cautious optimism. However, this decrease has been achieved by working with local leaders, due to the realization that national reconciliation was not likely in the near-term. I believe that this process has gone about as far as it can to reduce violence. Further advances will require Iraqi national-level leaders to eschew political violence, as they control most of the levers for large-scale violence. Yet, I also believe that national reconciliation remains far off. So, what is to be done?

First, let us review some facts.

Principal among these facts is that efforts to create a government that would not only include all major Iraqi sectarian and ethnic factions, but also equitably address their needs, will not succeed in the near future, if at all. Many of the most influential Iraqi political players hold long-standing, blood-soaked negative perspectives of other major players. Many of these actors have fought and killed each other for their entire adult lives, and in some cases their factions have fought each other for centuries.[3] The Shia leadership currently in power is in the process of establishing a sectarian government that favors the Shia; the Kurds are seeking to ensure that they maintain effective, though not formal, independence; and the Sunni continue to be torn by deep internal divisions and an emerging struggle over political leadership, which, together with the violent trends and anti-Shia worldviews current in that community, make the continued existence of Sunni political violence very likely. As the Shia consolidate power under the cover of the U.S. presence in Iraq, their internal divisions are coming to the fore and increasingly manifesting themselves in Shia on Shia violence, as we have seen over the past few years, and the past 10 days in particular. In short, the political situation in Iraq is not, and will not be, conducive to creating a pluralistic, democratic society for some time. But, that does not mean that Iraq's future cannot benefit U.S. strategic interests. That is a tougher question, and one I will return to shortly.

[3] As one senior Kurdish politician put it in February 2006, making reference to the Sunni – Shia conflict, "They killed the grandsons of the Prophet here 1200 years ago [*sic*], and nothing much has changed since." His point was that Iraqis had to either agree to move forward together – establish a *modus vivendi* – or go their separate ways.

With respect to security, five years of data indicates that political violence will remain a characteristic of Iraqi society for some time to come. Even with the reductions seen since mid-2007, violence remains at unacceptably high rates. In particular, two facts are critical. First, the "accelerants" of violence – primarily suicide bombings and assassinations carried out by Sunni and Shia extremists – are extremely difficult to defend against, and will only be defeated when and if the government develops security forces and intelligence capabilities that are large enough, capable enough, and loyal enough to control and secure the population, and the population in turn identifies the violent actors to enable the government to kill or capture them. The population can, and will only, turn extremists in when it feels safe to do so. General Petraeus and the men and women of the MNF-I, along with some sectors of the Iraqi Security Forces, have done great work, but it is not yet enough. Further reductions in violence will require more, and more capable and trustworthy, Iraqi security forces.

The second consideration is that political power in Iraq is largely held by those parties that have armed factions answerable to party leaders. Almost all of these parties have leaders who are senior members of government. This all but ensures that many of the most influential government leaders will not truly cooperate to eliminate the extra-governmental armed groups that are responsible for violence. It is critical to understand that they maintain these armed organizations for their political and physical survival, not just their ambitions. Only significantly different political and security conditions will change this.

An important and often overlooked fact that has a large effect on the prospects for political and security gains is the widespread and largely unchecked criminal activity in much of Iraq. Criminality not only makes economic activity difficult, but contributes to the circumstances that permit all violent actors to operate without detection, and in many cases provides funding for these actors (though some of the most important of these have succeeded in putting most of their armed members on the government payroll, and so are no longer dependent on criminal activity or external funders to meet payroll). However, addressing this problem will be difficult as many of leaders of the illegal armed groups that depend on criminal proceeds are, again, political leaders with important roles in government. This symbiotic relationship between crime and political violence is a hallmark of almost every state plagued by political instability and lacking mature and capable security forces and judicial systems. Real progress in solving Iraq's political and security problems will not be made until its leaders address the criminal elements within their own ranks. Often, external pressure and assistance is needed to do this.

Combining the political and security observations above, it is clear that Iraq will not reach reconciliation in the near future if "reconciliation" is understood in the literal sense. What we should

pursue in the short- and mid-term is not reconciliation, but the cessation of large-scale violence based on an agreed upon way forward – a *modus vivendi* – that all major Iraqi players accept. I will explore this in greater depth in the next section**.**

A final and perhaps the most critical observation is that the U.S. has operated in Iraq as if it were attending primarily to what is important for Iraq, not what is important for the United States. Under the Coalition Provisional Authority this was appropriate from both an ethical and practical point of view, as the CPA was the occupying government of Iraq. US interests in Iraq will be discussed in the next section as well. However, there is one additional observation that I would be remiss if I did not take this opportunity to make.

Critically important, is the fact that the U.S. government does not have the institutional capabilities to accomplish the things it has set out to do in Iraq, even under much more benign circumstances. No U.S. government institution is designed for nation building or counterinsurgency, and the task in Iraq requires large-scale, inter-agency capabilities to do both. The only agency whose mission is close to that of nation building is the U.S. Agency for International Development (USAID), but the total number of USAID Foreign Service Officers world-wide is only slightly over 1,000 (roughly the size of a deployed army battalion task force). The State Department, though given responsibility for this task by NSPD-44, does not have the manpower, operational culture or resources to do this. It is a fine institution that excels in diplomacy, and in particular one that is designed to interact with existing states. But diplomacy is only one of several important capabilities required for nation building and counterinsurgency. The criticism of State and other civilian agencies for not “stepping up to the plate” ignores these important facts. It is like asking your grandmother why she won’t run a 6-minute mile. It is not that she won’t, but rather that she can’t. If the U.S. is to be successful at all, it will need goals that are more in line with its capabilities or capabilities more in line with its goals. The importance of a sober, apolitical assessment of what can be done cannot be overstated.

Implications for U.S. Policy

The first and principal implication of the observations above is that any assessment of what the U.S. can and should try to accomplish in Iraq must start with U.S., not Iraqi, interests – they are not the same and the U.S. will end up with a different strategy if it does this. This in turn requires a definitive statement of U.S. vital interests in Iraq, and a thorough analysis based on those interests leading to a strategy and plan that is in line with U.S. capabilities. Furthermore, in order to bring American activities into line with capabilities, the U.S. needs to focus on what is really important – starting with those activities required by its vital interests, and cautiously adding other efforts that support other important interests under a conservative understanding of what it is capable of.

U.S. Interests in Iraq

The U.S. has two major categories of interests in Iraq and in general – its vital interests and other important, but lesser, interests. A definition of vital interests might be that they are those ends that would eliminate an existential threat to the U.S., or prevent outcomes that could significantly and negatively change our way of life. In order to understand what U.S. actions should be and how they could effect Iraq's development, these must be the starting point for any analysis. For the purposes of this testimony, I consider the following to be the U.S.'s vital interests in Iraq:

- That Iraq not become a launching pad for large-scale international terror; and
- That what happens in Iraq does not lead to regional instability of a magnitude that has a significant, long-term negative effect on the U.S. economy or security.[4]

A brief look at what is needed to secure these vital interests reveals that achieving them requires regional approaches not confined solely to Iraq. What Iraq's neighbors and other international players with an interest in Iraq do will affect U.S. interests there.

Focusing on these two interests alone does not mean that other U.S. interests will not affect our actions to some degree. But, vital interests should drive policy, and all other interests are subject to cost-benefit analysis. Efforts to secure other interests should be undertaken only after sober consideration of the magnitude and duration of these efforts, and a clear understanding of the limitations of U.S. capabilities.

Turning first to preventing Iraq from being a launching pad for major international terrorist groups, note that if we disaggregate this interest into its critical factors there are a few observations that are particularly important. First, if the Iraqi people support international terrorism, then it would be difficult to prevent it from originating in Iraq. The most important aspect of this goal is the attitude of the Iraqi people towards the rest of the world, and the U.S. in particular. This will be determined, at least in part, by a few influential social and cultural factors, and in particular the education Iraqis get, what they see on their televisions and in their papers, and what they hear in their mosques and on their radios. If this is so, then efforts to influence Iraq's education system, conduct effective strategic communications and reach out to Iraq's religious leaders are critical. I will address these in the section on Iraq's *modus vivendi.*

[4] Others could be, and have been, proposed. For example: The mode of U.S. departure does not give the appearance of defeat at the hands of radical Islamists, nor undermine the U.S.'s ability to use power in other vital areas in the Middle East or elsewhere when needed; that Iraq not be so dominated by a neighbor that they could pose a challenge to U.S. positions in the Persian Gulf; and preventing one or more large-scale humanitarian disaster(s) caused by civil strife. As important as these are, I do not believe they rise to the level of vital interests, and so I do not carry them forward in the discussion that follows. However, they should be major considerations in the development of our strategies.

Equally important is whether Iraqi political leaders support such a state. Unquestionably, many of these leaders would support international terrorism if they saw it as in their interests. Indeed, some Iraqi leaders, both inside and outside of government, are actively supporting terrorism inside of Iraq today. What this means for the U.S. is that it must *change the political calculations of Iraqi leaders* by making clear to them that terrorism is not in their best interests, and that if they violate U.S. vital interests we will ensure that they cannot achieve their own goals. This will require the willingness to use strong measures against those who would threaten U.S. vital interests, and to make real commitments to those who further our interests. This will also require influencing and working with Iraq's neighbors. It is worth noting that our ability to exercise this influence will diminish when the UN Security Council resolution that authorizes the Multinational Force-Iraq lapses at the end of this year.

Finally, we must recognize that for the foreseeable future Iraq will have a weak government and security forces, and therefore limited ability to ensure that international terror does not seek to put down roots there. To balance these facts, the U.S. must have policies to ensure that Iraq does not contain ungoverned space or sectors of society in which large-scale efforts to develop international terrorist capabilities go undetected, and that the forces are in place to destroy such capabilities when they are discovered. It is worth noting that interdicting terrorist activities without Iraqi cooperation would be extremely difficult – a good reason for maintaining working relationships with the Iraqi government and security forces.

Turning next to those actions in Iraq that could lead to large-scale regional instability, note that instability and violence are not synonymous; political violence in Iraq is inevitable for some time to come; regional instability is not. The key questions are; what events in Iraq could so destabilize the region that the U.S. – and world – economies suffer significantly, and what conditions would lead to large-scale intervention by other countries that could threaten U.S. security to the extent that U.S. troops are forced to go back into Iraq in large numbers, possibly without reliable regional partners?

Events in Iraq alone are not likely to have a major effect on the U.S. and world economies. Rather, such effects would be the result of regional events and would likely generate a large-scale regional response and intervention on the order of that mentioned above. Should Iraq's oil exports fall entirely off the world market, it would not rise to the level of a vital U.S. interest due to its impact on oil prices, though it would remove almost all indigenous funding from the Iraqi government and create other effects that could in turn have dire consequences. Economic disruptions that could significantly damage world economies would be something on the magnitude of a large-scale interruption of Northern Gulf oil exports (e.g., oil coming from Iraq, Iran, Kuwait and Saudi Arabia) that lasted for several months. It is worth noting that these oil exports are of critical importance to

other major world powers, to include European countries, China and India, and their actions to prevent major disturbances to oil markets should be an important consideration in U.S. strategy.

Should the situation in Iraq cause neighboring or other states to intervene, or cause other large-scale disturbances in Middle Eastern stability (e.g., large-scale violence migrating out of Iraq into neighboring countries), the U.S. as well as other countries could be sucked into military confrontations that could cause unforeseeable changes to regional and perhaps global security. Although such scenarios are less of a worry than a year ago, regional stability should remain a vital interest for the near future.

What Might an Iraqi *modus vivendi* Look Like?

Under Saddam Hussein, Iraqis understood the rules of society. That *modus vivendi*, though brutal and oppressive, was the basis for how Iraq ran. Since March 2003, Iraqis have been competing with each other to determine the new rules for society. Policy makers should realize that the U.S. will have a limited role in the gestation of Iraq's *modus vivendi* – certainly nothing approaching the ability to dictate it – and that most aspects of Iraq's social arrangements do not affect U.S. vital interests or other important interests, and so should not be the subject of intense U.S. efforts.

The question of *how* the Iraqi leaders and people arrive at a *modus vivendi* is what I consider next, because our policies and actions will affect those processes rather than their product – the *modus vivendi* itself. Note that many of these processes will take a long time to play out – many beyond 2012 – and so U.S. efforts should place significant effort on achieving long-term effects. According to this logic, policies aimed at affecting facts on the ground today that have limited long-term effects on Iraqi political and social arrangements important to U.S. vital interests may have good altruistic justifications, but should not drive U.S. policy. Note as well that it is also possible that Iraqis will not reach a *modus vivendi.* U.S. policy should take this possibility and scenarios that come from it into account as well, but I do not discuss that possibility here.

Of the several major processes that will determine what kind of *modus vivendi* Iraq will arrive at, some the U.S. can directly influence, some it can indirectly influence, and over some it will have little or no influence. These processes can be placed in three general categories – political, social and security.[5] These categories are not distinct. Political processes will be considered in two major

[5] Economic issues are noticeably absent. While Iraq's economic progress is important, and decisions on economic issues such as oil and state owned enterprises are important and contribute to violence, they are the product of political forces at this point. Importantly, the violence is at its essence political. Were Iraq much poorer than it is, or if the violence in Iraq was over economic grievances, then economic processes would demand more prominent consideration.

categories; the formal elements of government, and political parties, trends and leaders.[6] Social aspects are many and cannot be considered comprehensively in this short testimony, but three will be briefly addressed – the roles of education, the media and religion. Finally, security will be addressed in terms of the armed forces, police forces, and regional forces (e.g., the Kurdish Peshmerga and similar "regional guards" that are likely to come into being as more regions are formed).[7]

Political Processes

Iraq's formal political processes are defined by its constitution, adopted in October 2005. Although there are strong arguments for why Iraqis should significantly amend their constitution, it is unlikely that significant changes will be made, as it currently favors a majority of the population. The Iraqi Constitution gives the Prime Minister little real control of his government or federal fiscal resources. For example, he cannot hire or fire ministers without the approval of parliament, and so has very limited ability to influence their behavior and that of the government. Furthermore, Iraqi regions have near-sovereign powers (only one currently exists, but under current law more may be formed starting this month), and provincial governors are not beholden to the Prime Minister for power, though they do depend on the central government for some resources and support. Additionally, the deal that was struck to form the current "Unity" government distributed what little power does exist in the executive to the participating political parties. In particular, individual ministries "belong" to participating political parties, giving the leaders of those parties the power to select and dismiss ministers – arguably, more real influence over ministerial posts and actions than the Prime Minister. The notable exceptions to this rule are the original security ministries (the Ministries of Defense and Interior), the ministers of which were selected based on their not having a major party affiliation. While this avoids giving control of these critical ministries to any political party, it does not increase the formal control of the Prime Minister. Keeping the security ministries out of party hands may also not hold in future governments.

There are two ways for the Prime Minister to exercise control – through political leadership and deal-making, and by subverting the Constitution. If the Prime Minister is able to subvert the Constitution and control the security forces without checks and balances, then Iraq will resemble many other countries in the region that hold elections and have legislatures, but honor them in the breach with all effective power residing in the Executive. Subversion of this kind is currently kept in

[6] It is important not to think of Iraqi political parties in Western terms – their goals, the means they are willing to use to achieve their goals, and the interactions between them are much different than in Western-style democracies.

[7] "Regions" is the term used in the Iraqi constitution for the nearly sovereign entities that are envisioned – the Kurdistan region is the only currently existent one. The term "region" is also commonly used for Iraq's immediate neighbors and the Middle East in general. The intended meaning should be clear from the context. Illegal armed elements will be considered as part of the problems to be addressed.

check by the fact that real power resides with those parties that maintain large armed forces (e.g., Islamic Supreme Council of Iraqi, the Office of Martyr Sadr, the Kurdish parties, and with the Sunni awakening and associated "sahwa" forces, some Sunni parties). Should one of the Arab parties with a large and capable extra-governmental armed force secure the premiership, or should a Prime Minister successfully raise a strong militia – as some reports indicate PM Maliki is trying to do – then the chances of the executive monopolizing power would be greatly increased. However, it is important to recognize that should the executive seize power it would not necessarily violate U.S. vital interests, though it would likely have a significant effect on U.S. domestic support for our efforts in Iraq. There are certainly realistic scenarios in which U.S. vital interests would be better served by a friendly though authoritarian government, rather than a democratic government that is either incapable of managing large-scale levels of violence or unfriendly.

The legislature is a work in progress. Issues more contentious than those debated in the U.S. Congress in the 1850s are being fought over in the Parliament, and may not see the light of day. This does not imply that the Parliament is a capable legislature – it is not. Its efforts to reach a quorum and conduct routine business illustrate many significant problems. However, it does illustrate that U.S. expectations of what is possible are overly optimistic. Further, unless the Prime Minister succeeds in usurping much of the Parliament's powers, it is perhaps the principal institution that provides a forum for productive and nonviolent interactions between Iraq's various factions on critical issues that could positively contribute to a healthy *modus vivendi.* However, important voices and forces that will affect Iraq's *modus vivendi* are not represented in the Parliament or the formal government bodies, most notably a large portion of the Sunni leadership. Parliamentary elections will not be held for almost two years.

The judiciary is undermanned, facing a caseload much larger than its capabilities in better circumstances, and besieged by the violence that surrounds it and pervades much of Iraq. Its principal role in forming an Iraqi *modus vivendi* is to provide access to justice, but it will not likely make much progress in this regard, as doing so would require taking on the major political powers in Iraq who are behind the violence, as well as the crime necessary to support them. Doing this must be a political decision if it is to succeed, because it will require the Iraqi Security Forces to deliver prisoners with political influence to the courts and to truly protect witnesses and judges, and the prison systems to keep those convicted in jail. Iraq's recent experience with the dismissal for lack of witnesses of the criminal charges against former Deputy Minister of Health Hakim al-Zamili, a high ranking Sadr Movement official reportedly responsible for using Health Ministry facilities to kill Sunnis in Iraq, clearly illustrates this challenge. As a result, the government justice system is not likely to play a large role in shaping Iraq's *modus vivendi* for the foreseeable future. It is important to note that without a functional judiciary of appropriate capacity, access to justice for most Iraqis will come from other sources – principally tribal justice and *sharia* courts run by religious officials, or

not at all. This implies that these other forms of justice – over which the U.S. has little influence – will play a larger role in shaping Iraq's *modus vivendi* than the Iraqi judiciary.

In Iraq, as in many countries emerging from conflict, political parties play an important if not dominant role in establishing a *modus vivendi*. Iraqi political parties are often strongly affiliated with religious sects or leaders, and in some parts of Iraq tribes are organizing or joining with existing parties to enter the political process. Real power is held by those political leaders who have armed, financial and in some cases religious wherewithal. Some of this power stems from legitimate sources (elections, popular allegiance, services provided to the people) while some stems from illegal and destructive activity (e.g., the maintenance of militias, funds raised through corruption and organized crime, external sponsors, nepotism and other exclusionary practices). Importantly, the current situation in Iraq has all but eliminated the ability for secular or centrist parties to operate in the Arab parts of Iraq, driving former and would-be secularists and centrists to the extremes of the political spectrum for survival. The situation in Iraqi Kurdistan has long discouraged parties other than the KDP and PUK, though not in the extremely violent way currently seen in much of Arab Iraq.

A final consideration that cuts across political and social processes is what I call the Sunni and Shia "narratives" for Iraq's ills. While not a process in the sense of the political, social and security processes, it is an important manifestation of the problem that deserves consideration. If one talks with Iraqi Shia, their characterization of Iraq's problems are often articulated something like this: "The violence is done by the Saddamists and *takfiris*, and if you help us eliminate them then everything will be OK."[8] Sunnis, on the other hand, say "The violence is the fault of the militias and the Iranians who control them. If you help get rid of them then everything will be OK." The result of this is that both groups look at the overall situation as well as individual events, and come to incompatible conclusions. For example, I have had more than one senior Shia government official tell me that the Shia death squads are not really Shia, but rather former *Fedayeen Saddam* who are really part of the Ba'athist problem, thus distancing their parties and the government from responsibility for acting against Shia murderers. With no common understanding of the root causes of Iraq's problems, there is no basis for finding solutions. The Kurds also have a narrative that is at the moment less widely reported, but which will become louder and more important as the issues of Kirkuk and other disputed areas (the Article 140 process) come to a head.

[8] "*Takfiris*" is the term used for those who declare other Muslims to be apostates, thereby making their murder permissible and even virtuous.

Social Processes

Americans do not understand Iraqi social processes well, and so have not been effective at recognizing their importance. In many, though not all, ways, the U.S. cannot significantly influence these processes. Nor should it try to in most cases. The U.S.'s roles in these issues are primarily to support institutions and pressure political leaders to make needed changes. Here I briefly consider education, media and religious influences on Iraq's *modus vivendi.*

The Iraqi education system is of strategic importance. Not only will the education that young Iraqis get play a pivotal role in determining how they see the world, but access to education and education of a certain type will help determine their parents' worldviews as well, and so has a major impact on U.S. and Iraqi counterinsurgency efforts. In particular, the Iraqi Ministry of Education will hire teachers and select a curriculum that will greatly affect young Iraqis' world-views.[9] Whether their education supports tolerance and a pluralistic society, or an extreme Islamist one that support violence against those that disagree with it, is of paramount importance. This fact was not lost on Saddam Hussein – all teachers under his regime had to be members of the Ba'ath party, and the curriculum was carefully crafted to serve his needs – nor is it lost on any major Iraqi political leader. These two aspects – the influence of education on young Iraqis' world view and the impression access to education leaves on their parents – will play major long-term roles in determining who will win the social, political and violent struggle for Iraq, and whether or not Iraq supports terrorism. The impact of these issues on Iraq's *modus vivendi* over the long-term will be profound. The U.S. has all but ignored this critical aspect of Iraqi society.

The media has an enormous impact on how Iraqis, and indeed the entire region, see the conflict in Iraq and its principal players. Trends in Iraqi, Arab and Muslim public opinion indicate that insurgents, terrorists and Islamist political parties have done much better than the U.S., the Coalition and the Iraqi government at persuasion. Unless the U.S. and its allies in the region soon find effective ways to communicate with the Iraqi, Arab, Middle Eastern and Islamic populations, America's best hope for success in this field will be that the heinous acts of those who would radicalize Iraq alienate other Muslims. Yet even this will not alter the gross distortions of U.S. intentions and efforts that are commonly heard in Iraq today. The U.S. could, and has in the past (though not in Iraq), done better in this field. It should be a, if not the, major effort.

Religion plays a pivotal role in determining Iraqi attitudes and actions, influencing not just individuals, but also Iraqi political parties and even the security forces. While religious influences always existed in Iraq, what was once a large and important secular segment of society has been

[9] The current Minister of Education, Dr. Khudayyir al-Khuza'i is, in the words of one senior and well-informed observer who spent years in Iraq, "an Iranian" in his political philosophy and outlook.

marginalized due to the violence that has driven most Iraqis to transfer their allegiance to identity-based groups who can offer some protection. The U.S.'s ability to influence Iraqi religious figures is very limited, at least in their religious domain – politicians who lead religious parties may be a different story. Efforts to mitigate some of the worst influences that wrap themselves in religious banners should be directed at their manifestations. In particular, the U.S. cannot and should not attempt to choose Iraq's religious leaders or censor what they say. But it can and should support Iraqi political leaders who work for moderation, and seek to deter those who foment violence.

Security Processes

Finally, we turn to Iraq's security forces and ministries. To date the U.S. efforts to build non-sectarian security forces have not been successful. The police are overtly sectarian in many places in the country, and there are concerns about some Iraqi Army leaders and units. It is important to consider why this is so, and under what circumstances it matters.

With respect to Iraq's security forces in general, there are three factors that will determine their effectiveness – quantity, quality and loyalty. Efforts are underway to significantly increase the size of the Iraqi security forces (ISF). Furthermore, quality ranges greatly from the well-trained Iraqi Special Operations Forces to some Iraqi police who have not even been through basic police training. Yet, the most difficult element of the equation is the issue of loyalty. Large parts of the security forces are loyal to political parties rather than the Iraqi government, other parts of the security forces are so intimidated by militias and insurgents that they cannot perform their jobs, and other parts are so corrupt as to make their loyalty to any entity questionable. As with other aspects of security, the trends are largely positive, but most observers believe there is a long way to go. Finally, the Defense and Interior Ministries, which oversee the armed forces and police forces, have had severe problems with basic support functions such as supplying fuel for vehicles, feeding deployed forces, or buying them the appropriate equipment. Most troubling is the penetration of the Ministry of Interior by Shia Islamist parties. The tensions between ISCI and the Sadrist Trend which have been playing out in much of Baghdad and southern Iraq for some time also exist there, with the management largely dominated by ISCI and much of the rank and file belonging to Sadr.

Iraq's security forces will not be stable and professional for some time. Even without the challenges highlighted above, building an Army and Defense Ministry from scratch, and reforming police forces and the Interior Ministry, are not things that can be done quickly. As a point of comparison, in Northern Ireland it took approximately ten years to reform the Royal Ulster Constabulary, despite the cultural affinity and common language between the British and the police force, and far greater resources per-capita devoted to the problem than we are spending on Iraqi police reform.

Turning now to the challenges of creating nonsectarian forces in Iraq, note that political actors are actively seeking to make permanent the safety of their populations and secure their hold on power by affecting the make-up of the military and police forces, and the intelligence service (and should additional regions form, this will be the case for their regional guards as well). Iraq's history of brutal suppression, as well as the fact that it is in the middle of ongoing sectarian, and perhaps soon to be ethnic, violence makes these efforts to consolidate power a very reasonable and anticipatable thing for Iraqi political leaders to do. Indeed, it would be amazing if they did not. However, other less laudable reasons also exist for this behavior, such as the raw contest for power, wealth and interpretations of Islam among Iraq's many faction and leaders. Power in Iraq does in fact reside with the parties that have the greatest ability to use violence.

Whether this matters to the U.S. is a more difficult question, and is contingent on different scenarios for Iraq's future. Keeping in mind that what matters most to the U.S. are its vital interests, any government that meets these criteria and exercises real control over the security forces could be acceptable. The U.S. has other interests as well, such as avoiding humanitarian catastrophes and not deserting its friends in Iraq, which would likely be harmed by many of the most probable outcomes in Iraq. Most important to the U.S. is the fact that a sectarian government that came to and remained in power would all but certainly try to change the leadership of the security forces over time to cement its dominance. This would in turn likely lead to injustices perpetrated by the ruling faction, and efforts to counter this should be undertaken if they could be done at an acceptable cost. But, when we try to determine what U.S. policy should be in these difficult circumstances, facts matter. One principal fact is that the U.S. will only be able to stave off the sectarianization of the Iraqi armed forces while the MNF-I is in Iraq in large numbers. It will not be able to permanently deny Iraq's government the ability to put their people in charge of Iraq's security forces. If this is so, then our current efforts to prevent the sectarianization of the Iraqi security forces are the proverbial finger in the dike, unless one envisions either an enlightened political change, or Iraqi security forces – the army in particular – that refuses to permit civilian leadership to affect its makeup, which is unlikely. If this is the case, then a compelling argument can be made for permitting this process to go forward while the MNF-I is in Iraq in large enough numbers so that it can prevent the worst excesses and influence – and develop relationships with – the new security force leadership; things that the U.S. might not be able to do after a significant draw-down.

The previous discussion applied primarily to the Iraqi Army. Iraq's police are local forces, and have already largely been shaped by the dominant factions in each area. The effort required to reverse this nation-wide is beyond what the U.S. could accomplish in the near-term, as it would not only require fundamentally changing the approach of security force leaders, but also creating a

fundamentally different social and political environment that would require decades to take root. This is truly a long-term challenge.

The formation of regions could mitigate some of the worst excesses that might come to pass under sectarian security forces in a unified, non-confederal Iraq, but only after populations have moved to render each region overwhelmingly of the same ethnic and sectarian composition as its ruling faction. While the displacement of large numbers of Iraqis would cause significant hardships and damage U.S. credibility, it would not rise to the level of a vital interest, though it would create large numbers of Iraqis with real grievances against the government (and the U.S.), with the attendant implications for internal security. Some of the worst effects might be mitigated with a proactive effort to assist those who are forced to flee their homes, but to date the Iraqi government has proven far less capable or willing to aid displaced Iraqis than some political leaders, such as Muqtada al-Sadr. Additionally, a confederal Iraq would pose other significant diplomatic and security challenges for the U.S., as each region would have a distinct, nearly sovereign, government and might require a separate approach.

Before leaving the issue of security forces, it is important to note that Coalition and Iraqi security forces are not the only ones operating in Iraq. Iran's security and intelligence forces operate there (as all but certainly do the intelligence agencies of other neighbors), and Iran has formally offered security assistance to the Iraqi government. It is also well known that Iran trains Shia militias and provides weapons and explosively formed penetrators to their proxies in Iraq. Without a doubt, Iran will have a large influence on both the security situation in Iraq through direct action, funding and other support, and on the Shia dominated Iraqi security forces. So too will Iraqi militias. The Peshmerga, though not formally a militia, serves as the regional security force for the Kurdish Regional Government (KRG), an arrangement recognized under the Constitution. When new regions form, as is likely after the Regional Formation Law goes into effect later this month, militias and insurgent groups will all but certainly provide the core of each region's guard and police forces. These militias will remain largely answerable to their parent political parties, as do the two Peshmerga forces to the two major Kurdish political parties. Whether this leads to a true confederalization of Iraq or something that looks more like warlords and fiefdoms remains to be seen. Some combination of the two is likely.

Other Influences on Iraq's *modus vivendi*

Finally, there will be other competing internal and external influences that will affect Iraq's political, security and social arrangements for the future. The primary ones, and the ones that will have the greatest influence, will include those external parties that seem to the Iraqi leaders and population to be permanent factors they must consider. In particular, Iraq's neighbors who have demonstrated

the intent and ability to influence Iraqi domestic events over the long-term will be important. Whether they are more influential than the U.S. will depend in part on whether or not the U.S. makes believable, long-term commitments to the Iraqi government. In addition, there are forthcoming events that will bring major conflicts to a head, such as the requirement to resolve the Kirkuk and disputed areas issue this year, provincial elections in October of 2008, and national elections in late 2009 or 2010 – all will affect Iraq's *modus vivendi*. Ways to work with and influence each important party, and all collectively, as well as well-thought-out approaches to upcoming major events need to be developed. This is an area in which considerable work remains to be done.

What Iraq's *modus vivendi* Might Look Like

What does this discussion tell us?

On the political front, Iraq is likely to be dominated by Shia religious parties for some time to come. If ISCI dominates, its arrangement with the Kurds will continue to provide Kurdish leaders with the autonomy inside Iraq that they demand. The wild-cards posed by the health of key religious and political players could have an impact on these dynamics, but likely not as great as some fear. Should President Jalal Talibani or ISCI leader Abdul Azziz al-Hakim pass from the scene, their parties would replace them with other substantive leaders who would not significantly change the trajectory of their parties, though the loss of the close personal relationships that President Talibani in particular has with many other Iraqi leaders could lead to a decline in cooperation between Arabs and Kurds. Should Grand Ayatollah Sistani pass from the scene, the impact, though probably the most significant, would be less severe than some think, particularly as Sistani's desire to actively influence politics declines, and Iraqi Shia become disillusioned with Islamist parties. The influence of Muqtada Sadr remains less predictable. There were hopes in early 2007 that his prolonged absence from Iraq would lessened his influence both within the political and armed branches of his movement and on the general Iraq political and security scene. There are currently signs that his political movement and Jaysh al Mahdi – the Sadrist militia – may be splintering. But events of the past 10 days illustrates the continued influence of the Sadrist "trend," whether controlled by Sadr and his aides or not, will remain important.

The dominance of these religious parties and Sadr's prolonged absence make it increasingly unlikely that there will be major changes to the Constitution that would give the central government significantly increased powers. Confederalization will take some time (perhaps five to ten years), but is likely to produce 3 or more regions. This will cause population migrations and the development of political, social and security circumstances that are unique in each region, posing significant challenges for the U.S., other international players, and the government of Iraq. Shia-on-Shia violence will be one result of this realignment of and quest for political power, but will

eventually result in a more or less steady, though violent, state. More than one Shia region is likely to be formed, and some mix of regions along with provinces not part of any region may be the end result. Iran will have a lot of influence on this process, and the U.S. should work with and seek to influence Iran and Iraq's other neighbors to get the best outcome.

Should confederalization lead to the break-up of Iraq, the Kurdish issue could throw the northern part of the Middle East into chaos as Turkey, Iran and perhaps Syria intervene to protect their domestic security situation, as they, too, have large restive Kurdish minorities. With no Iraq for the Iraqi Kurds to remain in, solutions to that situation would be difficult to identify and painful.

Secular or moderate Islamic political parties could come into being if they are funded and protected, but otherwise they will not. I believe it is unlikely that there will be any such parties of significance soon. If the U.S. large-scale presence departs before these parties are an established part of the Arab Iraqi political and social fabric, they will not be able to start for a long time unless they can find other protectors and sources of funding.

The Iraq security forces will become more sectarianized as the Shia-dominated government puts its people into key positions in the security forces and the security related ministries. The security forces will eventually become more competent, after a period of turmoil as they undergo a great expansion and new leaders take charge. If Iran plays a major role in this professionalization process, then the security forces, or some part of them, will likely be radicalized under the guidance of the Iranian Republican Guard Corps. This makes it critical for the U.S. military to stay engaged with the Iraqi security forces for some time. Policies that support such engagement, such as encouraging the Iraqis to buy U.S. military equipment, providing ongoing U.S. technical support, joint professional military education programs, and above all assistance in combating Iraq's internal enemies who could also threaten the United States, should be seriously considered.

One implication of the sectarian government and the sectarianization of the security forces is that the U.S. will have difficulty keeping government sponsored violence targeted at Sunni terrorists, insurgents and the surrounding Sunni populations in check. Also, it will be nearly impossible to get the government to disband Shia militias. Many in the Shia population will look positively at strong actions taken against the Sunni population in the name of fighting those who make car-bombs, and those Shia militias that do not prey on the Shia population. Militias will continue to be condoned by the Iraqi government, and they will not be disbanded short of rolling them into either the central or regional security forces. A large, though unknown, percentage of the membership of the major militias is already on the government payroll due to the "ownership" of the various ministries by the major political parties discussed earlier. The Iraqi government will use very violent measures against Al Qaeda in Iraq, Sunni insurgents and their supporters after the MNF-I draws down. We

should expect to see many civilian casualties if U.S. forces leave before a stable order is established. If large-scale internal terrorist threats and political violence continue as regions and regional security forces form up, this will likely lead to measures to control the flow of people across regional borders, as well as potentially to armed confrontations between the Iraqi Army and regional security forces – in the Sunni region(s) in particular – and between the security forces of different regions.

Social developments driven by Iraq's education system, Iraqi and regional media, and religion will drive many of these changes. If left unchecked, the Iraqi education system and poisonous media will contribute to the production of a new generation that hates and distrusts the U.S., and a society that is anti-American. Civil society programs could have a positive effect if properly funded and protected (and assuming other U.S. actions do not negate their efforts), but otherwise the only NGOs able to prosper outside of Iraqi Kurdistan will be associated with Islamist parties. This would contribute to a social structure that is inward-looking, and in the worst case could combine the political anti-Americanism of Iran with the popular anti-Americanism of Saudi Arabia.

Conclusions

This is a grim portrait, but not one that needs to come about. Long-term U.S. efforts can mitigate the worst of these scenarios, particularly if undertaken in partnership with other major players both inside and outside of Iraq. Short-term efforts will not mitigate these ill effects. This can only happen if we recognize several critical facts.

First, we must put U.S. interests first, and clearly recognize the limits of U.S. capabilities – both institutionally and politically, and over the long-term. In particular, efforts to help Iraqis create a country that is a friend of the U.S. will not be completed in the next few years. As a result, the U.S. needs a non-partisan set of basic understandings about what is important to America in Iraq, and a sustainable level of investments that will enable the U.S. to take care of its vital interests there.

Second, Iraq's political leaders and organization along with the foundation provided by Iraq's social structures are more important than short-term military efforts, with the exception of those required to prevent the overthrow of the Iraqi government or the dissolution of the state. They will determine what kind of security forces Iraq will have, and how Iraqis views the West and approaches its problems. This is an area in which we can have positive, though limited, effects. To make gains here, we must change the political calculations of Iraq's major players, and we can only do that by demonstrating a willingness to use strong measures and provide lasting benefits. Our investments should reflect this reality.

Third, Iraq will not be a secular, democratic, pluralistic society any time soon, but could be a county with which the U.S. has a good relationship, and that in the long run does well by regional standards of development and human rights. It is worth noting that the U.S. may not want Iraq as a formal ally, as it would then be a dependent client for a long time. An Iraq that is not hostile, controls its territory and does not threaten its neighbors might be a better outcome. Our goals for Iraq must recognize this reality, or they will not be reached.

Finally, the United States must bring its goals in line with its capabilities or invest in the additional capabilities needed to achieve its goals. The current mismatch between ends and means is not sustainable.

None of this is likely to come about as the result of unilateral U.S. actions. Five years of large-scale, largely unilateral efforts have made this clear. American efforts to influence Iraq's *modus vivendi* will necessarily involve working not only with and influencing states and other political actors with whom we agree, but also those with whom we disagree, and in particular with Iraq's neighbors.