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IRAQ: THE CASE FOR LOSING

*Duncan Kennedy**

*What follows is the lightly edited text of a lecture delivered at the Brooklyn Law School Symposium on War and Trade on September 22, 2005. I argued that, as of the date of the lecture, the United States had already been defeated in Iraq, predicted an exit strategy likely to be adopted by the Bush administration, and assessed the likely consequences of the defeat for the various participants in the conflict. I ended with a statement that we should embrace our defeat as good for the world at large, however terrible for the Iraqi people. Of course, by the time the text went to the printer, much had changed, and by the time it finds its way into the reader's hands, yet more will have changed. I am grateful to the Brooklyn Journal of International Law for its willingness to publish the lecture nonetheless, as a contribution to the debate on the war and also to the archive of anti-war speeches that may interest future historians of the domestic conflict over the conflict.***

I. INTRODUCTION

This is a talk about the Iraq War and its consequences in world politics. It is in the form of a prediction supported by an analysis. The prediction is that the Bush administration will choose as its exit strategy to misrepresent as a victory the defeat of the United States in Iraq, a defeat that has already happened and is irrevocable. I will argue that it is a good thing, on balance, taking into account different effects on different actors, that the United States has been defeated. It will be an even better thing if our exit strategy manages to avoid the absolute worst outcome for the Iraqis.

The Patriot Act¹ hovers overhead. I don't know if you know the Patriot Act, but it is a quite sinister document.

What do I know about Iraq? I read the newspaper religiously—several newspapers; I'm obsessed with Iraq. I am also a devoted follower of Juan Cole, who has a website called *Informed Comment* on Iraq.² It's a fantastic website; he's a fantastic reporter, partly because he uses a wide range of Arabic language sources and posts translations of lots of them on the site. I have also been influenced by Peter Galbraith, who writes in the *New York*

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** I am grateful to the *Brooklyn Journal of International Law* for their addition of footnotes to this piece.

1. Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, Pub. L. 107-56, 115 Stat. 272.

2. Informed Comment, <http://www.juancole.com/>.

Review. Juan Cole is basically neutral. Peter Galbraith is a writer well worth reading whenever he writes about Iraq, but he's basically a crypto-Kurd, more sympathetic to their interests than to anyone else's in the story. The ideas I'm going to propose are based on these sources, randomly supplemented by magazine articles and the occasional perusal of websites giving things like casualty figures and reports on the economy. In short, I have no expert knowledge of my subject.

One basis of my prediction of events to come is the idea that the future of the Republican Party is at stake in Iraq. The administration rightly calculates, I imagine, that the United States has been defeated, and that they have to find a way to radically reduce our military presence in Iraq that doesn't make it look as though the Republicans are the authors of a national catastrophe. A catastrophe, that is, when looked at from the "rah! rah!" jingoistic point of view, the point of view of identification with American military power. Bush is not running for re-election, but the congressional elections are coming up in a year. After that, Republican presidential candidates will have to have a line about what happened.

My first prediction is that in order to be able to withdraw a lot of troops from Iraq without a domestic political disaster, the administration will set out to get Iraq out of the primetime television news and off the front pages of non-elite newspapers. This is more important than anything else for purposes of being able to minimize political damage; anticipated coverage (or non-coverage) will drive policy on the ground rather than vice versa. Once Iraq is out of sight and out of mind for the non-elite public, it will be possible to lie about the situation, claiming we are withdrawing having succeeded, rather than in defeat.

Getting Iraq out of primetime requires three things: First, getting the casualty figures way, way down. Second, to be able to say: "Well, I said, when they stand up, we'll stand down, and they're standing up." Third, to be able to claim progress towards democracy: "We're not there yet. Democracy hasn't arrived. But steps have been taken that have put Iraq on the road to a working, rudimentary but evolving democracy."

II. GETTING THE CASUALTIES DOWN

How to do it? The first thing to realize is that we sustain casualties only in a relatively small part of the country. The Kurds control Kurdistan, where the Iraqi army is actually their militia, the Pesh Merga. We have never had significant casualties there. In the south, the British have had strikingly few casualties, up until the last couple of weeks, because that part of the country is predominantly Shia. The Shia are politically and also militarily divided between the mainstream fundamentalist Iranian-supported parties, the Supreme Council of Islamic Revolution in Iraq

(SCIRI) and the Islamic Dawa Party, and the radical fundamentalist Iranian-supported party of Moktada al-Sadr. The party militias, the Badr Brigade and the Mahdi Army, are the de facto security forces of the region. After the initial battles with Saddam, we haven't had significant casualties there either.

The U.S. military fights in the Sunni triangle, north and west of Baghdad to the Jordanian and Syrian borders; in Baghdad, where there are millions of Sunni and millions of Shia; and south and east of Baghdad where the towns and countryside are mixed.

The Sunni insurgency appears to have two main components, one nationalist or post-Baathist, and the other jihadist, with some number of foreign fighters from all over the Arab world, and with Zarqawi's Al Qaeda in Iraq as the most prominent of a number of groups.

The single most important little admitted fact about the war is that the Sunni insurgency already controls the Sunni triangle. If you read the paper carefully, you'll find the U.S. military concedes that, and the press has begun to talk about "insurgent strongholds." It turns out that there are no towns in the Sunni triangle except Falluja that are not "insurgent strongholds." The second least recognized fact about the war is that the insurgency also controls the Baghdad neighborhoods that are overwhelmingly Sunni. Again, the military and the press have begun to hint that this is the case, sometimes referring to these neighborhoods as "hotbeds."

Another large part of Baghdad is Sadr City, a Shia slum area of two million people controlled by Moktada al-Sadr, the radical Shia cleric whose line is strongly anti-American and makes a class-based appeal to the masses of unemployed youth. After Moktada staged his uprisings to drive the Americans out of Iraq, we did two things. We crushed his forces in Najaf and suppressed them in Sadr City, and we offered him a deal: 25,000 jobs in Sadr City, mainly building infrastructure, and suspension of our patrols in the neighborhood, in exchange for peace.

The remaining areas where the U.S. military sustains casualties are the mixed Sunni/Shia neighborhoods of Baghdad, and the region of mixed towns and countryside south and east of Baghdad.

A civil war between Sunni and Shia is already under way. This was initiated by the jihadist insurgents (as opposed to the nationalists), who are mainly Wahabbi or Salafi or otherwise serious Sunni fundamentalists. They are a very small minority of the world's vast Muslim population, but they are important because they believe that the Shia are Islamic heretics, as well as cultural inferiors, and therefore actually "worse" than the Christian infidels. The jihadists use suicide-bomb attacks against the civilian Shia population, especially in mixed areas. The Shia militias have begun to retaliate. We know this because the Sunni representatives in the

constitutional process talked about it every day. They talked about the fact that men wearing the uniforms of the Iraqi army or police were dragging Sunni men out of their houses and executing them. For this reason, the mixed neighborhoods of Baghdad and the area to the south and east are separating out. Where the neighborhoods or towns are mainly Shia, the Sunni are leaving; where Sunni predominate, the Shia are leaving.

In this situation, it would be easy to reduce U.S. casualties to a bare minimum. We could stop trying to control the Sunni triangle and the Sunni-dominated neighborhoods of Baghdad. We could simply acquiesce in the gradual population shifts that are eliminating mixed areas. Instead, what we do now in the triangle is mount operations designed to root the insurgents out of particular towns. In order to avoid slaughtering the civilian population, we announce our arrival, the insurgents flee except for a rear guard, we destroy the town in the course of killing them, we leave, and the insurgents return. At the same time, we mount occasional aggressive patrols and set up roadblocks here and there outside Baghdad, in what is essentially enemy territory. We lose men to improvised explosive devices.

The U.S. military and the Iraqi armed forces do not attempt to control Sunni Baghdad in the sense of monopolizing force at the street level. They patrol constantly and set up checkpoints looking for random insurgents. But they don't do anything that is close to a full-scale military occupation. Every few months, they mount a big operation in which they say they're going to encircle them, root them out; then they claim to have killed them; the number of attacks goes down; the military claims the insurgents are no longer capable of doing anything; then they come back and start again.

Recalling that there are minimal casualties in Kurdistan, the Shia south, and Shia Sadr City in Baghdad, it seems likely that if the U.S. military stopped aggressive action in the triangle, in Sunni Baghdad and in the mixed areas, and just stayed put in its bases, there would be very few U.S. casualties. Of course, we could keep up the pretense by patrolling occasionally with embedded journalists and occasionally besieging and destroying a town in the triangle. It could be a very low casualty pretense. We seem to be moving in this direction. It is notable that there is no public plan at all as to how we could ever regain control either in the triangle or in Baghdad. The rhetoric assumes that we are doing a good job as occupiers and the only question is when "the Iraqis" will be able to take over from us.

III. STANDING UP AND STANDING DOWN

The *Wall Street Journal* recently editorialized that in the offensive in Tal Afar, in the Sunni triangle near the Syrian border, 5000 Iraqi troops took prime responsibility with the United States as backup.³ The *Journal* suggested this might be the turning point in the Iraq War because it shows that there are now battalions and battalions of Iraqi soldiers who are able to take on the insurgency.⁴ This great victory killed, in the military's own account, 145 insurgents, while destroying the town. The military estimates that there are 20,000 to 30,000 insurgents active in Iraq. This makes the claim of a turning point implausible, except as the beginning of an administration campaign to persuade us that "they are beginning to stand up so we can begin to stand down."

The anti-insurgent Iraqi military forces are not a single unified entity, or even two unified entities. In Kurdistan, which has been de facto independent since the first Gulf war, the Pesh Merga has already "stood up." In the south, the Iraqi military and the Iraqi police exist as entities formally supplied and commanded from the Defense and Justice ministries of the central government in Baghdad. But, they are not analytically distinct from the militias of the Islamist, pro-Iranian parties—the Badr brigade of the SCIRI and Muktada al-Sadr's Mahdi Army. On the ground, the militias have "infiltrated" the army and police; in Baghdad, the mainstream Islamist parties control the ministries in question.

In the Sunni triangle, in Baghdad and in the mixed areas, there are new nationally controlled military and police forces with ex-Baathist, mainly Sunni, officers and new recruits, who are predominantly Shia (with some Kurds and some new Sunni recruits). This is the force that attacked Tal Afar. No one thinks that it will be able to fight effectively in more than very small numbers for a long time to come. When operating in Sunni areas, it is regarded as a foreign army that is the tool of another foreign army. Elements within it are responsible for continuing death-squad and other abuses of the Sunni population in the fight against the insurgency. This force is the main target of the nationalist part of the Sunni insurgency.

In Baghdad and in the mixed areas to the south and east, there is yet another element: on the disputed borders of Kurdistan, the Pesh Merga operates against the Sunni insurgency but also against the Sunni population as a whole. In Baghdad and the south, both the Badr Brigade and the Mahdi Army operate independently, as well as within the Iraqi military. They are probably responsible for revenge killings and targeted operations against the Sunni population.

3. See Editorial, *Tal Afar Turning Point?*, WALL ST. J., Sept. 15, 2005, at A20.

4. See *id.*

What would it mean for the Iraqis to stand up so we can stand down? In the situation I've just described, it is no more conceivable that a U.S.-trained Iraqi national military will defeat the Sunni insurgency than it was that the South Vietnamese military would defeat the North Vietnamese and Viet Cong after the United States withdrew. The United States has been defeated in part because it has failed to anticipate this.

On the other hand, given the chaotic complexity that I've just described, it might be possible to misrepresent the situation as one in which there was at least a good chance that the Iraqi military could succeed without large numbers of American ground combat troops. There is even the argument that it would have worked in Vietnam had Congress not cut off aid after the U.S. withdrawal. The administration's best bet would seem to be a steady drum beat of false reports of progress, combined with a careful withholding of Iraqi forces from situations in which their weakness would be obvious.

IV. HOW WE BROUGHT DEMOCRACY TO IRAQ

A new constitution has been drafted and it's now overwhelmingly likely that it will be ratified in the October 15th referendum.⁵ Then there will be a democratic election of a new parliament in December.⁶ The Bush administration will claim these events are enormous victories for democracy. But, as even Noah Feldman conceded, the constitution is actually an obstacle to a stable democratic outcome in Iraq because it so overwhelmingly favors Shia and Kurdish interests.⁷ In other words, the end result of the

5. On October 25, 2005, Iraqi electoral officials announced that the constitution had been approved in the October 15 referendum. Edward Wong, *Iraqi Officials Declare Charter has been Passed*, N.Y. TIMES, Oct. 26, 2005, at A1.

6. The parliamentary election took place on December 15, 2005. Dexter Filkins, *The Struggle for Iraq: The Election; Iraqis Open Vote for Parliament; An Islamist-Secular Split is Seen*, N.Y. TIMES, Dec. 15, 2005, at A1.

7. After the completion of the Iraqi draft constitution, but before its ratification, Noah Feldman, a senior advisor for constitutional law to the Coalition Provisional Authority in Iraq, stated:

The flawed negotiations of recent weeks, driven at breakneck pace by American pressure to meet an unnecessary deadline, failed to produce an agreement satisfactory to the Sunni politicians in the talks. It appears that the draft will be put before the people with their strong disapproval. The paradoxical result is a looming disaster: a well-conceived constitution that, even if ratified, may well fail to move Iraq toward constitutional government [T]he text certainly reflects many of the Islamic preferences of those who elected the majority Shiite political coalition Shiites and Kurds can still reach out to Sunni voters and try to convince them that they would flourish under the constitution. This would require a few public concessions, including commitments not to form a southern

constitutional process has been to intensify the divisions in Iraqi society rather than to moderate them.

I argued above that the military situation has evolved into the de facto division of the country into zones controlled by autonomous sectarian forces. The constitution legitimizes and will probably perpetuate this set-up by promoting a radical federalization of the country. This will be so even if the provision that allows the formation of consolidated ethnic regions is removed or never used. There is no supremacy clause, but rather an anti-supremacy clause in the Iraqi constitution.⁸ Regional law trumps federal law rather than vice versa.⁹

The democracy we are bringing to Iraq will mean that Shia traditionalists, mainstream and radical, will rule in the south and impose a regime that will resemble Iran, but will probably be much harsher. It is unlikely that secular Shia will have the level of freedom to be publicly secular that they have in Iran, or that they will be allowed a fair shot to win control of the government, supposing that they were to gain a bit of popular support. The Kurds will have autonomy; it will be interesting to see if they ever have seriously contested elections. The Sunni triangle and the mixed areas will be war zones for the indefinite future.

* * *

So my prediction is that the Bush administration will move to get Iraq out of the news by reducing U.S. casualties, and by continuing to misrepresent the state of the Iraqi security forces and the direction of Iraqi democratic politics. It will be time for us to radically reduce our military presence, but not to cut and run. I think it's inconceivable that the administration will simply bring the troops home.

mega-region that leaves the impoverished Sunnis trapped between de facto Shiite and Kurdish states If Iraq adopts a constitution that reflects a profound and unresolved national split, violence and eventual division of the nation will follow. Ordinary Iraqis and American soldiers will be the losers. So will the ideal of constitutional government.

Noah Feldman, Editorial, *Agreeing to Disagree in Iraq*, N.Y. TIMES, Aug. 30, 2005. See also Robin Wright, *Constitution Sparks Debate on Viability*, WASH. POST, Aug. 25, 2005, at A13 (quoting Noah Feldman as saying, "A constitution that is a deal between the Shiites and Kurds is not a deal.")

8. This "anti-supremacy" clause states, "All that is not written in the exclusive powers of the federal authorities is in the authority of the regions. In other powers shared between the federal government and the regions, the priority will be given to the region's law in case of dispute." IRAQI DRAFT CONSTITUTION art. 111, *translated in* http://www.un.int/iraq/TAL_Constitution/Draft_Iraqi_Constitution_english.pdf.

9. See *id.*

V. A PARTIAL EXIT STRATEGY: CIVIL WAR STABILIZED BY U.S. AIR POWER

Because we've lost, if we just bring the troops home, the consequence will be very hard to calculate. It's very hard to know what would happen if we simply pulled out completely. Everybody says there would be a civil war to which one answer is that there's already a civil war, to which they say, yes, but a really serious civil war with hundreds of thousands of casualties.

The insurgents are fighting the civil war by the guerrilla tactic of the improvised explosive devices used against the U.S. military and against the Iraqi Army and police; by suicide bombing against Iraqi military and police targets and often against Shia civilians in public places; and by death squads. The Shia and Kurds are pursuing the civil war through the national army and police, and through their militias (often, as we saw, indistinguishable from one another).

There would be no domestic U.S. political problem if that kind of a civil war went on indefinitely, no matter how horrific the consequences for the Iraqi population. But that kind of low level murderous equilibrium can't be secured without keeping some American troops there. If we pulled out completely, there would be a new military situation in which the insurgency would get organized in a different way. It wouldn't just be hitting and running. Baathists and the jihadists would quickly ratchet up from guerilla tactics to medium or large unit engagements designed to defeat the Iraqi militias and the Iraqi army. They would try to drive them out of the Sunni triangle altogether and might succeed. They would try militarily to take territory from the Shia and Kurds in the areas south of Baghdad (the large swath of territory that is composed of small towns and countryside where the Sunni and the Shia live together) and east of Baghdad (including Kirkuk). In Baghdad, they would set out to take, or at least endanger, the Green Zone, the enormous government compound on which the national government and the U.S. presence depend to be able to operate securely.

I don't think it's conceivable, given that we've lost, for us to withdraw completely. If any of the above were to happen, the loss would become obvious and undeniable and therefore politically unsustainable for the Republican Party. But there is a relatively simple solution. We could reduce our presence to a few garrison-type bases and provide air cover for the government forces and militias, called in by American special forces embedded with Iraqi units. The insurgency can't ratchet up to full-scale warfare against the Shia and the Kurds if every time they try to do it, they are attacked with helicopters and bombers and fighter jets.

This solution involves very few troops and, by the way, we could also make as many as possible private contractors. There are already probably

30,000 private security people in Iraq, on top of 185,000 U.S. troops, making it closer to 220,000 U.S. military combatants. We could have private military helicopter companies providing the air support to the Iraqis so they wouldn't be U.S. military. That's sort of a joke, but it's not inconceivable. It would have the advantage that private military contractor deaths wouldn't matter to the U.S. public and would anyway be proprietary data to which the press wouldn't have access. A lot of the air support that wasn't privately contracted could be done from outside Iraq, from our bases in Jordan or Kuwait.

We might withdraw 120,000 or 130,000 troops. There wouldn't be much official U.S. military in-country presence at all. It is extremely unlikely that the Shia and Kurds could defeat the insurgency with nothing more than U.S. air support. The low level civil war would go on indefinitely. But that isn't the issue. The issue is whether it could be sold by the administration to the public as a victory, as a success, or at least if not a success, not in any way a defeat, as something where we had plausibly done our job: getting their democracy going—they stood up and we stood down, and we've pacified the country so that the enemy can no longer inflict significant casualties. Air support would be expensive, but nothing like what we're spending now, and we could radically reduce non-military aid on the ground. We'd say that it's time for the Iraqis to stand up financially as well as militarily. No more nation building.

It seems to me that the recent and longer-term political history of the United States suggests that the President, in this kind of situation, could actually just lie his way out of it, so to speak. The story I've just told of relative success permitting withdrawal would have enormous appeal if it were true. It's not true, but might be plausible for people who aren't following closely, especially as spun by the conservative media that dominate most of the country.

That's my prediction of what's going to happen. I could be completely wrong. Predictions are intrinsically ridiculous¹⁰ in an incredibly complicated situation, and I'm not an expert. So take it for what it is worth: what you paid to get in.

10. See generally Duncan Kennedy, *Shock and Awe Meets Market Shock: The Dangerous Mix of Economic and Military Goals in Iraq*, BOSTON REVIEW, Oct./Nov., 2003, available at <http://bostonreview.net/BR28.5/kennedy.html>; Duncan Kennedy, *Rationalising War*, AL-AHRAM WEEKLY, May 8–14, 2003, available at <http://weekly.ahram.org.eg/2003/637/op13.htm#1>.

VI. IS IT GOOD OR BAD FOR THE AMERICANS TO BE DEFEATED IN IRAQ?

Is this good or bad? It will be really bad for some people and not so bad for others.

A. Winners and Losers in Iraq

Starting with the Iraqis, it will be bad for secular Shia because they are already living or will now be living in an Islamic fundamentalist state similar to Iran. But Iran is a very complex country with a highly differentiated social structure. Southern Iraq is a poorer, more provincial Islamist world.

It is already true that male and female students at the University of Basra get attacked and beaten up by the equivalent of the Iranian guards because they are picnicking together in public. The headscarf, though not yet the hijab, has already been imposed on a very large part of the Shia territory. The difference from Iran is that in a poorer less differentiated society, the opportunities for resistance, at least in enclaves, "reading *Lolita* in Teheran," will be more limited.

Another major loser group is the secular Sunni, who have already been the main losers from the downfall of Saddam. They will be living either in the land of the insurgency under at least partial jihadi control or in Baghdad under either insurgent or Shia control.

As between Moktada and the mainstream pro-Iranian Shia Islamist parties, it's impossible to tell what will happen. They might fight to the death or divide the spoils instead. In either case, they've already gotten their hands on a very large amount of money. Everyone agrees that the Iraqis in the Bremer government, and the Iraqis in the transitional Allawi government that succeeded it, and the mainly Shia Iraqis in the provisional government now in office, have stolen a great deal of money. The existence of the constant stream of oil money, no matter what the level of production, means that this will likely continue.

There is already substantial emigration from Iraq. A lot of the professional/managerial classes of all regions are already leaving, along with the intelligentsia. They mainly go to Jordan, which up to now has open borders. Jordan has no natural resources at all and little manufacturing, but the Jordanian currency is going through the roof. Real estate values in Amman have doubled and tripled over the last fifteen months, as Iraqi oil money and Iraqis flow in. The estimate is that there are now 500,000 Iraqis in Jordan. A low estimate is 100,000. They're there because it's unbearable for them to live in Iraq as members of the professional/managerial class, or because they're getting their money out, or both.

The Sunni populace as a whole will suffer the most. The civil war in the mixed areas will produce a continuing stream of horrible civilian casualties, and if the process of separation of mixed areas accelerates, there will be major dislocation. The Shia will suffer just as much or more in this process, but they can go to areas under stable Shia religious control in Baghdad or to the south. The Sunni have only the alternatives of Baghdad and the Sunni triangle. In the triangle, even if the Americans stop pretending to fight for control, there will be incursions and air strikes, and likely violence between the insurgent groups struggling for control, and jihadi terror tactics against civilians—all below the radar of the American public.

The Iraqi masses, both Sunni and Shia, will suffer for another reason. The economy is in ruins. The insurgents in the Sunni triangle are going to inherit an area somewhat like Afghanistan, or New Orleans after Katrina. The rest of the country will be better, but only in degree. The reason for this is that we have imposed a catastrophic economic policy on Iraq, and we will continue to be the dominant influence on economic policy in the regions under government control. It is a neo-conservative, neo-liberal, privatization, de-regulation, free markets, open borders policy. The overwhelmingly likely outcome is that all pre-existing Iraqi industry, everything except the oil industry, has already been or will be destroyed by cheap foreign imports that the Iraqi government wouldn't be allowed to stop even if it wanted to.

In its most recent report on the Iraqi economy, the World Bank stated that: "Many of the state-owned enterprises in the tradable sector have the potential to regain profitability, even in a very open economy with substantial foreign direct investment inflows and low import duties."¹¹ This is an amazing statement. If "many" will survive, then "most" will not. In short, the Bank's own favored open economy policy would, at least in the short run, destroy industry and increase unemployment.

The *New York Times* reported in July that Iraqi electrical capacity and production had finally exceeded the pre-war level—by a small amount, but it seemed exciting.¹² Yet blackouts had increased. Although there had been an increase in capacity, the frequency of shortages had increased in Baghdad and everywhere else in the country. Why was that? Well, apparently there had been an increase in demand that was larger than the

11. World Bank, Middle East and North Africa Region Social and Economic Development Group, *Rebuilding Iraq: Economic Reform and Transition*, at 5, Report No. 35141-IQ (Feb. 2006).

12. See James Glanz, *Iraqis Simmer as Demand Outstrips Electricity Supply*, N.Y. TIMES, July 23, 2005, at A5 (reporting that Iraq's power grid was producing "a marginal increase that the Americans say is proof that their approach is paying off.").

increase in capacity. What was the source of the increase? Air conditioners!¹³

We directly support something like three or four hundred thousand Iraqis, and we pay them on average something like three hundred dollars a month, which is about ten times more than Saddam paid them. We also have a free trade policy, with a flat 5 percent tariff on all imports. Iraq doesn't produce air-conditioners. A significant part of the money that we shovel into Iraq to pacify laid off civil servants and soldiers and pay the new army is going into buying air conditioners, increasing their energy-hungry number by a couple of hundred thousand in the last few years.

In short, our economic policy is destroying our military policy. There are no jobs for the masses; those needed to build the economic future are leaving, taking the oil revenues with them, and those we are paying off can't understand how it is that the Americans are the richest people in the world and in three years can't restore power supplies to where they were under Saddam.

B. Saudi Arabia, Israel, Iran

Saudi Arabia is a big loser because lots of the jihadis coming in through Syria are Saudi. The Wahabbi and Salafi extremist tendencies are more hostile to the Saudi regime than to anyone else except the Shia. They see the Saudi regime as traitors and call for the destruction of the royal family. A lot of the jihadis will die in Iraq, as a lot of them died in Afghanistan, but a lot of the smartest and most competent will survive, trained in a new Afghanistan to fight their home government, which happens to be next door. There's nothing the Saudi regime can do about this except to keep on ramping up their internal security.

The governing Israeli right thought the Iraq War was a great idea because Saddam was an incredible problem (twenty-five thousand dollars for families of Palestinian suicide bombers, etc.). He was a symbol, along with Assad and the Iranian mullahs, of everything that was most threatening to Israeli security, and the beauty part was that the Americans were paying and dying to get rid of him for them.

It's hard to avoid the conclusion that the outcome has been a disaster for Israel and may even have influenced Sharon's decision to get out of Gaza (at least in form). An Islamist and nationalist Arab guerilla movement has defeated the Americans, in the process innovating on the resistance tech-

13. *See id.* ("The rapid increase in demand is attributed to runaway sales of air-conditioners, refrigerators and other appliances after the fall of Saddam Hussein . . .").

niques of the Palestinians. The Americans are bogged down, and who knows how they will see the Middle East when they absorb their defeat.

The war is over and Iran has won. The Iranians have won on two fronts. Inside Iraq, they have pretty certainly deeply penetrated all the Shia parties and militias, supporting all of them even though they hate each other. They may even be supporting the Sunni nationalist insurgency. Their regional influence has obviously increased as well because of the emergence of Shia militancy in neighboring countries. (They do have to worry about the encouragement of their Kurdish minority.) On the international level, the war has eliminated the danger that the United States would try to change the Iranian regime by large scale military force.

C. The United States as a Military/Political World Power

We have lost political power because our military power turns out to be less than it appeared to be before and during the early phases of the war. One reason for this is that the enemy developed military techniques that will be useful for at least some time into the future to all those waging ideologically intense asymmetrical warfare, or plain old fashioned guerilla war, against the United States. The innovations are the improvised explosive device and suicide bombers deployed in numbers. Obviously neither tactic is unprecedented. It's just that this is a new deployment. These suicide bombers are like Japanese kamikazes, as well as like the Palestinians. In *Saving Private Ryan*, the paratroopers storm the cliffs of Normandy with a 95 percent chance of death. It's just that the technological and social organization of it has been totally transformed.

The great majority of U.S. casualties are inflicted by improvised explosive devices (IEDs). The first explosive devices were buried or hidden in the road, made of artillery shells from the Saddam regime, and detonated by a switch attached to a wire covered with sand running into the road. Very quickly the Americans trained their troops to spot the wires, and then equipped some vehicles with prongs to sweep ahead and pick them up.

The insurgents turned to electronic garage-door openers, dispensing with the wire. The United States began to jam the frequency on which automatic garage-door openers operated. The insurgents moved to cell phones, with many frequencies. U.S. patrols began to jam all the cell phones in their vicinity. Now the insurgents are using lasers. The beam goes from a box to the device, which detonates when the vehicle interrupts the beam. Not the end of the story, of course. We'll think of something. But this is what the military means when they say things like "the enemy is resourceful" or "the enemy has a lot of flexibility." The British claim that they are losing men in Basra because the Iranians have helped the Mahdi

Army master the Hezbollah technique of the shaped-charge IED, which can penetrate light British armor. Et cetera.

In a general way, it has become clear that our military capabilities are dramatically less than everyone believed they were after the Afghan War and up to the capture of Baghdad. After the Afghan invasion, it seemed as though we could peer into everyone's bedroom and figure out if they were breathing deeply or shallowly, and from some place in Arizona track every human being in Afghanistan and pick them off with drones one by one. We seemed to have achieved a kind of military supremacy that was almost beyond imagination.

We can speculate that the governments of Iran, Syria and North Korea, for starters, but many other regimes hostile to, or in competition with, the United States, from the Sudan to Venezuela to the Soviet Union, were seriously intimidated by this development. The United States still has the same technological capacities, but it has become clear that, while enormously impressive, the U.S. victories did not have the meaning for the global balance of power that at first appeared. True, the United States effortlessly changed the regime in Baghdad, but then it was defeated by the combination of nationalist and religious sectarian resistance with the hidden weaknesses of the American war machine. All this in a very poor country, devastated by the combination of Saddam's folly and a decade of sanctions.

The first weakness was the small size of the U.S. military, given the high ratio of non-combatants to combatants. Perhaps the United States should have sent more troops to Iraq at the beginning, but now the problem is that it doesn't have enough troops to pacify the country, supposing that that's what the Americans want to do. The force depended on the National Guard, which is collapsing. True, regular military recruitment is stable, but that is because bonuses have increased dramatically and the Army has informally reduced the qualifications for joining. So the United States is officially "over-stretched," and this means that it is inconceivable that the United States could invade Iran or Syria or North Korea. Of course, the United States could bomb them—all of them simultaneously—and do unlimited damage to their populations and their economies. Regimes might change under the air assault. But that is a very different kind of power than that of even short-term occupation.

The second weakness was organizational: it took years for the Americans to adjust to the unexpected situation they found in Iraq, if, indeed, they have in fact now adjusted. There is no reason to believe that another adventure in regime change would be Iraq all over again, or that it would take fewer years for the military to adjust anew.

The revelation that American military power is far less than it appeared amounts to the gift of security and enhanced freedom of action not just for Iran, Syria and North Korea, but for all states that are in a hostile or competitive relationship with the United States. The defeat is political on a global scale, as well as military, in Iraq.

D. The Internal Security of the United States

According to Bush, Iraq is the principal front of the war on terror, so that if we've lost in Iraq, there should now be occurring a disastrous increase in American vulnerability to terrorism. The loss, I'm arguing, will involve the de facto division of the country, and a low level civil war, with the insurgents in control of the Sunni triangle and a large part of Baghdad.

Will this mean more terrorism inside the United States? It's an important question, and it's hard to answer one way or the other with any confidence at all. A first point is that the capacity of Islamist terrorist groups to carry out attacks on civilians in the United States is, from a technical point of view, complete. All they have to do is go after soft targets with widely available technology, as in Madrid and London. The United States has no defense against these kinds of attacks other than intelligence and police work. There's no city in the United States where it would be hard for terrorists with minimal organization and determination to blow up a few hundred Americans and produce political, economic and emotional chaos. It doesn't have to be the World Trade Center all over again, and it's not the fault of the Bush administration; it's just the way things are. The United States will be no more and no less vulnerable as a result of what happens in Iraq.

The question is whether there are or will be small groups, loosely linked or not to Al Qaeda, with the will and competence to attack here. That depends on the motivations of Al Qaeda and its potential allies in the United States. In the last month or so, various liberals have begun to speculate about that, questioning the administration's idiocy about how Al Qaeda and its allies are motivated by hatred of the whole American way of life and determined to "destroy it."

These speculations implicitly acknowledge our defeat. If they want to destroy the American way of life, then their victory in Iraq will simply motivate them to bring the war to American territory. But if their goal is to kick the United States out of the Arab-Muslim world, destroy the U.S.-allied secular or insufficiently Islamic regimes and establish theocratic rule wherever they can, then it is harder to predict how they will react to their astounding victory. It's not obvious that they will say "onward to New York" or "onward to Washington," "onward to any place in the United States."

It's not even slightly obvious that that's what will happen. It's very possible that their victory will destroy them, for several reasons. The techniques by which they've achieved it are alienating more and more of the powerful Muslim world, the part of the Muslim world that has money, influence and resources, not to speak of the Shia everywhere.

Second, when they are no longer fighting the crusaders in the Sunni triangle, they will have to fight it out among themselves. It seems unlikely that nationalists and jihadists can rule together. And then there is the fact that they will not have Afghanistan under the Taliban, but rather the Sunni triangle, physically and economically devastated, and subject to continual harassment by American air power, not to speak of Shia/Kurd military incursions.

It seems clear that the war has made attack in the United States far, far more likely than it was after 9/11 by making the United States the principal world enemy of Islam. Once the United States has been defeated, it occupies a different status—to some extent humiliated, ridiculed, reduced to a paper tiger, with who knows what results. I think the consequences of the U.S. defeat for American internal security are impossible to figure.

E. Good Consequences of a Reduction of U.S. Political Power

I think it is good for the United States to lose power politically and militarily. I think our defeat is a blessing for the world because we don't use our power better than the people to whom it will be distributed, and our possession of it blocks openings to better uses by others. The main current use of American political power in the world since 1980, including during the Clinton administration, has been to impose one version or another of neo-liberal economic policies that are disastrous for the great majority of the population outside the developed North and West. A reduction in our military and political power would be a good thing because it would reduce our ability to impose that policy.

We have this free-market, free-trade template; we use a combination of military, economic and diplomatic power to impose it. We don't usually invade, just sometimes. It is a condition of getting loans from the World Bank; we negotiate treaties; we arm the contras. The consequences were hard to figure for a long time, but little by little it's become clear. Some people thrive and some people starve. Inside particular countries, the difference in wealth between the rich and the poor goes through the roof. We get rid of all the subsidies and state enterprises that are sustaining the people at the bottom in a moderately redistributive way; we help the rich to get twice as rich all over the world.

Between countries, there are winners and losers from trade. The closer we push the developing world toward free trade, the more the relationships

between those countries come to look like Manhattan in relation to New-ark in the 1970s. Israel is to the Occupied Territories as Manhattan is to Newark. If you start out with even a quite small advantage in the game and win the first rounds, the disparities just get greater and greater. There is a circular causation in which the drain of money and talent across the border feeds on itself, and feeds corruption in the weak state, which accelerates the drain, which feeds the corruption. That's the likely future of Iraq as well.

I am arguing that the defeat of the United States makes the creation of these insane winner/loser set-ups, with downward spiral for three quarters of the people and wild upward spiral Reagan-style plutocracy for a minority, somewhat less likely. We are the authors of policies that contribute to radical economic oppression all over the world. The less power we have to do that, the better.

What about democracy? We don't stand for democracy in any way that is backed by any form of action. We just don't. We have no pro-democratic track record for the whole period since World War II. We have been anti-communist, and that has been good for democracy some of the time, in some places. But in the Cold War, and since the Cold War, our policy has been to support our allies, whether they are democratic or not. When it is good for us, we are for free elections. When it's bad for us, no free elections or rigged elections. We are not in Iraq to promote democracy, and what we are doing is not going to produce democracy. It's going to produce Islamic republics that are indigenous, genuinely indigenous: Iranian-style in Shia Iraq, Kurdish-style in Kuridistan, and no one knows exactly what in the Sunni triangle.

VII. CONCLUSION

So I am saying we should rejoice in our defeat. We should hope that the Bush administration persuades the American public to swallow a completely false picture of what's going on—the fantasy of military success (no more serious casualties), they can stand up, and democracy. I worry that the Democrats will denounce this and accuse Bush of cutting and running. I hope they will say, "George Bush is acting like a statesmen," and support his lies.

I am also worried about the neo-cons in the State Department, and now the World Bank and the United Nations, who passionately favor the Israeli right wing and love the U.S. military's big stick. They designed the war. They may well try to stop Bush from bailing out by mobilizing the part of the Christian right that favors Israel and loathes Islam. The pro-Israel neo-con/born-again Christian alliance has a lot of power in the administration.

I would say that what we can hope for is that a coalition of spinmeisters, worried about the election, manages to package the defeat as a victory and stiffens the Christian right and the neo-cons when they say, "No, George, you're betraying the program; you are cutting and running." This is a very, very dark view of the situation, but, except for the suffering of the Iraqis, I am arguing that there is a silver lining in the cloud.

Thank you.